

4-12-82
Vol. 47 No. 70
Pages 15557-15760

Monday
April 12, 1982

Federal Register



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

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

The **Federal Register** will be furnished by mail to subscribers, free of postage, for \$300.00 per year, or \$150.00 for six months, payable in advance. The charge for individual copies is \$1.50 for each issue, or \$1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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

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

Contents

Federal Register

Vol. 47, No. 70

Monday, April 12, 1982

- The President**
EXECUTIVE ORDERS
- 15557 National Security Information (EO 12356, correction)
- Executive Agencies**
- Agriculture Department**
See also Farmers Home Administration;
- RULES**
- Administrative regulations:
- 15559 Swine Health Protection Act, hearings; adjudicatory proceedings
- Authority delegations by Secretary and General Officers:
- 15559 Federal Crop Insurance Corporation; transfer of general supervision
- Coast Guard**
PROPOSED RULES
- Boating safety:
- 15606 Recreational boats; personal flotation devices
- Commerce Department**
See Economic Analysis Bureau; Economic Development Administration; Foreign-Trade Zones Board; International Trade Administration; Minority Business Development Agency; National Oceanic and Atmospheric Administration.
- Defense Department**
See also Defense Intelligence Agency; Navy Department.
- NOTICES**
- Meetings:
- 15639 Science Board
- 15639 Science Board task forces
- Defense Intelligence Agency**
NOTICES
- 15636 Privacy Act; systems of records
- Economic Analysis Bureau**
RULES
- Direct investment surveys:
- 15579 U.S. direct investment abroad and foreign direct investments; U.S. reporter transactions with foreign affiliate, Form BE-577 revision, etc.; correction
- Economic Development Administration**
NOTICES
- Senior Executive Service:
- 15616 Performance Review/Executive Resources Board; membership
- Economic Regulatory Administration**
NOTICES
- Consent orders:
- 15641 Quaker State Oil Refining Corp.
- Natural gas; fuel oil displacement certification applications:
- 15640 Consolidated Edison Co. of New York, Inc.
- Powerplant and industrial fuel use; prohibition orders, exemption requests, etc.:
- 15640 Kissimmee Municipal Electric System
- Remedial orders:
- 15642 U.S.A. Oil Co.
- 15642 Western Avenue Properties
- Education Department**
NOTICES
- Meetings:
- 15639 Bilingual Education National Advisory Council
- Energy Department**
See Economic Regulatory Administration.
- Environmental Protection Agency**
RULES
- Air quality implementation plans; approval and promulgation; various States, etc.:
- 15579 Arizona
- 15585 California
- 15581 Florida
- 15583 Iowa (2 documents)
- 15581 Missouri; final rule withdrawn
- Air quality planning proposed; designation of areas:
- 15587 Oregon
- PROPOSED RULES**
- Air quality implementation plans; approval and promulgation; various States, etc.:
- 15609 Missouri
- Hazardous waste programs; interim authorizations; various States:
- 15609 Indiana
- 15702 Regulatory agenda
- NOTICES**
- Air quality; prevention of significant deterioration (PSD):
- 15644 Nonapplicability determinations (2 documents)
- 15643 Permit approvals (2 documents)
- Air quality criteria:
- 15643 Lead; effects in humans, animals, ecosystems, etc.
- Farmers Home Administration**
RULES
- Organization, functions, and authority delegations:
- 15560 Statement of organization and functions
- PROPOSED RULES**
- Rural housing loans and grants:
- 15589 Site loan policies, procedures, and authorizations
- Federal Aviation Administration**
RULES
- Airworthiness directives:
- 15574 Cessna
- 15575 Gates Learjet
- 15569 Mitsubishi
- 15572 Piper
- 15576 Varga
- 15577-15579 Transition areas (4 documents)

- PROPOSED RULES**
Airworthiness directives:
15600 Aircraft Tank Service, Inc.
15601 Transition areas
- NOTICES**
Meetings:
15679 Aeronautics Radio Technical Commission
- Federal Communications Commission**
RULES
Radio services, special:
15588 Land mobile services; bandwidth limitations and modulation requirements for transmitters; clarification; correction
- Federal Home Loan Bank Board**
NOTICES
15684 Meetings; Sunshine Act
Receiver, appointment:
15644 1st Financial Savings & Loan Association
- Federal Maritime Commission**
NOTICES
15684 Meetings; Sunshine Act
- Federal Railroad Administration**
NOTICES
Petitions for exemptions, etc.:
15679 Jefferson Parish Council, La.; waiver of power brake standards
15680 Transkentucky Transportation Railroad Co.
- Federal Reserve System**
NOTICES
Applications, etc.:
15645 Flagship Banks, Inc., et al.
15645 Trust Co. Bank Corp. et al.
- Federal Trade Commission**
NOTICES
15646 Line of business program; costs and benefits; inquiry; extension of time
Premerger notification waiting periods; early terminations:
15646 John D. Hollingsworth on Weels, Inc.
15645 Madison Fund, Inc.
- Fish and Wildlife Service**
PROPOSED RULES
Migratory bird hunting:
15614 Waterfowl hunting; zones for required non-toxic shot
- Foreign-Trade Zones Board**
NOTICES
Applications, etc.:
15616 Georgia
- General Services Administration**
NOTICES
Authority delegations:
15647 Defense Department Secretary
- Health and Human Services Department**
See also National Institutes of Health; Social Security Administration.
PROPOSED RULES
15610 Freedom of Information Act; implementation
- NOTICES**
15647 Privacy Act; systems of records
- Housing and Urban Development Department**
RULES
15570 Community development block grant programs; environmental review procedures for Title I programs; interim
- Interior Department**
See Fish and Wildlife Service; Surface Mining Reclamation and Enforcement Office.
- International Trade Administration**
NOTICES
Antidumping:
15620 Anhydrous sodium metasilicate from France
15621 Portland cement, other than white, nonstaining portland cement, from Dominican Republic
15621 Sugar and syrups from Canada
15622 Synthetic methionine from Japan
Countervailing duties:
15616 Michelin X-radial steel belted tires from Canada
15618 Prestressed concrete steel wire strand from Spain
- Interstate Commerce Commission**
NOTICES
Motor carriers:
15652 Permanent authority applications
15650 Permanent authority applications; restriction removals
15658 Temporary authority applications
Rail carriers:
15665 Louisville & Nashville Railroad Co.; contract tariff exemptions
Rail services abandonment:
15666- Consolidated Rail Corp. (30 documents)
15670
Railroad operation, acquisition, construction, etc.:
15665 Chicago & North Western Transportation Co.
- Management and Budget Office**
NOTICES
15673, Agency forms under review (2 documents)
15676
- Minority Business Development Agency**
NOTICES
Financial assistance application announcements:
15624, Alabama (3 documents)
15630,
15631
15629, Florida (2 documents)
15634
15626, Georgia (2 documents)
15633
15627 Mississippi
- National Aeronautics and Space Administration**
NOTICES
Patent licenses, exclusive:
15671 CARRE, Inc.
15670 Solartherm, Inc.
- National Highway Traffic Safety Administration**
PROPOSED RULES
Motor vehicle safety standards:
15612 Brake hoses; metric sizes labeling; rulemaking petition granted

- NOTICES**
Meetings:
15680 International harmonization of safety standards

National Institutes of Health

- NOTICES**
Meetings:
15647 Digestive Diseases National Advisory Board; change

National Mediation Board

- NOTICES**
15684 Meetings; Sunshine Act

National Oceanic and Atmospheric Administration

- RULES**
Fishery conservation and management:
15588 Spiny lobster, Gulf of Mexico and South Atlantic; correction

Navy Department

- NOTICES**
15636, 15638 Privacy Act; systems of records (2 documents)

Nuclear Regulatory Commission

- RULES**
Production and utilization facilities; domestic licensing:
15569 Standard review plan deviations; applicant evaluation procedures; correction
NOTICES
Applications, etc.:
15672 Florida Power & Light Co.
Meetings:
15671 Reactor Safeguards Advisory Committee (2 documents)
15672 Regulatory guides; issuance and availability
Reports; availability, etc.:
15672 Incident response plan; agency procedures

Research and Special Programs Administration, Transportation Department

- NOTICES**
Hazardous materials:
15681 Applications; exemptions, renewals, etc.

Saint Lawrence Seaway Development Corporation

- NOTICES**
Meetings:
15682 Advisory Board

Small Business Administration

- NOTICES**
Applications, etc.:
15678 Milestone Capital Corp.
15678 New Publication Fund, Inc.
15679 Rainbow Capital Corp.

Social Security Administration

- PROPOSED RULES**
Social Security benefits and supplemental security income:
15602 Experiments and demonstration projects

Surface Mining Reclamation and Enforcement Office

- PROPOSED RULES**
Permanent and interim regulatory programs:
15605 Prime farmland; grandfather exemption; extension of time
Permanent program submission; various States:
15605 - Kentucky

Transportation Department

See Coast Guard; Federal Aviation Administration; Federal Railroad Administration; National Highway Traffic Safety Administration; Research and Special Programs Administration, Transportation Department; Saint Lawrence Seaway Development Corporation.

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**Executive Orders**

12356 (correction)..... 15557

7 CFR

1..... 15559

2..... 15559

2003..... 15560

Proposed Rules:

1822..... 15589

1944..... 15589

10 CFR

50..... 15569

14 CFR

39 (5 documents)... 15569-

15576

71 (4 documents)... 15577-

15579

Proposed Rules:

39..... 15600

71..... 15601

15 CFR

806..... 15579

20 CFR**Proposed Rules:**

404..... 15602

416..... 15602

24 CFR

58..... 15750

30 CFR**Proposed Rules:**

716..... 15605

785..... 15605

917..... 15605

33 CFR**Proposed Rules:**

175..... 15606

181..... 15606

40 CFR

52 (7 documents)... 15579-

15587

Proposed Rules:

Ch. I..... 15702

52..... 15609

123..... 15609

45 CFR**Proposed Rules:**

5..... 15610

47 CFR

90..... 15588

49 CFR**Proposed Rules:**

571..... 15612

50 CFR

640..... 15588

Proposed Rules:

20..... 15614

Federal Register

Vol. 47, No. 70

Monday, April 12, 1982

Presidential Documents

Title 3—

Executive Order 12356 of April 2, 1982

The President

National Security Information

Correction

In the April 6, 1982 issue of the **Federal Register**, there appear on pages 14875, 14876, 14878, 14882 and 14883 incorrect references to "Section 5.3(a)(1)" of Executive Order 12356 of April 2, 1982. All references on these pages to "Section 5.3(a)(1)" should read "Section 5.3(a)."

Richard A. Hauser
Deputy Counsel to the President
April 8, 1982.

[FR Doc. 82-10124

Filed 4-9-82; 9:11 am]

Billing code 3195-01-M

Residential Documents

Rules and Regulations

Federal Register

Vol. 47, No. 70

Monday, April 12, 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

Office of the Secretary

7 CFR Part 1

Revision of Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary of Agriculture Under Various Statutes

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document requires hearings held under the Swine Health Protection Act to be conducted according to the rules of practice governing formal adjudicatory proceedings instituted by the Secretary of Agriculture under various statutes.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT:

John C. Frey, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Hyattsville, MD 20782 (301-436-5591).

SUPPLEMENTARY INFORMATION: The Swine Health Protection Act, (Act), Pub. L. 96-468, regulates the feeding of garbage to swine and is considered necessary to prevent outbreaks of hog cholera, African swine fever and other swine diseases which pose a threat to swine of the United States. Under the Act if the Secretary finds, following notice and opportunity for a hearing on the record, that a person holding a permit to operate a facility to treat garbage has violated the Act or any regulation issued thereunder, an order may be issued to cease and desist such violation or to revoke such permit or both. In addition, following notice and opportunity for a hearing on the record, a civil penalty may be assessed for each violation. The purpose of this document is to require any such hearing to be

conducted in accordance with the rules of practice governing formal adjudicatory proceedings instituted by the Secretary under various statutes contained in Subpart H, Part 1, Title 7, Code of Federal Regulations.

This rule relates to internal agency management, and, therefore, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect thereto are impractical and contrary to the public interest, and good cause is found for making this rule effective less than 30 days after publication in the Federal Register. Further, since this rule relates to internal agency management, it is exempt from the provisions of E.O. 12291. Finally, this action is not a rule as defined by Pub. L. 96-351, The Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

List of Subjects in 7 CFR Part 1

Administrative practice and procedures.

PART 1—ADMINISTRATIVE REGULATIONS

Accordingly, Subpart H, Part 1, Title 7, Code of Federal Regulations is amended as follows:

1. The authority citation for Subpart H is revised to read as follows:

Authority: 5 U.S.C. 301; sec. 4, 23 Stat. 32, sec. 2, 32 Stat. 792, as amended, 34 Stat. 1260, as amended, 37 Stat. 832, sec. 28, 39 Stat. 490, sec. 407, 42 Stat. 169, sec. 10, 42 Stat. 1519, sec. 15, 46 Stat. 537, as amended, sec. 402, 53 Stat. 1285, sec. 205(b), 60 Stat. 1090, sec. 14, 71 Stat. 447, as amended, sec. 21, 80 Stat. 353, sec. 9, 84 Stat. 1406, sec. 14, 84 Stat. 1629, sec. 310, 90 Stat. 2767, sec. 18, 90 Stat. 2884, sec. 13, 94 Stat. 2233; 7 U.S.C. 61, 87e, 228, 286, 499o, 1592, 1624(b), 2151, 3812, 15 U.S.C. 1828, 21 U.S.C. 111, 120, 154, 463(b), 621, 1043, 43 U.S.C. 1740, unless otherwise noted.

§ 1.131 [Amended]

2. The list of statutes contained in paragraph (a) of § 1.131 is revised by adding "Swine Health Protection Act, Sections 5 and 6 (7 U.S.C. 3804, 3805)," after "Poultry Products Inspection Act, Sections 6, 7, 8(d), and 18 (21 U.S.C. 455, 456, 457(d), 467)."

Done at Washington, D.C., this 6th day of April 1982.

John R. Block,
Secretary of Agriculture.

[FR Doc. 82-9831 Filed 4-9-82; 8:45 am]

BILLING CODE 3410-01-M

7 CFR Part 2

Revision of Delegations of Authority

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This document revises the delegations of authority from the Secretary of Agriculture and General Officers of the Department to reflect the transfer of general supervision over the Federal Crop Insurance Corporation from the Under Secretary for International Affairs and Commodity Programs to the Under Secretary for Small Community and Rural Development and to delegate to the Under Secretary for Small Community and Rural Development and the Manager of the Federal Crop Insurance Corporation the authority to appoint officers and employees of the Corporation.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT:

Robert L. Siegler, Deputy Assistant General Counsel, Office of the General Counsel, Department of Agriculture, Washington, D.C. 20250, (202) 447-6035.

SUPPLEMENTARY INFORMATION: In order to provide for improved coordination of programs with similar objectives, it has been determined that policy level supervision for the Federal Crop Insurance Corporation should be assigned to the Under Secretary for Small Community and Rural Development. Inclusion of the Federal Crop Insurance Corporation's programs along with the programs of the Farmers Home Administration and the Rural Electrification Administration within the jurisdiction of the Under Secretary for Small Community and Rural Development will help to permit the Department to deliver a complete package of credit and insurance assistance to farmers. This document transfers the responsibility for general supervision of the Federal Crop Insurance Corporation from the Under Secretary for International Affairs and Commodity Programs to the Under Secretary for Small Community and Rural Development.

In addition, while the Secretary has delegated his authority of general supervision over the Federal Crop Insurance Corporation, the authority the Secretary possesses to appoint such

officers and employees of the Corporation as may be necessary for the transaction of the business of the Corporation has never been specifically delegated. This document delegates the Secretary's authority to appoint officers and employees of the Corporation.

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

List of Subjects in 7 CFR Part 2

Authority delegations (Government agencies).

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Accordingly, Part 2, Subtitle A, Title 7, Code of Federal Regulations is amended as follows:

1. The authority citation for Part 2 reads as follows:

Authority: 5 U.S.C. 301 and Reorganization Plan No. 2 of 1953, unless otherwise noted.

Subpart C—Delegations of Authority to the Deputy Secretary, the Under Secretary for International Affairs and Commodity Programs, the Under Secretary for Small Community and Rural Development, and Assistant Secretaries.

§ 2.21 [Amended]

2. Section 2.21 is amended by removing and reserving paragraph (c).

§ 2.22 [Amended]

3. Section 2.22 is amended by removing and reserving paragraph (c).

§ 2.23 [Amended]

4. Section 2.23 is amended by adding a new paragraph (h) to read as follows:

§ 2.23 Delegations of authority to the Under Secretary for Small Community and Rural Development.

(h) *Related to Federal crop insurance.*
(1) Exercise general supervision of the Federal Crop Insurance Corporation.

(2) Appoint such officers and employees as may be necessary for the

transaction of the business of the Corporation.

5. Section 2.24 is revised to read as follows:

§ 2.24 Reservations of authority.

The following authorities are reserved to the Secretary of Agriculture:

(a)-(g) (Reserved)

(h) *Related to Federal crop insurance.*

(1) Appointment of the Board of Directors, Federal Crop Insurance Corporation.

(2) Appointment of the Manager, Federal Crop Insurance Corporation.

Subpart H—Delegations of Authority by the Under Secretary for International Affairs and Commodity Programs

§ 2.67 [Removed]

6. Section 2.67 is removed and reserved.

Subpart I—Delegations of Authority by the Under Secretary for Small Community and Rural Development

7. A new § 2.73 is added to read as follows:

§ 2.73 Manager, Federal Crop Insurance Corporation

(a) *Delegation.* Pursuant to § 2.23(h), subject to reservations in § 2.24(h), the following delegation of authority is made by the Under Secretary for Small Community and Rural Development to the Manager, Federal Crop Insurance Corporation: Appoint such officers and employees as may be necessary for the transaction of the business of the Corporation. In addition, pursuant to the Federal Crop Insurance Act, as amended, the Manager, Federal Crop Insurance Corporation, is its chief executive officer with such power and authority as may be conferred upon him by the Board of Directors.

(b) *Reservation.* The following authority is reserved to the Under Secretary for Small Community and Rural Development: Exercise general supervision of the Federal Crop Insurance Corporation.

Dated: April 6, 1982.

For Subpart C.

John R. Block,
Secretary of Agriculture.

Dated: April 6, 1982.

For Subpart H.

Seeley G. Lodwick,
Under Secretary for International Affairs and Commodity Programs.

Dated: April 6, 1982.

For Subpart I.

Frank W. Naylor, Jr.,
Under Secretary for Small Community and Rural Development.

[FR Doc. 82-9669 Filed 4-9-82; 8:45 am]

BILLING CODE 3410-01-M

Farmers Home Administration

7 CFR Part 2003

Functional Organization of the Farmers Home Administration

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration issues its new statement of organization and functions. This action is taken as a result of the recent Agency reorganization and is published in order to keep the public informed of the Agency structure.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT: Leigh Nalley, Acting Director, Organization, Management and Training Division, 6525 Belcrest Road, Suite 531, Hyattsville, MD 20782, telephone (301) 436-5544.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under USDA procedures established in Secretary's Memorandum 1512-1 to implement Executive Order 12291, and has been determined to be exempt from those requirements because it involves only internal agency management and organization. It is the policy of this Department that rules relating to public property, loans, grants, benefits, or contracts shall be published for comment notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking since the purpose of the changes involves internal agency management and publication for comment is unnecessary.

This regulation does not directly affect any FmHA programs or projects which are subject to A-95 clearinghouse review. This document has been reviewed in accordance with FmHA Instruction 1901-G, "Environmental Impact Statement." It is the determination of FmHA that this action does not constitute a major Federal action significantly affecting the quality of the human environment and, in accordance with the National Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

This action is taken as the result of the reorganization of the Farmers Home Administration which was approved on January 11, 1982, by the Deputy Assistant Secretary for Administration, the Under Secretary for Small Community and Rural Development, and the Administrator.

List of Subjects in 7 CFR Part 2003

Organization and functions (government agencies).

Accordingly, Subpart A of Part 2003, Chapter XVIII, Title 7, Code of Federal Regulations is revised to read as follows:

PART 2003—ORGANIZATION

Subpart A—Functional Organization of the Farmers Home Administration

Sec.

- 2003.1 General.
2003.2 Approval authority.
2003.3 Definitions.
2003.4 Responsibility for administration.
2003.5 Compliance with the approved organization.

2003.6 2003.50 (Reserved).

Exhibit A—U.S. Department of Agriculture Farmers Home Administration.

Authority: 7 U.S.C. 1981 and 1989; 42 U.S.C. 1471 and 1480; 5 U.S.C. 301 and 552; delegation of authority by the Secretary of Agriculture, 7 CFR 2.23; delegation of authority by the Assistant Secretary for Rural Development, 7 CFR 2.70.

§ 2003.1 General.

Organization charts are made to show responsibilities and authorities. All officials must know the structure of Farmers Home Administration (FmHA) organization. Exhibit A shows the assignment of functions for the National Office and the field.

§ 2003.2 Approval authority.

The Assistant Secretary for Administration is responsible for the final approval of organization charts, including changes in functions. The Administrator is responsible for recommending changes to the Under Secretary for Small Community and Rural Development.

§ 2003.3 Definitions. [Reserved]

§ 2003.4 Responsibility for administration.

The Administrator must see that the administration of FmHA's work is efficient. The head of each unit must make periodic reviews and make recommendations for improvements.

§ 2003.5 Compliance with the approved organization.

Units must comply with the organizational structure prescribed in the organizational charts and functional

orders. Positions at variance with the approved organization will not be established without the approval of the United States Department of Agriculture.

§§ 2003.6–2003.50 [Reserved]

EXHIBIT A—U.S. DEPARTMENT OF AGRICULTURE, FARMERS HOME ADMINISTRATION

07 01 Office of the Administrator

A. Assignment of Functions

Responsible for:

1. The management and administration of the programs and support functions of the Farmers Home Administration (FmHA) which provide assistance to rural Americans and their communities in:

- Owning and operating family farms.
- Obtaining adequate, affordable housing.
- Having access to needed community facilities.

(d) Improving economic opportunity through business and industrial development.

2. Assisting the Secretary in carrying out his responsibilities for leadership and coordination of national and local rural development efforts.

B. Availability of Information

The Legislative Affairs and Public Information Staff, Washington, D.C. 20250, will handle all inquiries for information concerning FmHA programs. Freedom of Information inquiries are handled by the Directives and Administrative Services Division.

C. Regulations

Regulations governing FmHA programs may be found in Title 7, Code of Federal Regulations, Parts 1800 through 2045.

D. Historical Documents

- Consolidated Farm and Rural Development Act as amended (7 U.S.C. 1800 et seq.).
- Title 5, Housing Act of 1949 as amended (42 U.S.C. 1471 et seq.).

07 01 00 0001 Legislative Affairs and Public Information Staff

Assignment of Functions

1. Advises the Administrator, or represents him in assisting and advising other Agency and Departmental officials, in policy matters relating to the development of legislation, and response to or relations with members and committees of Congress and the public.

2. Coordinates Agency preparation for Congressional hearings, including arrangement for witnesses and preparation of statements and other materials to be presented.

3. Serves as control point for securing and expediting Agency response to requests for legislative reports on bills introduced in Congress.

4. Maintains information files on legislation pending or enacted; performs special factfinding work as assigned.

5. Responds to Congressional inquiries received by telephone or mail relating to Agency operations, programs and status of

applications; coordinates Agency response to Congressional correspondence with Internal Mail Processing (IMP) office; handles or expedites response to inquiries that require same day service.

6. Provides the Administrator and the Agency with fast, accurate service in production of briefing material, speeches, Congressional testimony and any other material requested; produces an inhouse newsletter, "FYI", which provides Agency information to all FmHA employees, and FmHA publications generally, except for personnel and program instruction; assists State Directors and field offices with information efforts.

7. Maintains liaison and working relationship with the Office of Governmental and Public Affairs, the Office of the General Counsel and other Departmental units involved in Congressional relations and public information.

07 01 00 0002 Equal Opportunity Staff

Assignment of Functions

1. Responsible for the development and institution of plans, procedures and policies necessary for eliminating discrimination in Farmers Home Administration programs and employment because of race, color, religion, sex, national origin, age, marital status or handicap.

2. Administers laws, statutes, executive orders and Departmental regulations that assure equal opportunity in program participation and employment, including Title VI of the Civil Rights Act of 1964 (P.L. 88-352), Title VII of the Civil Rights Act of 1964 (amended by the Equal Employment Act of 1972), Title VIII of the Civil Rights Act of 1968 (P.L. 90-284), Equal Credit Act of 1975, (also Equal Credit Opportunity Regulation B (12 CFR 202) effective March 23, 1977), and Executive Orders 11246 and 11478.

3. Provides research data to USDA Office of Minority Affairs and Office of Governmental and Public Affairs; works with the Justice Department, Department of Labor, Office of Personnel Management, Equal Employment Opportunity Commission and USDA's Offices of Personnel and Minority Affairs on training and program coordination.

07 01 00 0007 Planning And Analysis Staff

Assignment of Functions

1. Responsible for the development and institution of plans, procedures and policies necessary for the efficient and orderly management of activities related to program evaluation, management plans and audit liaison.

2. Designs, develops and monitors an Agency-wide program of Operations Reviews to serve as a management tool in evaluating county, district and state effectiveness and efficiency; conducts comprehensive analyses of the effectiveness of FmHA programs in the accomplishment of specific missions, makes evaluation of cost effectiveness and participates in special studies to resolve program issues; field tests new program evaluation methodologies to assure that programs can be successfully evaluated.

3. Formulates and develops agency-wide management plans, the purpose of which is to plan and project the effective utilization of the Agency's resources, provide policy direction and accountability, and measure the performance and effectiveness of the Agency; monitors and assists county offices, district offices, state offices and units within the Finance Office and the National Office in executing the Agency's activities in meeting the needs of rural America; measures and evaluates the performance of the Agency in meeting the goals of the Administration through receipt of and review of quarterly status reports from the State and National Offices.

4. Coordinates Agency responses to GAO and OIG audit reports to ensure that they are timely and that intended actions are both appropriate and adequate as corrective measures; analyzes audit findings for trends and recommends changes for improvement.

5. Maintains liaison and working relationship with the USDA Office of Inspector General and Office of Budget and Program Analysis, and the General Accounting Office; consults with professional accounting associations such as the American Institute of Certified Public Accountants and Association of Licensed Public Accountants.

07 01 State Offices

Assignment of Functions

Provides overall direction of FmHA program operations at the State level, ensures adherence to program plans approved for the State by the Administrator, and renders staff advisory and manpower support to frontline operating personnel in the district and county offices.

07 01 District Offices

Assignment of Functions

Provides overall direction of FmHA program operations at the district level, ensures adherence to program plans approved for the district by the State Director and renders supervisory and advisory support to frontline operating personnel in the county offices. Has full responsibility for making and servicing multi-family housing, community facility, and business and industry program loans and grants.

07 01 County Offices

Assignment of Functions

Execute the FmHA programs and activities in one or more counties, with major responsibility for conducting farm and home ownership programs.

07 02 Deputy Administrator Program Operations

Assignment of Functions

1. Serves as top policy adviser to the Administrator on all program matters; directs the development or change and institution of plans, procedures, and policies necessary for the efficient and orderly management of all assigned programs.

2. Has primary responsibility for the overall operation and management of a broad and complex range of Farm, Family and Rural

Development programs, with responsibility for the work of Agency program units in the areas of Community Programs and Business and Industry, Environment and Technology, Farmer Programs, and Single and Multi-Family Family Housing; provides advice and guidance to superiors, Assistant Administrators, Division Directors, and State Directors on all loan and grant making and servicing activities.

3. Maintains active liaison with all appropriate USDA and other Federal agencies that impact on or have an interest in assigned program areas; cooperates and assists in areas of mutual concern, develops and maintains good, businesslike relations with a broad range of community and public interest groups, professional associations, advocate groups, and suppliers of materials and services.

4. Maintains good working relations with the Office of the General Counsel; stays currently informed on legal aspects of program operations and operates programs accordingly; keeps informed on environmental and technological matters relating to program operations; responds to Congressional inquiries on an accurate, timely, and professional basis and keeps appropriate members and staffs informed as needed on the conduct of assigned programs; participates in budget, oversight, and other designated hearings.

5. Establishes good, business-like working relationships with Assistant Administrators and Division Directors and provides them with sound, consistent advice and counsel. Maintains active interest in all program areas and keeps staff currently informed on policy items and other areas of interest.

07 02 00 0001 Program Support Staff

Assignment of Functions

1. Responsible to the Deputy Administrator Program Operations for recommending and maintaining policies and standards that are environmentally and technically sound, to ensure compliance with objectives of enabling legislation and requirements of regulatory authorities relating to these issues as they affect FmHA programs, to incorporate proven technological advances in to FmHA financial assistance programs and to ensure those projects funded by FmHA are cost-effective, safe, healthful and will adequately meet the needs of the owners; reviews field operations to determine the appropriateness of current policies and standards and changes proposed to provide for more effective environmental and technical operations; assists in developing organizational structure necessary to ensure appropriate environmental and technical input into Agency operations.

2. Serves as the Deputy Administrator's support staff providing environmental and technical assessment of requests for Agency financial assistance and coordinating environmental and technical requirements and policies across the program divisions in order to maintain consistency; keeps the Deputy Administrator and program personnel advised of the latest regulatory and state-of-the-art approaches to proper design and construction.

3. Provides specialized professional advice and assistance to the Deputy Administrator and appropriate program officials in areas of architecture, engineering, land use planning, environmental analysis and all technical aspects of FmHA programs as requested during loan-making, account servicing, management of inventory property, etc. Keeps appropriate program officials currently informed of pending requests and coordinates responses with such officials.

4. Serves as Agency contact and authority on specialized matters such as OMB Circular A-95, suspension and debarment, dam safety, historic preservation, National Environmental Policy Act, floodplains and wetlands, Secretary's Memoranda concerning *Land Use Policy*, and other major environmental laws and regulations, relocation and real property acquisition, DOL construction contract provisions, handicapped accessibility, etc.; maintains a library of technical standards and references essential to the orderly operation of FmHA programs, makes recommendations to implement these matters and acts as a clearinghouse for distribution of these standards to staff personnel on a nationwide basis working in close cooperation with appropriate program officials.

5. Maintains liaison and working relationship with technical standards organizations, assists in coordinating technical changes in FmHA regulations with private and public interest groups affected; and participates in professional organization activities and seminars to maintain state-of-the-art knowledge in the various areas of responsibility.

6. All activities affecting program matters will be closely coordinated with the appropriate program personnel.

07 02 02 Assistant Administrator—Farmer Programs

Assignment of Functions

1. Responsible to the Administrator and the Deputy Administrator for the development and institution of plans, procedures and policies for efficient and orderly management of Farmer Programs (FP) entity responsibilities; provides leadership to ensure execution of policies and procedures by Farm Real Estate and Production Division and Emergency Division staffs.

2. Oversees administration and management of insured and guaranteed farm loan programs which includes making and servicing farm ownership loans (including nonfarm enterprise loans); soil and water loans to individuals; recreation loans; group loans for irrigation and drainage, shift-in-land use, grazing, and timber development; Indian tribal land acquisition loans; energy-type loans, and farm operating (including youth loans); natural disaster emergency loans; economic emergency loans; and management and servicing of loans no longer authorized or funded. Monitors and recommends action on use of State Rural Rehabilitation Corporation assets.

3. Monitors, inspects and evaluates on a nationwide basis the administration of loan programs as executed by FmHA field offices; analyzes problems and takes action to

implement corrective measures; responsible for an equitable system of allocation of loan funds to States.

4. Develops and initiates action to implement cost of reduction techniques for nationwide application in operation of loan programs; coordinates implementation of debt management program and Presidential and Department directives as they apply to Farmer Programs.

5. Develops priorities for assisting FP loan applicants and borrowers in the areas of farm management, supervision and planning, security servicing, collection of accounts, property management, loan making and other related aspects; develops and implements procedures that will preserve and strengthen the family farm system of agriculture; responsible for ensuring that borrower graduation policies are adhered to by field personnel.

6. Directs the preparation of budget estimates and projections for program operations; directs the drafting of legislation and legislative reports involving the farm loan programs.

7. Serves as review officer or hearing officer on appeals of adverse actions filed by FP loan borrowers and applicants; assists Division Directors in resolving the more highly complex problem and complaint cases; approves loans and transfers outside the State Director's approval authority.

8. Maintains liaison and working relationship with such institutions as bankers, investment groups, agricultural credit firms and farm organizations; collaborates with the Secretary's Office, officials of other agricultural agencies, State agricultural colleges, non-Federal credit institutions, professional appraisal societies, and others on matters of mutual concern; consults with and informs State and local Government officials on program matters; confers and works with Office of the General Counsel, Office of Inspector General, Office of Management and Budget, General Accounting Office and others on program issues and matters of mutual concern; represents the Agency on Departmental, interdepartmental and interagency task forces for developing public policy or improving services to the public.

07 02 02 0001 Farm Real Estate and Production Division

Assignment of Functions

1. Under the direction of the Administrator, Deputy Administrator and Assistant Administrator responsible for the development and institution of plans, procedures and policies necessary for efficient and orderly management of the Farm Real Estate and Production Division (FREPL) and the Farmer Program entity as appropriate.

2. Develops and recommends operating plans, policies and procedures for use on a nationwide basis for making and servicing insured and guaranteed farm ownership loans (including non-farm enterprise loans), soil and water conservation loans to individuals, recreation loans; group loans for irrigation and drainage, shift-in-land use, grazing, timber development; Indian tribal land acquisition loans, energy-type loans,

and farm operating loans (including youth loans); provides management and servicing of similar loans made by predecessor agencies; develops farm real estate appraisal and chattel appraisal methods and procedures.

3. Monitors, inspects and evaluates on a nationwide basis the administration of FREPL loan programs as executed by FmHA State, District and County Offices; provides direction to assure that eligible family farmers receive the benefits of farm real estate and farm operating loans as a part of the Department's special effort to assist beginning family farmers, and strengthen the family farm system in American agriculture.

4. Develops and recommends priorities for assisting FREPL loan applicants and borrowers in the areas of farm management, supervision and planning, security servicing, collection of accounts, property management, loan making and other related aspects; develops and recommends innovative methods in making and servicing farm loans, including maximum assistance from other sources to supplement FmHA assistance.

5. Recommends action on the use of State Rural Rehabilitation Corporation Assets; performs property management functions involving security for real estate and farm operating loans; develops and recommends action to implement cost reduction techniques for operation of FREPL programs; as directed, implements debt management policies and carries out Presidential and Departmental directives as applicable to Division programs; directs the drafting of legislation and legislative reports involving FREPL programs; provides technical advice and assistance to field personnel.

6. Maintains liaison and working relationship with bankers, investment groups, agricultural credit firms, public interest groups and farm organizations to discuss FmHA farm loan programs; works with the Secretary's Office, Office of the General Counsel, Office of Inspector General, GAO, officials of other agricultural agencies, Farm Credit Administration, State agricultural colleges, non-Federal credit institutions, professional appraisal societies and others on matters of mutual concern; represents the Agency in Departmental, interdepartmental and interagency task forces and committees involved with projects of mutual concern.

07 02 02 0002 Emergency Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator, and Assistant Administrator for the development and institution of plans, procedures and policies necessary for efficient, orderly management of Emergency Division responsibilities.

2. Develops and recommends operating plans, policies and procedures for nationwide use for making and servicing natural disaster emergency loans and economic emergency loans and for management and servicing of similar loans made by predecessor agencies; manages and services loans made under FmHA emergency-type programs no longer authorized which includes emergency livestock loans.

3. Develops and recommends operating plans, policies and procedures for carrying

out Civil Defense program activities assigned to the Agency.

4. Monitors, inspects and evaluates on a nationwide basis the administration of loan programs as executed by FmHA State, District and County Offices.

5. Handles the "designation" process as it relates to making emergency disaster (EM) loans available. This includes: (1) processing Secretarial "emergency area" designation requests received from State governors and making recommendations to the Under Secretary for Small Community and Rural Development concerning actions to be taken and (2) processing the paper work in connection with Presidential major disaster and emergency declarations, and FmHA State Director authorizations.

6. Develops and recommends innovative methods for making and servicing loans to farmers, for borrower supervision including assistance from other sources to supplement FmHA assistance, and for preserving and strengthening the family farm system in American agriculture. Provides technical advice and assistance to field personnel.

7. Maintains liaison and working relationship with other Federal agencies providing emergency or disaster type assistance to farmers, ranchers, and other rural residents, and recommends policies and programs for the improvement of such overall assistance; works closely with private and cooperative lending institutions; coordinate FmHA Civil Defense program activities with the Department and other agencies.

8. Works with representatives of ASCS, FCIC, SRS, Congressional Liaison, and Office of Governmental and Public Affairs to coordinate the various disaster assistance programs within the Department, and with representatives of FEMA and SBA to coordinate the emergency disaster loan program of FmHA with the disaster loan program of SBA.

9. Works with representatives of American Bankers Association, Independent Bankers Association, Farm Credit Administration, Office of Management and Budget, Office of the General Counsel, Office of Inspector General and House and Senate Agricultural and Appropriations Committees in the formulation of policy as it pertains to emergency-type loans.

07 02 01 Assistant Administrator—Housing

Assignment of Functions

1. Responsible to the Administrator and Deputy Administrator for the development and implementation of plans, procedures and policies necessary for the efficient and orderly management of the Agency's total housing programs, which extends housing credit to rural and small town people of limited resources, thus providing an opportunity to have decent housing in an acceptable environment.

2. Provides executive leadership, formulates and coordinates policies and provides direction in carrying out single and multiple family housing and technical assistance programs in all States, the Pacific Trust Territories, Guam, Puerto Rico and the Virgin Islands.

3. Responsible for the Section 502 and 504 single family programs, Section 515 rural rental, rural housing site loans, rural cooperatives housing loans, farm labor housing loan and grant programs, self-help technical assistance grant program and technical and supervisory assistance grant program.

4. Administers and monitors the single family housing loan and grant operations through two divisions (Single Family Housing Processing Division and the Single Family Housing Servicing and Property Management Division), and provides guidance and direction for conducting multiple family programs through two divisions (Multi-Family Housing Processing Division and the Multi-Family Servicing and Property Management Division).

5. Maintains liaison and working relationship with private, State and other Federal (HUD-FHA and VA) financing organizations which provide financial assistance to rural communities, individuals and groups for single and multiple family housing and technical assistance type projects; also maintains liaison with a wide range of community and public interest groups, professional associations, materials suppliers and advocate groups that follow day-to-day operation of the program; stays currently informed on the legal aspects of complex private and local government type organizations regarding their capacity to own and operate multiple family housing and to ensure debt instruments as security for loans.

07 02 01 0001 Single Family Housing Processing Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Administrator for the development and institution of plans, procedures and policies necessary for administering the Agency's single family housing rural loan and grant programs.

2. Responsible for the planning, development, coordination and execution agencywide of the operating policies, procedures, methods and criteria for loan making and related activities in the single family housing program which provides direct loans and grants to low-income homeowners, insured loans to low- and moderate-income families, and guaranteed loans to above-moderate-income families. Additional responsibilities include other special housing programs such as mobile home loans, individual condominiums, weatherization loans, single family housing programs under agreements with other Departments, and special studies, projects and surveys related to single family housing. Constantly monitors accomplishments of the operation.

3. Maintains liaison and working relationship with the Office of General Counsel, other USDA program divisions, other Federal agencies, credit institutions, local governments, and private organizations, on activities such as: energy saving and construction practices with HUD, DOE and REA; special flood areas and credit reporting bureaus with HUD; the National Association of Home Builders, and home construction

warranties with the Home Owners Warranty Corp. and other warrantors.

07 02 01 0002 Single Family Housing Servicing and Property Management Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Administrator for the development and institution of plans, procedures and policies necessary for servicing the Agency's multi-billion dollar portfolio of single-family housing loans, the liquidation of defaulted loans, and the management and sale of housing properties acquired by the Agency.

2. Responsible for all servicing actions on outstanding loans including resolution of borrower complaints about construction and problems with builders and developers; administers the Agency's compensation for construction defects program; counsels borrowers in financial management, budgeting, and in wise use of credit; conducts orderly servicing of real estate taxes, property insurance, and actions by third parties which jeopardize the interests of the borrower or the Government; oversees collection of loan payments, granting of interest credit and moratorium as necessary to be responsive to borrower's change of circumstance, and related appeals; graduation to other credit sources; assumption of loans or sale of property, including recapture of subsidy granted on the loans, if applicable; and any other problems which arise during a borrower's ownership.

3. Responsible for liquidation of loans when servicing actions have been ineffective in solving problems, including the handling of foreclosure appeals, and securing, repair, maintenance, management, lease and sale of acquired property. Monitors and evaluates activities of State and county offices with regard to management of acquired property; provides guidance to State and county office personnel in effective management of acquired property and contracting for procurement of supplies and services for repair and maintenance of inventory property.

4. Maintains liaison and working relationship with the Office of the General Counsel (USDA), other FmHA program divisions, credit institutions, trade organizations, the Department of Housing and Urban Development (HUD), Veterans Administration (VA), and other Federal agencies.

07 02 01 0003 Multi-Family Housing Processing Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Administrator for the development and institution of plans, procedures and policies necessary for efficient and orderly management of a nationwide program of rural rental housing loans, rural cooperative housing loans, congregate housing loans, labor housing loans and grants, rural housing site loans, self-help technical assistance grants, technical and supervisory assistance grants, and rental assistance programs; assists in developing legislative proposals to meet Agency and Administrative objectives.

2. Assists in the ongoing evaluation of program effectiveness and Agency goals and objective attainment; maintains a high level of knowledge of the statutes authorizing the respective programs, of regulations and circulars governing the operation of the programs, and of proposed changes in those statutes, regulations and circulars; provides direction and guidance to state office personnel in resolving complex problems of program administration; maintains knowledge of social, economic and general real estate and rural credit conditions, trends and problems existing throughout the nation's rural area; reviews and provides guidance and authorization to State Directors on loans and grants of a complex and precedent setting nature and in excess of the State Director's approval authority.

3. Maintains liaison and working relationship with a wide range of community and public interest groups, professional associations, material supply groups and advocate groups that follow the day-to-day operation of the program; this includes such groups as: The National Hispanic Housing Coalition, National Home Builders Association, International Center for Social Gerontology, Institute of Real Estate Management, National Law Practice, State RRH Borrower Associations, American Institute of Architects, American Insurance Association, Counsel for Rural Housing and Development, Housing Assistance Counsel, Rural America and other Federal and State agencies, including the Departments of Housing and Urban Development, Health and Human Services, Labor, and Defense.

07 02 01 0004 Multi-Family Housing Servicing and Property Management Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator, and Assistant Administrator for the development and implementation of operating policies and procedures for loan servicing, recordkeeping and account servicing, real estate appraisals, and program evaluation for all multi-family housing programs.

2. Responsible for the servicing and supervision of all rural rental housing loans, labor housing loans and grants, rural housing site loans and for the implementation, operation and review of multi-Family housing appraisal functions; for writing new regulations in response to statutory authorities in laws passed by the Congress; for revision of existing regulations based on program monitoring; for developing guidelines and regulations for the use of field staffs and the owners and managers of multi-Family housing projects on the renting of units to low- and moderate-income families, the elderly, handicapped and domestic farmworkers; for developing and maintaining systems on handling tenant grievance and appeal, and on borrower recordkeeping and auditing systems, and on evaluating individual borrower performance and compliance with FmHA regulations and the security instruments.

3. Assures constant review and evaluation of present policy and procedure are made to assure that eligible tenants have fair and

equitable access to housing units, and that rents are reasonable and fair based on cost of operating the projects; that housing subsidies (Section 8, Rental Assistance and Interest Credits) are administered in a manner consistent with Congressional intent; that security interests of the Government are maintained. Guidelines on maintaining low default levels and management and property in Government inventory are provided to field staffs.

4. Maintains liaison and working relationship with public and private organizations involved in the multiple housing sector of the national economy; meets with other Government agencies, such as HUD and HHS, on a regular basis; maintains close working relationship with HUD with respect to its programs that are similar to those of the FmHA, so as to lessen the burden on developers and builders and housing management concerns who utilize both department programs and must comply with dual requirements.

5. Consults with the Office of the General Counsel, USDA, on legal and administrative aspects of implementing and administering housing programs; coordinates with other Departmental and Administration authorities in providing assistance to Congressional representatives in formulating programs for improvement of rural housing, handling constituent complaints and explaining program operations to the public, members of Congress and other interested groups.

**07 02 03 Assistant Administrator—
Community and Business Programs**

Assignment of Functions

1. Responsible to the Administrator and Deputy Administrator for the development and institution of plans, procedures, and policies necessary for the efficient and orderly management of all assigned programs.

2. Has primary responsibility for the day to day operation and management of a broad and complex range of Community and Business and Industry type programs, including: Water and Waste Disposal Loans and Grants; Community Facility Loans; Industrial Development Grants; Watershed and Flood Prevention Loans; Resource, Conservation and Development Loans; Recreation Loans (servicing only); Energy Impact Assistance Grants; and, Business and Industrial Loans.

3. Provides expert advice and guidance to superiors, to three subordinate Division Directors and to State Directors on all loan and grant making and servicing activities.

4. Directs and supervises subordinate organizational activity consisting of the following Division Directors: Community Facilities, Water and Waste Disposal, and Business and Industry; provides them with sound and consistent advice and counsel, maintains active interest in all program areas and keeps directors currently informed on policy and other areas of interest.

5. Maintains liaison and working relationship with all appropriate USDA and other Federal and State agencies that impact on or have an interest in assigned program areas and stays currently informed on legal

aspects of program operations and operates programs accordingly.

6. Responds to Congressional inquiries on an accurate, timely, and professional basis; keeps appropriate Members and staffs informed as needed on the conduct of assigned programs; participates in budget, oversight, and other designated hearings. Develops and maintains good, business-like relations with a broad range of community and public interest groups, professional associations, advocate groups, and suppliers of materials and services.

**07 02 03 0001 Water and Waste Disposal
Division**

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator, and Assistant Administrator for the development and institution of plans, procedures and policies necessary for efficient and orderly management of a nationwide program of water and waste disposal loans and grants in rural areas.

2. Oversees administration nationwide of FmHA's authority to make loans and/or grants for development of new water and waste disposal systems or needed improvements to existing facilities. Develops and maintains regulations directing the processing, approving, and servicing of loans and grants; reviews large or unusually complex loan dockets and rejects or concurs with State Office recommendation for approval, or for liquidations and certain other servicing actions; maintains knowledge of the statutes authorizing the respective programs and drafts proposed legislation revisions as needed; maintains knowledge of social, economic and credit conditions in rural areas.

3. Provides direction, guidance, and advice to State Directors and their staffs regarding program administration; maintains liaison with the Finance Office; routinely reviews summaries of all loans and grants approved in State Offices; conducts detailed spot reviews of loans and grants approved in State Offices; reviews program statistics and assists in ongoing evaluation of program effectiveness.

4. Provides staff with sound and consistent advice and counsel and keeps staff currently informed on policy and other areas of interest.

5. Maintains liaison and working relationship with many diverse community and public interest groups, professional associations, material supply groups and advocacy groups that follow and have an interest in the day-to-day operation of the program. Also maintains liaison with other Federal and State agencies, and working knowledge of programs and functions of other related Federal and State programs.

**07 02 03 0002 Community Facilities
Division**

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Administrator for the development and institution of plans, procedures, and policies necessary for efficient, orderly management of a nationwide program of Community

Facilities Loans, Industrial Development Grants, Recreation Loans, Watershed Loans, Energy Assistance Impact Grants and Resource Conservation and Development Loans.

2. Oversees administration nationwide of FmHA's authority to make and service various loans and grants. Provides direction, guidance and advice to State Directors and their staff regarding program administration; maintains liaison with the Finance Office; routinely reviews summaries of all loans and grants approved in State Offices; conducts detailed spot reviews of loans and grants approved in State Offices; reviews program statistics and assists in ongoing evaluation of program effectiveness.

3. Provides staff with sound and consistent advice and counsel and keeps staff currently informed on policy and other areas of interest.

4. Maintains liaison and working relationship with diverse community and public interest groups, professional associations and other Federal agencies; assists with development of interagency agreements; communicates program objectives, policies, and authorities to private citizens, public interest groups, and Members of Congress. Also maintains a general working knowledge of programs and functions of other related Federal and State programs.

**07 02 03 0003 Business and Industry
Division**

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and the Assistant Administrator for the development of operating plans, policies and procedures for monitoring, servicing, and liquidation of loans guaranteed or insured to individuals or public or private corporations, or cooperative organizations for the development and operation of business and industrial enterprises.

2. Reviews, analyzes and recommends appropriate servicing actions for loans involving complex problems, delinquent and liquidation cases; coordinates, monitors, and supervises field operations for compliance with established loan servicing procedures and policies; analyzes and evaluates loan servicing activities and accomplishments, and recommends appropriate courses of action for improvements.

3. Reviews and recommends all amendments to loan agreements or conditions for servicing actions for complex loan projects; works closely with the Office of the General Counsel on problem loans and servicing actions.

4. Completes selected assessment reviews on an annual basis to monitor servicing activities in the field offices.

5. Reviews, analyzes and recommends appropriate actions on a wide variety of complex loan applications; analyzes and evaluates program operations and accomplishments and recommends appropriate courses of action for improvement; coordinates, monitors and supervises field operations for compliance with established loan making procedures and

policies; works with lenders, financial consultants, and corporate executives in structuring and developing commercial loan packages; negotiates loan conditions and requirements for large complex loans; works closely with the Office of General Counsel as needed on program matters; assists field staff in closing loans and guarantees; participates in assessment reviews on an annual basis.

6. Provides staff with sound and consistent advice and counsel and keeps staff currently informed on policy and other areas of interest.

7. Maintains liaison and working relationship with lenders, investors and secondary money market officials and financial consultants in the servicing and liquidation of complex business and industrial loans; maintains liaison with other Government lending agencies and associated public interest groups.

07 06 Deputy Administrator Financial and Administrative Operations

Assignment of Functions

1. Responsible to the Administrator or Associate Administrator for the formulation of policy for the Agency in all areas of support services for the Agency's programs.

2. Provides overall supervision and direction to the Agency's staff support activities including planning, accounting, budgeting, personnel, systems development, use of ADP, administrative services, management information development, organization, development, training, financial matters, and the development of Agency regulations.

3. Directs and supervises subordinate organizational activities consisting of the Assistant Deputy Administrator for Automated Systems Development, the Assistant Administrator for Accounting and Director Finance Office, the Assistant Administrator for Planning, Budgeting and Finance, and the Assistant Administrator for Resources and Services.

4. Maintains liaison and working relationship with the Department's Management Council; works with the Office of Finance and Management, Budget and Program Analysis, and Personnel Offices, the Office of Management and Budget, the Office of Personnel Management, General Services Administration, Treasury, Congressional staffs, and others as necessary to carry out the activities indicated in item 3 above.

5. Responsible for reviewing and recommending the budgetary needs for the three Assistant Administrators and the Assistant Deputy Administrator for Automated Systems Development, and their subordinates and consolidating those in to an administrative support package for the Agency. The planning, formulation and execution of the Agency's budget also falls in this area of responsibility.

07 06 01 Assistant Administrator Accounting and Director, Finance Office

Assignment of Functions

1. Responsible to the Administrator and the Deputy Administrator, Financial and Administrative Operations for the development of policies that affect the operation of the accounting system.

2. Responsible for the day-to-day operation of the accounting system, including system maintenance; making all financial reports required by management and for the Agency budget based on data in the accounting system; maintaining the supplies warehouse and meeting the needs of field offices for equipment and supplies within funds available for that purpose and under general direction of the Directives and Administrative Services division; maintenance of necessary obligation and related funds control; other duties as requested by the Deputy Administrator, Financial and Administrative Operations.

3. Directs and supervises subordinate organizational activity consisting of the Fiscal and Accounting, Operations, and Administrative Support functions of the Finance Office.

4. Maintains liaison and working relationship with the Departmental data processing manager to provide ADP support for the accounting operation, and with GAO on audit matters relating to the accounting system.

5. Prepares Finance Office budget plans as required. Monitors and controls approved budgets including authorized personnel staffing.

07 06 02 Assistant Administrator for Planning, Budgeting and Finance

Assignment of Functions

1. Responsible to the Administrator and the Deputy Administrator, Financial and Administrative Operations for the planning, formulation and execution of the Agency's budget and cash management program; in making determinations on interest rates to be used in the programs; in sale of loan assets; allocation of funds to accomplish the Agency's goals, and other aspects of maintaining budgetary accounts with the Treasury Department.

2. Prepares, with the help of applicable program officials, all schedules, justifications and other budgetary materials and reports required by the Congress, Office of Management and Budget, Secretary's Office, and others; establishes and maintains, through the allocation and allotment process, the obligation control system for the Agency; maintains and prepares reports on execution of the Agency's budget including the establishment of an opening budget for each major component; with the concurrence of applicable program officials, allocates program funds to geographic subdivisions; is responsible for maintenance of the Resource Management System and analysis of data for the Administrator and other managers; is responsible for development of long-range and short-range planning efforts for FmHA programs and FmHA administrative resources.

3. Analyzes and makes recommendation on the timing of asset sales and other financial transactions between the Agency and the Treasury Department; acts as Washington office liaison with the Finance Office on all financial concerns; coordinates the Agency's cash management and debt management programs.

4. Directs and supervises subordinate organizational activity consisting of the

Budget Division and the Financial and Productivity Analysis Division.

5. Maintains liaison and working relationship with the staffs of Appropriations and other Congressional committees, the Office of Management and Budget, offices of Budget and Program Analysis and Finance and Management, Treasury Department, and others as necessary to formulate and carry out the budget and related financial transactions for the Agency.

07 06 02 0001 Budget Division

Assignment of Functions

1. Develops plans and procedures for the formulation, presentation and execution of the total FmHA budget; on the basis of financial and budgetary planning, assists the Assistant Administrator for Planning, Budgeting and Finance and program officials in support of decision-making activities and establishment of policy necessary for efficient and effective management of Agency programs; recommends reprogramming and policy changes to meet Agency goals and objectives; recommend budgetary levels, budget strategy and program implementation.

2. Provides leadership and direction for planning, formulation, justification, presentation, execution, control and review of total FmHA budget effort; responsible for preparation of FmHA budget estimates in order to develop Agency budget submission to Secretary's Office, OMB and Congress; establishes and maintains controls over program and administrative funds to assure compliance with Agency policy, approved apportionments, Congressional interest and applicable laws and regulations.

3. Maintains liaison and working relationship with National program and administrative officials, State Directors and other field personnel; participates in State meetings, conferences and other sessions and gives advice and counsel on budget operations and operating levels; serves as FmHA liaison for budget and financial program with Congressional Committees and staff, OMB, GAO, Secretary's Office, OGC, OIG, and other USDA agencies, Treasury, HUD, and other executive agencies and, as required, news reporters, public and private interest groups and the general public.

4. Responsible for total Agency budget effort from planning and formulation to execution control and review; responsible for three budgets at any one time, referred to as current year and two (next succeeding) budget years; reviews and recommends for approval by the Administrator or Assistant Administrator changes in operating levels for personnel, travel, overtime, contracts and other reprogramming of funds.

07 06 02 0002 Financial and Productivity Analysis Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator, and Assistant Administrator for the development and institution of plans, procedures and policies necessary for the efficiency and orderly management of (1) the Agency debt to the Treasury, Federal Financing Bank, and the

public; (2) interest rates and charges on loans to FmHA borrowers; (3) the Agency cash management program; and (4) liaison with FmHA Finance Office and other agencies and institutions related to FmHA financing activities, such as the U.S. Treasury Department, the Federal Financing Bank, and the Federal Reserve Banks.

2. Analyzes cash flow requirements and performs other financial analyses as necessary for developing individual fund financing actions; maintains and analyzes data in the Resource Management System; develops projections—especially for budgeting purposes—of cash needs and net financing costs, prepares input data on these items and forwards them to the Budget Division; maintains current knowledge of funds-market situation; works closely with the Treasury Department in determining rates, duration, timing, and repayment terms for FmHA financing actions; negotiates terms of financing actions with the Federal Financing Bank; monitors activities of the Loan and Investment Accounting Branch in the Finance Office and recommends changes in its operations to the Assistant Administrator for Planning, Budget and Finance, as necessary; provides policy and technical advice to FmHA's fiscal agent at the Federal Reserve Bank of New York on outstanding issues of securities services by the Bank; manages all interest payments servicing and retirement of outstanding Agency debt.

3. Maintains current knowledge of agricultural credit conditions of interest rates in the private market for agricultural credit, and Treasury cost of money; analyzes current rates to borrowers and prepares summary of current rate situations; develops rate proposals for action by Agency Administrator.

4. Initiates Agency-wide cash management projects, coordinating with various affected units, to insure efficient implementation of these projects; monitors and evaluates Agency cash management systems to assess effectiveness and impact; provides technical advice and assistance on cash management to supervisor, other organizational units in the National Office, and the Finance Office.

5. Serves as the National Office liaison with the Finance Office; maintains primary liaison between FmHA and other agencies and institutions important to FmHA financing activities, especially the Treasury Department, the Federal Financing Bank, the Office of Operations, Finance and Management, and the Federal Reserve Bank; provides the technical advice and assistance on financing matters to other organizational units, especially to the Finance Office, and the Budget Division in the National Office; serves as financial interpreter for new programs and program changes.

6. Maintains liaison and working relationship with Treasury Department, receiving assistance on implementation of new and/or revised Treasury reporting, systems, and procedure requirements; negotiates terms of financing transactions with the Federal Financing Bank, working with Bank officials on changes to current procedures and systems, and managing all sales, interest payments, and maturities with

the Bank; exchanges information with the Farm Credit System on current credit markets and interest rate situations; coordinates the servicing and retirement of outstanding FmHA debt issues through the Federal Reserve System (long-term issues sold before establishment of the Federal Financing Bank).

07 06 03 Assistant Administrator for Resources and Services

Assignment of Functions

1. Responsible to the Deputy Administrator, Financial and Administrative Operations, and the Administrator for developing FmHA personnel, organization, management, training, directives and administrative services policies.

2. Develops procedure for and carries out a personnel program for the Farmers Home Administration, including recruitment, evaluation, classification, employee relations, position management and grievance appeals; develops a plan for and carries out career development and training activities for the Agency; maintains personnel management systems; analyzes and reviews organizational relationships within Farmers Home Administration and makes recommendations on changes.

3. Provides analysis of management problems relating to State, district and county offices, National Office relationships, and other management proposals; establishes and maintains a directives system for FmHA, this system to cover the clearance, approval and maintenance of formal regulations, administrative notices, and similar procedural announcements for the Agency.

4. Provides for the Agency space analysis and review services, forms management activities, mail room and electronic communications systems, printing and reproduction requirements, property management, contracting programs and central filing services.

5. Directs and supervises subordinate organizational activity consisting of the Personnel Division; Organization, Management and Training Division; and the Directives and Administrative Services Division.

6. Maintains liaison and working relationships with the Departmental Offices of Personnel and Budget and Program Analysis, the Office of Personnel Management (OPM), General Services Administration (GSA), Office of Management and Budget (OMB) and other agencies in the areas reflected above.

7. Develops a budget for the training program for the Agency within overall budget constraints; provides major input to administrative budget for the Agency and coordinates that budget with responsibilities of the Finance Office in this area.

07 06 03 0001 Personnel Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Administrator for the development, implementation, modification refinement, and evaluation of overall nationwide personnel and related policies, plans, and programs and is the primary source of advice and counsel

to Agency management on the implementation of those policies, plans, and programs.

2. Plans, develops, implements, operates, modifies, and evaluates agencywide employment, position classification, employee relations, employee benefit, labor-management relations and related programs which comprise the Agency's human resource systems in support of mission objectives. These activities are carried out within legal mandates of Titles V and VII of the Code of Federal Regulations (including such specific legislation as the Classification Act of 1949, Civil Service Reform Act of 1978, Civil Rights Act of 1964, as amended), Fair Labor Standards Act, various Executive Orders, Comptroller General decisions, U.S. Court decisions, decisions of the MSPB and EEOC, and U.S. Office of Personnel Management and USDA Office of Personnel regulations.

3. Plans and develops multi-functional personnel programs (including, but not limited to, SES, CSRA, and Merit Pay); evaluates the effectiveness of personnel management at all levels in the Agency and recommends program improvements; conducts organizational and occupational analyses; identifies need for and develops information and operations/processing systems; conducts research; and plans and implements training and conferences.

4. Executes staff and policy development related to position management, classification, and compensation; prepares required guides, instructions and procedures for implementation agencywide.

5. Executes staff and policy development for all employment programs (recruitment, selection, internal placement, merit promotion, and realignment/reduction of staff resources); maintains computerized personnel management systems; prepares required guides, instructions and procedures for implementation agencywide.

6. Develops and implements a program of employees and labor management relations (employee responsibilities and conduct, disciplinary and adverse actions, grievances, incentive awards, safety and health programs, liaison with NACS and NACOA&C, etc.) for the Agency; provides advice and assistance to managers and supervisors in these areas.

7. Provides the full range of classification and staffing services and employee relations services as assigned to all employees of the National Office; provides those classification and staffing services that have not been specifically delegated to state offices and the Finance Office to employees in the field; provides employee relations services as assigned to employees in the field; provides advisory services to personnel technicians in State Offices and the Finance Office, and personnel management guidance to managers and supervisory in the National Office.

8. Maintains liaison and working relationship with the Department's Secretarial Offices, Office of Personnel, and Office of the General Counsel, with the U.S. Office of Personnel Management and Merit Systems Protection Board, with USDA Agency Personnel Offices and related offices,

with Federal courts, with Congressional offices, with the Departments of Labor and Justice, with nonprofit and public organizations, universities and other educational institutions, and with National Offices of labor unions representing FmHA employees on personnel matters.

07 06 03 0002 Organization, Management and Training Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Administrator for the development and execution of training programs for the Agency, and for the development and review of management proposals and analyzing and evaluating proposed organization changes.

2. Provides staff to develop organizational charts, functional statements, and related information in connection with organization or reorganization proposals; develops and implements a training program covering all program and administrative skills for the Agency; administers a career development program for the Agency; evaluates management proposals for the Agency.

3. Directs and supervises subordinate organizational activity consisting of the Training Branch and the Organization and Management Branch.

4. Maintains liaison and working relationship with the departmental Office of Personnel on organization and training activities and with the Office of Finance and Management in the area of management analysis; deals with the Office of Management and Budget, and Office of Personnel Management as necessary to carry out management analysis, planning, and employee training programs.

5. Provides necessary training for division personnel in management, organization, and training techniques to keep the skills of division personnel current; has general responsibility for carrying out the Agency's total training program.

07 06 03 0003 Directives and Administrative Services Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Administrator for developing, recommending and executing standards, policies and procedures for operation of the Agency's directives system and the provision of administrative services to the Agency, including implementation of the Freedom of Information and Privacy Acts.

2. Responsible for review and coordination of all Agency directives issuance and public participation functions including publication of regulations and legal notices in the Federal Register; travel authorization and analysis; real and personal property, space, procurement, printing, and reproduction control; communications, correspondence and mail management, including control of jacketed correspondence; forms; records retention and disposition; tort claims; word processing service; contracting and grant agreements; and OMB A-40 compliance plan of action. Monitors responses to requests for information under the Freedom of

Information Act; responds to inquiries received in the National Office, provides counsel and guidance to field offices on problem cases, and reviews and takes action on any proposed denials or appeals.

3. Maintains liaison and working relationship with other USDA agency Administrative Services Divisions and participates in the Departmental Administrative Service Division Council; works closely with General Services Administration and Office of Management and Budget; provides technical direction and serves as liaison with the Administrative Support Division in the Finance Office.

4. Prepares substantial input to administrative budget plans as required and administers administrative budget within administrative responsibilities.

07 06 04 Assistant Deputy Administrator For Automated Systems Development

Assignment of Functions

1. Responsible to the Administrator and the Deputy Administrator for identifying and applying ADP and systems technology to administrative and program activities within Farmers Home Administration.

2. Responsible for identifying Agency information needs (both financial and management) and initiating systems to capture and report such information. Providing the systems and ADP technology to design and implement a revised accounting system for the Agency; designing, gathering data for and initiating reporting of management information as required by Agency management officials, Department officials, other executive branch officials, and the Congress; providing ADP systems and support for conversion and enhancement of the current accounting system in the St. Louis Finance Office; determining the short range and long range ADP software and hardware needed to serve FmHA most effectively at least cost.

3. Directs and supervises subordinate organizational activity consisting of the Accounting System Conversion and Enhancement Development Division at the Finance Office, the Management Information System Development Division, and the Accounting System Design and Development Division.

4. Maintains liaison and working relationship with FmHA personnel, the Secretary's special ADP representative, the Office of Finance and Management, the General Accounting Office, Office of Management and Budget, the Congress, and others as necessary to perform the above duties.

07 06 04 0001 Accounting System Conversion and Enhancement Development Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Deputy Administrator for formulating policies and recommendations for converting the current FmHA accounting system to operate at the Kansas City Computer Center, and in carrying out various enhancement activities for the current FmHA accounting system.

2. Responsible for the achievement within an 18-month timeframe, starting in July 1981, the conversion of the current accounting system to operate on IBM equipment at the Kansas City Computer Center; to provide the systems and ADP efforts to enhance the current accounting system so that it can serve the agency more rapidly and effectively; to provide the daily ADP and systems maintenance requirements involved in operating the current accounting system.

3. Maintains liaison and working relationship with the Secretary's office, the Secretary's Special Project Director, and the Office of Finance and Management as necessary to implement the activities in item 2 above; works with accounting staff in the FmHA Finance Office, and Agency program and administrative people to enhance and maintain the current accounting system.

07 06 04 0003 Accounting System Design and Development Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator, and Assistant Deputy Administrator for developing and carrying out the design of the Agency's accounting system and implementation of that redesign within the Agency.

2. Reviews user requirements data collected for the Agency; separates financial and non-financial data to provide input to the Agency effort to redesign accounting and management information system.

3. Develops and carries out the formulation of alternative ADP configuration in support of the accounting and management information systems efforts; directs a cost benefit analysis of several such ADP configurations which could be adopted by the Agency; directs implementation of the most effective ADP configuration and the implementation of the revised accounting system within the Agency.

4. Maintains liaison and working relationship with GAO to secure their approval of the Agency's accounting systems design and implementation effort. Works with the USDA Office of Finance and Management and ADP policy people and others as necessary to secure the ADP support for the revised accounting system.

07 06 04 0002 Management Information System Development Division

Assignment of Functions

1. Responsible to the Administrator, Deputy Administrator and Assistant Deputy Administrator for the development of policy concerning: acquisition, installation and utilization of Automatic Data Processing Equipment (ADPE) and software systems; Agency methods and practices in acquiring and utilizing word processing equipment and its interface with ADPE; communication of information involved in decision support systems; establishing and implementing ADP security; strategies for developing, implementing, operating and maintaining management information systems.

2. Designs, develops and maintains (as appropriate) a management information system in support of loan program and

administrative management; provides ADP support to National and field offices consistent with their level of expertise and equipment availabilities and monitors their use.

3. Performs continuous review of reports relating to Agency operations in order to check for inconsistencies, errors or omissions; advises users as to the availability, quality and limitations of data and on the technical appropriateness of proposed analyses.

4. Monitors work of contractors employed to plan, design, develop and implement MIS ADP, telecommunications and word processing projects.

5. Receives, prioritizes and determines actions on all requests for reports, new forms and data both within and outside the Agency; provides clearance of data to individuals or parties outside FmHA.

6. Provides the ADP Security Officer (11 AR 2013 and AG PMR 104-32) and develops Agency ADP security plans and regulations.

7. Maintains liaison and working relationship with Departmental and other MIS organizations; serves as Senior ADP Officer (11 AR 2012) and MIS Coordinator (11 AR 4405) for the Agency; monitors ADP procurements with USDA Offices of Operations and Finance, and GSA.

(7 U.S.C. 1981 and 1989; 42 U.S.C. 1471 and 1480; 5 U.S.C. 301 and 552; Delegation of Authority by Secretary of Agriculture, 7 CFR 2.23; Delegation of Authority by Assistant Secretary for Rural Development, 7 CFR 2.70).

Dated: April 1, 1982.

Charles W. Shuman,

Administrator, Farmers Home Administration.

[FR Doc. 82-9868 Filed 4-9-82; 8:45 am]

BILLING CODE 3410-07-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Rule to Require Applicants to Evaluate Differences From the Standard Review Plan; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: On March 18, 1982, the Commission published in the Federal Register (47 FR 11651) a final rule to require certain applicants and licensees under 10 CFR Part 50 to evaluate differences from the Standard Review Plan (SRP). That document contained errors which are corrected by this document.

FOR FURTHER INFORMATION CONTACT: John D. Phillips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone: (301) 492-7086

SUPPLEMENTARY INFORMATION: In FR Doc. 82-7425, appearing at 47 FR 11651, March 18, 1982, make the following corrections on page 11652:

1. Amendatory instruction number 1 and the authority citation for 10 CFR Part 50 are corrected to read as follows:

1. The authority citation for Part 50 is revised to read as follows:

Authority: Secs. 103, 104, 161, 182, 183, 189, 68 Stat. 936, 937, 948, 953, 954, 955, 956, as amended (42 U.S.C. 2133, 2134, 2201, 2232, 2233, 2239); secs. 201, 202, 206, 88 Stat. 1243, 1244, 1246 (42 U.S.C. 5841, 5842, 5846), unless otherwise noted.

Sec. 50.78 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Secs. 50.80-50.81 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Secs. 50.100-50.102 issued under sec. 186, 68 Stat. 955 (42 U.S.C. 2236).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273), §§ 50.10 (a), (b), and (c), 50.44, 50.46, 50.48, 50.54, and 50.80(a) are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); §§ 50.10 (b) and (c) and 50.54 are issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 50.55(e), 50.59(b), 50.70, 50.71, 50.72, and 50.78 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

2. In amendatory instruction number 2 and in new paragraph § 50.34(f), the paragraph letter designation is corrected to read § 50.34(g).

Dated at Washington, D.C., this 7th day of April 1982.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 82-9876 Filed 4-9-82; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 82-CEF-1-AD; Amdt. 39-4360]

Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. (MHI) Models MU-2B-10, -15, -20, -25, -26, -30, -35 and -36 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD) which requires inspection and/or replacement of the engine wiring harness or certain Mitsubishi Heavy Industries, Ltd. (MHI), Model MU-2B airplanes. There have been several reports of kinked and frayed wiring in the engine wiring harness. These defects could result in fires or other

malfunctions resulting from shorted wiring.

EFFECTIVE DATE: April 15, 1982.

Compliance: As prescribed in the body of the AD.

ADDRESSES: Mitsubishi Heavy Industries Ltd., Service Bulletin No. 191 dated December 21, 1981, may be obtained from Mitsubishi Heavy Industries Ltd., 10, Oye-cho, Minato-ku, Nagoya, Japan or Mitsubishi Aircraft International, Inc., P.O. Box 3848, San Angelo, Texas 76901. A copy of this Service Bulletin is also contained in the Rules Docket, Office of the Regional Counsel, FAA, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT:

Gary K. Nagagawa, Chief, Aircraft Certification Field Office, ANM-170H, Federal Aviation Administration, P.O. Box 50246, Honolulu, Hawaii 96850; Telephone (808) 546-8650 or 546-8658.

SUPPLEMENTARY INFORMATION: Kinked and frayed wiring in the engine compartment of certain Mitsubishi Heavy Industries (MHI) Model MU-2B airplanes have been reported. If not corrected, there is a high probability this condition will cause failure or improper operation of the electrical system(s) and may result in engine compartment fires. MHI has issued Service Bulletin No. 191 dated December 21, 1981, which prescribes initial and 25-hour repetitive inspections of the P/N MS 25471 wiring harness until it is replaced with an approved P/N MS 22759 harness. It also recommends replacement of the P/N MS 25471 harness with the improved harness within 300 additional hours time-in-service. The FAA has determined that this action is necessary to assure an acceptable level of safety on the affected airplanes.

Accordingly, since the condition described herein is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued which makes the requirements of MHI Service Bulletin No. 191 dated December 21, 1981, mandatory on all MHI Models MU-2B-10, -15, -20, -25, -26, -30, -35 and -36 airplanes. *g* a12ap0.003[11.30.]

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

List of Subjects in 14 CFR Part 39

Aircraft, Aviation safety.

Adoption of the Amendment

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

Mitsubishi Heavy Industries, Ltd. (MHI).

Applies to MHI Models Mu-2B-10, -15, -20, -25, -26, (S/N 005 thru 347, except 313 and 321) and MU-2B-30, -35, -36 (S/N 501 thru 696, except S/N 652 and 661) airplanes certificated in any category.

Compliance: Required as indicated unless previously accomplished.

(A) Within the next 25 hours time-in-service from the effective date of this AD:

(1) Visually inspect the engine's electrical wiring to determine if nonshielded and noncolor-coded wiring is white or brown (tan). Inspection may be made at connectors P4001 and P4020. Remove spiral wrap as required for inspection.

(2) If wires are brown (tan), inspect in accordance with Figure 1 to determine if wires are "tight weave" or "loose weave."

a. If brown (tan) wires are "loose weave," inspect in accordance with paragraph A)4).

b. If brown (tan) wires are "tight weave," no further inspection is necessary and the airplane may be returned to service.

(3) If wires are white, open the harness as necessary and inspect wires for identification:

a. If white wires are marked MS 25471-XX (XX indicates wire gauge), inspect in accordance with paragraph A)4).

b. If white wires are marked M 22759/7-XX and/or M-22759/8-XX, no further inspection is necessary and the airplane may be returned to service.

(4) After each 25 hours time-in-service, remove wiring harness which incorporates wires affected by paragraph 2)a or 3)a from the engines and visually inspect all brown (tan) "loose weave" or white insulated MS 25471-XX wires for tight loop, kinks, or bulged deformation. If these conditions are found, replace the wiring harness using one of the procedures in paragraph A)5) before further flight. Inspections may be discontinued when wires are replaced using one of the procedures in paragraph A)5).

(5) On or before 300 hours time-in-service after the effective date of this AD, replace all brown (tan) "loose weave" or white insulated MS 25471-XX wires with M 22759/7-XX or M

22759/8-XX wire using one of the procedures specified in Part 3 of MHI Service Bulletin 191, dated December 21, 1981.

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

(C) An alternate means of compliance with the AD may be used when approved by the Chief, Aircraft Certification Field Office, Honolulu, Northwest Mountain Region, Federal Aviation Administration, 300 Ala Moana Boulevard, Honolulu, Hawaii.

This amendment becomes effective on April 15, 1982.

(Secs. 313(a), 601, and 603 of the 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)); Section 11.89 of the Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this regulation involves an emergency regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), and certifies that the rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves inspection and parts replacement on only a few aircraft owned by small entities. 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 rules docket at the location identified under the caption "ADDRESSES."

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

Issued in Kansas City, Missouri, on March 29, 1982.

Murray E. Smith,

Director, Central Region.

BILLING CODE 4910-13-M

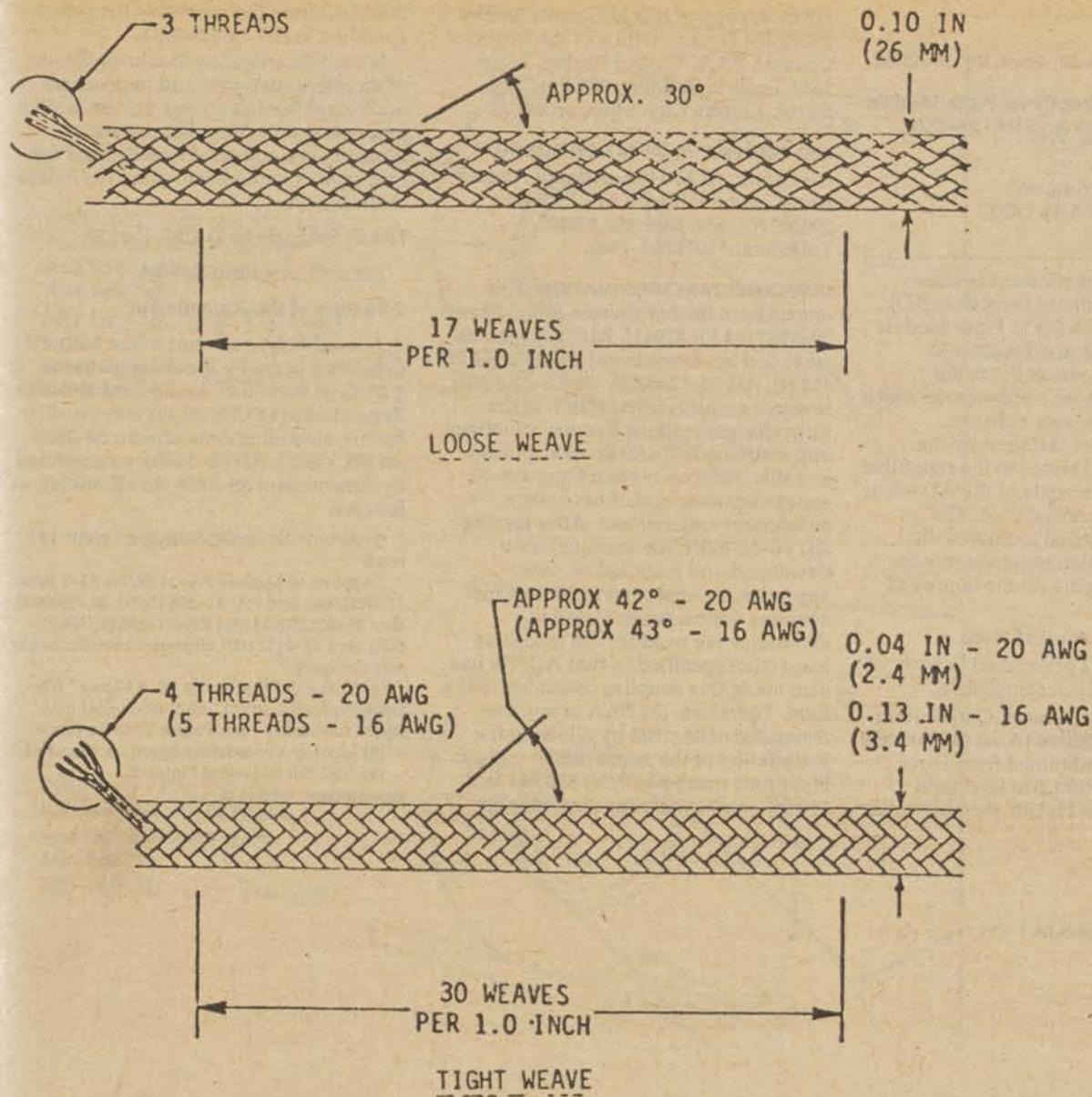


Figure 1

14 CFR Part 39

[Docket No. 79-SO-30; Amdt. No. 39-4359]

Airworthiness Directives; Piper Models PA-31, PA-31-325 And PA-31-350 Airplanes**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Final rule.

SUMMARY: This amendment revises existing Airworthiness Directive (AD) 79-12-03R1, applicable to Piper Models PA-31, PA-31-325 and PA-31-350 airplanes. This revision limits the applicability of those airplanes on which improved turbocharger exhaust couplings were not installed by the manufacturer and removes the repetitive inspection requirements of the AD when these couplings are installed. The amendment is needed to remove the repetitive inspection requirements on airplanes equipped with the improved couplings.

EFFECTIVE DATE: April 15, 1982.

Compliance: As prescribed in body of AD unless already accomplished.

ADDRESSES: Piper Aircraft Corporation Service Bulletin No. 644A, dated January 19, 1982, may be obtained from Piper Aircraft Corporation, 820 East Bald Eagle Street, Lock Haven, Pennsylvania

17745. A copy of it is also contained in the Rules Docket, Office of the Regional Counsel, FAA, Central Region, Room 1558, Federal Building, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Gil Carter, ACE-140A, Atlanta Aircraft Certification Office, FAA, P.O. Box 20636, Atlanta, Georgia 30320; Telephone (404) 763-7435.

SUPPLEMENTARY INFORMATION: This amendment further revises Amendment 39-3483 (44 FR 31941), AD 79-12-03, as amended by Amendment 39-3895 (45 FR 56334), AD 79-12-03R1, which currently requires repetitive inspection of the turbocharger exhaust-flanges, couplings, and coupling bolts for cracks, damage and distortion on certain Piper PA-31 series airplanes and, if necessary, component replacement. After issuing AD 79-12-03R1, the manufacturer developed and installed on new airplanes, an improved turbo-exhaust coupling which, when installed, eliminates the need for the repetitive inspection specified in that AD. He has also made this coupling available to the field. Therefore, the FAA is revising Amendment 39-3895 by allowing the installation of the improved couplings, Piper part numbers (P/N) 556 053 and 556 962, and exempting airplanes so

modified from the repetitive inspections specified in AD 79-12-03R1.

Since this amendment allows the use of an alternative part and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aircraft, Aviation Safety.

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 revised by further amending Amendment 39-3483 (44 FR 31941), AD 79-12-03, as amended by Amendment 39-3895 (45 FR 56334), as follows:

(1) Revise the applicability paragraph to read:

"Applies to Models PA-31 (S/Ns 31-2 thru 31-8212005) and PA-31-325 (S/Ns 31-7300932 thru 31-8212005) and PA-31-350 (S/Ns 31-5001 thru 31-8152100) airplanes certificated in any category."

(2) Strike out the words "See Figure" from paragraphs (b), (c)(1), (c)(2) and (c)(4) and insert the words "See Figure 1" in its place.

(3) Identify the existing figure as "Figure 1."

(4) Add the following Figure 2.

BILLING CODE 4910-13-M

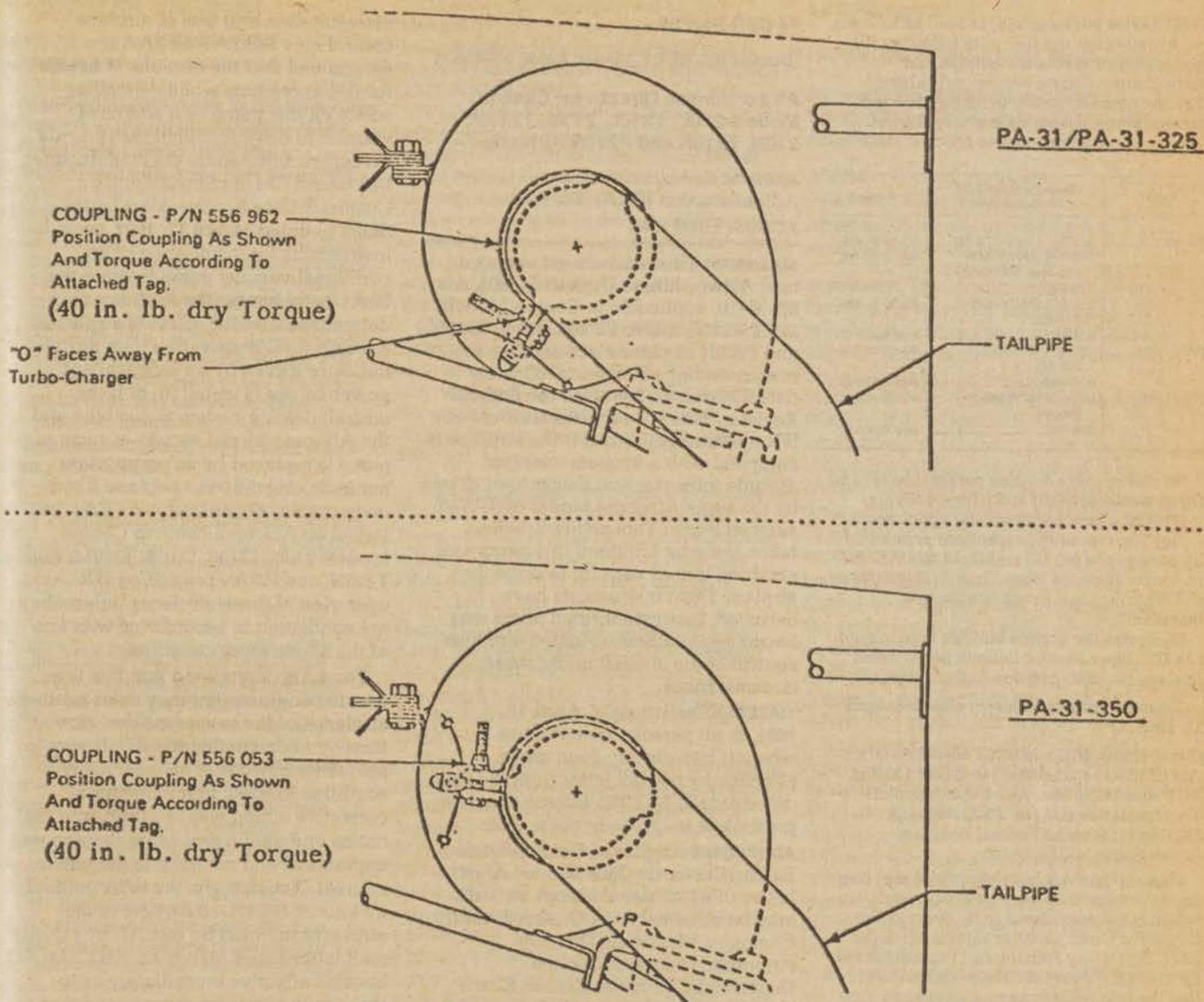


FIGURE 2

(5) Revise paragraph (e) to read as follows:
 "Install couplings (see note following (b) above) assuring that the tailpipe and turbocharger flanges are properly aligned. Tap the coupling gently to distribute band tension while tightening the coupling nut. Torque the coupling nuts as follows:

Model	Piper Coupling P/N (Aeroquip P/N)	Torque
PA-31.....	455 301 (4404-376-M)	40-50 in.-lbs.
	555 376 (MVT68049-375-H or MVT68049-375-D)	40-55 in.-lbs.
	555 511 (MVT69861-377-M)	40-50 in.-lbs.
PA-31-325.....	556 962	See figure 2.
	555-511 (MVT69861-377-M)	40-50 in.-lbs.
PA-31-350.....	556-962	See figure 2.
	555-366 (MVT68049-450-M)	40-50 in.-lbs.
	556 053.....	See figure 2."

(6) Redesignate existing paragraphs (g) and (h) as paragraphs (h) and (i) respectively.

(7) Add a new paragraph (g) which reads:
 "(g) The repetitive inspections prescribed by paragraphs (a), (b) and (c) of this AD are no longer required when Piper P/N 556 053 or 556 962 couplings, as applicable, are installed."

(8) Revise the service bulletin note to read, "NOTE: Piper Service Bulletin 644A, dated January 19, 1982, pertains to this subject."

This amendment becomes effective April 15, 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)); Section 11.89 of the Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this regulation involves an emergency regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), and certifies that the rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves inspection and/or modification of only a few aircraft owned by small entities. 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 rules docket at the location identified under caption "ADDRESSES."

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

Issued in Kansas City, Missouri, on March 26, 1982.

Murry E. Smith,

Director, Central Region.

[FR Doc. 82-9666 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 82-CE 14-AD; Amdt. 39-4363]

Airworthiness Directives; Cessna Models 210L, T210L, 210M, T210M, 210N, T210N and P210N Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD), AD 82-06-10, applicable to Cessna Models 210L, T210L, 210M, T210M, 210N, T210N, and P210N airplanes and codifies the corresponding emergency AD letter dated March 12, 1982 into the Federal Register. This AD requires removal of IFR operation approval if the airplane is equipped with a vacuum operated attitude indicator and deicer boot driven by the same Airborne Model 442CW-8 vacuum pump. This action is being taken because failure of this pump and resulting loss of vacuum to drive the airplane flight instruments have occurred. Instrument rated pilots may become spatially disoriented and lose control of the aircraft under these circumstances.

DATES: Effective date: April 15, 1982, to all persons except those to whom it has already been made effective by airmail letter from the FAA dated March 12, 1982. **Compliance:** As prescribed in the body of the AD.

ADDRESSES: Copies of Cessna Single Engine Customer Care Service Alert Letter SE82-13 dated March 12, 1982, may be obtained from Cessna Aircraft Company, Marketing Division, Attention: Customer Service Department, Wichita, Kansas 67201; Telephone (316) 685-9111. A copy of this Service Letter is also contained in the Rules Docket, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Ed Mosman, Aerospace Engineer, Aircraft Certification Office, Room 238, Terminal Building 2299, Mid-Continent Airport, Wichita, Kansas 67209, telephone (316) 269-7008.

SUPPLEMENTARY INFORMATION: Failures of the Airborne Model 442CW-8 vacuum pump installed on Cessna Models 210L, T210L, 210M, T210M, 210N, T210N, and P210N airplanes have occurred. This pump provides vacuum to drive the airplane flight instruments and pressure to operate the deicer boots. Accordingly, these failures result in the loss of airplane attitude and directional information provided to the pilot by these instruments. Pilot spatial

disorientation and loss of airplane control may follow. The FAA has determined that the airplane is unsafe for IFR operations when depending solely on this pump as a source of vacuum to drive the flight instruments. To correct this action, the manufacturer has issued Cessna Single Engine Customer Care Service Alert Letter SE82-13 dated March 12, 1982, providing instructions for installation of an additional vacuum pump to drive the flight instruments. The FAA has also determined that the affected airplanes are safe for IFR operation if an attitude indicator driven by an independent power source is installed, or if the aircraft deicing system is disabled and the Airborne Model 442CW-8 vacuum pump is replaced by an appropriate pump driving only the airplane flight instruments. Accordingly, the FAA has issued an AD, applicable to Cessna Models 210L, T210L, 210M, T210M, 210N, T210N, and P210N precluding IFR operation of these airplanes unless they are configured in accordance with one of the above three conditions.

The FAA determined that this is an unsafe condition that may exist in other airplanes of the same type design, thereby necessitating the AD. It was also determined that an emergency condition existed, that immediate corrective action was required, and that notice and public procedure thereon was impractical and contrary to the public interest. Accordingly, the FAA notified all known registered owners of the airplanes affected by this AD by priority mail letter dated March 12, 1982. The AD became effective immediately as to these individuals upon receipt of that letter and is identified as AD 82-06-10. Since the unsafe condition described herein may still exist on other Cessna Models 210L, T210L, 210M, T210M, 210N, T210N, and P210N airplanes, the AD is being published in the Federal Register as an Amendment to Part 39 of the Federal Aviation Regulations (14 CFR Part 39) to make it effective to all persons who did not receive the letter notification.

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

List of Subjects in 14 CFR Part 39

Aircraft, Aviation safety.

Adoption of the Amendment

PART 39—AIRWORTHINESS DIRECTIVES

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

Cessna: Applies to Models 210L/T210L (S/Ns 21059810, 21059819 thru 21061573), 210M/T210M (S/Ns 21061574 thru 21062954), 210N/T210N (S/Ns 21062955 thru 21064535) and P210N (S/Ns P21000001 thru P21000760) airplanes equipped with Airborne Model 442CW-8 (Cessna P/N C431004-0102) vacuum pump, pneumatic deicer boots and vacuum operated attitude indicator.

Compliance: Required as indicated, unless already accomplished.

To prevent loss of vacuum-driven-attitude instruments resulting from failure of the single Airborne Model 442CW-8 (Cessna P/N C431004-0102) vacuum pump during flight in IFR conditions, before further flight, accomplish the following:

(A) Remove approval for IFR operations by:

1. Installing a temporary placard on the instrument panel in full view of the pilot, which reads in letters at least 1/8-inch high "APPROVED FOR DAY-NIGHT-VFR OPERATIONS" and operate the airplane in accordance with this limitation.

2. Covering the abbreviation "IFR" on the types of operation placard and on the facsimile of this placard in the applicable Airplane Manual, Pilot's Operating Handbook or Information Manual with opaque tape or equivalent.

(B) The requirements of Paragraph (A) of this AD are no longer applicable when:

1. An attitude indicator powered by an independent power source is installed, or

2. Cessna Service Alert Letter SE82-13 has been incorporated or,

3. Cessna P/N C431003-0102 (Airborne) or C431003-0302 (Edo-Aire, P/N 1U128-001 or -003) pump is installed replacing the C431004-0102 (Airborne Model 442CW-8) pump. The P/N C431003-0102 or -0302 pump may be installed as follows:

a. Bolt the pump on the pad vacated by the P/N C431004-0102 pump.

b. Remove fittings from P/N C431004-0102 pump and install fittings in the P/N C431003-0102 or -0302 pump.

c. Reconnect the vacuum hose to the pump suction port.

d. Remove the pressure hose from the pump leading to the deice pressure valve mounted on the firewall. (Cover the valve inlet to exclude foreign objects.)

e. On those aircraft approved for flight into known icing, cover the words, "This airplane is approved for flight into icing conditions if the proper optional equipment is installed and operational," on the types of operation placard and on the facsimile of this placard in the applicable Airplane Flight Manual, Pilot's Operating Handbook or Information Manual with opaque tape or equivalent.

f. Install a temporary placard on the instrument panel in the vicinity of the De-Ice Press switch in full view of the pilot which reads in letters at least 1/8-inch high "WING/ TAIL BOOTS INOP."

(C) Paragraph (A) of this AD may be accomplished by the holder of at least a private pilot certificate issued under Part 61 of the Federal Aviation Regulations on any airplane owned or operated by that person. This person must make the prescribed entry in the aircraft maintenance records, including those airplanes on which it has already been accomplished, indicating compliance with this AD.

(D) Any equivalent method of compliance with this Airworthiness Directive, if used, must be approved by the Chief, Wichita Aircraft Certification Office, FAA, Room 238, Terminal Building 2299, Mid-Continent Airport, Wichita, Kansas, telephone (316) 269-7000.

This amendment becomes effective on April 15, 1982, to all persons except those to whom it has already been made effective by an airmail letter from the FAA dated March 12, 1982, and is identified as AD 82-06-10.

(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(a)); § 11.89, Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this regulation involves an emergency regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), and certifies that the rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves restrictions and modifications on only a few aircraft owned by small entities. 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 rules docket at the location identified under the caption "ADDRESSES."

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

Issued in Kansas City, Missouri on April 1, 1982.

John E. Shaw,

Acting Director, Central Region.

(FR Doc. 82-9812 Filed 4-9-82; 8:45 am)

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 82-NM-21-AD; Amdt. 39-4361]

Airworthiness Directives; Gates Learjet Models 35, 35A, 36, and 36A Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; amendment of existing airworthiness directive.

SUMMARY: This document amends an existing Airworthiness Directive (AD) which required revision of the Airplane Flight Manual Aeronca Thrust Reverser Supplement by the addition of limitations, operational changes, and a POSTFLIGHT Operational Check. This amendment provides operators with an optional modification which, if they choose to install it, allows them to discontinue the repetitive POSTFLIGHT Operational Check without compromising safety.

DATE: Effective Date April 19, 1982. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: Gates Learjet Corporation, Airplane Modification Kit AMK 81-6, referenced in this AD, may be obtained from Gates Learjet Corporation, P.O. Box 7707, Wichita, Kansas 67277; Telephone (316) 946-2000. A copy of the Airplane Modification Kit documents are also contained in the Rules Docket, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106; and Room 916, 800 Independence Avenue SW, Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: Mr. Jack Pearson, Aerospace Engineer, Wichita Aircraft Certification Office, Room 238, Terminal Building 2299, Mid-Continent Airport, Wichita, Kansas 67209; Telephone (316) 269-7010.

SUPPLEMENTARY INFORMATION: AD 79-08-01, Amendment 39-3447 (44 FR 22439, April 16, 1979), was issued as a result of separation of a thrust reverser assembly from a Gates Learjet Model 35A airplane due to improper thrust reverser blocker door stowing. This AD, applicable to Gates Learjet Models 35, 35A, 36, and 36A airplanes, required installation of a temporary change to the Airplane Flight Manual Supplement for Aeronca Thrust Reversers. These changes prohibited operation of the thrust reversers prior to takeoff, for touch and go landings, or to control taxi speed prior to takeoff. The changes also required a visual check of proper door stowing prior to flight and added an expanded POSTFLIGHT Operational

Check. Subsequent to the issuance of AD 79-08-01, the airplane manufacturer developed Airplane Modification Kit No. AMK 81-6. This kit provides an indicating system that warns the pilot by a flashing unlock light in the event that the thrust reverser blocker doors are improperly stowed. The FAA has determined that modification of the affected airplanes by incorporation of this kit provides an acceptable alternate means of compliance with the AD and terminating action.

Since this amendment provides an alternate means of compliance, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

PART 39—AIRWORTHINESS DIRECTIVES

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending AD-79-08-01, Amendment 39-3447 (44 FR 22439, April 16, 1979), as follows:

1. Redesignate existing "paragraph D" as "paragraph E", and
2. Add a new paragraph D which reads as follows:
"D. The installation of Gates Learjet Thrust Reverser Blocker Door Position Indication System, per Gates Learjet Corporation Modification Kit No. AMK 81-6, constitutes terminating action for the requirements of paragraphs A, B, and C of this AD."

This amendment becomes effective on April 19, 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)); and 14 CFR 11.89).

Note.—The FAA has determined that this document involves an amendment that is relieving in nature and does not impose any additional burden on any person. This amendment is not major under Executive Order 12291 (46 FR 13193; February 19, 1981), and not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Because its anticipated impact is so minimal, it does not warrant preparation of a regulatory evaluation, and I certify that it will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

This rule is a final order of the Administrator. Under Section 1006(a) of

the Federal Aviation Act of 1958, as amended (49 U.S.C. 1486(a)), it is subject to review by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Seattle, Washington on March 30, 1982.

Charles R. Foster,
Director, Northwest Mountain Region.

[FR Doc. 82-9814 Filed 4-9-82; 8:45 am]
BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 82-CE-13-AD; Amdt. 39-4362]

Airworthiness Directives; Varga Aircraft Corporation Models 2150A and 2180 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes two Airworthiness Directives (AD), 81-17-05 and priority letter AD 81-21-07, which require inspection and replacement of the elevator horn/balance arm assembly of Varga Aircraft Corporation Models 2150A and 2180 airplanes. This amendment continues in effect the inspections required by the superseded ADs and requires installation of a new, improved elevator horn/balance arm assembly. This action is necessary because parts required to be installed by the previous ADs did not provide the anticipated improvement in safety and the possibility still exists that an accident could occur due to failure of these parts.

EFFECTIVE DATE: April 15, 1982.

Compliance: As prescribed in the body of the AD unless already accomplished.

ADDRESSES: Varga Aircraft Corporation Service Instruction SI 0024 dated February 22, 1982, applicable to this AD may be obtained from Varga Aircraft Corporation, 12250 East Queen Creek Road, Chandler, Arizona 85224; Telephone (602) 963-4914. A copy of this service information is also contained in the Rules Docket, Office of the Regional Counsel, FAA, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Sifton Thomas, Aerospace Engineer, Airframe Section, ANM-172W, Western Aircraft Certification Field Office, P.O. Box 92007, World Way Postal Center, Los Angeles, California 90009; Telephone (213) 536-6359.

SUPPLEMENTARY INFORMATION: Amendment 39-4213 (46 FR 46123) AD 81-17-05 requires inspection for cracks and replacement of the aluminum

elevator horn assembly with a steel assembly on Varga Aircraft Corporation Model 2150A airplanes. Priority letter AD 81-21-07 issued October 7, 1981, requires daily inspection of the steel elevator horn assembly for cracks on Varga Aircraft Corporation Models 2150A and 2180 airplanes. After issuing Amendment 39-4213 and the priority letter AD 81-21-07 service experience and evaluation of manufacturers data have established that the steel replacement, P/N 6000L-65, does not provide a significant improvement in safety over the original aluminum part. Accordingly, the manufacturer has developed an improved elevator horn/balance arm assembly P/N 30400-100, incorporating a redesigned and strengthened elevator horn. Since there is a possibility that a crack may be undetected and progress to failure of the elevator horn assembly and result in an accident, the FAA concludes that dependence upon the daily inspection to provide safety is not a satisfactory long-term solution to the elevator horn cracking problem. Therefore, Amendment 39-4213 and the priority letter AD 81-21-07 are being superseded by a new AD applicable to Varga Aircraft Corporation Models 2150A and 2180 airplanes that requires replacement of all existing elevator horn/balance arm assemblies with the new, improved assembly, P/N VAC 30400-100, by June 12, 1982.

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

List of Subjects in 14 CFR Part 39

Aircraft, Aviation safety.

Adoption of the Amendment

PART 39—AIRWORTHINESS DIRECTIVES

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

Varga Aircraft Corporation (Morissey):
Applies to Models 2150A and 2180 (S/Ns VAC 50 thru VAC 181) airplanes, certificated in any category.

Compliance: Required as indicated, unless already accomplished.

To prevent failure of the elevator horn assembly which will result in loss of elevator control, accomplish the following:

(A) Prior to further flight after the effective date of this AD and thereafter before the first flight of each day:

(1) Conduct a visual inspection using a 4X glass of the radius of the P/N VAC 6000L-65 (steel) elevator horn to elevator attach flanges, particularly in the side adjacent to the balance weights.

(2) Conduct a visual check of the radius of the P/N VAC 6000J-32 or P/N VAC 6000K-32 (aluminum) elevator horn to elevator attach flanges, particularly in the side opposite the balance weights.

(3) The pre-flight checks required by paragraph (A)(2) of this AD may be performed by the holder of a pilot certificate issued under Part 61 of the Federal Aviation Regulations on any airplane owned or operated by that person that is not used in air carrier service. Record compliance with the AD by an appropriate entry in the airplane maintenance records as required by FAR 91.173.

(B) If any cracks are found, prior to further flight, replace with like serviceable part and continue the inspections/checks required by this AD or replace with P/N VAC 30400-100 elevator horn/balance arm assembly in accordance with paragraph (C) of this AD.

(C) On or before June 12, 1982, replace P/N VAC 6000J-32, P/N VAC 6000K-32 and P/N VAC 6000L-65 with P/N VAC 30400-100 elevator horn/balance arm assembly in accordance with Varga Aircraft Corporation Service Instruction SI 0024 dated February 22, 1982. When this is accomplished, the special inspections/checks required by this AD are no longer applicable.

(D) Special flight permits may be issued in accordance with FAR 21.197 to operate aircraft to a base for the accomplishment of inspections or modifications required by this AD.

(E) Any alternate means of compliance with this AD may be used when approved by the Chief, Western Aircraft Certification Field Office, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009; Telephone (213) 536-6352.

This AD supersedes Amendment 39-4213 (46 FR 46123), AD 81-17-05 and priority letter AD 81-21-07 dated October 7, 1981.

This amendment becomes effective on April 15, 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)); § 11.89, Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this regulation involves an emergency regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), and certifies that the rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves inspection and parts replacement on only a few aircraft owned by small entities. 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 rules docket at the location identified under the caption "ADDRESSES."

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

Issued in Kansas City, Missouri, on March 31, 1982

Murray E. Smith,
Director, Central Region.

[FR Doc. 82-9813 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket Number 82-ACE-10]

Alteration of Transition Areas; Elkhart, Atwood and Oakley, Kansas

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to alter the existing Non-Directional Beacon (NDB) and/or airport latitude and longitude coordinates in the Elkhart, Atwood and Oakley, Kansas transition areas designations. These changes are necessary because of recent National Oceanic Survey's (NOS) revisions of these coordinates for Non-Directional Beacons (NDB) at the aforementioned locations.

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: Recently the National Oceanic Survey (NOS) revised several sets of coordinates for Non-Directional Beacons (NDB) and/or airports within the FAA's Central Region. These coordinate changes affected the NDB and/or airport latitude and longitude designations in the transition area descriptions at Elkhart, Atwood and Oakley, Kansas. Consequently, it is necessary to alter the transition area designations at the above locations to reflect the coordinate revisions. Since these changes are minor in nature and do not impose any additional burden, notice and public procedure hereon under 5 U.S.C. 553(b) is impracticable and good cause exists for making these amendments effective in less than thirty (30) days.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition area.

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Accordingly, Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1981, (46 FR 540) or in later Federal Register additions thereof, is amended 0901 GMT July 8, 1982, by altering the NDB and/or airport coordinates in the Elkhart, Atwood and Oakley, Kansas transition area designations as follows:

(a) Elkhart, Kansas (46 FR 34798)—change the NDB coordinates to read: "Latitude 37°00'04"N, Longitude 101°53'03"W."

(b) Atwood, Kansas (46 FR 42225)—change the NDB coordinates to read: "Latitude 39°50'20"N, Longitude 101°02'40"W."

(c) Oakley, Kansas (46 FR 39994 & 39995)—change the NDB and airport coordinates to read: "Latitude 39°06'45"N, Longitude 100°49'54"W" and "Latitude 39°06'46"N, Longitude 100°49'01"W", respectively.

(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); § 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 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 31, 1982.

John E. Shaw,
Acting Director, Central Region.

[FR Doc. 82-9811 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket Number 81-ACE-23]

Alteration of Transition Area—Seward, Nebraska

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 Seward, Nebraska, to provide

additional controlled airspace for aircraft executing a new instrument approach procedure to the Seward, Nebraska, Municipal Airport, utilizing the Seward Non-Directional Beacon (NDB) as a navigational aid. In addition, the Proposed Seward NDB coordinates have now been slightly changed to reflect their revision by the National Oceanic Survey (NOS). The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR) and to correct the Seward NDB coordinates.

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: A new instrument approach procedure to the Seward, Nebraska, Municipal Airport, Seward, Nebraska, is being established utilizing the Seward NDB as a navigational aid. The establishment of an instrument approach procedure based on this approach aid entails the alteration of the transition area at Seward, Nebraska, at and above 700 feet above the ground (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR). Subsequent to the issuance of the NPRM, the NOS revised the coordinates for the Seward NDB. Since this revision is minimal and imposes no additional burden on any person, it will be reflected in the Final Rule without additional rulemaking participation.

Discussion of Comments

On page 4092 of the Federal Register dated January 28, 1982, the Federal Aviation Administration published a Notice of Proposed Rulemaking (NPRM) which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Seward, Nebraska. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments were received as a result of the Notice of Proposed Rulemaking and the Final Rule is being published without change except for slight coordinate change mentioned above.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition area. Accordingly, Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1981 (46 FR 540), is amended effective 0901 G.m.t., July 8, 1982, by altering the following transition area:

Seward, Nebraska

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Seward Municipal Airport, Seward, Nebraska (Latitude 40° 51' 46" N, Longitude 97° 06' 32" W), and 5 miles either side of the 344° bearing of the Seward NDB (Latitude 40° 51' 53" N, Longitude 97° 06' 21" W) extending from the 5-mile radius to 11.5 miles NW of the NDB excluding that airspace overlying the Lincoln, Nebraska transition area.

(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 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, Mo., on March 31, 1982.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 82-9872 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ASW-2]

Designation of Transition Area: Alice, TX; Revocation of Transition Area: Orange Grove, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will designate a transition area at Alice, TX, and revoke the transition area at Orange Grove, TX. The intended effect of the amendment is to provide controlled airspace for aircraft executing instrument approach procedures to the Alice International Airport and NALF Orange Grove. This amendment is necessary since there is no transition area designated for the Alice

International Airport and revision to the NALF Orange Grove is necessary for the protection of aircraft arriving/departing these airports on instrument flight rules (IFR) flights.

EFFECTIVE DATE: July 8, 1982.

FOR FURTHER INFORMATION CONTACT:

Kenneth L. Stephenson, Airspace and Procedures Branch (ASW-535), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, telephone (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION: On February 1, 1982, a notice of proposed rulemaking was published in the Federal Register (47 FR 4528) stating that the Federal Aviation Administration proposed to designate the Alice, TX, transition area and revoke the Orange Grove, TX, transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received without objections. Except for editorial changes, this amendment is that proposed in the notice.

List of Subjects in 14 CFR Part 71

Aviation safety, transition areas.

Adoption Of The Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, Subpart G of Part 71, § 71.181, of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 540) is amended, effective 0901 G.m.t., July 8, 1982, by revoking Orange Grove, TX, and adding the following:

Alice, TX

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the Alice International Airport (latitude 27°44'28"N., longitude 98°01'42"W.) and a 6.5-mile radius of the NALF Orange Grove (latitude 27°54'03", longitude 98°03'05"W.)

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.61(c))

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 1103; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. It is certified that the rule will not have a significant economic impact on a substantial

number of small entities as the anticipated impact is minimal.

Issued in Fort Worth, TX, on March 31, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-9865 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ASW-1]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Alteration of Transition Area: Kingsville, TX

AGENCY: Federal Aviation Administration. (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will alter the transition area at Kingsville, TX. The intended effect of the amendment is to provide adequate controlled airspace for aircraft executing instrument approach procedures to the NAS Kingsville and Kleberg County Airports. This amendment is necessary to properly describe the necessary airspace required for protection of aircraft arriving/departing these airports.

EFFECTIVE DATE: July 8, 1982.

FOR FURTHER INFORMATION CONTACT:

Kenneth L. Stephenson, Airspace and Procedures Branch (ASW-535), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, telephone (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION: On

February 1, 1982, a notice of proposed rulemaking was published in the Federal Register (47 FR 4527) stating that the Federal Aviation Administration proposed to alter the Kingsville, TX, transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received without objections. Except for editorial changes, this amendment is that proposed in the notice.

List of Subjects in 14 CFR Part 71

TD aviation safety, transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, Subpart G of Part 71, § 71.181, of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 540) is amended, effective 0901 G.m.t., July 8, 1982, as follows:

Kingsville, TX

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of NAS Kingsville (latitude 27°30'11"N., longitude 97°48'25"W.); within 3.5 miles each side of the Kingsville UHF radio beacon 199° bearing, extending from the 8.5-mile radius area to 22 miles south of the airport; and within a 6.5-mile radius of Kleberg County Airport (latitude 27°33'09"N., longitude 98°01'40"W.).

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.61(c))

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 1103; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. It is certified that the rule will not have a significant economic impact on a substantial number of small entities as the anticipated impact is minimal.

Issued in Fort Worth, TX, on March 31, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-9864 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

15 CFR Part 806

Direct Investment Reporting Forms; Correction

AGENCY: Bureau of Economic Analysis, Commerce.

ACTION: Final rule; correction

SUMMARY: This document corrects the heading of the final rule that appeared in the Federal Register of March 29, 1982 (47 FR 13138) by removal of the words "Solicitation of Written Comments on Proposed Rule Changes."

FOR FURTHER INFORMATION CONTACT:

George R. Kruer, Chief, International Investment Division, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, D.C. 20230, (202) 523-0657.

George Jaszi,

Director, Bureau of Economic Analysis.

Accordingly, the Bureau of Economic Analysis is correcting the subject heading on page 13138 to read as follows:

Direct Investment Reporting Forms

[FR Doc. 82-9865 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-06-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-9-FRL-2083-8]

Arizona State Implementation Plan Revision

AGENCY: Environmental Protection Agency.

ACTION: Notice of final rulemaking.

SUMMARY: The Environmental Protection Agency (EPA) takes final action to approve changes to the air pollution control regulations of Maricopa, Pinal-Gila, and Yuma Counties submitted by the Arizona Department of Health Services as revisions to the Arizona State Implementation Plan (SIP). These revisions generally are administrative and retain equivalent emission control requirements. EPA reviewed these rules with respect to the Clean Air Act and determined that they should be approved.

DATE: This action is effective June 11, 1982.

ADDRESSES: Copies of the revisions and the technical support documents are available for public inspection during normal business hours at the EPA Region 9 Office and at the following locations:

Public Information Reference Unit,
Environmental Protection Agency,
Library, 401 M Street SW., Room 2404,
Washington, D.C. 20460
Library, Office of the Federal Register,
1100 L Street NW., Room 8401,
Washington, D.C. 20408

Arizona Department of Health Services,
1740 West Adams Street, Phoenix, AZ
85007

Maricopa County Department of Health
Services, 1825 East Roosevelt Street,
Phoenix, AZ 85006

Pinal-Gila Counties Air Quality Control
District, 711 Main Street, Florence, AZ
85232

Yuma County Air Pollution Control
District, 201 Second Avenue, Yuma,
AZ 85364.

FOR FURTHER INFORMATION CONTACT:

Douglas Grano, Chief, State
Implementation Plan Section, Air
Programs Branch, Air Management
Division, Environmental Protection
Agency, Region 9, 215 Fremont Street,
San Francisco, CA 94105 (415) 974-8222.

SUPPLEMENTARY INFORMATION:

The Arizona Department of Health Services submitted as SIP revisions the following rules on the indicated dates:

Maricopa County

- June 23, 1980
 Rule 2, Definitions
 Rule 3, Air Pollution Prohibited
 Rule 21E, Permit Conditions
 Rule 22A, Permit Denial
 Rule 24, Installation Permit Fees
 Rule 25, Annual Operating Permit Fees
 Rule 25, Emissions Test Methods and Procedures
 Rule 26, Air Quality Models
 Rule 27, Performance Tests
 Rule 30, Visible Emissions
 Rule 31A, Emissions of Particulate Matter
 31B, Process Industries and Point Sources of Particulate Matter
 31H, Fuel Burning
 Rule 32G, Other Industries
 32H, Fuel Burning Equipment for Producing Electric Power (Sulfur Dioxide)
 32J, Operating Requirements for an Asphalt Kettle
 32K, Emissions of Carbon Monoxide
 Rule 40, Recordkeeping and Reporting
 Rule 51, Exceptions
 Rule 70, Ambient Air Quality Standards
 Rule 71, Anti-degradation
 Rule 72, Emergency Episode Criteria
 Rule 74, Public Notification
 January 18, 1979
 Rule 21G, Permit Conditions (Public Comment Period)
 Rule 41, Monitoring

Pinal-Gila Counties

- August 7, 1980
 Rule 7-1-1.2 Definitions
 Rule 7-1-1.3 C Air Pollution Prohibited
 Rule 7-3-1.1 Visible Emissions: General
 Rule 7-3-1.4 C Incineration
 Rule 7-3-1.7 F Fuel Burning Equipment
 Rule 7-3-3.4 Organic Solvents: Volatile Organic Compounds

Yuma County

- April 10, 1979
 Regulation 8-1-1.2 Definitions
 Regulation 8-1-1.3 Air Pollution Prohibited
 Regulation 8-1-1.4 Enforcement
 Regulation 8-1-1.5 Violations
 Regulation 8-1-1.6 Penalties
 Regulation 8-1-1.8 Permits, Applications, Fees
 Regulation 8-1-1.9 Posting of Permits
 Regulation 8-1-1.10 Notice by Building Permit Agencies
 Regulation 8-1-1.11 Permits Non-Transferable: Exceptions
 Regulation 8-1-1.12 Recordkeeping and Reporting
 Regulation 8-1-1.13 Emissions Test Methods and Procedures
 Regulation 8-1-2.1 Non-specific Particulate
 Regulation 8-1-2.2 Sulfur Dioxide
 Regulation 8-1-2.3 Non-Methane Hydrocarbons
 Regulation 8-1-2.4 Photochemical Oxidants
 Regulation 8-1-2.5 Carbon Monoxide
 Regulation 8-1-2.6 Nitrogen Dioxide
 Regulation 8-1-2.8 Anti-Degradation
 Regulation 8-1-3.1 Visible Emissions: General

- Regulation 8-1-3.2 Non-Point Source: General
 Regulation 8-1-3.3 Open Burning
 Regulation 8-1-3.4 Criteria for Establishing Burn Hours
 Regulation 8-1-3.5 Fugitive Dust and Particulate Matters
 Regulation 8-1-3.6 Evaluation on Non-Point Source Emissions
 Regulation 8-1-3.7 Existing Point Source Performance Standards: General Unclassified Sources
 Regulation 8-1-3.8 Fossil-fuel Fired Steam Generators and General Fuel Burning Equipment
 Regulation 8-1-3.9 Incinerators
 Regulation 8-1-3.10 Asphalt Concrete Plants
 Regulation 8-1-3.11 Petroleum Storage (Steel Plants) Electric Arc Furnaces
 Regulation 8-1-3.13 Stationary Rotating Machinery
 Regulation 8-1-3.14 Standards of Performance for Existing Gravel or Crushed Stone Processing Plants
 Regulation 8-1-3.15 Concrete Batch Plants
 Regulation 8-1-3.16 Standards of Performance for Existing Fossil-fuel Fired Industrial and Commercial Equipment
 Regulation 8-1-3.17 Dry Cleaning Plants
 Regulation 8-1-3.18 Sandblasting Equipment
 Regulation 8-1-3.19 Spraypainting Operations
 Regulation 8-1-3.20 Asphalt or Tar Kettles
 Appendix 1—Fee Schedules
 Appendix 2—Particulate Emission Computations.

Under Section 110 of the Clean Air Act as amended, and 40 CFR Part 51, the Administrator is required to approve or disapprove these regulations as State Implementation Plan revisions. All rules submitted have been evaluated and found to be in accordance with EPA policy and 40 CFR Part 51. EPA's detailed evaluation of the submitted rules is available at the EPA Library in Washington, D.C., and the Region 9 office.

It is the purpose of this notice to approve all the rule revisions listed above and to incorporate them into the Arizona SIP. This is being done without prior proposal because the revisions are noncontroversial, have limited impact, and no comments are anticipated. The public should be advised that this action will be effective June 11, 1982. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, the approval will be withdrawn and a subsequent notice will be published before the effective date. The subsequent notice will indefinitely postpone the effective date, modify the final action to a proposed action, and establish a comment period.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under the Clean Air Act, any petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). This action may not be challenged later in proceedings to enforce its requirements.

Note.—Incorporation by reference of the State Implementation Plan for the State of Arizona was approved by the Director of the Federal Register on July 1, 1980. (Secs. 110 and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410 and 7601(a)))

List of Subjects in 40 CFR Part 52:

Environmental Protection Agency, Air Pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

Dated: April 5, 1982.

Anne M. Gorsuch,
 Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart D—Arizona

1. Section 52.120, is amended by adding paragraphs (c)(28)(i)(B), (c)(35), (c)(44)(i)(B), and (c)(46) to read as follows:

§ 52.120 Identification of plan.

- * * * * *
 (c) * * *
 (28) * * *
 (i) * * *
 (B) New or amended Rules 21G and 41.
 * * * * *

(35) The following amendments to the plan were submitted on April 10, 1979, by the Governor's designee.

(i) Yuma County Air Pollution Control District.

(A) New or amended Rules 8-1-1.2 8-1-1.3 thru 8-1-1.6 and 8-1-1.8 thru 8-1-1.13; 8-1-2.1 thru 8-1-2.6 and 8-1-2.8; 8-1-3.1 thru 8-1-3.6, 8-1-3.7 (except paragraph "F") and 8-1-3.8 thru 8-1-3.20; and Appendices I and II.
 * * * * *

(44) * * *
 (i) * * *
 (B) New or amended Rules 2 (except #49 and 57), 3, 24, 25, 26, 27, 30, 31(A), (B), and (H), 32, (G), (H), (J), and (K), 40, 70-72, and 74 and deletion of "ee".
 * * * * *

(46) The following amendments to the plan were submitted on August 7, 1980, by the Governor's designee.

(i) Pinal-Gila Counties Air Quality Control District.

(A) New or amended Rules 7-1-1.2, 7-1-1.3(C), 7-3-1.1, 7-3-1.4(C), 7-3-1.7(F), and 7-3-3.4.

[FR Doc. 82-9822 Filed 4-9-82; 8:46 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-7-FRL 2076-3]

Missouri; Approval and Promulgation of State Implementation Plans

AGENCY: Environmental Protection Agency.

ACTION: Withdrawal of final rule.

SUMMARY: On September 5, 1980, the State of Missouri submitted a revision to its State Implementation Plan (SIP) which exempts existing Missouri type charcoal kiln operations from the process weight provisions of state regulations. On November 4, 1981, (46 FR 54730) EPA approved this revision to the Missouri plan. EPA subsequently received a request for an opportunity to submit an adverse or critical comment on this approval. Accordingly, EPA is taking this action to withdraw the approval of the revision. Elsewhere in today's *Federal Register*, EPA is proposing to approve the revision and is providing an opportunity to comment on its proposed approval.

DATE: This action is effective on April 12, 1982.

ADDRESSES: Copies of this SIP revision are available for review at the following addresses:

Environmental Protection Agency,
Region VII, Air Branch, Room 1415,
324 East 11th Street, Kansas City,
Missouri 64106

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

Missouri Department of Natural
Resources, 1101 Rear Southwest
Boulevard, Jefferson City, Missouri
65102.

FOR FURTHER INFORMATION CONTACT:
Dewayne E. Durst at the EPA Region VII
address above or call (816) 374-3791
(FTS 758-3791).

SUPPLEMENTARY INFORMATION:

On September 5, 1980, the State of Missouri submitted a revision to their State Implementation Plan which exempts existing Missouri type charcoal kiln operations from the process weight

provisions of state regulations. On November 4, 1981 (46 FR 54730), EPA announced the availability of this submittal and approved it as a revision to the Missouri SIP. (For further information about the revision, see 46 FR 54730.) In the approval notice, EPA advised the public that the effective date of the approval would be deferred for 60 days (until January 4, 1982). EPA announced that, if, within 30 days of publication of the approval, notice was received that someone wanted to submit an adverse or critical comment, the approval would be withdrawn and a new rulemaking action would be initiated by proposing the action and establishing a 30-day comment period. EPA also published a general notice explaining this special procedure on September 4, 1981 (46 FR 44477).

EPA has received notice that a member of the public wishes to submit an adverse or critical comment on the revision for charcoal kilns. Therefore, in accordance with the procedure described above, EPA is withdrawing the November 4, 1981 approval of the revision.

Elsewhere in today's *Federal Register* EPA is proposing to approve this revision and is soliciting comment on that action.

EPA is withdrawing the original approval without providing prior notice and opportunity to comment because it finds there is good cause within the meaning of 5 U.S.C. 553(b) to do so. Notice and comment would be impractical because EPA needs to withdraw its approval quickly in order to consider the comments which members of the public want to submit. In addition, further notice is not necessary because EPA has already informed the public that it would follow this procedure if a request was received to comment on the revision (See 46 FR 54730 and 46 FR 44477). For the same reasons, EPA finds it has good cause under 5 U.S.C. 553(d) to make this withdrawal immediately effective.

Note.—Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this action will not have a significant economic impact on a substantial number of small entities because this withdrawal action has no direct regulatory impact and any such impact would only result because of future actions by EPA. Those future actions will require that EPA make a separate determination of the applicability of 5 U.S.C. 605(b).

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available only by filing a petition for

review in the United States Court of Appeals for the appropriate circuit within 60 days of today.

(Secs. 110 and 301 of the Act as amended (42 U.S.C. 7410 and 7601))

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

Dated: April 5, 1982.

Anne M. Gorsuch

Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart AA—Missouri

1. In § 52.1320, paragraph (C)(33) is removed and reserved.

§ 52.1320 [Amended]

(C) * * *

(33) [Reserved].

[FR Doc. 82-9823 Filed 4-9-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-4-FRL 2076-6]

Florida: Ambient Lead Standard and Open Burning Regulations

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Florida Department of Environmental Regulation (FDER) has revised its open burning and frost protection rule to address the present economic concerns of agricultural interests and existing technology advancements. FDER has also adopted the primary ambient air quality standard for lead established by the Environmental Protection Agency (EPA) pursuant to Section 109 of the Clean Air Act. EPA today announces its approval of these revisions in the Florida plan.

EFFECTIVE DATES: This action will be effective on June 11, 1982 unless notice is received within 30 days of publication that someone wishes to submit adverse or critical comments.

ADDRESSES: Copies of the materials submitted by Florida may be examined

during normal business hours at the following locations:

Public Information Reference Unit,
Library Systems Branch,
Environmental Protection Agency, 401
M Street SW., Washington, D.C. 20460
Library; Office of the Federal Register,
1100 L Street NW., Room 8401,
Washington, D.C. 20005
Environmental Protection Agency,
Region IV, Air Programs Branch, 345
Courtland Street NE., Atlanta, Georgia
30365
Bureau of Air Quality Management,
Florida Department of Environmental
Regulation, Twin Towers Office
Building, 2600 Blair Stone Road,
Tallahassee, Florida 32301

FOR FURTHER INFORMATION CONTACT:

Mr. William Voshell, EPA Region IV, Air
Programs Branch, at the above listed
address and phone 404/881-3286 or FTS
257-3286.

SUPPLEMENTARY INFORMATION: Florida's
open burning and frost protection rules
were adopted in 1971 and approved as
part of the State Air Implementation
Plan in 1972. On January 14, 1976, a
revision to Section 17-5.06, Florida
Administrative Code (FAC) Frost
Protection, was submitted for EPA's
approval. This revision was approved
on November 1, 1977, at 42 FR 57124. On
October 28, 1981, the Florida
Environmental Regulation Commission
adopted changes in several sections of
Chapter 17-5, FAC. These changes
include the modification of one
definition, the addition of five
definitions, a prohibition on burning
certain materials, the revision of the
frost protection section, the modification
of some of the criteria for open burning
to clear land, and improvements in the
"Open Burning Allowed" section.

This rule is organized into ten
sections. The revisions are effective
January 11, 1982. The following is a
summary of the changes to the five (5)
sections submitted as revisions to
Chapter 17-5, FAC, *Open Burning Fires*:

Section 17-5.02—Definitions, lists an
additional six (6) definitions that are
used in the rule. Five of these (yard
trash, nuisance, clean dry wood,
garbage, and trash) were added in the
October amendments, and the other
definition (land clearing) was
significantly changed in order to help
prevent backyard maintenance burning
of yard trash.

Section 17-5.03—Prohibitions,
prohibits any open burning which is not
specifically allowed in Chapter 17-5.
Recent changes included the prohibition
of the burning of materials such as trash,
garbage, railroad cross ties, refuse,
plastic, tires, etc.

Section 17-5.06—Burning for Cold or
Frost Protection, now includes a list of
approved fuels and heating devices
within the rule. This list includes the
manufacturers of the devices. The
operating conditions for the open
burning of the approved fuels and
heating devices were included.

Section 17-5.07—Land Clearing,
establishes the type of materials which
can be burned, conditions, times,
setback requirements and other criteria
to reduce the effects of air pollution
(including visible emissions) and to
promote fire safety.

Section 17-5.09—Open Burning
Allowed, allows open burning to reduce
yard trash with prior authorization from
the department; provided no systematic
garbage collection is available at least
once per week and that the burning does
not produce smoke, soot, odors, visible
emissions, heat flames, etc., to create a
nuisance. Open burning is allowed for
the instruction and training of organized
fire fighters, provided the Division of
Forestry, the Department, and local fire
department officials are notified in
advance.

Prior to the 1981 amendments, no
violations of ambient air standards have
been attributed to burning activities
authorized under Chapter 17-5, FAC, by
the DER.

Collectively, these changes update the
previous regulations on the basis of
present day technology and the realities
of open burning for frost protection in
Florida. These amendments are not
expected to cause violations of national
ambient air quality standards. The only
alternatives to frost protection open
burning are wind machines and water
spraying. These alternatives are not
always effective, especially for
prolonged periods at lower
temperatures. Also, these methods are
costly and resource intensive in terms of
fuel and water.

The amendment to Section 17-2.300,
FAC adopts the ambient air quality
standard for lead contained in 40 CFR
50.12. Under Section 110(a)(2) of the
Clean Air Act Amendments of 1977,
each state must provide in its State
Implementation Plan for the attainment
and maintenance of national ambient air
quality standards established by the
Environmental Protection Agency (EPA)
pursuant to Section 109 of the Act. On
October 5, 1978, EPA promulgated a
standard for lead. The Florida rule
simply incorporates that standard in the
State Implementation Plan. The Florida
ambient lead standard is identical to the
established Federal primary standard
(no separate secondary standard
established) for lead. No additional

pollution controls are anticipated for
those areas in the State of Florida.

Action

EPA is today approving the Florida
plans for open burning (including frost
protection) and adoption of the ambient
lead standard. This is being done
without prior proposal because the
changes to the open burning regulations
and adoption of the lead standard will
have limited impact on air quality and
no comments are anticipated.

The public should be advised that this
action will be effective June 11, 1982.
However, if notice is received within 30
days that someone wishes to submit
adverse or critical comments, this action
will be withdrawn and two subsequent
notices will be published before the
effective date. One notice will withdraw
the final action and another will begin a
new rulemaking by announcing a
proposal of the action and establishing a
comment period.

Under Section 307(b)(1) of the Clean
Air Act, judicial review of EPA's
approval of this revision is available
only by the filing of a petition for review
in the United States Court of Appeals
for the appropriate circuit on or before
June 11, 1982. Under Section 307(b)(2)
of the Clean Air Act, the requirements
which are the subject of today's notice
may not be challenged later in civil or
criminal proceedings brought by EPA to
enforce these requirements.

Pursuant to the provisions of 5 U.S.C.
section 605(b) I hereby certify that the
attached rule will not have a significant
impact on a substantial number of small
entities. This action only approves state
actions. No additional pollution controls
are anticipated as a result of adoption of
the ambient particulate lead standard.
Air quality will not change significantly
as a result of these actions.

The Office of Management and Budget
has exempted this rule from the
requirements of Section 3 of Executive
Order 12291.

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

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

Dated: April 5, 1982.

Anne M. Gorsuch,
Administrator.

List of Subject in 40 CFR Part 52

Air pollution control, Ozone, Sulfur
oxides, Nitrogen dioxide, Lead,
Particulate matter, Carbon monoxide,
Hydrocarbons.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart K—Florida

In § 52.520 paragraph (c)(42) is added as follows:

§ 52.520 Identification of plan.

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

(42) Revised open burning and frost protection rule and ambient lead standard, submitted on December 23, 1981, by the Florida Department of Environmental Regulation.

[FR Doc. 82-9846 Filed 4-9-82; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 52

[A-5-FRL-2076-5]

Iowa; Approval and Promulgation of Implementation Plans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: Today EPA approves the Iowa Ambient Air Monitoring Strategy (IAAMS) as part of the Iowa State Implementation Plan (SIP). The monitoring strategy describes the methods to be used to measure levels of air pollution at various places around the state. Approval of the IAAMS means the EPA finds the monitoring methods to be acceptable when compared to EPA requirements. The IAAMS contains requirements applicable to the operation of air quality monitors and does not impose any controls or limits on sources of air pollution.

This action will be effective 60 days from today unless notice is received within 30 days that someone wishes to submit adverse or critical comments.

EFFECTIVE DATE: June 11, 1982.

ADDRESSES: Comments should be sent to Daniel J. Wheeler, Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106. The state submission is available at the above address and at the Iowa Department of Environmental Quality, Henry A. Wallace Building, 900 East Grand, Des Moines, Iowa 50319; the Environmental Protection Agency, Public Information Reference Unit, Room 2922, 401 M Street, SW, Washington, D.C. 20460; and the Office of the Federal Register, 1100 L

Street, NW., Room 8401, Washington, D.C. 20408.

FOR FURTHER INFORMATION CONTACT: Daniel J. Wheeler at 816-374-3791.

SUPPLEMENTARY INFORMATION: Federal regulations concerning ambient air quality surveillance (40 CFR Part 58) require states to submit plan revisions providing for the establishment and proper operation of air monitors. On July 15, 1981, the Executive Director of the Iowa Department of Environmental Quality submitted the IAAMS and supporting documents.

The IAAMS provides for the designation of certain air monitoring sites as State and Local Air Monitoring Stations, requires that they be operated according to quality assurance criteria, that they use only acceptable monitoring methods and that they be located according to EPA siting criteria. It provides for at least one such station to be operated during emergency episodes, for an annual review of the system and for availability of a network description upon request.

The above plan provisions satisfy the basic requirements of 40 CFR 58.20 Air Quality Surveillance: Plan Content. Therefore, EPA approves the IAAMS as an SIP revision and incorporates it into the existing plan. EPA believes this action is noncontroversial and is taking final action to approve this submission without prior proposal. The public is advised that this action will be effective June 11, 1982. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

Pursuant to the provision of 5 U.S.C. 605(b), I hereby certify that the attached rule will not have a significant economic impact on a substantial number of small entities.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit within 60 days of today.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(Secs. 110 and 319 of the Clean Air Act, as amended (42 U.S.C. 7410 and 7619))

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

Dated: April 5, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION

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

Subpart Q—Iowa

1. Section 52.820 is amended by adding a new paragraph (c)(41) to read as follows:

§ 52.820 Identification of plan.

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

(41) The Iowa Ambient Air Monitoring Strategy was submitted July 15, 1981, by the Department of Environmental Quality (non-regulatory).

[FR Doc. 82-9836 Filed 4-9-82; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 52

[A-7-FRL-2081-2]

Iowa; Approval and Promulgation of Implementation Plans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking (FRM).

SUMMARY: Today EPA approves a revision to the Iowa State Implementation Plan (SIP) which provides for an alternative emission control program at one source of air pollution. This program, which was negotiated between the source and the Iowa Department of Environmental Quality (DEQ), provides greater reductions in air pollutant emissions than the generally applicable SIP, but at a significant cost savings to the source.

This action will be effective 60 days from today unless notice is received within 30 days that someone wishes to submit adverse or critical comments.

EFFECTIVE DATE: June 11, 1982.

ADDRESSES: Comments should be sent to Daniel J. Wheeler, Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106. The state submission is available at the above

address and at the Iowa Department of Environmental Quality, Henry A. Wallace Building, 900 East Grand, Des Moines, Iowa 50319; the Environmental Protection Agency, Public Information Reference Unit, Room 2922, 401 M Street, SW., Washington, D.C. 20460; and the Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408.

FOR FURTHER INFORMATION CONTACT:

Daniel J. Wheeler at 816 374-3791.

SUPPLEMENTARY INFORMATION: On December 8, 1981, the Iowa Department of Environmental Quality submitted a set of source specific emission limits applicable to the Progressive Foundry, Inc., of Perry, Iowa. These limits have been submitted for EPA approval as SIP revisions so that the source will not be subject to the generally applicable SIP limits.

Progressive Foundry is located in an area which has been designated as attaining the national ambient air quality standards (NAAQS) for all pollutants. When the cupola operates at its average process weight rate of 8,534 pounds per hour its emission limit under the generally applicable SIP is 14.9 pounds of particulate matter per hour (lb/hr). Its tested emission rate is 16.3 lb/hr., which exceeds the allowable by 1.4 lb/hr.

The foundry has another emission source in the "casting shakeout" area. In this area the gray iron castings are removed from the molds used to form the molten metal into the desired shapes. The molds are made of clay and sand. When the castings have cooled they are shaken out of the molds, which are broken in the process. The state has determined that the shakeout area is in compliance and estimates the emissions from the shakeout area to be 40 lb/hr. The company has proposed to control this emission point to an estimated 12.8 lb/hr. The company will achieve this reduction of 27.2 lb/hr at a cost estimated to be \$250,000 less than would be required to reduce cupola emissions only 1.4 lb/hr.

The state has accepted the company's proposal and issued a conditional permit specifying the above emission limits and has submitted these new limits as part of the Iowa SIP. The company and the state have entered into a consent order setting out a compliance schedule. This schedule was not EPA approved previously but is included in today's action. This schedule and set of revised emission limits were submitted by the state as an alternative emission reduction program (Bubble concept). For a description of the requirements for a

bubble please see the **Federal Register** of December 11, 1979 (44 FR 71780).

EPA is today approving the emission limits and compliance schedules contained in the state submission of December 8, 1981. These limits and schedules are binding on Progressive Foundry, Inc., of Perry, Iowa. The state permit contains provisions allowing the company to submit a demonstration that higher emission rates are acceptable. Any new limit developed under this procedure must be approved by EPA before the limits approved today may be exceeded.

EPA is approving this change without prior proposal because it affects only one source and is noncontroversial. The public is advised that this action will be effective June 11, 1982. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the attached rule will not have a significant economic impact on a substantial number of small entities since it affects only one company.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

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

List of Subjects in 40 CFR 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead,

Particulate matter, Carbon monoxide, Hydrocarbons.

(Secs. 110 and 301 of the Clean Air Act as amended (42 U.S.C. 7410 and 7601))

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

Dated: April 5, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart Q—Iowa

1. Section 52.820 is amended by adding a new paragraph (c)(42) to read as follows:

§ 52.820 Identification of plan.

(c) * * *

(42) A conditional permit containing an alternative emission reduction program for the Progressive Foundry, Inc., of Perry, Iowa, under 400-3.7 and 400-4.6 of the Iowa Administrative Code; and an administrative order setting forth a compliance schedule, were submitted on December 18, 1981, by the Executive Director. The conditional permit specifies particulate emissions not to exceed 16.3 pounds per hour from the gray iron cupola with a process weight rate not to exceed 8534 pounds per hour and specifies the casting shakeout exhaust system shall not exceed 0.05 grains per standard cubic foot nor 12.8 pounds per hour of particulate matter. The compliance schedule specifies a final compliance date of September 1, 1983.

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

§ 52.825 Compliance schedules.

(c) * * *

IOWA

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
Progressive Foundry, Inc., cupola and casting shakeout area.....	Perry	400-4.6	11/6/81		09/01/83

[FR Doc. 82-9839 Filed 4-9-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-9-FRL 2082-5]

California Rule Revisions for Three Sacramento Valley Air Pollution Control Districts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Revisions to rules of the Sutter, Tehama, and Yuba County Air Pollution Control Districts (APCDs) were forwarded to EPA by the State of California. These revisions generally are administrative and retain equivalent emission control requirements. EPA reviewed these rules with respect to the Clean Air Act and determined that they should be approved.

EFFECTIVE DATE: June 11, 1982.

ADDRESSES: Copies of the revisions are available for public inspection during normal business hours at the following locations:

- Public Information Reference Unit,
Environmental Protection Agency
Library, 401 "M" Street, S.W., Room
2404, Washington, D.C. 20460
Office of the Federal Register, 1100 "L"
Street, N.W., Room 8401, Washington,
D.C. 20408
California Air Resources Board, 1102
"Q" Street, Sacramento, CA 95812
Sutter County Air Pollution Control
District, 142 Garden Way, Yuba City,
CA 95991
Tehama County Air Pollution Control
District, 1760 Walnut Street, Red Bluff,
CA 96080
Yuba County Air Pollution Control
District, 938 14th Street, Marysville,
CA 95901

FOR FURTHER INFORMATION CONTACT:

Douglas Grano, Chief, State
Implementation Plan Section, Air
Management Division, Environmental
Protection Agency, Region 9, 215
Fremont Street, San Francisco, CA
94105, (415) 974-8058.

SUPPLEMENTARY INFORMATION: The
California Air Resources Board
submitted the following rules and
regulations on the indicated dates:

Sutter

January 28, 1981.

Rule

- 1.0 Title.
- 1.1 Definitions.
- 1.2 Validity.
- 1.3 Effective Date.
- 2.1 Exceptions to Rule 2.0 (Open Fires).
- 2.2 No title (Authorization to Issue Burning Permits).
- 2.3 Burning on "No-Burn" Days.
- 2.4 Exception to Rule 2.3.

- 2.5 Permit Regulations.
- 2.6 Burning Hours.
- 2.7 Agricultural Burning Requirement.
- 2.8 Range Improvement and Property Being Developed for Commercial or Residential Purposes.
- 2.9 Prohibited Burning.
- 2.10 Exceptions (To No-Burn Day Restrictions).
- 2.11 Fire Prevention.
- 2.12 Designated Agencies.
- 2.15 Orchard and Citrus Heaters.
- 2.16 Cost of Putting Out a Fire.
- 3.0 Visible Emissions.
- 3.1 Exceptions to Rule 3.0.
- 3.2 Particulate Matter Concentration.
- 3.3 Dust and Fumes.
- 3.4 Separation of Emissions.
- 3.5 Combination of Emissions.
- 3.6 Sand Blasting.
- 3.7 Reduction of Animal Matter.
- 3.9 Incinerator Burning.
- 3.10 Sulfur Oxides.
- 3.12 Organic Solvents.
- 3.13 Circumvention.
- 4.0 General Requirements (Stationary Source Permits).
- 4.1 Permits Required.
- 4.2 Existing Emission Sources.
- 4.3 Exemptions From Permit.
- 4.4 Standards for Granting Applications.
- 4.5 Conditional Approval.
- 4.7 Denial of Applications.
- 4.8 Public Information.
- 4.9 Action on Application.
- 4.10 Appeals.
- 4.12 Implementation Plans.
- 4.13 Alteration of Permit.
- 4.14 Posting of Permit.
- 4.15 Transfer of Permit.
- 5.0 General (Hearing Board and Procedures).
- 5.1 Hearing Board.
- 5.2 Procedures.
- 5.3 Hearings.
- 5.4 Contents of Petitions for Hearing.
- 5.5 Request for Variances.
- 5.6 Appeal from Denial.
- 5.7 Failure to Comply with Rules.
- 5.8 Answers.
- 5.9 Dismissal of Request for a Hearing.
- 5.10 Place of Hearing.
- 5.11 Notice of Hearing.
- 5.12 Evidence.
- 5.13 Preliminary Matters.
- 5.14 Official Notice.
- 5.15 Continuances.
- 5.16 Decision.
- 5.17 Effective Date of Decision.
- 5.18 Lack of Permit.
- 5.19 Record of Hearing.
- 6.0 Variance Applicability.
- 6.1 Interim Variances.
- 6.2 Limitation on Granting Variance.
- 6.3 Board's Authority to Impose Requirements on Variances.
- 6.4 Cash Bond.
- 6.5 Modifying or Revoking Variances.
- 6.6 Variance Time Period.
- 6.7 Variance Action.
- 7.0 Hearing Board Fee.
- 7.1 Analysis Fee.
- 7.2 Technical Report Fee.
- 8.0 Penalties.
- 8.1 Arrest, Notice to Appear.

- 8.2 Orders for Abatement.
- 9.0 Enforcement.
- 9.1 Emission Monitoring.
- 9.2 Records and Reports.
- 9.3 Tests.
- 9.4 Field Inspection.
- 9.5 Air Pollution Equipment—Scheduled Maintenance.
- 9.6 Equipment Breakdown.
- 9.7 Permit Actions.
- 9.8 Variance Action.

Deletions:

- 2.1 Control of Emissions.
- 2.7 Wet Plumes.
- 2.15 Fuel Burning Equipment.
- 2.20 Payment of Order Charging Costs.
- 3.7 Information.
- 4.5 Standards for Granting Applications.
- 4.6 Permits, Daily Limits.
- 4.8 Permit Forms.

Tehama

May 23, 1979.

Rule

- 2.1 General Requirements (Stationary Source Permits).
 - 2.9 Action on Applications (Deletion).
- February 25, 1980.
- Rule
- 2.5A Standards for Granting Applications.
 - 2.5B Conditional Approval.
- December 15, 1980.

Rule

- 1.2 Definitions.
- 1.3 Enforcement.
- 2.7 Denial of Applications.
- 2.8 Appeals.
- 2.9 Variance and Permit Fees.
- 3.1 Definitions.
- 3.2 Burning on No-Burn Days.
- 3.3 Exceptions (To No-Burn Day Restrictions).
- 3.4 Fire Prevention.
- 3.5 Burning Permits.
- 3.6 Preparation of Agricultural Wastes.
- 3.7 Ignition Methods.
- 3.8 Ignition Devices.
- 3.9 Burning Hours.
- 3.10 Restricted Burning Days.
- 3.11 Restricted Burning.
- 3.12 Range Improvement Burning.
- 3.13 Forest Management Burning.
- 3.14 Penalties.
- 4.1 Visible Emissions.
- 4.2 Orchard Heaters.
- 4.6 Open Burning.
- 4.7 Incinerator Burning.
- 2.8 Further Information (Deletion).

Yuba

October 15, 1979.

Rule

- 2.3 Burning on "No-Burn" Days.
 - 2.4(a) Exception to Rule 2.3.
- March 30, 1981.

Rule

- 1.3 Effective Date.
- 3.0 Visible Emissions.
- 3.1 Exceptions to Rule 3.0.
- 3.2 Particulate Matter Concentration.
- 3.3 Dust and Fumes.

- 3.4 Separation of Emissions.
- 3.5 Combination of Emissions.
- 3.6 Sand Blasting.
- 3.7 Reduction of Animal Matter.
- 3.9 Storage of Petroleum Products.
- 3.10 Sulfur Oxides.
- 3.13 Circumvention.
- 4.0 General Requirements (Stationary Source Permits).
- 4.1 Permits Required.
- 4.2 Existing Emission Sources.
- 4.3 Exemptions from Permit.
- 4.4 Standards for Granting Applications.
- 4.5 Conditional Approval.
- 4.7 Denial of Applications.
- 4.8 Public Information.
- 4.9 Action on Application.
- 4.10 Appeals.
- 4.12 Implementation Plans.
- 5.4 Content of Petitions for Hearings.
- 6.0 Variances.
- 8.0 Penalties.
- 8.2 Orders for Abatement.
- 9.0 Enforcement.
- 9.1 Emission Monitoring.
- 9.2 Records and Reports.
- 9.3 Tests.
- 9.4 Field Inspection.
- 9.5 Air Pollution Equipment—Scheduled Maintenance.
- 9.7 Permit Actions.
- 9.8 Variance Actions.

Under section 110 of the Clean Air Act as amended, and 40 CFR Part 51, the administrator is required to approve or disapprove these regulations as State Implementation Plan (SIP) revisions. All rules submitted have been evaluated and found to be in accordance with EPA policy and 40 CFR Part 51. EPA's detailed evaluation of the submitted rules is available at the EPA Library in Washington, D.C., and the Region 9 Office.

It is the purpose of this notice to approve all the rule revisions listed above and to incorporate them into the California SIP. EPA's approval of the above revisions to the California SIP is being done without prior proposal because the revisions are not controversial. The public should be advised that this approval action will be effective June 11, 1982. However, if notice is received by EPA within 30 days that someone wishes to submit adverse or critical comments, the approval action will be withdrawn and a subsequent notice will indefinitely postpone the effective date, modify the final action to a proposed action and establish a comment period.

Sutter County Rule 3.12, "Organic Solvents," applies to sources also regulated by the following Federal Regulations: § 52.246 "Control of dry cleaning solvent vapor losses," § 52.252 "Control of degreasing operations," § 52.253 "Metal surface coating thinner and reducer," and § 52.254 "Organic solvent usage." Since the submitted rule adequately controls those sources

covered by the above Federal Regulations, and since the District's regulation is presently in effect, EPA is rescinding the Federal Regulations applicable to these sources in Sutter County.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under the Clean Air Act, any petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 11, 1982. This action may not be challenged later in proceedings to enforce its requirements.

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

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon-monoxide, Hydrocarbons.

Pursuant to the provisions of 5 U.S.C. section (b), I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities.

(Sec. 110, and 301(a), Clean Air Act, as amended (42 U.S.C. 7410 and 7601(a)))

Dated: April 5, 1982.

Anne M. Garsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart F—California

1. Section 52.220 is amended by adding paragraphs (c)(51)(xix), (52)(xvi)(B), (54)(ix), (85)(vi), (89)(iii)(B), and (98)(i) (B) and (C).

§ 52.220 Identification of plan.

(c) * * *
(51) * * *
(xix) Tehama County APCD.
(A) Amended Rule 2.1 and previously approved and now deleted Rule 2.9 (Action on Applications).

(52) * * *
(xvi) * * *
(B) New or amended Rules 2.3 and 2.4(a).

(54) * * *

(ix) Tehama County APCD.
(A) Amended Rules 2.5A and 2.5B.
* * * * *
(85) * * *
(vi) Tehama County APCD.
(A) New or amended Rules 1.2, 1.3, 2.7, 2.8, 2.9, 3.1, 3.2, 3.3-3.14, 4.1, 4.2, 4.6, and 4.7.

(B) Previously approved and now deleted rule 2.8 (Further Information).
* * * * *
(89) * * *
(iii) * * *
(B) New or amended rules 1.3, 3.0-3.7, 3.9, 3.10, 3.13, 4.0-4.5, 4.7-4.10, 4.12, 5.4, 6.0, 8.0, 8.2, 9.0-9.5, 9.7 and 9.8.
* * * * *

(98) * * *
(i) * * *
(B) New or amended Rules 1.0-1.3, 2.1-2.12, 2.15, 2.16, 3.0-3.7, 3.9, 3.10, 3.12, 3.13, 4.0-4.5, 4.7-4.10, 4.12-4.15, 5.0-5.19, 6.0-6.7, 7.0, 7.1, 7.2, 8.0, 8.1, 8.2, 9.0-9.7, and 9.8.

(C) Previously approved and now deleted rules 2.1 (Control of Emissions), 2.7 (Wet Plumes), 2.15 (Fuel Burning Equipment), 2.20 (Payment of Order Charging Costs), 3.7 (Information), 4.5 (Standards for Granting Applications), 4.6 (Permits, Daily Limits), and 4.8 (Permit Forms).

2. Section 52.246 is amended by adding paragraph (b)(1)(iv) as follows:

§ 52.246 Control of dry cleaning solvent vapor losses.

(b) * * *
(1) * * *
(iv) Sutter County APCD.

3. Section 52.252 is amended by adding paragraph (b)(1)(iv) as follows:

§ 52.252 Control of degreasing operations.

(b) * * *
(1) * * *
(iv) Sutter County APCD.

4. Section 52.253 is amended by adding paragraph (b)(1)(v) as follows:

§ 52.253 Metal surface coating thinner and reducer.

(b) * * *
(1) * * *
(v) Sutter County APCD.

5. Section 52.254 is amended by adding paragraphs (a)(3)(vi) as follows:

§ 52.254 Organic solvent usage.

- (a) * * *
 (3) * * *
 (vi) Sutter County APCD.
 * * *

[FR Doc. 82-9873 Filed 4-9-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52**[A-10-FRL 2084-2]****Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; Attainment Status Designations; Oregon****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: EPA today approves: (1) The total suspended particulate (TSP) control strategies for Portland and Eugene-Springfield; (2) a revision to the ozone control strategy for Salem; (3) a revision to the operating rules for the Portland motor vehicle inspection program; and (4) a revision to the boundary of the Portland secondary TSP nonattainment area. The area-specific control strategies and operating regulations for the motor vehicle inspection program were submitted by the Oregon Department of Environmental Quality (DEQ) as revisions to the State Implementation Plan (SIP) pursuant to the requirements of Part D of the Clean Air Act (hereinafter referred to as the Act). The revision to the Portland TSP nonattainment area boundary was submitted by DEQ pursuant to Section 107(d)(5) to better define the area which actually exceeds the secondary National Ambient Air Quality Standard (NAAQS) for TSP.

DATE: Effective April 12, 1982.**ADDRESSES:** Copies of the materials submitted to EPA may be examined during normal business hours at:

Central Docket Section (10A-79-2),
 West Tower Lobby, Gallery I,
 Environmental Protection Agency, 401
 M Street SW., Washington, D.C. 20460
 Air Programs Branch, Environmental
 Protection Agency, 1200 Sixth Avenue,
 Seattle, Washington, 98101-3188
 State of Oregon, Department of
 Environmental Quality, 522 SW. Fifth,
 Yeon Building, Portland, Oregon 97207
 The Office of the Federal Register, 1100
 L Street N.W., Room 8401,
 Washington, D.C.

FOR FURTHER INFORMATION CONTACT:
 George C. Hofer, Air Programs Branch,
 M/S 532, Environmental Protection

Agency, 1200 Sixth Avenue, Seattle,
 Washington 98101-3188, Telephone (206)
 442-1352, (FTS) 399-1352.

SUPPLEMENTARY INFORMATION: On March 23, 1981 and March 24, 1981 DEQ submitted control strategies for the Eugene-Springfield and Portland secondary TSP nonattainment areas respectively. On October 16, 1980 DEQ submitted revisions to the control strategies for the Salem ozone nonattainment area. On August 17, 1981, DEQ submitted amendments to the operating rules for the Portland motor vehicle inspection program (Oregon Administrative Rules, Chapter 340, Division 24, Sections 300 through 350). These control strategies, control strategy revisions, and rule amendments were submitted as revisions to the Oregon SIP pursuant to the requirements of Part D of the Act. On March 24, 1981 DEQ also requested, pursuant to the provisions of Section 107(d)(5) of the Act, a revision to the boundary of the Portland TSP nonattainment area.

On December 8, 1981 EPA proposed in the *Federal Register* (46 FR 60017) approval of these control strategies, control strategy revisions, and rule amendments and revisions to the Portland TSP nonattainment area boundary. EPA received no comments on this proposed action. Therefore, EPA today is: (1) Approving the TSP control strategy for Portland; (2) approving the TSP control strategy for Eugene-Springfield; (3) approving the revision to the ozone control strategy for Salem; (4) approving the revisions to the operating rules for the Portland motor vehicle inspection program; and (5) revising the boundary of the Portland secondary TSP nonattainment area. Readers are directed to the December 8, 1981 *Federal Register* for additional information.

EPA finds that good cause exists for making the action in this Notice immediately effective for the following reasons: (1) The public has had adequate notice of the guidelines for preparation of State Implementation Plans and has had several opportunities to comment on those guidelines; and (2) the impact of this rulemaking is limited only to the State of Oregon.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 11, 1982. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(Sec. 107(d), 110, 171(2), 172 and 301(a), Clean Air Act (42 U.S.C. 7407(d), 7410(a), 7501(2), 7502 and 7601(a))

Dated: April 5, 1982.

Anne M. Gorsuch,
 Administrator.

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart MM—Oregon

In § 52.1970 paragraphs (c)(45) through (48) are added as set forth below:

§ 52.1970 Identification of plan.

* * * * *

(c) * * *

(45) On March 24, 1981, the State Department of Environmental Quality submitted control strategies for the Portland secondary total suspended particulates nonattainment area.

(46) On March 23, 1981, the State Department of Environmental Quality submitted control strategies for the Eugene-Springfield secondary total suspended particulates nonattainment area.

(47) On October 16, 1980, the State Department of Environmental Quality submitted revisions to the control strategies for the Salem ozone nonattainment area.

(48) On August 17, 1981, the State Department of Environmental Quality submitted amendments to the operating rules for the Portland motor vehicle inspection program (OAR 340-24-300 through 350).

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

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

Subpart C—Section 107 Attainment Status Designations

In § 81.338 the status designation table for TSP is revised to read as follows:

§ 81.338 Oregon.

OREGON—TSP

Designated area	Does not meet primary standard	Does not meet secondary standard	Cannot be classified	Better than national standards
Portland-Vancouver AQMA (portions of the Oregon portion)		X		
Eugene-Springfield AQMA		X		
Medford-Ashland AQMA	X			
Remainder of State				X

[FR Doc. 82-9867 Filed 4-9-82; 8:45 am]
BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

Private Land Mobile Radio Services; Editorial Amendment of Bandwidth Limitations and Modulation Requirements; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The Managing Director, acting under delegated authority amends Part 90 of the Commissions rules and regulations to correct an earlier editorial change which introduced an error in the text of the Commissions rules which prescribe the bandwidth limitations and modulation requirements for those transmitters which are authorized to operate in the Private Land Mobile Radio Services (§ 90.209). Without the amendment, certain classes of radio equipment could not be type accepted for use under Part 90 rules.

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

FOR FURTHER INFORMATION CONTACT: Keith A. Plourd, Private Radio Bureau, Rules Division, (202) 632-6497.

SUPPLEMENTARY INFORMATION:

Editorial Amendment of Part 90; Erratum
Released: March 30, 1982.

1. On December 9, 1980, the Commission released an editorial *ORDER* (mimeo No. 28400) modifying § 90.209. In that *ORDER*, certain language relating to emission limitations was inadvertently omitted. This *ERRATA* restores this language.

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

2. Accordingly, the Private Radio Service rules are amended to revise paragraph (c) of § 90.209 to read as follows:

§ 90.209 Bandwidth limitations.

(c) Except as noted in paragraphs (d), (f) and (g) of this section, the mean power of any emission shall be

attenuated below the mean output power of the transmitter in accordance with the following schedule:

List of Subjects in 47 CFR Part 90

Radio.
Federal Communications Commission.
Edward J. Minkel,
Managing Director.

[FR Doc. 82-9837 Filed 4-9-82; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 640

Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic

Correction

In FR Doc. 82-8498 appearing at page 13353 in the issue for Tuesday, March 30, 1982, please make the following corrections:

(1) On page 13356, in the first column, in § 640.7, in paragraph (b), in the last line, "§ 640.20(b)" should read "§ 640.20(a)".

(2) Also on page 13356, in § 640.7, paragraph (c) was inadvertently omitted. Paragraph (c) reads as follows:

§ 640.7 General prohibitions.

(c) Harvest spiny lobster by methods other than traps except during the season specified in § 640.20(b).

BILLING CODE 1505-01-M

Proposed Rules

Federal Register

Vol. 47, No. 70

Monday, April 12, 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

Farmers Home Administration

7 CFR Parts 1822 and 1944

Rural Housing Site Loan Policies, Procedures, and Authorizations

AGENCY: Farmers Home Administration, USDA.

ACTION: Proposed rule.

SUMMARY: The Farmers Home Administration (FmHA) proposes to amend and redesignate its regulations pertaining to Rural Housing Site (RHS) Loans. The intended effect of this action is to expand the eligibility requirements for RHS loans to include regional and statewide nonprofit organizations, provide nationwide program clarity and consistency, incorporate provisions of the Interstate Land Sales Full Disclosure Act, and simplify program regulations. This action is being taken in response to user needs.

DATE: Comments must be received on or before June 11, 1982.

ADDRESSES: Submit all written comments in duplicate to the Office of the Chief, Directives Management Branch, Farmers Home Administration, U.S. Department of Agriculture, Room 8346, Washington, DC 20250. All written comments made pursuant to this notice will be available for public inspection at the address given above.

FOR FURTHER INFORMATION CONTACT: Cliff J. Herron, Loan Officer, Multiple Family Housing, Farmers Home Administration, USDA, Room 5337, South Agriculture Building, 14th and Independence Avenue, SW., Washington D.C. 20250, Telephone (202) 382-1626.

SUPPLEMENTARY INFORMATION: This proposed action has been reviewed under USDA procedures established in Secretary's Memorandum 1512-1 which implements Executive Order 12291, and has been determined to be "nonmajor."

This proposed action has been determined "nonmajor" since the annual effect on the economy is less than \$100 million and there will be no increase in costs or prices for individuals, organizations or other government agencies affected. There will be no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Charles W. Shuman, Administrator, has determined that this action will not have a significant economic impact on a substantial number of small entities because the changes will have little or no effect on any State or local government receiving grants from the FmHA.

No other major alternatives were considered because provisions of the Interstate Land Sales Full Disclosure Act of 1968 are required in the implementation of the Multiple Family Housing program. Expanding the eligibility requirements for RHS loans to Regional and Statewide non-profit organization fully incorporates the Housing Act of 1949 as amended.

The FmHA programs and projects which are affected by this instruction are subject to State and local clearing house review in the manner delineated in FmHA Instruction 1901-H.

CFDA No. 10.411 Rural Housing Site Loans (Sections 523 and 524 Site Loans).

FmHA proposes to revise and redesignate Subpart G of Part 1822, Chapter XVIII, Title 7, Code of Federal Regulations to a new Subpart G of Part 1944, Chapter XVIII, Title 7, Code of Federal Regulations.

This document has been reviewed in accordance with 7 CFR Part 1901, Subpart G, "Environmental Impact Statements." It is the determination of FmHA that the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment and in accordance with the National Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

Approval of the reporting and recordkeeping requirements contained in this regulation has been requested from OMB in accordance with the Paperwork Reduction Act of 1980.

On September 15, 1978, FmHA published a notice of proposed rulemaking in the Federal Register (43-FR 41215) regarding revising, clarifying, and redesignating the RHS Loan program regulations.

FmHA received 7 responses to the September 15, 1978, publication as of February 9, 1979. These responses were seriously considered and those which suggested changes to provide greater clarity and to remove conflicting statements and/or definitions have been incorporated into the proposed regulations.

The responses raised the following basic concerns:

1. Several comments suggested that predevelopment funds for nonprofit section 524 of the Housing Act limits the use of loan monies to acquisition and development of land. Predevelopment funds would be classified as planning; loans for planning alone are not permitted. Since a predevelopment loan for planning purposes would not necessarily be followed with an approved application for an RHS loan there could be no assurance that anything more than planning would be done with loan funds and this is not legally authorized.

2. Several comments requested clarification on the exemptions from the full registration requirements of the Interstate Land Sales Full Disclosure Act which may apply to subdivisions. The requirements for compliance with this Act are published by the Office of Interstate Land Sales Registration of the U.S. Department of Housing and Urban Development. Since these requirements are readily available and subject to periodic change FmHA has concluded that it is not necessary to republish these requirements in this regulation. Section 1944.308 (g) of this subpart therefore requires applicants to direct requests for copies of the regulations and questions concerning the exemptions to the Office of Interstate Land Sales Registration.

3. Several comments suggested that the location requirements for rural housing sites needed to be clarified. FmHA has clarified the location requirements for rural housing sites in § 1944.308 (h) of this subpart.

4. The need for additional clarification and support to change the processing from the County Office to the District Office was raised by the comments

received. FmHA has changed the processing office requirement to the District Office in § 1944.312 of this Subpart.

Because a significant period of time has passed since the September 15, 1978, proposal to revise this regulation it is again being published in proposed form for comment.

List of Subjects in 7 CFR Part 1822

Rural housing.

List of Subjects in 7 CFR Part 1944

Rural housing.

As proposed, Subpart G, consisting of §§ 1822.261 through 1822.278, of Part 1822 is revised and redesignated to a new Subpart G of Part 1944 which reads as follows.

PART 1822—RURAL HOUSING LOANS AND GRANTS

Subpart G—[Revised and Redesignated as Subpart G of Part 1944]

§§ 1822.261—1822.278 [Revised and Redesignated as §§ 1944.301—1944.350]

PART 1944—HOUSING

Subpart G—Rural Housing Site Loan Policies, Procedures, and Authorizations

Sec.

- 1944.301 General.
- 1944.302 Objective.
- 1944.303 Definitions.
- 1944.304 Eligibility requirements.
- 1944.305 Authorized representative of applicant.
- 1944.306 Loan purposes.
- 1944.307 Limitations.
- 1944.308 Special conditions.
- 1944.309 Rates, terms, use of sale proceeds, and type of loan.
- 1944.310 Security.
- 1944.311 Technical, legal and other services.
- 1944.312 Processing applications.
- 1944.313 Loan approval authority and State Office action.
- 1944.314 Loan disapproval.
- 1944.315 Loan closing.
- 1944.316 Actions after sites are developed.
- 1944.317 Special requirements for RHS Section 523 loans (loans to organizations providing sites for self-help housing).
- 1944.318 Subsequent RHS loans.
- 1944.319 Complaints regarding discrimination in opportunity to buy developed sites.
- 1944.320—1944.350 (Reserved)

Exhibit A—Loan Resolution (Rural Housing Site Loan to Nonprofit Corporation).

Exhibit B—Subordination by the Government For Use With Rural Housing Site Loan.

Exhibit C—Information to be submitted With Preapplication For Rural Housing Site Loan.

Exhibit D—Information to be Submitted With Application For Federal Assistance (Short Form).

Subpart G—Rural Housing Site Loan Policies, Procedures, and Authorizations

Authority: 42 U.S.C. 1480(j), Delegation of Authority by Secretary of Agriculture, 7 CFR 2.23; Delegation of Authority by Assistant Secretary for Rural Development, 7 CFR 2.70.

§ 1944.301 General.

This Subpart sets forth the policies and procedures and delegates authority for making Rural Housing Site (RHS) loans under Sections 523 and 524 of the Housing Act of 1949 as amended. Section 523 loans are direct loans to public and private non-profit organizations for the purchase and development of building sites for housing to be built by the self-help method. Special requirements for Section 523 loans are contained in § 1944.317.

§ 1944.302 Objective.

The basic objective of RHS loans is to assist public or private non-profit organizations in the acquisition and development of land for single and multiple family building sites for low- and moderate-income persons in rural areas. This land will be subdivided into adequate sites and sold on a non-profit basis.

§ 1944.303 Definitions.

(a) *Private non-profit organization.* A corporation which is organized and operated for purposes other than making gains or profits for the corporation or its members; is legally precluded from distributing to its members any gains or profits during its existence; and in the event of its dissolution, is legally bound to transfer its net assets to a non-profit corporation of a similar type or to a municipal corporation which will agree to continue with the objectives of the loan for the remaining period. At least 51 percent of the outstanding interest in a private non-profit organization must be owned and controlled by individuals as defined in paragraph (c) of this section.

(b) *Public non-profit organization.* A non-profit corporation controlled by a Federally recognized Indian Tribe, State or local government, or a State created housing financing agency.

(c) *Individual.* A person who is a citizen of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, the Trust Territories of the Pacific Islands; or who resides in one of the foregoing areas after being admitted for permanent residence.

(d) *Rural areas.* Open country or rural places as defined in § 1944.10 of Subpart A of Part 1944.

(e) *Development cost.* The combined cost of purchasing and developing land into adequate sites including technical services and legal fees and closing costs, streets, roads, utilities, and minimum essential administrative costs.

(f) *Section 523 RHS loan.* A loan to a public or private non-profit organization which will provide sites for housing to be built by the self-help method.

(g) *Section 524 RHS loan.* A loan to a public or private non-profit organization which will provide sites for housing with no limitation as to the method of construction that will be used.

(h) *Office of the General Counsel (OGC).* The Regional Attorney or the Attorney in Charge who provides legal services to the Farmers Home Administration (FmHA) for the State in which the RHS project is located.

(i) *Conditional commitment.* The term is defined in § 1944.45 of Subpart A of part 1944.

(j) *Technical services.* Services provided by engineers, architects, landscape architects, archaeologists, environmental specialists, soils scientists, and planners.

§ 1944.304 Eligibility requirements.

(a) *Eligibility.* To be eligible for an RHS loan, the applicant must be a private or public non-profit organization as defined in § 1944.303 (a) or (b) which is authorized to develop and sell sites for housing.

(b) *Private non-profit organization.* In the case of a private non-profit organization:

(1) If operating in one community and its trade area, the following additional requirements must be met:

(i) Each member must be limited to one vote in the affairs of the organization.

(ii) A majority of the members must reside in the community or the trade area where the housing will be located.

(iii) The Board of Directors must number not less than 3.

(iv) The directors must be members of the organization.

(v) The organization must have and maintain a broadly-based membership of at least 10 members, representing or reflecting a variety of interests in the community.

(vi) If a new organization, plan to adopt articles of incorporation and bylaws substantially conforming to the model articles and bylaws set forth in the appropriate FmHA State Supplement. The State Director, with the assistance of OGC, will develop a model

set of articles of incorporation and bylaws for the State that generally conform to the provisions of Exhibits E and F of Subpart E of Part 1944 of this Chapter modified as appropriate in accordance with the State law.

(2) If operating in more than one community or on a county or regional basis and providing or planning to develop and sell housing sites in one or more communities, meet the following requirements in addition to those in paragraph (b)(1) of this section with the exception of item (b)(1)(ii):

(i) The membership base should be representative of the area being served with at least 3 members representing a variety of interests from each community where the development and housing sites will be located.

(ii) The Board of Directors should be representative of the communities or trade areas where the sites are to be located.

(iii) The organization's articles of incorporation and bylaws must include the requirements outlined in paragraphs (b)(2) (i) and (ii) of this section.

§ 1944.305 Authorized representative of applicant.

FmHA will deal only with the applicant or a bona fide representative of the applicant and the applicant's or representative's technical advisers. An authorized representative of a non-profit applicant must have no pecuniary interest in the award of the architectural or construction contracts, the purchase of equipment, or the purchase of the land for the housing site(s).

§ 1944.306 Loan purposes.

RHS loans may be made to qualified applicants for:

(a) *Land purchase.* The purchase of land in rural areas to be used for housing sites to be sold over a period of time generally not to exceed two years. Loan funds may be used in the acquisition of land in excess of that needed for the number of sites to be developed only when this excess land is not suitable for sites and the transaction cannot be consummated without its inclusion. The applicant will provide a plan for the future use or disposal of the excess land with its proposal.

(b) *Site development.* The development of sites in rural areas, including option costs, engineering costs, environmental surveys and mitigation costs, the construction of essential access roads, streets, utility lines, and necessary equipment which will become a permanent part of the development. If public water and waste disposal facilities are not available and cannot reasonably be provided on a

community basis with other financing, including FmHA Water and Waste Disposal loans and grants, funds may be included for this purpose. If any such water and waste disposal facilities are located on or off the site, the following requirements must be met:

(1) The applicant will provide an acceptable entity to own, operate, and maintain such facility for the anticipated life of the development or the facility will be conveyed to a public body that agrees to own, operate, and maintain it for the use and benefit of the owners within the development.

(2) The facilities are provided for the exclusive use of the project or loan funds are limited to an amount equal to the prorated part of the total cost of the facility according to the use and benefit to the project. The applicant will agree in writing to apply as extra payments on the loan any collection by the borrower from other users or beneficiaries of the facility in excess of operating and maintenance costs.

(3) If the rural housing site will adequately secure the loan funds to be used for offsite water and waste disposal facilities, an additional mortgage on such facilities is unnecessary.

(c) *Service fees.* The payment of necessary technical service fees, legal fees, and closing costs. When RHS funds are to be used for such purposes, the loan approval official shall determine that the amounts to be paid are reasonable and typical in the area for the services to be performed and are performed in conjunction with § 1944.306 (a) and (b) of this subpart.

(d) *Administrative expenses.* The payment of actual cash cost of incidental administrative expenses such as postage, telephone, advertising, temporary secretarial help and travel expenses, if funds to pay these expenses are not otherwise available. The estimated cost of these items should be identified and shown in a budget. If a loan is made for this purpose, detailed operating budgets for the first year's operation and the second year's operation will be prepared showing that the applicant has sufficient operating capital on hand or sufficient planned income to pay all other costs and meet payments on debts during the planning and development period before the sale of the sites.

(e) *Other facilities.* Provision of other necessary facilities such as parking, recreational areas, and landscaping including plantings, seeding, sodding, and driveways for public areas only.

(f) *Other land uses.* When legally required by applicable local, county, or State governmental bodies as a

condition for subdivision approval, RHS loan funds may be used to provide common areas, playgrounds, and tot lots provided an acceptable method of ownership and management is possible.

§ 1944.307 Limitations.

(a) *Loan limits.* The amount of the RHS loan or loans on each project at any time will be limited to a maximum amount of \$500,000 unless the prior approval of the National Office is obtained to develop an application for a larger loan.

(1) No loan will exceed the lesser of the development cost as defined in § 1944.303(e) or the value of the property as improved with the loan.

(2) Prior consent of the National Office is required before loan approval when two or more applicant organizations have the same person or persons holding a majority of the membership interests or constitute a majority of the directors and the total outstanding indebtedness will exceed \$500,000.

(b) *Limitations on use of loan funds.* Loans will not be made for:

(1) Development of sites or the purchase of land in excess of the immediate and identified needs in the locality, except as authorized in § 1944.306(a).

(2) Purchase of land from a member of an applicant-organization or form another organization in which any member of the applicant-organization has an interest, without prior written consent of the State Director. Before granting such consent, the State Director will determine that the site is at least as desirable in terms of location and physical layout as any other available sites and that the sale price does not exceed the present market value of the property.

(3) Refinancing of debts, except as authorized in paragraph (e) of this section.

(4) Payment of any fee, salary, commission, profit or compensation to an applicant, or to any officer, director, trustee, stockholder, member, or agent of an applicant except for those fees authorized in § 1944.306(c).

(5) Payment of any fee, charge, or commission to any broker, negotiator, or other person for the referral of a prospective applicant or solicitation of a loan.

(c) *Sale of developed sites.* Developed sites will be sold as follows:

(1) Sites developed with Section 523 loan funds must be sold only to persons with low incomes as defined in Exhibit C of Subpart A of Part 1944, who are eligible for and will receive a Section

502 Rural Housing (RH) loan or a loan from any other source to build a house on the site by the mutual self-help method. These persons must be participating in an organized mutual self-help project such as those organized by FmHA Technical Assistance grantees.

(2) Sites developed with a Section 524 loan must be sold to low- or moderate-income persons, non-profit organizations, public agencies and cooperatives eligible for assistance under any Section of Title V of the Housing Act of 1949, or under any other law which provides financial assistance for housing low- and moderate-income families meeting the income limits in Exhibit C of Subpart A of Part 1944.

(3) When an RHS borrower is eligible for and receives a Rural Rental Housing loan such loan may be made to include funds to pay off the pro rata amount based on land value of RRH site, to reduce the RHS loan. The sale requirement of this regulation shall be considered met when the RHS borrower receives the RRH loan.

(d) *Suitability of sites.* Sites must meet the requirements of Subpart D of Part 1804 of this Chapter (FmHA Instruction 424.5) and the local requirements for the planned use of land in the area. Building sites must be well located and designed to provide a desirable living environment. Generally, a loan will not be made for the development of sites for less than 10 units, but the sites need not be contiguous.

(e) *Obligations incurred before loan closing.* When an applicant files an application for a loan, the District Director will advise the applicant not to start construction or incur any indebtedness until the loan is closed. This notice is particularly important when at the time of submitting the application, unresolved or identified problems exist regarding the feasibility of the proposed site. If the applicant incurs debts for work, materials, land purchase, or other fees for permissible loan purposes before the loan is closed, the State Director may authorize the use of loan funds to pay such debts when the State Director finds that all the following conditions exist:

(1) The debts were incurred after the applicant filed a written preapplication for a loan with FmHA, or the debts were incurred before the date of application as part of a predevelopment loan specifically intended as temporary financing from a public agency or non-profit organization.

(2) The applicant is unable to pay such debts from the applicant's own resources or to obtain credit from other

sources and failure to authorize the use of loan funds to pay such debts would impair the applicant's financial position.

(3) The debts were incurred for authorized loan purposes.

(4) Contracts, materials, construction, and any land purchased meet FmHA standards and requirements.

(5) Payment of the debts will remove any liens which have attached, and any basis for liens that may thereafter attach, to the property because of such debts or such work, materials, or land purchase.

(6) The incurring of costs by the applicant, however, should in no way serve as either a compelling or relevant consideration for the authorization of the use of loan funds for debts incurred prior to loan closing. Such applications must be judged on their merits in the same manner as applications in which costs have not been incurred or construction started.

§ 1944.308 Special conditions.

(a) *Evidence of need.* Loans will be considered based on the applicant's provision of a current market survey which indicates that the number of sites to be developed are needed in the locality, can be sold within the repayment period of the loan and adequate loan funds can reasonably be expected to be available under the Section 502 RH loan program or from other sources.

(b) *Nondiscrimination.* The borrower will be required to agree not to discriminate or permit discrimination in accordance with item 3 of Exhibit A of this Subpart.

(c) *Supervisory assistance.* Supervision will be provided borrowers to the extent necessary to achieve the objectives of the loan and to protect the interests of the Government. District Directors will counsel applicants in selecting locations that will provide essential services and facilities, result in the development of desirable communities and reduce potential adverse environmental impact from the proposal. Further guidance on this assistance is provided in the paragraphs below as well as Subpart G of Part 1901 of this Chapter.

(d) *Loan resolution.* A loan resolution will be adopted by the applicant's Board of Directors or governing body. Exhibit A of this Subpart should be used. If changes are needed they should be made only after obtaining the advice of OGC.

(e) *Development policies.* Development will be planned and performed in accordance with Subpart D of Part 1804 of this Chapter (FmHA Instruction 424.5). Sites to be developed

should be located in residential areas as part of established communities where other essential facilities and services such as schools, shopping, and medical services are readily available.

(f) *Water and waste disposal facilities.* Water and waste disposal systems will be utilized in accordance with § 1804.66 of this Chapter (paragraph VI of FmHA Instruction 424.5).

(g) *Compliance with the Interstate Land Sales Full Disclosure Act.* The State Director will be responsible for maintaining and coordinating the efforts of the Office of Interstate Land Sales Registration with the efforts of those State agencies having responsibility for land sales functions.

(1) The Interstate Land Sales Full Disclosure Act (15 U.S.C. 1701 et seq.) is applicable to RHS loans if 25 or more lots are to be developed in the subdivision. Under the provisions of the Act, it is unlawful for any developer to make use of any instruments of transportation or communication in interstate commerce, or of the mails, to sell or lease any lot in any subdivision unless the land is registered with HUD and a printed property report is furnished to the purchaser or lessee in advance of the signing of an agreement for sale or lease.

(2) There are certain exemptions to this general requirement. It is possible that sites or subdivisions developed under this Subpart may qualify for exemption from some or all of the requirements of the Interstate Land Sales Full Disclosure Act. Such a determination can only be made by the U.S. Department of Housing and Urban Development. (HUD). It is the responsibility of the applicant to obtain any exemption or, in an appropriate case, a No Action letter from the Office of Interstate Land Sales Registration of HUD.

(h) *Land use objectives.* To the extent practicable, location of projects shall be such that they do not result in the conversion of Important Farmlands and Forestlands, Prime Rangeland and Wetlands or encroachments within floodplains. State Directors will assure that FmHA actions, investments, and programs on these non-Federal lands are consistent with State and local land use plans and programs, to the extent practicable.

(1) In carrying this out, State Directors will:

(i) Attempt to integrate departmental, State and local land use policies and programs.

(ii) Identify and minimize to the extent practicable adverse environmental,

economic, and social effects of FmHA projects and programs.

(iii) In accomplishing site reviews, particularly environmental, provide landholders and other concerned people information about the alternative(s) to, and the associated environmental, social, and economic implications of proposed actions.

(iv) Refrain from enabling others to irreversibly convert these lands or encroach or enable other encroachments on flood plains unless there are no practicable alternatives.

(v) In unusual circumstances when the State Director is unable to make a determination regarding land classification, or identify the location of Important Farmlands and Forestlands, Prime Rangeland, Wetlands and Floodplains within their jurisdiction, the State Director will request assistance from the appropriate State Conservationist of the Soil Conservation Service, or other appropriate agencies.

(2) If the site is wholly or partially located within a wetland or floodplain, the preapplication filed by the applicant pursuant to § 1944.312 shall include evidence that the site will comply with Executive Order 11988, "Flood Plain Management," and Executive Order 11990, "Protection of Wetlands."

(i) *Implementation of Office of Management and Budget (OMB) Circular A-95 Concerning Formulation, Evaluation, and Review of Federal Programs and Projects having Significant Impact on Area and Community Development.* The District Director must ensure that the project is in compliance with Subpart H of Part 1901 of this Chapter.

(j) *Guidelines for preparing environmental assessment and "Environmental Impact Statements".* The District Director must incorporate the environmental assessment as early as possible into the State Director's decisionmaking process to ensure the commitments are not made to projects until first, there is a full understanding of the environmental and land use impacts, and second, all practicable steps, including the consideration of alternatives, have been taken to avoid or mitigate adverse impacts. See the provisions of Subpart G of Part 1901 of this Chapter. Also, the District Director must ensure that the project is in compliance with procedures for protection of Historical and Archaeological properties, Subpart F of Part 1901 of this Chapter.

(k) *FmHA affirmative action.* An affirmative fair housing marketing plan will be submitted in accordance with § 191.203 (c) of this Chapter.

(l) *Disposal of excess land.* Excess land acquired with RHS funds as part of the total land package, or discovered after loan closing to be unsuitable for development, may be sold by the borrower provided:

(1) Funds received from the sale are paid on the FmHA loan account.

(2) The land sold and any development on this land is not financed by FmHA.

(3) The State Director approves the sale in accordance with § 1861.43 (a)(6)(i), (ii), (iii) and (v) of this Chapter (paragraphs III A 6 (A), (b), (c) and (e) of FmHA Instruction 451.3). The partial release will be executed in accordance with § 1872.4 of this Chapter (paragraph IV of FmHA Instruction 465.1).

(4) The borrower includes within the deed of sale any restrictions required by the State Director either for compliance with Federal requirements or for protection of the remaining FmHA financed site(s).

(m) *Use of excess land for recreation purposes.* Open space for recreation, wetlands, floodplains, wildlife habitats, and scenic areas may not be utilized except as required in accordance with § 1944.306(f). Recreation areas should be planned only if any acceptable method of ownership and management is possible. The following methods, with OGC guidance, may be used to accomplish this:

(1) The recreation area could be dedicated to a Government body which would assume ownership and provide maintenance of the areas as a public park.

(2) A homeowners association comprised of all owners of the property in the development could be formed as a non-profit association to retain ownership of the recreational property and provide maintenance.

(3) Recreation land may be dedicated to a special taxing district created to provide ownership and maintenance of the property.

(n) *Conditional commitments for construction of homes on developed sites.* Conditional commitments may be issued on sites developed with an RHS Section 524 loan to approved RHS borrowers to permit homes to be constructed on those sites before the sale of the sites to eligible purchasers in accordance with the following:

(1) The requirements of Subpart A of Part 1944 must be met and a conditional commitment issued before the start of construction of the home.

(2) The conditional commitment can be issued to an RHS loan borrower who can legally and financially provide the proposed housing and has the experience and training in construction

to assure that the housing will be built. The RHS borrower can act as the contractor provided the proper licenses, as approved by the State or local government in which the housing will be built, are obtained and copies provided to FmHA. The RHS borrower can contract with a builder to act as the subcontractor to accomplish the construction of these homes, or the conditional commitment must be issued jointly to the RHS loan borrower and a builder who has the legal capacity, training and experience necessary to construct the housing. In all cases the following language will be added under "other conditions" on Form FmHA 444-11, "Conditional Commitment":

"Notwithstanding the other provisions of this commitment, the sale of completed homes on sites developed with Section 524 Rural Housing Site loans will be limited to persons eligible for assistance under any section of Title V of the Housing Act of 1949 or under any other law which provides financial assistance for housing persons who meet the low-income or moderate-income definitions of Subpart A of Part 1944. Before the sale of any home not financed through FmHA, a request for approval shall be submitted to the local FmHA office which will include a verification of the purchaser's income and source of the other credit to be used.

Development of this site was on a non-profit basis. Thus, this site is being sold for \$— (price to be determined as provided for in § 1944.316(b))."

(3) In arriving at the commitment price for the site and the completed home, the value will be based on the present market value of the house only, plus the non-profit selling price of the lot as determined by § 1944.316(b).

(4) If, to obtain interim financing for the construction of the homes, the RHS loan borrower requests a subordination by FmHA on individual lots, the State Director may approve the subordination by completing and executing a subordination in the format of Exhibit B of this Subpart.

(5) FmHA's lien on any lot will be released only at the time of sale to an eligible purchaser, or to an ineligible purchaser with the approval of the State Director.

(o) *Sale of sites to ineligible purchasers.* If sites still remain unsold after development has been completed and the borrower has made a diligent effort to sell the sites to eligible purchasers, the following plans of liquidation should be followed with the approval of the the State Director.

(1) Section 523 sites will be offered for sale to ineligible purchasers in the following order:

(i) Persons eligible for assistance under the FmHA Section 502 RHS loan program.

(ii) To other persons eligible for assistance under any other law which provides financial assistance for housing low- and moderate-income families meeting the definitions as stated in Exhibit C of Subpart A of Part 1944.

(iii) Other persons for use as residential housing.

(iv) On the open market.

(2) Section 524 sites will be offered for sale to ineligible purchasers in the following order:

(i) To persons for use as residential housing.

(ii) On the open market.

(3) The sales price will be set by FmHA in accordance with § 1944.316(b).

§ 1944.309 Rates, terms, use of sales proceeds, and type of loan.

(a) *Interest.* The interest rates for section 524 RHS loans will be as specified in Subpart A of Part 1810 of this Chapter (FmHA Instruction 440.1, Exhibit B, available in any FmHA Office). The interest rate for section 523 loans will be three percent (3%) per annum on the unpaid principal balance.

(b) *Repayment period.* Payment will be due two years after the date of the loan. The State Director may grant a one (1) year extension as necessary. When necessary to carry out the loan purposes, the National Office may authorize further extension(s) of the maturity date.

(c) *Use of sales proceeds.* As lots are sold before the final due date of the note, the proceeds of the sales will be applied to the RHS account, to any prior mechanic's lien(s), and in payment of real estate taxes assessed against the property, or, with prior approval of the National Office, used in a manner consistent with the purposes of the loan and the security interest of the Government. If joint funding of the sites is used, a pro rata share of the sale proceeds may be applied to the lenders involved.

(d) *Type of loan.* Loans under this Subpart will be made as insured loans, except that Section 523 loans under § 1944.317 of this Subpart to develop building sites for sale in connection with self-help projects will be made as direct loans.

§ 1944.310 Security.

Each loan will be secured by a first mortgage on the property purchased or improved with the loan, and a security interest in the funds held by the corporation in trust for the Government,

in accordance with the provisions of the loan resolution.

§ 1944.311 Technical, legal and other services.

(a) *Appraisals.* The property will be appraised by an FmHA employee authorized to make Rural Housing appraisals. The appraisal will consist of a narrative statement prepared and signed by the authorized employee, describing in detail the items considered in arriving at the value of the property. Two values will be established by the appraiser.

(1) The fair market value of the total property "as is."

(2) The aggregate fair market value of the building sites after development. In determining the value of the property, the appraiser will consider the value and selling prices of similar building sites in the area, or similar areas.

(b) *Title clearance and legal services.* The complete loan docket for all RHS loans will be sent to OGC for closing instructions.

(c) *Contracts for legal services.* On projects requiring more legal services than are customarily required for title clearance alone, the applicant will be required to have a written contract for legal service, when loan funds will be used for these services. All such contracts will be subject to review and approval by the State Director and, therefore, should be submitted to the State Director through the District Director before execution by the applicant. Contracts will provide for the types of service to be performed and the amount of fees to be paid, either in lump sum on the completion of all services or in installments as services are performed.

(d) *Technical services.* On projects requiring technical services, a written contract will be required between the technical specialist and the borrower. All such contracts will be subject to review and approval by the State Director and, therefore, should be submitted to the State Director through the District Director before execution by the applicant.

(e) *Compliance with local codes and regulations.* Planning and development of sites will be for housing that will conform with any applicable housing assistance plans, laws, ordinances, codes and regulations governing such matters as construction, heating, plumbing, electrical installation, fire prevention, weatherization, health and sanitation.

(f) *Optioning of the land.* If a loan is to include funds to purchase real estate, Form FmHA 440-34, "Option to Purchase Real Property," or other

acceptable agreement to purchase will be used. This option or agreement will be executed before the loan is approved. After the loan is approved, the District Director will have Form FmHA 440-35, "Acceptance of Option," or, if applicable, other appropriate form of acceptance, completed, signed by the applicant, and mailed to the seller. However, if Form FmHA 440-34 is used, the applicant must be advised not to execute the acceptance of option until the site feasibility analysis has been completed by FmHA staff as part of the application review process.

(g) *Surety requirements.* (1) The provisions of § 1924.6(a)(3) of this Chapter pertaining to surety requirements are applicable to RHS loans.

(2) The applicant will provide fidelity bond coverage for its officers and employees entrusted with the receipt, custody, and disbursement of its funds and the custody of any other negotiable or readily saleable personal property. The amount of the bond will be at least equal to the maximum amount of such funds, including funds in bank accounts, and property that the applicant will have in its possession or control at any one time. The United States will be named co-obligee in the bond if not prohibited by State law and Form FmHA 440-24, "Position Fidelity Schedule Bond," may be used.

(h) *Insurance.* The State Director will determine the minimum amounts and types of insurance the applicant will carry.

(1) Suitable workers compensation insurance will be carried by the applicant for all its employees.

(2) The applicant will be advised of the possibility of incurring liability and encouraged, or required when appropriate, to obtain liability insurance.

(i) *Use of and accountability for loan funds.* Supervised bank accounts will not be used except when they are required or authorized by the State Director for cases where adequate bonding is not available. If a supervised bank account is used, collateral for deposits of funds will be pledged in accordance with § 1902.7 of this Chapter. All loan funds, and any borrower funds to be used to pay the development costs of the site, as well as proceeds from the sale of any sites not applied or used in accordance with § 1944.309(c) will be deposited in a bank which is a member of the Federal Deposit Insurance Corporation. After the RHS loan is closed, the borrower will provide monthly reports to FmHA of all disbursements made and income

received by the borrower. Reports for each calendar month will be submitted to the FmHA District Office during the first 10 days of the following month. No expenditures will be made without prior FmHA consent for items which are not included in the FmHA approved development cost estimate or for amounts greater than those set forth in such estimate. When the borrower sells developed sites, the District Director will assure that the sales proceeds are paid to the proper person(s) and/or used appropriately, simultaneously with closing of the sales of the individual lots, before issuing the partial release of the mortgage securing the RHS loan.

§ 1944.312 Processing applications.

(a) *Preapplication.* Form AD 621, "Preapplication for Federal Assistance," together with the additional information outlined in Exhibit C of this Subpart, will be submitted to the District Director. This information is used to determine the applicant's eligibility and eliminate any proposals which have little or no chance for funding. The applicant should be instructed not to prepare an application until notified to proceed by FmHA.

(1) *Actions by the District Director.* The preapplication, with attachments, will be reviewed by the District Director. The preapplication, including the comments and recommendations of the District Director and any additional material considered necessary, will be forwarded to the State Director. This material should demonstrate that:

(i) The sites will be located in a good residential area and that essential facilities and services will be provided.

(ii) The lots will be reasonable in cost and of a type FmHA can appropriately finance.

(iii) There is an immediate and ready market for the proposed sites in the planned location.

(iv) The total number of sites planned does not exceed the number of loans the County Office can reasonably expect to include in the RH program, or for which

other credit is reasonably assured, when the sites are developed during the 2 year period.

(2) *Actions by the State Director.* If the applicant is an organization adopting without change the "Articles and Bylaws" prescribed by State Supplements, the preapplication need not be submitted to the OGC.

(i) In all other cases involving RHS loans, the docket with any questions or comments of the State Director, will be submitted to OGC for a preliminary opinion as to whether the applicant and the proposed loan meet or can meet the requirements of State law and this Subpart.

(ii) When the State Director determines it necessary, and for all applications requesting a loan of more than \$500,000, the preapplication and all information pertinent to determining eligibility will be sent to the National Office for evaluation and guidance.

(iii) The State Director, after completing the review of the preapplication, will notify the District Director of the determination regarding eligibility and authorize the District Director to prepare and execute Form AD-622, "Notice of Preapplication Review Action." This review will include completion of the environmental considerations required as part of the preapplication review process by Subpart G of Part 1901 of this Chapter. It will also include pertinent information contained in the Office of Management and Budget (OMB) circular A-95 concerning formulation, evaluation, and review of federal programs and projects having significant impact on area and community development. The District Director will forward the original to the applicant and inform the applicant of the prohibition against initiating construction activities and not to obtain an option on the proposed site until a more detailed site feasibility analysis is completed by FmHA as part of the application review process, with a copy to the State Office, and retain a copy in the case file. If Form AD-622 indicates

unfavorable consideration, the applicant will be notified of its appeal rights contained in Subpart B of Part 1900 of this Chapter.

(b) *Preparation of completed loan docket.* If the applicant has been requested to file an application Form AD-625, "Application for Federal Assistance (Short Form)," together with the additional information as outlined in Exhibit D of this Subpart, will be submitted to the District Director. As the information for the loan docket is being developed, the District Director will work closely with the applicant. The District Director will review the information furnished for correctness, adequacy, and completeness. The District Director will determine that the proposed subdivision will comply with the local, State, and Federal codes, ordinances, and regulations, including the OMB Circular A-95, the National Environmental Policy Act, and Guidelines for Preparing Environmental Impact Statements as outlined in this Subpart and meet the requirements outlined in Subpart D of Part 1804 (FmHA Instruction 424.5) and Subpart A of Part 1924 of this Chapter.

(1) Form FmHA 1940-1, "Request for Obligation of Funds," will be completed in accordance with the Forms Manual Insert (FMI).

(2) Form FmHA 444-5, "Multiple Family Housing Fund Analysis," will be completed in accordance with the FMI. Items 12, 13 and 15 of Part B of the form will be left blank, with items 16 through 23 being completed when appropriate.

(c) *Assembly, review and distribution of completed loan docket items.* When all items required for the complete loan docket have been furnished, they will be examined thoroughly to make sure they are properly and accurately prepared and are complete in all respects, including dates and signatures. The loan docket items will be assembled in the following order and distributed as follows:

Form No.	Name of form or document	Total number of copies	Signed by borrower	Number for loan docket	Copy for borrower
FmHA 444-5	Multiple Family Housing Fund Analysis	4		4-0&3C	
FmHA 1940-1	Request for Obligation of Funds	5	2	4-0&3C	1
AD-621	Preapplication for Federal Assistance	3	1	2-0&1C	1-C
Exhibit C	Information to be Submitted with Preapplication for RHS Loan	2	0	1-0	1-C
AD-622	Notice of Preapplication Review Action	3		2-0&1C	1-0
AD-625	Application for Federal Assistance (Short Form)	3	1	2-0&1C	1-0
Exhibit D	Information to be Submitted with Application for Federal Assistance (Short Form)	2	0	1-0	1-C
	Narrative plan and other supporting information	2	1	1-0	1-C
	Certified Copy of Loan Resolution	1	1	1-0	
FmHA 400-4	Assurance Agreement	2	1	1-0	1-C
FmHA 400-1	Equal Opportunity Agreement (when applicable)	2	1	1-0	1-C
FmHA 400-3	Notice to Contractor and Applicants	2	1	1-C	1-C
FmHA 400-6	Compliance Statement (when applicable)	2	1	1-C	1-C
FmHA 449-10	Applicant's Environmental Impact Evaluation (when applicable)	1	1	1	
FmHA 440-46	Environmental Impact Assessment (When Applicable)	1		1	

Form No.	Name of form or document	Total number of copies	Signed by borrower	Number for loan docket	Copy for borrower
	Survey of land given as security, plans, specifications, cost estimates, and proposed manner of development.	2	1	1-0.....	1-C
	Operating budget (if administrative expenses are to be included in loan).....	2	1	1-0.....	1-C
	Appraisal Report with Attachments.....	1		1-0.....	
	Preliminary Title Opinion.....	1		1-0.....	
	and a Final Title Opinion.....	1		1-0.....	
	or a title insurance binder and a mortgagee title insurance policy.....	1		1-0.....	
	Option or copy of deed, purchase contract, or other instrument of ownership.....	1		1-C.....	

(d) *Submission of complete docket.* The complete docket will be sent to the State Office together with the District Director's comments and recommendations.

§ 1944.313 Loan approval authority and State Office action.

(a) *State Director authorization.* The State Director is authorized to approve loans in accordance with this Subpart and Subpart A of Part 1901 of this Chapter. As soon as it is evident that a loan will be approved, the State Director will complete Form FmHA 071-1, "Project Information Card," as required by FmHA Instruction 2015-C (available in any FmHA State Office). The State Director may redelegate approval authority to qualified State Office employees. When a docket or preliminary application is received in the State Office, the State Director will:

(1) Utilize the services of technical specialists on the State Office staff and from other agencies in evaluating the application.

(2) If additional information is needed for an adequate evaluation of the application, return the loan docket to the District Director with comments and recommendations for further processing.

(3) If the docket is sufficiently complete to enable the State Director to determine that the loan will be sound and proper, issue a proposed memorandum of approval listing any specific conditions that must be met before loan closing.

(4) When the loan is approved:

(i) The approval official will prepare and sign Form FmHA 1940-1 in an original and four copies. The State Director or a designee will telephone the Finance Office Check Request Station and request that loan and/or grant funds for a particular project be obligated.

(ii) Immediately after contacting the Finance Office, the requesting official will furnish the requesting office's security identification code. Failure to furnish the security code will result in the rejection of the request for obligation. After the security code is furnished, all information contained on Form FmHA 1940-1 will be furnished the Finance Office. Upon receipt of the telephone request for obligation of

funds, the Finance Office will record all information necessary to process the request for obligation in addition to the date and time of the request.

(iii) The individual making the request will record the date and time of the request and sign Form FmHA 1940-1 in section 41.

(iv) The Finance Office will terminally process telephone obligation requests. Those requests for obligation received before 2:30 p.m. Central Time will be processed on the date of the request. Requests received after 2:30 p.m. Central Time, to the extent possible, will be processed on the date received, however, there may be instances in which a request will be processed on the next working day.

(v) Each working day the Finance Office will notify the State Office by telephone of all projects for which funds were reserved during the previous night's processing cycle and the date of obligation. If funds cannot be reserved for a project, the Finance Office will notify the State Office that funds are not available. The obligation will be 6 working days from the date the request for obligation is processed in the Finance Office. The Finance Office will mail to the State Office Form FmHA 440-57, "Acknowledgement of Obligated Funds/Check Request," confirming the reservation of funds with the obligation date inserted as required by item 9 on the FMI for Form FmHA 440-57. Form FmHA 440-57 will be prepared and distributed in accordance with the FMI.

(vi) After notification by the Finance Office that the funds have been reserved, the original only of Form FmHA 444-5 will be mailed to the Finance Office. Form FmHA 1940-1 for those obligations requested by telephone will not be mailed to the Finance Office. Immediately after notification by telephone of the reservation of funds, the State Director will notify the Information Division in the National Office as required by FmHA Instruction 2015-C (available in any FmHA State Office). Notice of approval to the applicant will be accomplished by mailing the applicant's signed copy of Form FmHA 1940-1 on the obligation date. The State Director or the State Director's designee will

record the actual date of applicant notification on the original of the form as a permanent part of the District Office project file with a copy in the State Office file.

(b) *Distribution.* After the loan is approved, the contents of the docket will be distributed in accordance with paragraph (c) of § 1944.312.

§ 1944.314 Loan disapproval.

If a loan is not approved after the docket has been developed, the reasons for such action will be shown on the original Form FmHA 1940-1. Form FmHA 1940-1 will be initialed and dated. In all cases, the District Director will refer to Subpart B of Part 1900 of this Chapter. If the decision is appealable the District Director will notify the applicant in writing of the disapproval of the loan and the reasons therefore and advise the applicant of its right to appeal in accordance with Subpart B of Part 1900 of this Chapter. If the decision is not appealable, the District Director will notify the applicant in writing of the disapproval of the loan and the reasons therefor and advise the applicant that the decision is not appealable as defined in Subpart B of Part 1900 of this chapter. The docket will then be handled in accordance with FmHA Instruction 2033-A, which is available in any FmHA office. Any appeal will be handled in accordance with Subpart B of Part 1900 of this Chapter.

§ 1944.315 Loan closing.

(a) *Applicable instructions.* RHS loans will be closed in accordance with applicable provisions of Part 1807 of this Chapter (FmHA Instruction 427.1), State Supplements, and closing instructions from OGC, and with the assistance of the designated attorney, or representative of the title insurance company, or the borrower's attorney, whichever is appropriate.

(b) *Mortgage.* Unless the OGC determines the form to be inappropriate in any case, the real estate mortgage Form FmHA 427-1 (State), "Real Estate Mortgage for ———," will be used for all RHS Section 524 and 523 loans modified by or with the advice of the OGC with respect to the name, address,

and other identification of the borrower, style of execution, and acknowledgement. Additional paragraphs will be included in the mortgage to provide as follows:

(1) "The property described herein was obtained or improved through Federal financial assistance. This property is subject to the provisions of Title VI of the Civil Rights Act of 1964 and the regulations issued pursuant thereto for so long as the property continues to be used for the same or similar purpose for which financial assistance was extended or for so long as the mortgagor owns it, whichever is longer."

(2) "This instrument also secures the obligations and covenant of borrower set forth in Borrower's Loan Resolution of (Date), which is hereby incorporated herein by reference."

(c) *Promissory Note*. Form FmHA 440-16, "Promissory Note," will be used. Instructions for preparation will be in accordance with the FMI.

(d) *Recorded mortgages*. When the real estate mortgage is returned by the recording official, the District Director will retain the original in the borrower's case folder. If the original is retained by the recording official for the county records, a conformed copy including the recording data showing the date and place of recordation and the book and page number will be prepared and filed in the borrower's case folder. A copy of the mortgage will be delivered to the borrower but will be conformed only if required by State law or if it is the custom of other lenders in the area.

§ 1944.316 Actions after sites are developed.

The building sites will be sold on a non-profit basis to eligible persons or organizations as described in § 1944.307(c) of this Subpart.

(a) *Option*. An option, Form FmHA 440-34 or other acceptable agreement to purchase, will be entered into between the RHS borrower and purchasers of individual lots. The site will be clearly identified by a land survey.

(b) *Sale price*. The sale price of each individual site will be based on its appraised value and will not exceed an amount sufficient to pay a proportionate part of the total development cost including the RHS loan and any other authorized costs of buying, developing, and selling the building site.

(c) *Application of proceeds*. The proceeds from sale of the building sites will be applied in accordance with § 1944.309(c). The sites will be released from the mortgage in accordance with § 1872.4 of this Chapter, (paragraph IV of FmHA Instruction 465.1), or otherwise

in accordance with prior approval of the National Office.

§ 1944.317 Special requirements for RHS Section 523 loans (loans to organizations providing sites for self-help housing).

Loans to organizations which will provide sites for self-help housing (RHS Sec. 523 loans) will be made under the provisions of this Subpart with the following exceptions:

(a) *Source of funds*. These will be direct loans made from the Self-Help Land Development Fund.

(b) *Evidence of need*. Loans to newly formed organizations will be made on the basis of the detailed information provided by the applicant as to the number of sites to be developed and the names of eligible bona fide prospective purchasers who can reasonably be expected to obtain home financing. Loans to organizations currently involved in mutual self-help housing projects may be made without submitting a list of names of prospective site purchasers. There must, however, be definite evidence that enough self-help families are available who are eligible and are willing to buy the sites when they are developed.

§ 1944.318 Subsequent RHS loans.

A subsequent RHS loan is a loan made to an applicant or borrower to complete the purchase and development planned with the initial loan. Subsequent RHS loans will be made on the same basis as initial RHS loans. A loan made to a RHS borrower to develop sites not planned with a previous loan will be considered an initial loan.

§ 1944.319 Complaints regarding discrimination in opportunity to buy developed sites.

(a) *Filing a complaint*. Any person wishing to purchase a site financed by an RHS loan who believes that he or she has been discriminated against because of race, color, national origin, sex, age, religion, marital status, or handicap, may file a complaint with the District Director or State Director, or they may send the complaint directly to the Secretary of Agriculture. Any such complaint received by FmHA Field personnel will be referred through the State Director to the National Office: Attention: Equal Opportunity Officer. The complaint must be in writing and signed by the complainant and contain the following information:

(1) The name and address (including telephone number) of the complainant.

(2) The name and address of the person committing the alleged discrimination.

(3) Date and place of the alleged discrimination.

(4) Any other pertinent information that will assist in the investigation and resolution of the complaint.

(b) *Acknowledgment*. The District Director or State Director will acknowledge receipt of the complaint.

(c) *Statement from District Director or State Director*. Attached to the written complaint should be a statement from the District Director or State Director as to whether the security instrument or other document executed by the borrower contains a nondiscrimination agreement. The statement also should include any other information which the State Director or District Director has pertaining to the complaint. No investigation or inquiry will be made into any discrimination complaint unless such action is requested by the Equal Opportunity Officer, National Office.

(d) *National Office determinations*. The U.S. Department of Agriculture's Office of Equal Opportunity, USDA-OEO, is the only office authorized to determine whether discrimination did in fact occur. If necessary, appropriate steps will be taken to ascertain the essential facts.

(e) *No basis for complaint*. If it is found that the complaint is without substance, the parties concerned will be notified.

(f) *Complaint concurrence*. If it is found that the borrower discriminated, the Office of Equal Opportunity (OEO), with the concurrence of FmHA, will inform the parties of such finding and the borrower will be required to take the action necessary to correct the discriminatory practices and whatever additional actions are necessary to assure future compliance.

§§ 1944.320-1944.350 [Reserved]

Exhibit A

LOAN RESOLUTION [(RURAL HOUSING SITE) LOAN TO NONPROFIT CORPORATION]

LOAN RESOLUTION OF _____,
19____ RESOLUTION OF THE BOARD
OF DIRECTORS OF _____ PROVIDING
FOR BORROWING \$_____ TO FINANCE
BUILDING SITES AND RELATED
FACILITIES FOR PERSONS AND FAMILIES
OF LOW OR MODERATE INCOME, AS
DEFINED IN EXHIBITS C AND D OF
SUBPART A OF PART 1944, IN RURAL
AREAS, THE COLLECTION, HANDLING,
AND DISPOSITION OF INCOME, THE
ISSUANCE OF A PROMISSORY NOTE AND
REAL ESTATE SECURITY INSTRUMENT,
AND RELATED MATTERS. Whereas
_____ (herein referred to as the
"Corporation"), is a non-profit corporation
duly organized and operating under
_____ (authorizing State statute)
and the Board of Directors of the Corporation
(herein referred to as the "board" has

decided to provide building sites and related facilities for eligible rural residents; the board has determined that the Corporation is unable to provide such facilities with its own resources or to obtain from other sources, for such purpose, sufficient credit upon terms and conditions which the Corporation could reasonably be expected to fulfill.

BE IT RESOLVED:

1. *Application for Loan.* The Corporation shall apply for and obtain a loan (herein called "the loan") of \$_____ from the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, (herein called "the Government") pursuant to section 523(b)(1)(B) or section 524 of the Housing Act of 1949. The loan shall be used solely for the specific eligible purposes specified or approved by the Government, including developing building sites (herein called "building sites") for eligible purchasers as defined by the Government.

2. *Execution of Loan Instruments.* To evidence the loan the Corporation shall issue a promissory note (herein referred to as "the note"), signed by its President and attested by its Secretary, with its corporate seal affixed thereto, for the amount of this loan, payable two years after date, bearing interest at a rate and containing other terms and conditions prescribed by the Government. To secure the note and any obligation as required by the Government, the President and the Secretary are hereby authorized to execute a real estate security instrument giving the Government a lien upon the building sites and such other security as the Government shall require.

3. *Equal Employment Opportunity Under Construction Contracts and Nondiscrimination in the Sale of Sites and in Any Other Benefits of the Loan.* The President and the Secretary are hereby authorized and directed to execute on behalf of the Corporation: (a) any undertakings and agreements required by the Government pursuant to Title VI of the Civil Rights Act of 1964; Title VIII (Fair Housing) of the Civil Rights Act of 1968; and Executive Order 11063 regarding nondiscrimination in the use and occupancy of housing; (b) Farmers Home Administration Form FmHA 400-1 entitled "Equal Opportunity Agreement" including an "Equal Opportunity Clause;" and (c) Farmers Home Administration Form FmHA 400-4 entitled "Assurance Agreement (Under Title VI, Civil Rights Act of 1964)," a copy of which is attached hereto and made a part hereof, and any other undertakings and agreements required by the Government pursuant to lawful authority.

4. *Site Development Account.*

(a) The Corporation shall establish on its books a development account which shall be maintained so long as the loan obligations remain unsatisfied. All loan funds and any revenue received from the sale of loans for building sites or other purposes shall be placed in said account and shall be deposited in a bank or banks insured by the Federal Deposit Insurance Corporation. Funds in excess of \$100,000 shall be collateralized as provided in Treasury Circular 176. Any such funds shall be held by the corporation in trust for the Government as security for the loan.

Disbursements may be made only for development costs approved by the Farmers Home Administration and for repayment of the loan.

(b) The Corporation shall provide a fidelity bond, with a surety company approved by the Government covering the Treasurer and any other officers or employers who will have custody or control of funds or readily marketable personal property of the Corporation in an amount not less than the estimated maximum amount of such funds and property to be held in the custody or control of the Corporation at any one time, which amount shall be approved or prescribed by the Government. The United States of America shall be named as co-obligee and the amount of the bond shall not be reduced without the prior written consent of the Government.

(c) A complete accounting will be made of all income, contributions, and loan funds required by this resolution to be deposited in the account. Each expenditure will be identified as to the source of funds from which payment is made. All proceeds from sales of the building sites shall upon receipt be immediately paid on the loan obligations, unless otherwise specifically authorized by the Government in writing.

5. *Regulatory Covenants.* So long as the loan obligations remain unsatisfied the Corporation shall—

(a) Maintain complete books and records relating to the Corporation's financial affairs, promptly furnish the Government at the end of each month a report of all income and expenses, and permit the Government and its authorized agents and representatives to inspect such books and records at all reasonable times.

(b) Unless the Government gives prior written consent, the Corporation shall not—

(1) Sell sites to other than eligible purchasers.

(2) Enter into any contract or agreement for improvements or additions to the property securing the loan obligations.

(3) Cause or permit voluntary dissolution of the Corporation, nor merge or consolidate with any other organization, nor cause or permit any transfer or encumbrance of title to the building sites or any part thereof or interest herein, by sale, mortgage, lease, or otherwise.

(4) Cause or permit the issuance or transfer of any stock, borrow any money, nor incur any liability aside from current expenses.

(c) Comply with all its agreements and obligations in or under the note, security instrument, and any related agreement executed by the Corporation in connection with the loan.

(d) Not alter, amend, or repeal without the Government's consent this resolution or the Bylaws or Articles of Incorporation of the Corporation, which shall constitute parts of the total contract between the Corporation and the Government relating to the loan obligations.

(e) Do other things as may be required by the Government in connection with the development of the building sites or with any of the Corporation's operations or affairs which may affect the sites, the loan obligations, or the security.

6. *General Provisions.*

(a) It is expressly understood and agreed that any loan made will be administered subject to the limitations of the authorizing act of Congress and related regulations and that any rights granted to the Government herein or elsewhere may be exercised by it in its sole and exclusive discretion to carry out the purposes of the loan, enforce such limitations, and protect the Government's financial interest in the loan and security.

(b) The provisions of this resolution are representations to the Government to induce the Government to make a loan to the Corporation as aforesaid. If the Corporation should fail to comply with or perform any provision of this resolution or any requirement made by the Government pursuant to this resolution, such failure shall constitute default as fully as default in payments of amounts due on the loan obligations. In the event of such failure, the Government at its option may declare the entire amount of the loan obligation immediately due and payable and, if such entire amount is not paid forthwith, may take possession of and operate the project and proceed to foreclose its security, and may enforce all other available remedies.

(c) Any provisions of this resolution may be waived by the Government in its sole discretion, or changed by agreement between the Government and the Corporation after this resolution becomes contractually binding, to any extent such provisions could legally have been foregone, or agreed to in amended form, by the Government initially.

(d) Any notice, consent, approval, waiver, or agreement must be in writing.

(e) This resolution may be cited in the security instrument and any other instruments or agreements as the "Loan Resolution of _____, 19____." (Date of this resolution.)

The undersigned, _____, the Secretary of the Corporation identified in the foregoing Loan Resolution, hereby certifies that the foregoing is a true copy of a resolution of the Board of Direction of the Corporation adopted on _____, 19____, and that such resolution has not been amended or revoked and is in full force and effect. The President of the Corporation is _____.

(Date)

(Secretary)

Exhibit B

Subordination by the Government For Use With Rural Housing Site Loans

Whereas, the United States of America acting through the Farmers Home Administration (hereinafter called the "Government") is the holder of the following-described instrument(s) executed by _____ of _____ County, State of _____ (hereinafter called the "Borrower").

Title of Instrument	Date of Instrument	Date filed	Office filed	Book No.	Page No.

And whereas, _____ (hereinafter called the "Lender") has agreed to provide a loan to the borrower or to a builder designated by the Borrower to construct a home on the property described in this instrument.

Now therefore, in consideration of the lender's agreement to make such loan to the borrower, the government hereby consents to the borrower obtaining said loan from the Lender, and agrees to and hereby subordinates in favor of the lender and its successors and assigns the liens or security interests in favor of the government created or evidenced by the above-described instrument(s) insofar as they cover the following described property: (1)

Except that, the Government shall retain a first lien or security interest in the above-described property in an amount of \$(2). Such first lien will be released only when satisfactory evidence is provided indicating that the lot with completed home is being sold to a family eligible for assistance under any section of Title V of the Housing Act of 1949 or under any other law which provides financial assistance for housing low- and moderate-income families and that the benefits of the non-profit development of the site are being passed on to the eligible purchaser and that the amount of that first lien is paid on the Borrower's Rural Housing Site loan debt to the Government.

This subordination is limited to the amount actually loaned by the Lender to the Borrower for the foregoing purposes, but shall not exceed \$(3).

Only the above-described property is affected by this subordination. This subordination shall not otherwise affect or modify the obligations secured by the aforesaid lien instrument(s), and the said obligations shall continue in force and effect until fully paid, satisfied, and discharged.

No Member of Congress shall be admitted to any share or part of this agreement or to any benefit that may arise thereupon.

In witness whereof, The United States of America has caused this Subordination Agreement to be signed on the _____ date of _____, 19____, pursuant to delegated authority published in Subpart A of Part 1900 of Chapter XVIII of Title 7 of the Code of Federal Regulations.

United States of America

Witness: _____ By _____

Title _____ Farmers Home

Administration, U.S. Department of Agriculture.

Instructions for Completion of Exhibit B

(1) Insert complete legal description of specific lot or lots on which the FmHA lien is to be subordinated.

(2) Insert the pro rata amount of RHS loan or the present market value of lot as

determined in accordance with § 1944.316(b) of this Subpart.

(3) This amount should be provided by the Lender, provided that, the approval official is assured that the amount loaned does not exceed the market value of the house, not including the value of the lot.

Exhibit C

Information To Be Submitted With Preapplication for Rural Housing Site Loan

The following information is to be submitted with Form AD-621, "Preapplication for Federal Assistance":

1. **Eligibility:**
a. A copy of, or an accurate citation to, the specific provisions of State law under which the applicant is organized; a copy of the applicant's Articles of Incorporation, Bylaws, and other authorizing documents; the names, addresses, and occupations of the applicant's members, directors, and officers; and, if another organization is a member of the applicant organization, its name, address, and principal business.

b. A current dated and signed financial statement showing assets and liabilities, together with information on the repayment schedule and status of each debt.

2. General Description of the Proposed Project:

a. Location and size of tract or tracts to be bought and/or developed.

b. Location, size, and cost of other available and suitable sites in the area.

c. Number and size of individual sites planned together, with a preliminary plot plan.

d. Preliminary plans and specifications, if available.

e. Estimated development cost and amount of loan needed.

f. Explanation of applicant's financial contribution to the project.

g. A map showing the location of, and other supporting information on, neighborhood and existing facilities such as distances to shopping areas, neighborhood churches, and available transportation. Also, include the location of drainage, sanitation facilities, water supply (available or planned) and access to essential services such as doctors, dentists, and hospitals.

h. If facilities such as water and sewage systems, paved streets, and utilities are not currently available, information on when and how they will be provided.

i. Written evidence of any State, county, or local planning, zoning, or other ordinances imposing additional restrictions or requirements upon the proposed sites.

j. Environmental data request as required by Subpart G of Part 1901 of this Chapter.

k. A copy of clearinghouse comments and recommendations obtained through the implementation of Office of Management and Budget (OMB) Circular A-95.

3. Need and Demand:

a. Current market survey providing evidence of the need for the proposed sites in the locality by low- and moderate-income persons and other qualified applicants that are likely to be able to obtain financing for a home.

b. List of names and addresses of any persons who have been contacted and are eligible bona fide prospective purchasers.

c. A proposed sales and marketing plan for the developed sites to eligible bona fide prospective purchasers within the recognized market or trade area.

Exhibit D

Information to be submitted with application for Federal assistance (short form)

The following information is to be submitted with Form AD-625, "Application for Federal Assistance (Short Form)":

1. A detailed plot plan and detailed preliminary plans and specifications for development of the building sites.

2. A detailed cost breakdown of the project for such items as land and rights-of-way, utility installations or connections, on-site improvements, engineering and legal services, and estimated interest.

3. If water and sanitary facilities are not publicly owned, a complete statement as to how they will be provided and details about their ownership and operation.

4. Satisfactory evidence of review and approval of the proposed development by applicable State and local officials whose approval is required by State or local laws, ordinances, or regulations.

5. Evidence of compliance with the Interstate Land Sales Full Disclosure Act, Implementation of OMB Circular A-95 Concerning Formulation, Evaluation, and Review of Federal Programs and Projects Having Significant Impact on Area and Community Development and Guidelines for preparing Environmental Impact Statements when applicable.

6. Affirmative Fair Housing Marketing Plan.

7. Any additional information necessary to assure the feasibility of the proposal and the ability of the applicant to successfully carry out the proposal.

8. A Project development plan which explains the method of development activity, any phased development, and time table for completing development work.

9. Copy of Office of Management and Budget (OMB) Circular A-95 concerning formulation, evaluation, and review of Federal programs and projects having significant impact on area and community development.

Date: March 8, 1982.

Charles W. Shuman,
Administrator, Farmers Home
Administration.

[FR Doc. 82-9870 Filed 4-9-82; 8:45 am]

BILLING CODE 3410-07-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 82-NM-22-AD]

Airworthiness Directives: Aircraft Tank Service, Inc., Single Point Refueling System Installed on Fan Jet Falcon, DH-125, and Lockheed Model 1329 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes a new Airworthiness Directive (AD) that would establish a service life and require inspection and replacement as necessary of Aircraft Tank Service, Inc., tygothane tubing assemblies on Lockheed Model 1329, Avions Marcel Dassault Model Fan Jet Falcon, and British Aerospace Model DH-125 Series airplanes incorporating these components. The proposed AD is needed to prevent fuel system contamination which could result in engine fuel starvation.

DATES: Comments must be received on or before June 11, 1982. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: The applicable service information may be obtained from: Aircraft Tank Service, Inc., Product Support Engineering, P.O. Box 1307, Sun Valley, California 91352. This information also may be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108, or Western Aircraft Certification Field Office, 15000 Aviation Boulevard, Hawthorne, California 90261.

Send comments on the proposal in duplicate to: Federal Aviation Administration, Northwest Mountain Region, Office of the Regional Counsel, Attention: Rules Docket No. 82-NM-22-AD, 9010 East Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT: John Ehret, Aerospace Engineer, Propulsion Section, ANM-174W, Federal Aviation Administration, Northwest Mountain Region, Western Aircraft Certification Field Office, 15000 Aviation Boulevard, Hawthorne, California 90261, telephone (213) 536-6385.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested persons are invited to participate in the making of the

proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on the proposed rule. The proposals 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 FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Availability of NPRMS

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Northwest Mountain Region, Office of the Regional Counsel, Attention: Airworthiness Rules Docket No. 82-NM-22-AD, 9010 East Marginal Way South, Seattle, Washington 98108.

Discussion: There have been reports of pressure refueling system malfunctions and fuel system contamination attributed to age-deteriorated tygothane tubing installed by various Aircraft Tank Service, Inc., Supplemental Type Certificates on Lockheed Model 1329, Avions Marcel Dassault Model Fan Jet Falcon, and British Aerospace (Aircraft Group) Model DH-125 airplanes. The time of deterioration is approximately five years which may be influenced by solar heating of the integral wing fuel tanks. This condition, if uncorrected, could result in inadequate fuel flow and possible engine fuel starvation.

Since this condition is likely to exist or develop in other airplanes of the same supplemental type design, the proposed AD would establish a five year service life and require inspection and replacement, if necessary, of Aircraft Tank Service, Inc. tygothane tubing components on Lockheed Model 1329, Avions Marcel Dassault Model Fan Jet Falcon and British Aerospace (Aircraft Group) Model DH-125 series airplanes incorporating these components.

Therefore, in consideration of the hazardous consequences of engine fuel starvation, the proposed AD is considered to be necessary.

There are approximately 140 U.S. registered airplanes affected by the proposed AD. The costs of kits and

labor vary from model to model and represent total U.S. fleet costs of \$1.3 million.

List of Subjects in 14 CFR 39

Aviation Safety, Aircraft.

The Proposed Amendment

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

Aircraft Tank Service, Inc.: Applies to Lockheed Model 1329 series airplanes, Avions Marcel Dassault Model Fan Jet Falcon series airplanes, and British Aerospace (Aircraft Group) Model DH-125 series airplanes which have been modified in accordance with STC SA2603WE, SA3221WE, SA3324WE, SA1851WE, or SA3382WE, certificated in all categories.

Compliance required as indicated, unless already accomplished. To prevent possible engine fuel starvation, accomplish the following:

A. Within the next 90 calendar days after the effective date of this AD, or before the accumulation of five years calendar time since the installation of tygothane tubing, whichever occurs later, remove tygothane tubing systems components and replace with like serviceable components. The appropriate service bulletin instructions (Part III) for removal and replacement are indicated as follows:

Model	STC No.	Aircraft Tank Service, Inc., Service Bulletin
Fan Jet Falcon, DH-125	SA1851WE	A28-01 Rev. 1 dated Jan. 21, 1982.
1329	SA3382WE	A28-02 Rev. 1 dated Feb. 5, 1982.
1329	SA2603WE	A28-04 Rev. 1 dated Jan. 29, 1982, or A28-05 Rev. 1 dated Feb. 5, 1982 (See Service Bulletin effectivity).
1329	SA3221WE	A28-05 Rev. 1 dated Feb. 5, 1982.
1329	SA3324WE	A28-05 Rev. 1 dated Feb. 5, 1982.

B. Within the next 30 calendar days after the effective date of this AD, or before the accumulation of two years calendar time since the installation of tygothane tubing, whichever occurs later:

1. Inspect the tygothane components for deterioration evidenced by embrittlement or by discoloration per Accomplishment Instructions, Part III, of the noted Service Bulletin. If cracks, embrittlement or discoloration are discovered, replace with like serviceable part prior to return to service.

2. Repeat the inspection required by B.1. of this AD at intervals not to exceed 6 months calendar time since the last such inspection.

C. After the effective date of this AD, if difficulty in pressure refueling or spillage out of the vent line is encountered, inspect per paragraph B.1. of this AD, and:

1. If extensive breakage of the tygothane tubing and fuel tank and system

contamination is evident, replace the tygothane tubing prior to next flight per Part III of the appropriate Service Bulletin.

2. If cracking or embrittlement is found without evidence of loose particles, discontinue use of the single point fueling system and replace the tygothane tubing within 90 days after the effective date of this AD per Part III of the appropriate Service Bulletin.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate aircraft to a base for the accomplishment of inspections or modifications required by this AD.

E. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Chief, Western Aircraft Certification Field Office, FAA Northwest Mountain Region.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this proposal who have not already received these documents from the manufacturer may obtain copies upon request to Aircraft Tank Service, Inc., Product Support Engineering, P.O. Box 1307, Sun Valley, California 91352.

These documents also may be examined at FAA Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108, or 15000 Aviation Boulevard, Hawthorne, California 90261.

(Secs. 313(a), 801, and 803 of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1354(a), 1421, and 1423); Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.85)

Note.—The FAA has determined that this document involves a proposed regulation that is not major under the provisions of Executive Order 12291, because of its minimal economic impact, as summarized earlier in this document. It has been further determined that this proposed regulation is not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the draft regulatory evaluation for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT." In addition, I certify under the criteria of the Regulatory Flexibility Act that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities, since it involves few, if any, small entities.

Issued in Seattle, Washington on March 30, 1982.

Charles R. Foster,

Director, Northwest Mountain Region.

[FR Doc. 82-9815 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 81-AAL-13]

Proposed Alteration of Transition Area, Galena, Alaska

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Galena, AK, transition area by expanding the 1,200-foot above ground level (AGL) portion and designating an additional 5,500-foot mean sea level (MSL) portion to the southeast. The proposed action would provide for more efficient air traffic control services by allowing greater flexibility in the use of radar vector procedures and would designate required controlled airspace for aircraft departing and arriving Galena on the proposed extension of High Altitude Jet Route J-133 southeast of Galena.

DATE: Comments must be received on or before May 12, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Alaskan Region, Attn: Chief, Air Traffic Division, Docket No. 81-AAL-13, 701 C Street, Box 14, Anchorage, Alaska 99513.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m. The FAA Rules Docket is located in the office of the Regional Counsel, 3rd floor, Federal Building, 701 C Street, Anchorage, Alaska.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: John G. Costello, Operations, Procedures, and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 701 C Street, Box 14, Anchorage, Alaska 99513, telephone (907) 271-5902.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above.

Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket 81-AAL-13." The postcard will be dated/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Chief, Operations, Procedures, and Airspace Branch, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 701 C Street, Box 14, Anchorage, Alaska 99513, or by calling (907) 271-5902. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2, which describes application procedures.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the Galena, AK, transition area. This amendment would expand the 1,200-foot portion to a 40-mile radius providing additional controlled airspace for radar vectoring procedures, simplify the description of the 1,200-foot portion and designate a 5,500-foot MSL portion to provide protected airspace for aircraft climbing to and descending from the proposed extension of J-133 from Anchorage to Galena. Section 71.181 was republished on January 2, 1981, (46 FR 540).

Lists of Subjects in 14 CFR Part 71 Aviation Safety Transition Areas

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 540) as follows:

Galena, AK

Delete all after "700 feet above the surface within a 19-mile radius of the Galena VORTAC;" and substitute therefor, "That airspace extending upward from 1,200 feet above the surface within a 40-mile radius of the Galena VORTAC; and that airspace extending upward from 5,500 feet MSL within 5 miles each side of the Galena VORTAC 140° True (117°M) radial extending from the 40-mile radius area to 59 miles SE of the VORTAC, thence widening to 9 miles each side of the 140° True (117°M) radial at 116 miles SE of the VORTAC."

(Secs. 307(a), 313(a), and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1354(a), and 1510); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 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; and (4) is appropriate to have a comment period of less than 45 days. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Anchorage, Alaska, on March 31, 1982.

Robert L. Faith,

Director, Alaskan Region.

[FR Doc. 82-9871 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

Experiments and Demonstration Projects Under the Disability Insurance and Supplemental Security Income Programs

AGENCY: Social Security Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Social Security Administration (SSA) is proposing to amend its regulations to implement section 505 of the Social Security Disability Amendments of 1980 (Pub. L. 96-265). That section requires the Secretary to conduct experiments and demonstration projects to test alternative conditions and limitations

for stimulating the return to work of disabled title II beneficiaries and to otherwise improve the administration of the title II disability program. To the extent necessary to thoroughly evaluate these alternative methods, the Secretary may waive compliance with benefit requirements under titles II and XVIII of the Social Security Act. Section 505 also authorizes the Secretary to waive or add to the requirements, conditions, or limitations in title XVI of the Act to the extent necessary to conduct experimental, pilot, and demonstration projects which are likely to promote the objectives or improve the administration of the SSI program.

DATE: Comments must be received on or before June 11, 1982.

ADDRESSES: Comments should be submitted in writing to the Commissioner of Social Security, Department of Health and Human Services, P.O. Box 1585, Baltimore, Maryland 21203, or delivered to the Office of Regulations, Social Security Administration, 3-A-3 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235 between 8:00 a.m. and 4:30 p.m. on regular business days. Comments received may be inspected during these same hours by making arrangements with the contact person shown below.

FOR FURTHER INFORMATION CONTACT: Henry D. Lerner, Legal Assistant, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Md. 21235, telephone (301) 594-7414.

SUPPLEMENTARY INFORMATION: Section 505 of the Social Security Disability Amendments of 1980 (Pub. L. 96-265) gives authority for demonstration projects in the title II and title XVI programs. Section 505(a) provides that, for the purpose of conducting experiments or demonstration projects in the title II disability program, the Secretary is authorized to waive compliance with the benefit requirements of the titles II (cash benefits) and XVIII (Medicare) programs. Section 505(b) authorizes the Secretary to waive any of the requirements, conditions, or limitations of title XVI or impose additional requirements, conditions, or limitations for the purpose of conducting experimental, pilot, or demonstration projects in the title XVI program.

The proposed regulations provide for altering the requirements for title II benefits and SSI benefits for those selected to participate in any experiment or demonstration project under section 505.

The principal objectives of the experiments and demonstrations under section 505(a) will be to determine the relative advantages and disadvantages of various alternative methods of treating work activity and altering other limitations and conditions for title II disabled beneficiaries. The considerations that are to be tested may include lengthening the trial work period, altering the provisions for Medicare coverage for individuals with severe impairments, reducing benefits based on earnings if a person continues to work after the trial work period, and stimulating new forms of rehabilitation. The goals of these tests are to see whether permanent Trust Fund savings can be achieved by restoring work ability to disabled individuals and to determine to what extent program administration can be improved.

The objectives of experiments under section 505(b) will be to test the advantages of altering the requirements, conditions or limitations of the SSI program and test different administrative methods that may improve the SSI program.

Title II Work Incentive Experiments and Vocational Rehabilitation Demonstrations

Under the provisions of section 505(a) of Pub. L. 96-265, the Secretary is directed to develop and carry out experiments and demonstration projects designed to determine a more effective way of encouraging disabled beneficiaries and potential beneficiaries to return to work and leave or stay off the benefit rolls.

1. *Brief Description of Experiments.* The proposed experiments involve the testing of alternative program requirements and methods of administration. The experiments may include:

(a) Reducing, rather than not paying, benefits because of the amount of earnings in excess of the substantial gainful activity (SGA) amount when a disabled beneficiary is working;

(b) Extending the benefit eligibility period that follows 9 months of trial work, perhaps coupled with benefit reductions related to earnings;

(c) Extending Medicare benefits for severely impaired individuals who return to work even though they may not be entitled to monthly cash benefits;

(d) Altering the 24-month waiting period for Medicare benefits;

(e) Stimulating new forms of rehabilitation.

2. *Beneficiary Participation.* A probability sample of participants for

the experiments will be selected from disability insurance beneficiaries. The work incentive experiments and rehabilitation demonstrations will focus on those beneficiaries who might be able to do substantial work despite continuing severe impairments.

3. Time Limits and Reports to Congress. A full description of each experiment or project concerned with work incentives, vocational rehabilitation or improving the administration of the title II disability program will be reported in writing to the House Ways and Means Committee and the Senate Finance Committee at least 90 days before it becomes operational. The Secretary will also submit progress reports to those committees from time to time. An interim report on the results of work incentive experiments and rehabilitation demonstrations will be submitted to the Congress no later than January 1, 1983. A final report on all experimental projects will be submitted to the Congress no later than June 9, 1985, even though some projects might continue after that date to assure the validity of the research.

4. Waiver of Benefit Requirements. The proposed regulations implement the Secretary's authority to waive compliance with entitlement and payment requirements for benefits for some participants in the experimental projects to the extent necessary for a thorough evaluation of the different kinds of requirements being tested. These waivers will not disadvantage participants with respect to requirements which would otherwise apply to them. Benefit requirements will be waived only for those who are selected to participate in an experimental project.

Experimental, Pilot, and Demonstration Projects in the SSI Program

Under the provisions of section 505(b) of Pub. L. 96-265, the Secretary is authorized to develop and carry out experimental, pilot, and demonstration projects to promote the objectives and improve the administration of the SSI program.

1. Brief Description of Projects. These experimental, pilot, and demonstration projects may include participants who are aged, blind or disabled. The statute requires that the experiments include (1) projects on the feasibility of treating alcoholics and drug addicts to prevent future permanent disability and (2) to the extent feasible, recipients who are under age 18 as well as adults.

2. Beneficiary Participation. Participation in the SSI experimental,

pilot, and demonstration projects will be on a voluntary basis. An individual's participation in these projects must not result in a substantial reduction of his or her income or resources and will be designed not to disadvantage any of the participants. The voluntary participation of persons in any project will be obtained through informed written consent. The agreement of participation may be revoked by the person at any time.

3. Time Limits and Report to Congress. A final report on all projects will be submitted to the Congress no later than June 9, 1985, even though some projects might continue after that date to assure the validity of the research.

4. Waiver of Requirements, Limitations and Conditions. Section 505(b) of Pub. L. 96-265 introduces a new concept to the Supplemental Security Income program. This concept is to temporarily set aside existing requirements, limitations and conditions of the Social Security Act or to impose additional requirements, limitations and conditions to test experimentally the effects of various alternative provisions to promote the objectives and improve the administration of the SSI program.

Executive Order 12291: These regulations have been reviewed under Executive Order 12291 and do not meet any of the criteria for a major regulation. Therefore, a regulatory impact analysis is not required.

Regulatory Flexibility Act: We certify that these regulations do not have a significant economic impact on small entities because these rules affect only individuals. Therefore, a regulatory flexibility analysis as provided in Pub. L. 96-354, the Regulatory Flexibility Act, is not required.

Paperwork Reduction Act: These regulations impose no additional reporting or recordkeeping requirements requiring OMB clearance.

(Catalog of Federal Domestic Assistance Program No. 13802, Disability Insurance; No. 13807, Supplemental Security Income Program)

List of Subjects

20 CFR Part 404: Administrative practice and procedure, Death benefits, Disabled, Old-Age, Survivors and Disability Insurance.

20 CFR Part 416: Administrative practice and procedure, Aged, Blind, Disabled, Supplemental Security Income.

Dated: December 15, 1981.

John A. Svahn,
Commissioner of Social Security.

Approved: March 19, 1982.

Richard S. Schweiker,
Secretary of Health and Human Services.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950-)

Subpart P of Part 404 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Subpart P of Part 404 reads as follows:

Authority: Secs. 202, 205, 216, 221, 222, 223, 225 and 1102 of the Social Security Act, as amended; 49 Stat. 623, as amended, 53 Stat. 1368, as amended, 68 Stat. 1080, 1081 and 1082, as amended, 70 Stat. 815 and 817, as amended, 49 Stat. 647, as amended; 42 U.S.C. 402, 405, 416, 421, 422, 423, 425 and 1302; Sections 505(a) and (c) of Pub. L. 96-265, 94 Stat. 473.

2. Section 404.1599 is added to read as follows:

§ 404.1599 Work incentive experiments and rehabilitation demonstration projects in the disability program.

(a) **Authority and purpose.** Section 505(a) of the Social Security Disability Amendments of 1980, Pub. L. 96-265, directs the Secretary to develop and conduct experiments and demonstration projects designed to provide more cost-effective ways of encouraging disabled individuals to return to work and leave or stay off the benefit rolls. These experiments and demonstration projects will test the advantages and disadvantages of altering certain limitations and conditions that apply to title II disabled beneficiaries. The objective of all work incentive experiments or rehabilitation demonstrations is to determine whether the alternative requirements will save Trust Fund monies or otherwise improve the administration of the disability program established under title II of the Act.

(b) **Altering benefit requirements, limitations or conditions.** Notwithstanding any other provision of this part, the Secretary may waive compliance with the entitlement and payment requirements for disabled beneficiaries to carry out experiments and demonstration projects in the title II disability program. The projects involve altering certain limitations and conditions that currently apply to applicants and beneficiaries to test their effect on the program.

*(c) Applicability and scope.**(1) Participants and nonparticipants.*

If you are selected to participate in an experiment or demonstration project, we may temporarily set aside one or more of the current benefit entitlement or payment requirements, limitations or conditions and apply alternative provisions to you. We may also modify current methods of administering the Act as part of a project and apply alternative procedures or policies to you. The alternative provisions or methods of administration used in the projects will not disadvantage you in contrast to current provisions, procedures or policies. If you are not selected to participate in the experiments or demonstration projects (or if you are placed in a control group which is not subject to alternative requirements and methods) we will continue to apply to you the current benefit entitlement and payment requirements, limitations and conditions and methods of administration in the title II disability program.

(2) Alternative provisions or methods of administration. The alternative provisions or methods of administration that apply to you in an experiment or demonstration project may include (but are not limited to) one or more of the following:

(i) Reducing your benefits (instead of not paying) on the basis of the amount of your earnings in excess of the SGA amount;

(ii) Extending your benefit eligibility period that follows 9 months of trial work, perhaps coupled with benefit reductions related to your earnings;

(iii) Extending your Medicare benefits if you are severely impaired and return to work even though you may not be entitled to monthly cash benefits;

(iv) Altering the 24-month waiting period for Medicare benefits; and

(v) Stimulating new forms of rehabilitation.

(d) Selection of participants. We will select a probability sample of participants for the work incentive experiments and demonstration projects from newly awarded beneficiaries who meet certain pre-selection criteria (for example, individuals who are likely to be able to do substantial work despite continuing severe impairments). These criteria are designed to provide large subsamples of beneficiaries who are not likely either to recover medically or die. Participants may also be selected from persons who have been receiving DI benefits for 6 months or more at the time of selection.

(e) Duration of experiments and demonstration projects. A notice describing each experiment or

demonstration project will be published in the **Federal Register** before each experiment or project is placed in operation. The work incentive experiments and rehabilitation demonstrations will be activated in 1982. A final report on the results of the experiments and projects is to be completed and transmitted to Congress by June 9, 1985. However, the authority for the experiments and demonstration projects will not terminate at that time. Some of the alternative provisions or methods of administration may continue to apply to participants in an experiment or demonstration project beyond that date in order to assure the validity of the research. Each experiment and demonstration project will have a termination date (up to 10 years from the start of the experiment or demonstration project).

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart B of Part 416 of Chapter III of Title 20 of the Code of Federal Regulations is amended to read as follows:

1. The authority citation for Subpart B of Part 416 reads as follows:

Authority: Secs. 1102, 1110, 1602, 1611, 1614, and 1631 of the Social Security Act, as amended; 49 Stat. 647, as amended, 94 Stat. 474, 86 Stat. 1465, 1466, 1471 and 1475; 42 U.S.C. 1302, 1310, 1381a, 1382, 1382c, and 1383.

2. Section 416.250 is added to read as follows:

§ 416.250 Experimental, pilot, and demonstration projects in the SSI program.

(a) Authority and purpose. Section 1110(b) of the Act authorizes the Secretary to develop and conduct experimental, pilot, and demonstration projects to promote the objectives or improve the administration of the SSI program. These projects will test the advantages of altering certain requirements, conditions, or limitations for recipients and test different administrative methods that apply to title XVI applicants and recipients.

(b) Altering benefit requirements, limitations or conditions. Notwithstanding any other provision of this part, the Secretary is authorized to waive any of the requirements, limitations or conditions established under title XVI of the Act and impose additional requirements, limitations or conditions for the purpose of conducting experimental, pilot, or demonstration projects. The projects will alter the provisions that currently apply to applicants and recipients to test their effect on the program.

*(c) Applicability and scope.**(1) Participants and nonparticipants.*

If you are selected to participate in an experimental, pilot, or demonstration project, we may temporarily set aside one or more current requirements, limitations or conditions of eligibility and apply alternative provisions to you. We may also modify current methods of administering title XVI as part of a project and apply alternative procedures or policies to you. The alternative provisions or methods of administration used in the projects will not substantially reduce your total income or resources as a result of your participation or disadvantage you in comparison to current provisions, policies, or procedures. If you are not selected to participate in the experimental, or pilot, or demonstration projects (or if you are placed in a control group which is not subject to the alternative requirements, limitations, or conditions) we will continue to apply the current requirements, limitations, or conditions of eligibility to you.

(2) Alternative provisions or methods of administration. The alternative requirements, limitations or conditions that apply to you in an experimental, pilot, or demonstration project may include any of the factors needed for aged, blind, or disabled persons to be eligible for SSI benefits. Experiments that we conduct will include, to the extent feasible, applicants and recipients who are under age 18 as well as adults and will include projects to ascertain the feasibility of treating drug addicts and alcoholics.

(d) Selection of participants.

Participation in the SSI projects will be on a voluntary basis. The voluntary written consent necessary in order to participate in any experimental, pilot, or demonstration project may be revoked by the participant at any time.

(e) Duration of experimental, pilot, and demonstration projects. A notice describing each experimental, pilot, or demonstration project will be published in the **Federal Register** before each project is placed in operation. A final report on the results of the projects is to be completed and transmitted to Congress by June 9, 1985; however, the authority for the experimental, pilot, and demonstration projects will not terminate. Some of the alternative provisions or methods of administration may continue to apply to participants in a project beyond that date in order to assure validity of the research. Each experimental, pilot, and demonstration

project will have a termination date (up to 10 years from the start of the project).

[FR Doc. 82-9730 Filed 4-9-82; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 716 and 785

Prime Farmland: Interim and Permanent Regulatory Programs; Extension of Public Comment Period

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Notice of extension of public comment period.

SUMMARY: On March 22, 1982 (47 FR 12310), OSM published proposed rules for public comment which would place a temporal limit on the prime farmland grandfather exemption contained in Section 510(d) of the Surface Mining Control and Reclamation Act of 1977 30 U.S.C. 1201 *et seq.* Since the publication, OSM has received a number of requests to extend the public comment period. In order to ensure that all interested persons are afforded an adequate opportunity to comment, OSM is extending the comment period.

DATES: Written comments: The comment period on the proposed rules will extend until 5 p.m. (eastern time) on April 28, 1982.

Public hearings: Held on request only, on April 15, 1982, at 9:30 a.m. (local), except that the hearing in Washington, D.C., will start at 9:00 a.m.

Public meetings: Scheduled on request only.

ADDRESSES: *Written comments:* Hand deliver to the Office of Surface Mining, U.S. Department of the Interior, Administrative Record (TSR-05), Room 5315, 1100 L Street, N.W., Washington, D.C.; or *mail* to the Office of Surface Mining, U.S. Department of the Interior, Administrative Record (TSR-05), Room 5315L, 1951 Constitution Avenue, N.W., Washington, DC 20240.

Public hearings: Washington, D.C.—Department of the Interior Auditorium, 18th and C Streets, N.W.; Springfield, Illinois—Illinois Dept of Transportation Auditorium, 2300 South Dirksen Parkway.

Public meetings: OSM offices in Washington, D.C.; Charleston, W. Va.; Knoxville, Tenn.; Indianapolis, Ind.; Pittsburgh, Pa; and Denver, Colo.

FOR FURTHER INFORMATION CONTACT:

Public hearings and information: Donald

F. Smith, Division of Technical Assistance, Office of Surface Mining, U.S. Department of the Interior, 1951 Constitution Avenue, N.W., Washington, DC 20240; 202-343-5954.

Public meetings: Jose del Rio, 202-343-4022.

SUPPLEMENTARY INFORMATION:

Public Commenting Procedures

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Commenters are requested to submit five copies of their comments (see "Addresses"). Comments received after the time indicated under "Dates" or at locations other than Washington, D.C., will not necessarily be considered or be included in the Administrative Record for the final rulemaking.

Public Hearings

Persons wishing to comment at the public hearings should contact the person listed under "For Further Information Contact" by the close of business three working days before the date of the hearing. If no one requests to comment at a public hearing at a particular location by that date, the hearing will not be held. If only one person requests to comment, a public meeting, rather than a public hearing, may be held and the results of the meeting included in the Administrative Record.

Filing of a written statement at the time of the hearing is requested and will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare appropriate questions.

Public hearings will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and wish to do so will be heard following those scheduled. The hearing will end after all persons scheduled to comment, and persons present in the audience who wish to comment, have been heard.

Public Meetings

Persons wishing to meet with OSM representatives to discuss these proposed rules may request a meeting at any of the OSM offices listed in "Addresses" by contacting the person listed under "For Further Information Contact."

All such meetings are open to the public and, if possible, notices of

meetings will be posted in advance in the Administrative Record room (1100 L St.). A written summary of each public meeting will be made a part of the Administrative Record.

List of Subjects in 30 CFR Part 716

Coal mining, Environmental protection, Surface mining, Underground mining.

List of Subjects in 30 CFR Part 785

Coal mining, Reporting and recordkeeping requirements, Surface mining, Underground mining.

Dated: April 7, 1982.

Dean Hunt,

Acting Director, Office of Surface Mining.

[FR Doc. 82-9845 Filed 4-9-82; 8:45 am]

BILLING CODE 4310-05-M

30 CFR Part 917

Comments Received From Federal Agencies on Kentucky State Permanent Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Disclosure of comments on the Kentucky Program.

SUMMARY: Before the Secretary of the Interior may approve permanent state regulatory programs submitted under Section 503(a) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), the views of certain federal agencies must be solicited and disclosed. The Secretary has solicited comments of these agencies, and is today announcing their public disclosure.

ADDRESSES: Copies of the comments received are available for public review during regular business hours at:

Administrative Record Room, Office of Surface Mining, Room 5315, 1100 L Street, N.W., Washington, D.C. 20240, Telephone: (202) 343-7896

Administrative Record Room, Office of Surface Mining, Region II, 530 South Gay Street, S.W., Suite 500, Knoxville, Tennessee 37902

Bureau of Surface Mining Reclamation and Enforcement, Capital Plaza Tower, Sixth Floor, Frankfort, Kentucky 40601

FOR FURTHER INFORMATION CONTACT: Mr. Art Abbs, Chief, Division of State Program Assistance, Program Operations and Inspection, Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, South Building, 1951

Constitution Avenue, N.W., Washington, D.C. 20240, Telephone (202) 343-5361

SUPPLEMENTARY INFORMATION: The Secretary of the Interior is re-evaluating the Kentucky permanent regulatory program resubmitted by Kentucky for his review on December 30, 1981, and modified (February 22, 1982. See 47 FR 820-822 (January 7, 1982) and 47 FR 8030 (February 24, 1982). In accordance with Section 503(b)(1) of SMCRA and 30 CFR 732.13(b)(1), the Kentucky program may not be approved until the Secretary has solicited and publicly disclosed the views of the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the heads of other federal agencies concerned with or having special expertise relevant to the program as proposed. In this regard, the following federal agencies were invited to comment on the Kentucky program resubmission:

Advisory Council on Historic Preservation
 Appalachian Region Commission
 Department of Agriculture:
 Agriculture Stabilization and Conservation Service
 Farmers Home Administration
 Forest Service
 Agricultural Research Service
 Soil Conservation Service
 Department of Energy
 Department of the Interior:
 Bureau of Indian Affairs
 Bureau of Land Management
 Bureau of Mines
 Fish and Wildlife Service
 Geological Survey
 National Park Service
 Department of Labor:
 Mine Safety and Health Administration
 Environmental Protection Agency
 Tennessee Valley Authority
 U.S. Army Corps of Engineers
 Water Resources Council

Of those agencies invited to comment, OSM received comments from the following offices:

Advisory Council on Historic Preservation
 Department of Agriculture:
 Forest Service
 Soil Conservation Service
 Department of the Interior:
 Bureau of Mines
 Fish and Wildlife Service
 Geological Survey
 Department of Labor:
 Mine Safety and Health Administration
 Tennessee Valley Authority
 U.S. Army Corps of Engineers
 Environmental Protection Agency

These comments are available for review and copying during regular

business hours at the locations listed above under "ADDRESSES"

List of Subjects in 30 CFR Part 917

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: April 7, 1982.

Dean Hunt,

Acting Director, Office of Surface Mining.

[FR Doc. 82-9860 Filed 4-9-82; 9:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 175 and 181

[CGD 81-023]

Equipment Requirements for Recreational Boats; Personal Flotation Devices

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to revoke an obsolete provision and make editorial changes in its regulations concerning personal flotation devices on recreational boats. These changes will also clarify the PFD carriage requirements.

DATE: Comments must be received on or before June 11, 1982.

ADDRESSES: Comments should be mailed to Commandant (G-CMC) U.S. Coast Guard, Washington, D.C., 20593. The comments will be available for inspection and copying at the Marine Safety Council, Room 4402, 2100 2nd Street SW., Washington, D.C. Normal office hours are between 7:00 A.M. and 5:00 P.M.; Monday through Friday, except holidays. Comments may also be hand delivered to this address.

FOR FURTHER INFORMATION CONTACT: Mr. William Sobek, Office of Boating, Public, and Consumer Affairs (G-BEL-3/43), U.S. Coast Guard Headquarters, Washington, D.C., 20593, (202) 426-4176.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and the proposal to which the comments apply, and give the reasons for each comment. Receipt of comments will be acknowledged if a stamped self-addressed postcard or envelope is enclosed.

The rules may be changed in light of the comments received. All comments received before the expiration date of

the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in drafting this notice are Lieutenant junior grade C. M. STRATTON, Project Officer, Office of Boating, Public, and Consumer Affairs and Lieutenant Michael TAGG, Project Attorney, Office of the Chief Counsel.

Discussion of Proposed Rule

Paragraph (a) of 33 CFR 175.17 excepted the operators of certain kayaks and canoes from the requirement to carry a Type I, II, III, or IV personal flotation device (PFD). The paragraph specified that the exception was valid until October 1, 1977. As that date has now passed, the provision is obsolete and should therefore be deleted from the Code of Federal Regulations. The word "pamphlet" in § 181.703, and other references, is dropped to make it clear that manufacturers may select single sheets of paper or other material or formats to provide consumers with the required information on PFD's.

Paragraph (b) of § 175.17 allows a Type V PFD to be carried in lieu of any PFD listed in § 175.15 if the Type V is approved for the activity in which the recreational boat is being used. This provision is being incorporated within § 175.15 in order to make the regulations more concise. Section 175.17 is therefore unnecessary and is deleted as are the references to it in §§ 175.19 and 175.21. In addition, paragraph (c) of § 175.15, which requires the carriage of one Type IV PFD on recreational boats 16 feet or more in length, except canoes or kayaks, is being consolidated within paragraph (b) of that section. Section 175.23 is rewritten for ease of reading and to include reference to the Type V PFD.

Section 181.703 is rewritten for brevity and clarity. Section 181.705 is being changed to reflect the revised wording of § 175.15, reworded for clarity, and updated to reflect the latest guidance on serviceability.

PFD manufacturers will be allowed to exhaust their current supply of the printed text required by § 181.705. There will, therefore, be no significant additional costs as a result of this amendment.

Regulatory Evaluation

This proposed amendment has been reviewed under Executive Order 12291 and the Department of Transportation's Policies and Procedures for Simplification, Analysis and Review of Regulations (DOT Order 2100.5 of May 22, 1980) and has been determined not to be a major or significant rule. Since no substantive changes are being made to the requirements to carry flotation devices, it has been found to have so minimal an economic impact that preparation of a full evaluation is not warranted. There is no new or increased requirement to carry flotation devices. Likewise, manufacturers are authorized to use up existing supplies of pamphlets, and are allowed greater freedom of choice in selecting the materials and form for any future reprints. Therefore, pursuant to section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164) it is certified that this proposed rule will not have a significant impact on a substantial number of small entities.

List of Subjects in 33 CFR Parts 175 and 181

Marine Safety.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Parts 175 and 181 of Title 33, Code of Federal Regulations as follows:

PART 175—EQUIPMENT REQUIREMENTS

1. By revising § 175.15 to read as follows:

§ 175.15 Personal flotation devices required.

(a) No person may use a canoe or kayak of any length or any other recreational boat less than 16 feet in length unless at least one PFD of the following types is on board for each person.

(1) Type I PFD.

(2) Type II PFD.

(3) Type III PFD.

(4) Type IV PFD.

(5) Type V PFD (Approved for the activity in which the canoe, kayak or other recreational boat is being used.)

(b) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless:

(1) One Type IV PFD is on board, and

(2) At least one PFD of the following types is on board for each person:

(i) Type I PFD.

(ii) Type II PFD.

(iii) Type III PFD.

(iv) Type V PFD (Approved for the activity in which the recreational boat is being used)

§ 175.17 [Removed].

2. By removing § 175.17.

3. By revising § 175.19(a) to read as follows:

§ 175.19 Stowage.

(a) No person may use a recreational boat unless each Type I, II, III, or V PFD required by § 175.15 is readily accessible.

4. By revising the introductory text of § 175.21 to read as follows:

§ 175.21 Conditions: approval; marking.

No person may use a recreational boat unless each device required by § 175.15 is—

5. By revising § 175.23 to read as follows:

§ 175.23 Personal flotation devices.

Table 175.23 lists devices that are currently approved by the Commandant under 46 CFR Part 160.

TABLE 175.23

Performance type	Devices marked
Type I PFD.....	160.002 Life Preserver. 160.003 Life Preserver. 160.004 Life Preserver. 160.005 Life Preserver. 160.055 Life Preserver.
Type II PFD.....	160.047 Buoyant Vest. 160.052 Buoyant Vest. 160.080 Buoyant Vest.
Type III PFD.....	160.064 Special Purpose Water Safety Buoyant Device or Marine Buoyant Device marked Type III.
Type IV PFD.....	160.009 Ring life buoy. 160.048 Buoyant cushion. 160.049 Buoyant cushion. 160.050 Ring life buoy. 160.064 Special Purpose Water Safety Buoyant Device or Marine Buoyant Device marked Type IV.
Type V PFD.....	Marked Type V—any of the above approval numbers may appear with additional special use warnings or restrictions for the activity in which the recreational boat is being used.

PART 181—MANUFACTURER REQUIREMENTS

6. By revising the title of Subpart G to read as follows:

Subpart G—Instructions for Personal Flotation Devices

7. By revising § 181.703 to read as follows:

§ 181.703 PFD information; manufacturers' requirements.

The manufacturer of a Type I, II, III, IV, or V personal flotation device shall furnish with each PFD that is sold or offered for sale for use on a recreational boat the text required by § 181.705. The words "Do not remove prior to sale" must be printed at the top of each text.

8. By revising the heading of § 181.705 and paragraphs (a) and (b) as follows:

§ 181.705 PFD information text.

(a) The following text must be visible or attached so that it can be easily read before purchase:

Federal Regulations Require Personal Flotation Devices

Coast Guard regulations in Part 175 of Title 33, Code of Federal Regulations require personal flotation devices in the following situations:

(a) No person may use a canoe or kayak of any length or any other recreational boat less than 16 feet in length unless at least one PFD of the following types is on board for each person:

(1) Type I.

(2) Type II.

(3) Type III.

(4) Type IV.

(5) Type V (Approved for the activity in which the canoe, kayak or other recreational boat is being used.)

(b) No person may use a recreational boat 16 feet or more in length, except a canoe or kayak, unless:

(1) One Type IV PFD is on board, and

(2) At least one PFD of the following types is on board for each person:

(A) Type I PFD.

(B) Type II PFD.

(C) Type III PFD.

(D) Type V PFD (Approved for the activity in which the recreational boat is being used.)

There Are Five Types of Personal Flotation Devices

This is a Type (I, II, III, IV or V) PFD.

Note.—The following types of PFD's are designed to perform as described in calm water and when the wearer is not wearing any other flotation material (such as a wetsuit).

Type I.—A Type I PFD has the greatest required buoyancy and is designed to turn most unconscious persons in the water from a face down position to a vertical and slightly backward position and to maintain the person in the vertical and slightly backward position and, therefore, greatly increase his or her chances of survival. The Type I PFD is suitable for all waters, especially for cruising on waters where there is a probability of delayed rescue, such as large bodies of water where it is not likely that a significant number of boats will be in close proximity. This type PFD is the most effective of all the types in rough water. The Type I PFD is easiest to don in any emergency because it is reversible and available in only two sizes—Adult (90 lb. or more) and child (less than 90 lb.) which are universal sizes (designed to fit all persons in the appropriate category).

(Illustration of Type I PFD)

Type II.—A Type II PFD is designed to turn the wearer to a vertical and slightly backward position in the water. The turning action is not as pronounced as with a Type I and the device will not turn as many persons under the same conditions as the Type I. The

Type II PFD is usually more comfortable to wear than the Type I. This type PFD is normally sized for ease of emergency donning and is available in the following sizes: Adult (more than 90 lb.)—Medium Child (50 lb. to 90 lb.), and two categories of Small Child (less than 50 lb. or less than 30 lb.). Additionally, some models are sized by chest sizes. You may prefer to use the Type II where there is a probability of quick rescue such as areas where it is common for other persons to be engaged in boating, fishing, and other water activities.

(Illustration of Type II PFD)

Type III.—The Type III PFD is designed so that the wearer can place himself or herself in a vertical and slightly backward position, and the device will maintain the wearer in that position and have no tendency to turn the wearer face down. A Type III can be the most comfortable, comes in a variety of styles which should be matched to the individual use, and is usually the best choice for water sports, such as skiing, hunting, fishing, canoeing, and kayaking. This type PFD normally comes in many chest sizes and weight ranges; however, some universal sizes are available. You may also prefer to use the Type III where there is a probability of quick rescue such as areas where it is common for other persons to be engaged in boating, fishing, and other water activities.

(Illustration of Type III PFD)

Type IV.—A Type IV PFD is designed to be grasped and held by the user until rescued as well as to be thrown to a person who has fallen overboard. While the Type IV is acceptable in place of a wearable device in certain instances, this type is suitable only where there is a probability of quick rescue such as areas where it is common for other persons to be engaged in boating, fishing, and other water activities. It is not recommended for non-swimmers and children.

(Illustration of Type IV PFD)

Type V.—Type V PFD's are approved only for certain activities in which a boat is to be used. The label on the device will show its approved uses and limitations, its size, and its performance type.

(b) The following text must also be supplied:

Your Personal Flotation Device

You are required by Federal regulations to have Coast Guard approved personal flotation devices (PFD's) which are in good condition and of the correct size for each person in your recreational boat. They must also be near at hand when operating the boat and must be legibly marked with the Coast Guard approval number.

Why Do You Need A PFD?

Your PFD provides buoyancy to help keep your head above the water and to help you remain in a satisfactory position in the water. The average weight of an adult is only 10 to 12 pounds in the water and the buoyancy provided by the PFD will support that weight in water. Unfortunately, your body weight does not determine how much you will weigh in water. In fact, your weight in water

changes slightly throughout the day. There is no simple method of determining your weight in water. You should try the device in the water to make sure it supports your mouth out of the water. Remember, all straps, zippers, and tie tapes must be used and of course the PFD must be the proper size (size limitations are on the label).

Things To Consider About PFD's

(1) USCG approval of a PFD does not imply that it is ideal for all uses. For instance, there are a number of PFD's which are better suited for water skiing and others for white water canoeing and kayaking. These and other PFD's may be labeled accordingly.

(2) Some PFD's are more rugged and durable than others but usually cost more. You should evaluate the trade-offs of cost, your intended use, and how often the PFD will have to be replaced.

(3) The use of most Type IV throwable PFD's usually requires you to grasp the device until rescued, which could prove difficult if there is an extended delay or if you are overcome by hypothermia (dangerously lowered body temperature). Since this type is not worn, you will either have to swim to it or have someone throw it to you if you should need it.

Each of These Devices is Intended To Help You Save Your Own Life

For your PFD to function properly, follow these suggestions to insure that it fits, floats, and remains in good condition:

(1) Try your wearable PFD on and adjust it until it fits comfortably in and out of the water.

(2) Try your PFD out in the water. This will show you how it works and will give you confidence when you use it. You should be aware that your PFD may perform differently under different conditions such as in swift water, with bulky clothing, etc.

(3) Mark your PFD with your name if you are the only wearer.

(4) Do not alter your PFD. If it doesn't fit properly, get one that does. An altered device is no longer Coast Guard approved.

(5) Your PFD is not intended for use as a fender or kneeling pad.

(6) Keep your PFD away from sharp objects which may rip the fabric or puncture the flotation pads.

(7) If your PFD is wet, allow it to dry thoroughly before storing it. Store it in a well ventilated area.

(8) Do not dry your PFD in front of a radiator or other source of direct heat.

(9) If you must swim while wearing your PFD use a back or side stroke.

Is Your PFD Safe?

To ensure that your PFD is serviceable, inspect it periodically to ensure that it is free of rips, tears, or holes; that all seams and joints are securely sewn; and that the fabric, straps, and hardware are still strong. Also, buoyant inserts of all types must not exhibit signs of waterlogging, shrinkage, mildew odor, oil absorption, or increased hardness or stiffness; and in the case of kapok, the plastic covering must not be severely torn or holed. If any of the above conditions occur, your PFD should be replaced.

PFD's and Children

A child is difficult to float in a safe position because of the distribution of body weight and because a child tends to panic when suddenly in an unfamiliar environment. The violent movement of the arms and legs in an attempt to "climb out" of the water tends to nullify the stability of the PFD. An approved device will keep a child afloat, but not always in a face up position. A child should be taught how to put on the device and should be allowed to try it out in the water. It is important that the child feels comfortable and knows what the PFD is for and how it functions. Parents should not, however, that PFD's are not a substitute for adult supervision.

Wear Your PFD

Your personal flotation device won't help you if you don't have it on. If you don't choose to wear it at all times, you should keep it handy and put it on when heavy weather threatens, or when danger is imminent. Don't wait until it is too late; nonswimmers and children especially should wear their PFD's at all times when on or near the water.

Hypothermia

Hypothermia, the loss of body heat to the water, is a major cause of deaths in boating accidents. Often the cause of death is listed as drowning; but, most often the primary cause is hypothermia and the secondary cause is drowning. After an individual has succumbed to hypothermia, he will lose consciousness and then drown. The following chart shows the effects of hypothermia:

Water temperature (degrees Fahrenheit)	Exhaustion or unconsciousness	Expected time of survival
32.5	Under 15 min.....	Under 15 to 45 min.
32.5 to 40	15 to 30 min.....	30 to 90 min.
40 to 50	30 to 60 min.....	1 to 3h.
50 to 60	1 to 2 h.....	1 to 6 h.
60 to 70	2 to 7 h.....	2 to 40 h.
70 to 80	3 to 12 h.....	3 h. to indefinite.
Over 80	Indefinite.....	Indefinite.

PFD's can increase survival time because of the insulation they provide. Naturally, the warmer the water, the less insulation one will require. When operating in cold waters (below 40° F.) consideration should be given to using a coat or jacket style PFD as they cover more of the body than the vest style PFD's.

Some points to remember about hypothermia protection:

(1) While afloat in the water, do not attempt to swim unless it is to reach a nearby craft, fellow survivor, or a floating object on which you can lean or climb. Swimming increases the rate of body heat loss. In cold water, drownproofing methods that require putting your head in the water are not recommended. Keep your head out of the water. This will greatly lessen heat loss and increase your survival time.

(2) Keep a positive attitude about your survival and rescue. This will improve your chances of extending your survival time until

rescue. Your will-to-live does make a difference!

(3) If there is more than one person in the water, huddling is recommended while waiting to be rescued. This action tends to reduce the rate of heat loss and thus increase the survival time.

(4) Always wear your PFD. Even if you become incapacitated due to hypothermia, the PFD will keep you afloat and greatly improve your chances of rescue.

Remember—Safe Boating Is No Accident

If you need more information about PFD's and safe recreational boating, contact your state boating authority, U.S. Coast Guard Auxiliary, U.S. Power Squadron, Red Cross, or your nearest unit of the U.S. Coast Guard. (46 U.S.C. 1454, 1488; 49 CFR 1.46 (n)(1))

Dated: April 1, 1982.

H. W. Parker,

Rear Admiral, U.S. Coast Guard, Chief, Office of Boating, Public, and Consumer Affairs.

[FR Doc. 82-9840 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-7-FRL-2076-4]

Approval and Promulgation of State Implementation Plans; Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: On September 5, 1980, the State of Missouri submitted a revision to their State Implementation Plan (SIP) which exempts existing Missouri type charcoal kiln operations from the process weight provisions of state regulations. EPA is proposing to approve this revision.

DATE: Comments must be received by May 12, 1982.

ADDRESSES:

Copies of the SIP revision are available for review at the following addresses:

Environmental Protection Agency,
Region VII, Air Branch, Room 1415,
324 East 11th Street, Kansas City,
Missouri 64106

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

Missouri Department of Natural
Resources, 1101 Rear Southwest
Boulevard, Jefferson City, Missouri
65102

Written comments should be sent to:
Dewayne E. Durst, Environmental
Protection Agency, Region VII, Air
Branch, 324 East 11th Street, Kansas
City, Missouri 64106

FOR FURTHER INFORMATION CONTACT:
Dewayne E. Durst at the address above,
or call (816) 374-3791, (FTS 758-3791).

SUPPLEMENTARY INFORMATION: On September 5, 1980, the State of Missouri submitted a revision to their State Implementation Plan which exempts existing Missouri type charcoal kiln operations from the process weight provisions of state regulations. On November 4, 1981, (46 FR 54730) EPA announced it as a revision to the Missouri SIP. In the approval notice EPA advised the public that the effective date of the approval would be deferred for 60 days (until January 4, 1982). EPA announced that, if, within 30 days of publication of the approval, notice was received that someone wanted to submit an adverse or critical comment, the approval would be withdrawn and a new rulemaking action would be initiated by proposing the action and establishing a 30-day comment period. EPA also published a general notice explaining this special procedure on September 4, 1981 (46 FR 44477).

EPA has received notice that a member of the public wishes to submit an adverse or critical comment on the revision for charcoal kilns. Therefore, in accordance with the procedures described above, EPA is taking final action elsewhere in today's Federal Register to withdraw its November 4, 1981 approval of this revision to the Missouri SIP, and in this notice, is proposing to approve the revision. A detailed description of the revision and EPA's rationale for proposing approval are found at (46 FR 54730 (November 4, 1981)). Interested persons are invited to submit pertinent comments on this proposed approval. EPA will consider all such comments received on or before May 12, 1982.

Under 5 U.S.C. Section 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

(Sec. 110, Clean Air Act as amended (42 U.S.C. 7401))

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead Particulate matter, Carbon monoxide, Hydrocarbons.

Dated: March 5, 1982.

John Frank, Jr.,

Regional Administrator.

[FR Doc. 82-9824 Filed 4-9-82; 8:45 am]

BILLING CODE 6550-50-M

40 CFR Part 123

[SW-5-FRL-2099-1]

Indiana Application for Interim Authorization, Phase I, Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public hearing and public comment period.

SUMMARY: EPA regulations to protect human health and the environment from the improper management of hazardous waste were published in the Federal Register on May 19, 1980 (45 FR 33063). These regulations include provisions for authorization of State programs to operate in lieu of the Federal program. Today EPA is announcing the availability for public review of the Indiana application for Phase I Interim Authorization, inviting public comment, and giving notice of a public hearing to be held on the application.

DATES: Comments: Comments on the Indiana Interim Authorization application must be postmarked by May 26, 1982.

Public hearing: EPA will conduct a public hearing on the Indiana Interim Authorization application at 2:00 p.m. on May 12, 1982. EPA reserves the right to cancel the public hearing if no significant public interest in the hearing is expressed.

ADDRESSES: The public hearing will be held at 2:00 p.m. on May 12, 1982, at Rice Auditorium, Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana 46206.

Copies of the Indiana Interim Authorization application are available at the following addresses for inspection and copying by the public during normal business hours:

- (1) Indiana State Board of Health, Land Pollution Control Division, 1330 West Michigan Street, Indianapolis, Indiana 46206, Telephone (317) 633-0178
- (2) U.S. Environmental Protection Agency, Region V, Waste Management Division, Waste Management Branch, 111 West Jackson—16th Floor, Chicago, Illinois 60604
- (3) U.S. Environmental Protection Agency, Library, Room 2404, 401 M Street, S.W., Washington, D.C. 20460

Written comments and notification of intent to provide oral comments at the hearing and request for transcripts of the hearing should be sent to: Judy Kertcher, 5HW-TUB, Waste Management Division, U.S. Environmental Protection Agency, 111

West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Judith Stone, 5HW-TUB, Waste Management Division, U.S. Environmental Protection Agency, 111 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-4179.

SUPPLEMENTARY INFORMATION: On May 19, 1980, (45 FR 33063), pursuant to the requirements of sections 3001 through 3006 of The Resource Conservation and Recovery Act of 1976, as amended, (Act), EPA promulgated Phase I of its regulations to protect human health and the environment from the improper management of hazardous waste. Section 3006 of the Act provides for the Authorization of a State to administer and enforce a hazardous waste management program in lieu of the Federal program. EPA Phase I regulations established, among other things: Initial identification and listing of hazardous waste; the standards applicable to generators and transporters of hazardous waste, including a manifest system; and "interim status" standards applicable to existing hazardous waste management facilities before they receive permits. The Act also provides for two different types of EPA approval of State programs: (1) Interim Authorization which will become effective in phases and which may extend for only 24 months after the final component of Phase II of the Federal program has become effective and (2) Final Authorization. Although for Final Authorization the State must have a program which is "equivalent to" and "consistent with" the full Federal program, during Interim Authorization States need programs that are only "substantially equivalent" to the Federal program. Any State may submit evidence of a hazardous waste program existing pursuant to State law and may request Interim Authorization to administer and enforce such a program in lieu of the Federal program.

EPA shall grant Interim Authorization if the evidence submitted by a State demonstrates that the State program is substantially equivalent to the Federal program.

On February 5, 1982, the State of Indiana submitted its complete application for Phase I Interim Authorization of its hazardous waste management program. This notice solicits public comments on the State of Indiana's application and its hazardous waste management program. The elements of the Federal program are listed in the May 19, 1980, Federal Register. A full description of the

requirements and procedures for Interim Authorization of a State hazardous waste program are listed in 40 CFR Part 123 Subpart F (45 FR 33479), and as amended January 26, 1981, (46 FR 8298). To receive Interim Authorization, a State's hazardous waste management program must be substantially equivalent to the Federal program and must meet the requirements in 40 CFR 123.128. Copies of the State submittal are available for public inspection and comment as noted above. A public hearing is to be held on the submittal, unless no significant public interest is expressed, also as noted above.

Conduct of Hearing

The hearing is intended to provide an opportunity for interested persons to present their views and submit information for consideration by EPA in its decision whether to grant Indiana Interim Authorization for Phase I of the RCRA program.

A panel of EPA employees involved in relevant aspects of the decision will be present to receive the testimony. The hearing will be informally structured. Representatives from the State of Indiana will testify first and present a short overview of the State program. Other commenters will then be called in the order in which their requests were received by EPA.

As time allows, persons who did not sign up in advance but who wish to comment on the State's application for Phase I Interim Authorization will also be given an opportunity to testify. As a general rule, in order to ensure maximum participation and allotment of adequate time for all speakers, participants should limit the length of their statements to 10 minutes.

Preparation of Transcripts

A transcript of the comments received at the hearing will be prepared. To ensure accurate transcription, participants should provide written copies of their statements to the hearing chairperson. Transcripts will be available at cost upon request from the address listed above.

List of Subjects in 40 CFR Part 123

Hazardous materials, Indians-lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Water pollution control, Water supply, Intergovernmental relations, Penalties, Confidential business information.

Dated: March 29, 1982.
Valdas V. Adamkus,
Regional Administrator.
[FR Doc. 82-9821 Filed 4-9-82; 8:45 am]
BILLING CODE 6560-50-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

45 CFR Part 5

Availability of Information to the Public

AGENCY: Department of Health and Human Services.

ACTION: Proposed rule.

SUMMARY: The Department of Health and Human Services is proposing to amend its regulations implementing the Freedom of Information Act (FOIA). This proposal would increase fees for FOIA searches and copying, to reflect increased costs to the Department. It also proposes guidelines for the waiver or reduction of fees.

DATE: Comments by May 12, 1982.

ADDRESS: Written comments to the Freedom of Information Officer, U.S. Department of Health and Human Services, Room 118-F, Hubert H. Humphrey Building, 200 Independence Avenue, S.W., Washington, D.C. 20201. Telephone (202) 472-7453.

Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Russell M. Roberts, Freedom of Information Officer, at the address given above. (202) 472-7453.

SUPPLEMENTARY INFORMATION: HEW issued and adopted regulations implementing the Freedom of Information Act (FOIA) on June 30, 1967, including the fees to be charged for duplication, certification, and searches for records. Although the regulations were amended in 1967, 1968, 1973, 1974 and 1975, the schedule of fees has remained unchanged since 1967. At that time we assumed that the task of identifying and locating the records sought by FOIA requesters could be accomplished by clerical employees at relatively low levels. Experience has shown, however, that records searches sometimes must be made by mid-level program staff more familiar with the content of records and where related documents may be found or by professional staff having still greater knowledge and expertise. Moreover the effects of inflation on the costs of records searches are reflected in the

new fees. We considered, and discarded, multi-tier fee systems. In such systems, either separate charges would be made for clerical, mid-level, and professional staff time, or else actual salaries of persons performing searches would be charged. We believe that such multi-tier systems are too cumbersome to administer. We, therefore, plan to use a standard charge—\$10.00 an hour—which represents a median salary for Departmental employees. We believe that this figure is a reasonable approximation of the actual direct cost to the Department of identifying and locating the records requested under the FOIA.

We also are expanding that portion of Subpart E that addresses the waiver or reduction of fees. A provision for such waiver or reduction when the government's furnishing information is considered as "primarily benefiting the general public" was included in the FOIA amendments of 1974 and added to our fee schedule in 1975. We now propose to include in our Regulation guidelines developed, based upon our experience, over several years in implementing the FOIA amendment. We believe that the statutory standard of "primarily benefiting the general public" can best be implemented by applying flexible, commonsense guidelines, rather than a rigid formula. We are publishing these guidelines at this time in order to give the public guidance concerning our policy toward waiver and reduction of fees.

List of Subjects in 45 CFR Part 5

Freedom of Information.

It is proposed to amend 45 CFR Part 5 by revising Subpart E to read as follows:

PART 5—AVAILABILITY OF INFORMATION TO THE PUBLIC

* * * * *

Subpart E—Fees

- Sec.
5.60 Policy on fees.
5.61 Fee schedule.
5.62 Procedures on assessing and collecting fees.
5.63 Waiver or reduction of fees.
5.64 Review of a denial of request to waive or reduce fees.

* * * * *
Authority: U.S.C. 552.

Subpart E—Fees

§5.60 Policy on fees.

The fees described in this Part apply to FOIA requests. They reflect direct search and duplication costs which the FOIA permits us to collect. The fee

schedule is not intended to imply that fees must be charged for responding to FOIA requests nor is it meant as a substitute for any other schedule of fees.

§5.61 Fee Schedule.

- (a) Our fee schedule is: (1) Manual searching for records—\$10 an hour;
(2) Photocopying standard-size pages—10¢ per page;
(3) Photocopying odd-size pages, such as punch cards, or blueprints, or reproducing other records, such as magnetic tapes—actual cost of the operator's time up to \$10 an hour, plus the cost of the machine time and the materials used;
(4) Use of electronic data processing equipment to obtain records—our actual cost for the service, including computer search time, runs, printouts, and time of computer operators or other employees;
(5) Certifying that records are true copies—\$10 per certification;
(6) Postage—actual cost;
(7) Sending records to you by special methods that you request, such as Express Mail, actual cost of the special service;
(8) Performing other special services that you request and that we agree to do—actual cost to us of the time of our employee who performs the service, plus the cost of any machine time and materials that the employee uses;
(9) Search and reproduction of records of Social Security number holders, wage earners, employers and claimants—actual cost as determined under section 1106(c) of the Social Security Act;
(b) We may charge you for search time even if we fail to find the record that you requested or even if the records you request are totally exempt from disclosure. That is especially likely if you ask that our employees spend a great deal of time on what turns out to be a fruitless search.

§5.62 Procedures on assessing and collecting fees.

- (a) We will generally assume that when you send us a request, you agree to pay search and copy fees. You may specify a limit on the amount you are willing to spend. We will notify you if it appears that the fee will exceed the limit and ask whether you nevertheless want us to go ahead.
(b) Normally, we will send you a bill along with or following our delivery of the records you asked for. However, in order to avoid sending numerous small bills to frequent requesters, or businesses representing requesters, we may aggregate the charges for certain periods. For example, we might send a bill to such a requester once a month.

(c) If you have failed to pay previous bills, or if it appears likely that the search and duplication costs will be very large, we may ask you to pay the estimated fee, or a deposit, before we start searching for the records you requested, or before we send them to you. If so, we will let you know promptly upon receiving your request. In such cases, the administrative time limits prescribed in section (a)(6) of the FOIA (i.e., ten working days from receipt of initial requests and twenty working days from receipt of appeals from initial denials, plus permissible extensions of these time limits) will begin only after we have come to an agreement with you over payment of the fee, or have decided that fee waiver or reduction would be appropriate (see §5.63).

(d) Payment of fees will be made by check or money order payable to "U.S. Department of Health and Human Services" or to the unit stated in the billing and will be sent to the billing unit.

§5.63 Waiver or reduction of fees.

Only Freedom of Information Officers as designated at §5.32 above may waive or reduce a fee where they determine that furnishing the information will primarily benefit the general public. They will consider factors such as those listed below. The existence of one of the factors standing alone, however, would not mean we would automatically waive or reduce the fee.

(a) Whether it is probable that you will disseminate the information to a large number of people. For example, we might waive or reduce the fee if you are a newspaper reporter, have a contract for a book with a publisher, or have often written material that was later published.

(b) Whether the records that you requested would actually benefit people if they knew about them. We would be more disposed than otherwise to waive or reduce fees when there was strong need for public attention to matters that the records concerned. Records in that category would, for example, include those that bore on the safety, health, or economic well-being of the public, or the integrity and efficiency of government.

(c) Whether release of the records would benefit you financially. We would ordinarily expect you to pay the fees if release of the records would result in your financial gain. On the other hand, that a newspaper article or book would benefit the writer would not necessarily negate the fact that the material also benefited the general public.

(d) Whether release of the records would meet the needs of indigents or relieve hardship. For example, where release of the records would help you obtain economic benefits, employment, education, or other basic rights and services, and you sent us an accurate statement that paying the fees would amount to a hardship, we would be inclined to waive or reduce them.

(e) Whether you helped us reduce unnecessary costs to the government. For example, you might focus your request so we could in turn focus the scope of our search and thereby eliminate unnecessary search costs. We would take that into consideration along with other factors.

(f) Whether we have already made the information available to others. For example, we would probably refuse to waive or reduce the fees if you requested records that we had already made available for inspection by any member of the public. We would also consider whether records containing the same information are available elsewhere.

(g) Whether you are able to pay the fee without undue hardship. For example, if you are an indigent individual, we will not charge you. However, if you are engaged in activities in connection with which you normally pay for goods and services, we will expect you to pay the fees for locating and copying records you request from us under the FOIA's provisions rather than ask the taxpayers to pay the fees for you. Even in these circumstances, however, if release of the information would otherwise primarily benefit the general public (considering the other factors listed above), and if payment would impose a hardship on you such that you and the public would not receive the information if the full fee were to be charged, we will waive or reduce the fee.

§5.64 Review of a denial of request to waive or reduce fees.

If you have been denied a fee waiver or reduction, you may appeal to an official listed in §5.82. You should specify the manner in which release of the record will benefit the general public.

Dated: March 18, 1982.

Richard S. Schweiker,
Secretary.

[FR Doc. 82-9809 Filed 4-9-82; 8:45 am]

BILLING CODE 4150-04-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 82-09; Notice 1]

Federal Motor Vehicle Safety Standards; Brake Hoses

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Grant of petition and notice of proposed rulemaking.

SUMMARY: The purpose of this notice is to grant a petition for rulemaking and to propose an amendment to Safety Standard No. 106, *Brake Hoses*, to allow brake hoses to be labeled with metric sizes. The standard currently requires labeling in English units. This proposal is in response to a petition for rulemaking submitted by Saab-Scania. The United States government has recommended implementation of the metric system in this country. Additionally, the automotive industries have already started their own metric system implementation procedures, both in response to the U.S. recommendation and in furtherance of their own "world vehicle" concept programs. Therefore, the agency has tentatively concluded that allowing metric sizes on brake hoses will be consistent with the above-mentioned recommendation and will aid in international harmonization of standards. The proposed amendment would not make any change in the performance criteria applicable to a particular size of hose.

DATE: All comments should be submitted no later than June 11, 1982.

ADDRESSES: All comments should refer to the docket number and notice number of this notice and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Docket hours: 8:00 a.m. to 4:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Mr. Vernon Bloom, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, Washington, D.C. 20590 (202-426-2153).

SUPPLEMENTARY INFORMATION: Paragraph S7.2.1(d) and paragraph S7.2.2(d) of Safety Standard No. 106, *Brake Hoses* (49 CFR 571.106), currently specify that labeling of the nominal inside and outside diameters of brake hoses should be expressed in inches or fractions of an inch. Saab-Scania of America has recently petitioned the agency to amend Safety Standard No.

106 to allow the diameters of brake hoses to be expressed, at the option of the manufacturer, in metric sizes (millimeters).

In support of its petition, Saab-Scania pointed to the Interagency Committee on Metric Policy's April 30, 1981 notice in the *Federal Register* (46 FR 24452). That notice set forth "Metric Conversion Policy for Federal Agencies" and "Federal Agency Guidelines for Implementation of Metric Conversion Policy." Saab stated that those policies and guidelines indicate metric units should be used unless there are substantial reasons against such action.

In addition to Saab-Scania, other European vehicle manufacturers have expressed interest in a change to Standard No. 106 to allow metric units. Mercedes-Benz has visited the agency and requested changes in the standard or interpretations to allow metric equivalents. Both Volvo and International Harvester have also considered the use of metric sizes in their future programs.

The agency has tentatively determined that manufacturers should be allowed to use either English units or metric units in labeling their brake hoses according to the requirements of Safety Standard No. 106. In developing Safety Standard No. 106 during the late 1960's and early 1970's, the agency primarily used existing American standards as a basis for requirements. The existing standards came primarily from the Society of Automotive Engineers (SAE) which, in turn, referenced standards from the American Society for Testing and Materials (ASTM). The SAE and ASTM standards that were in effect at that time were written primarily in English units (i.e., nonmetric sizes) since they were primarily used in the United States. Hoses used in braking systems were all specified in inch denominations.

During the 1970's, both the SAE and ASTM gradually began converting to use of a dual system of sizing. English or inch units were listed as the basic sizes, with a metric conversion equivalent, usually in brackets, following the inch units. This type of conversion is generally referred to as "soft metric" or exact conversion and is still in use by the SAE and ASTM. "Hard metric" conversion is a conversion to the nearest whole metric size, and the SAE plans to adopt this type conversion within the next five years.

In furtherance of the manufacturers' "world car" concept programs and in response to the United States' policy statement on metrics, many vehicle manufacturers have been changing their

vehicle components to metric sizes. Engines and transmissions, then various other components and assemblies, were sized with metric units as new designs came into existence. Today, a few vehicles are almost completely sized in metric units. Common sizing for all international markets means that manufacturers can sell components at cheaper prices, so this conversion is attractive to manufacturers.

Many European nations, through the United Nations Economic Commission for Europe (ECE) and the European Economic Community (EEC), have adopted metric SI units (*Système International* or International System of units). Also, the International Standards Organization utilizes the SI units in its documents. These international organizations are striving for harmonization of standards. This means use of common measuring units as well as common performance requirements where possible.

The agency believes that allowing metric units on brake hose labeling will help further the international harmonization of standards. Further, the agency believes that such action on its part is in furtherance of the "Federal Agency Guidelines for Implementation of Metric Conversion Policy," which provide that each agency shall adopt metric units and practices when it is in the public interest to do so. The agency has tentatively concluded that there are no safety reasons which would preclude the allowance of metric units on brake hoses, and that for the reasons discussed above such an option is in the public interest. Saab-Scania's petition is therefore granted.

As set forth in this proposal, manufacturers would be permitted to label their hoses with metric sizes. The new metric sizes would have to meet the performance requirements of the standard as specified in the proposal. It should be noted that this proposal does not constitute either a "soft metric" or a "hard metric" conversion of the English unit sizes which are currently specified in the standard. Instead, the proposed amendment allows metric units of any size to be used on brake hose labeling and specifies which performance requirements must be met by metric hose of a particular size.

The agency has determined that the proposed amendment does not qualify as a "major regulation" under Executive Order 12291 or as a significant regulation under the Department's Regulatory Policies and Procedures. The proposed amendment would not change any of the substantive requirements of the standard. There would be no effect on labeling costs.

The agency has reviewed the proposed amendment under the National Environmental Policy Act of 1969 and determined that the changes would not have a significant impact on the quality of the human environment (in fact, the proposed changes would have no impact).

The agency has reviewed the proposed amendment under the precepts of the Regulatory Flexibility Act and certifies that the changes would not have a significant impact on a substantial number of small entities, including small business, small governmental units or small organizations. The proposed amendment would simply allow manufacturers to label brake hoses in metric rather than English units. There would be no effect on labeling costs. Any brake hose manufacturers that might qualify as small entities would benefit by the proposed changes, since metric units are currently not allowed by the standard.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must be limited not to exceed 15 pages in length. Necessary attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. Any claim of confidentiality must be supported by a statement demonstrating that the information falls within 5 U.S.C. 552(b)(4), and that disclosure of the information is likely to result in substantial competitive damage; specifying the period during which the information must be withheld to avoid that damage; and showing that earlier disclosure would result in that damage. In addition, the commenter or, in the case of a corporation, a responsible corporate official authorized to speak for the corporation must certify in writing that each item for which confidential treatment is requested is in fact confidential within the meaning of section 552(b)(4) and that a diligent search has been conducted by the commenter or its employees to assure that none of the specified items has

previously been disclosed or otherwise become available to the public.

All comments received before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose, in the envelope with their comments, a self addressed stamped postcard. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

In consideration of the foregoing, it is proposed that Safety Standard No. 106 (49 CFR 571.106) be amended as set forth below.

1. S5.2.2(d) would be amended by revising it to read:

S5.2.2(d) The nominal inside diameter of the hose expressed in inches or fractions of inches or in millimeters.

2. Table 1, Column 1 would be amended by revising the phrase " $\frac{1}{8}$ inch or less" to read " $\frac{1}{8}$ inch or 3 mm or less"; by adding the phrase "or 4 to 5 mm" after the phrase " $\frac{3}{16}$ inch"; and by revising the phrase " $\frac{1}{4}$ inch or more" to read " $\frac{1}{4}$ inch or 6 mm or more."

3. Table II would be amended by revising the headings under the phrase "Slack, inches" to read: " $\frac{1}{8}$ inch or 3 mm hose or less" and "more than $\frac{1}{8}$ inch or 3 mm hose."

4. S6.6.1(b) would be amended by revising it to read:

S6.6.1(b) Condition a cylinder in air at minus 40°F for 70 hours, using a cylinder of 2½ inches in diameter for test of hose less than $\frac{1}{8}$ inch or 3 mm, 3 inches for tests of $\frac{1}{8}$ inch or 3 mm hose, 3½ inches for tests of $\frac{3}{16}$ and $\frac{1}{4}$ inch hose or of 4 to 6 mm hose, and 4 inches for test of hose greater than $\frac{1}{4}$ inch or 6 mm in diameter.

5. A new Table III(a) would be added to read as follows:

TABLE III(a).—AIR BRAKE TUBING DIMENSIONS

Inside diameter, mm.....	4	6	9	12
Tolerance, mm.....	±0.1	±0.1	±0.10	±0.15
Outside diameter, mm.....	6	8	12	16
Tolerance, mm.....	±0.1	±0.1	±0.15	±0.15
Minimum wall thickness, mm.....	0.9	0.9	1.35	1.8

6. Paragraphs S7.1 and S7.2.1(e) would be amended to add the phrase "and

TABLE IV.—AIR BRAKE HOSE DIAMETERS AND TEST CYLINDER RADII

Nominal hose diameter in inches (millimeters).....	1/8, (3)	3/16, (4), (5)	1/4, (6)	5/16, (8)	3/8, 13/32, (10)	7/16, 1/2, (12)	5/8, (16)
Radius of test cylinder in inches.....	1 1/8	2	2 1/2	3	3 1/2	4	4 1/2

10. S7.3.10 would be amended by revising it to read:

S7.3.10 An air brake hose assembly (other than a coiled nylon tube assembly which meets the requirements of § 393.45 of this title) designed for use between frame and axle or between a towed and a towing vehicle shall withstand, without separation of the hose from its end fittings, a pull of 250 pounds if it is 1/4 inch or less or 6 mm or less in nominal internal diameter, or a pull of 325 pounds if it is larger than 1/4 inch or 6 mm in nominal internal diameter. An air brake hose assembly designed for use in any other application shall withstand, without separation of the hose from its end fitting, a pull of 50 pounds if it is 1/4 inch or 6 mm or less in nominal internal diameter, 150 pounds if it is 3/8 or 1/2 inch or 10 mm to 12 mm in nominal internal diameter, or 325 pounds if it is larger than 1/2 inch or 12 mm in nominal internal diameter (S8.9).

11. S7.3.11 would be amended by revising it to read:

S7.3.11 *Water absorption and tensile strength.* After immersion in distilled water for 70 hours (S8.10), an air brake hose assembly (other than a coiled tube assembly which meets the requirements of § 393.45 of this title) designed for use between frame and axle or between a towed and a towing vehicle shall withstand without separation of the hose from its end fittings a pull of 250 pounds if it is 1/4 inch or 6 mm or less in nominal internal diameter, or a pull of 325 pounds if it is larger than 1/4 inch or 6 mm in nominal internal diameter. After immersion in distilled water for 70 hours (S8.10), an air brake hose assembly designed for use in any other application shall withstand without separation of the hose from its end

Table III(a)", after the phrase "in Table III".

7. S7.2.1(d) would be amended by adding the phrase "or in millimeters" after the phrase "inches or fractions of inches", in both places that the latter phrase appears in this paragraph.

8. S7.2.2(d) would be amended by adding the phrase "or in millimeters" after the phrase "inches or fractions of inches", in both places the latter phrase appears in this paragraph.

9. Table IV would be revised to read:

fitting a pull of 50 pounds if it is 1/4 inch or 6 mm or less in nominal internal diameter, 150 pounds if it is 3/8 inch or 1/2 inch or 10 mm to 12 mm in nominal internal diameter, or 325 pounds if it is larger than 1/2 inch or 12 mm in nominal internal diameter (S8.9).

12. S9.1.1(d) would be amended by adding the phrase "or in millimeters" after the phrase "inches or fractions of inches", in both places that the latter phrase appears in this paragraph.

13. S9.1.2(d) would be amended by adding the phrase "or in millimeters" after the phrase "inches or fractions of inches", in both places that the latter phrase appears in this paragraph.

14. The first column of Tables V and VI would be revised to read:

Hose-inside diameter,
inches (millimeters)

3/32, (5)
1/4, (6)
3/32
1 1/32, (8)
3/8, (10)
7/16
1 5/32
1/2, (12)
5/8, (16)
3/4
1.0

(Secs. 103, 19, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued: April 5, 1982.

Courtney M. Price,

Associate Administrator for Rulemaking.

[FR Doc. 82-9738 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

Migratory Bird Hunting; Amendment to Regulation Describing Zones in Which Toxic Shot is Prohibited for Waterfowl Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed amendment.

SUMMARY: This proposal would amend descriptions of certain areas in which non-toxic shot is required for waterfowl hunting. When eaten by waterfowl, spent lead pellets may have a toxic effect. The only approved non-toxic shot available at this time is steel shot. The State wildlife conservation agencies of Maine, Massachusetts, Indiana and Nebraska have recommended that, prior to the 1982 hunting seasons, changes as indicated below be made in the regulations.

DATE: Comments on this proposed amendment will be accepted until May 17, 1982.

ADDRESS: Submit comments to Director (FWS-MBMO), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Robert I. Smith, Office of Migratory Bird Management, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240 (202-254-3207).

SUPPLEMENTARY INFORMATION: Appropriated funds for the Department of the Interior for fiscal year 1982 were restricted in their use by the following provisions:

No funds appropriated by this Act shall be available for the implementation or enforcement of any rule or regulation of the United States Fish and Wildlife Service, Department of the Interior, requiring the use of steel shot in connection with the hunting of waterfowl in any State of the United States unless the appropriate State regulatory authority approves such implementation.

On December 29, 1981, the Service contacted all Directors of State Fish and Wildlife Agencies by letter. In that letter States wishing to amend the descriptions of non-toxic shot zones published in the Federal Register on August 13, 1981, (46 FR 40879-84) were asked to notify the Service of any such proposed changes no later than January 28, 1982.

Ten States responded to the Service's letter of December 29, 1981, and three of these States requested changes in § 20.108. These three states were Massachusetts, Nebraska and Indiana. In addition, on November 5, 1981, the State of Maine notified the Service of its desire to have the non-toxic shot regulations pertaining to that State removed.

Pursuant to Executive Order 12291, the Department has determined that the rule proposed below is not a major rule, not does it have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.).

List of Subjects in 50 CFR Part 20

Hunting, Wildlife, Lead Poisoning,

Proposed Ruling:

PART 20—MIGRATORY BIRD HUNTING

Accordingly, it is proposed that 50 CFR 20.108 be revised as follows:

§ 20.108 [Amended]

Maine:

Remove from the regulation.

Massachusetts:

Remove all zones except Parker River National Wildlife Refuge and Plum Island.

Indiana:

Remove the present wording and replace with the following:

1. On all waters of Lake, Porter, LaPorte, Newton, Jasper, Starke, Elkhart, Kosciusko, LaGrange, and Steuben Counties and within a 150 yard zone of land in these Counties adjacent to the margins of these waters. This includes lakes, ponds, marshes, swamps, rivers, streams, and seasonally flooded areas of all types. Excluded from these provisions are the waters of Lake Michigan and drainage ditches and temporary sheet water that are more than 150 yards from the waters described above.

2. All waters and within a 150 yard zone of land adjacent to the margins of these waters on the Jasper-Pulaski, Tri-County, and Glendale Fish and Wildlife Areas.

3. Within the boundaries of the following State-owned or State-operated properties: Hovey Lake Fish and Wildlife Area in Posey County, Mallard Roost Wetland Conservation Area in Noble County, Monroe Reservoir in Monroe and Brown Counties, and Patoka Reservoir in Dubois, Crawford and Orange Counties.

4. Within the proposed boundaries of the Menominee Wetlands Conservation Area in Marshall County.

Nebraska:

Remove the present wording and replace with the following:

1. All waters of Clay, Fillmore, Kearney, and Phelps counties and zone of land within 150 yards of these waters. Included are all lake, ponds, marshes, lagoons, rivers and streams and seasonally flooded areas of all types. Excluded from these provisions are the waters of the Platte River and temporary sheet water that are more than 150 yards from the waters described above.

2. All State and federally owned or controlled public hunting areas as designated by the Commission and posted as non-toxic shot areas for waterfowl hunting (Macon WPA, Quadhammer WPA, and Ritterbush WPA in Franklin County; Elley WPA, Peterson WPA, Victor Lake WPA, Johnson Lake Reservoir, and Elwood Reservoir in Gosper County; County Line WPA, Sinninger WPA, and Waco WPA in York County; Pintail WMA—Hamilton County; Smartweed WMA—Nuckolls County; Harlan County Reservoir—Harlan County; Schilling WMA—Cass County).

3. Those lands and waters in Keith and Garden counties defined as: all lands and water lying west of Omaha Beach and Eagle Canyon access roads between State Highway 92 and U.S. Highway 26 to the Lewellen Bridge.

Dated: March 12, 1982.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-9787 Filed 4-9-82; 8:45 am]

BILLING CODE 4310-55-M

Notices

Federal Register

Vol. 47, No. 70

Monday, April 12, 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.

DEPARTMENT OF COMMERCE

Economic Development Administration

Redesignation and Membership Change of SES Performance Review/Executive Resources Board

AGENCY: Economic Development Administration (EDA), Commerce.
ACTION: Notice.

On September 2, 1981, the Economic Development Administration (EDA) published a notice in the Federal Register (46 FR 44020) updating the membership composition of the Executive Resource and Performance Review Board (ERPRB) for the Senior Executive Service (SES) at EDA.

The purpose of the Board is to review performance agreements, performance appraisals and ratings, recommendations for certain personnel actions and other related materials, and to make appropriate recommendations to EDA's SES appointing authority concerning such matters in a manner that will assure fair and equitable treatment of senior executives and the organizations of which they are members.

The purpose of this notice is to document the selection of additional members of the Board as requested by EDA's recently appointed Assistant Secretary. These appointments are effective immediately. No change is made to the function or purpose of the Board.

Mr. Charles S. Warner, Deputy Assistant Secretary, Washington, D.C.
Ms. Beverly Milkman, Director, Office of Planning, Technical Assistance, Research and Evaluation, Operations Directorate, Washington, D.C.
Mr. Harry Singleton, Deputy Assistant Secretary for Congressional Operations, Office of the Secretary, Washington, D.C.

Messrs. H. W. Williams and Lorin Goodrich are no longer in EDA and cease EDA Board membership.

Persons desiring further information about the ERPRB or its membership may contact Ms. Michelle Oppenheimer, Personnel Officer, Economic Development/Administration, Washington, D.C. 20230, telephone 202/377-3203.

Dated: March 31, 1982.

Carlos C. Campbell,
Assistant Secretary, for Economic Development.

[FR Doc. 82-9830 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-24-M

Foreign-Trade Zones Board

[Order No. 181]

Authorization To Withdraw Certain "Zone Restricted" Merchandise From Foreign-Trade Zone No. 26, Shenandoah, Georgia (Atlanta POE), for Entry Into U.S. Customs Territory

Pursuant to its authority under Section 3 of the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81c), the Foreign-Trade Zones Board (the Board) adopts the following order:

After consideration of the request of the grantee of Foreign-Trade Zone No. 26, Shenandoah, Georgia, on behalf of a zone user, for authority under Section 3 of the Foreign-Trade Zones Act (19 U.S.C. 81c) to withdraw from the zone for domestic entry a shipment of garments (Zone Lot #A0032, 123 cartons of ladies slacks) presently in "zone restricted" status, the Board approves the request, finding it to be in the public interest. The shipment from the zone shall be subject to Customs entry procedures, including the payment of duties.

Signed at Washington, D.C. this 1st day of April 1982.

Lawrence J. Brady,
Assistant Secretary for Trade Administration, Chairman, Committee of Alternates, Foreign Trade Zones Board.

[FR Doc. 82-9829 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-25-M

International Trade Administration

Michelin X-Radial Steel Belted Tires From Canada; Preliminary Results of Administrative Review Of Countervailing Duty Order

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of countervailing duty order.

SUMMARY: The Department of Commerce has conducted an administrative review of the countervailing duty order on Michelin X-radial steel belted tires from Canada. The review covers the period January 1, 1980 through December 31, 1980. As a result of the review, the Department has preliminarily determined to assess countervailing duties equal to the calculated value of the net subsidy, that is, 1.18 percent of the f.o.b. invoice price of the merchandise. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: April 10, 1982.

FOR FURTHER INFORMATION CONTACT: Ms. Josephine Russo or Richard Moreland, Office of Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202, 377-1168/2786).

SUPPLEMENTARY INFORMATION:

Background

On October 2, 1981, the Department of Commerce ("the Department") published in the Federal Register (46 FR 48737) the final results of its first administrative review of the countervailing duty order on Michelin X-radial steel belted tires from Canada (38 FR 1018, January 8, 1973) and announced its intent to conduct the next administrative review. As required by section 751 of the Tariff Act of 1930 ("the Tariff Act"), the Department has now conducted that administrative review.

On October 26, 1981, the Court of International Trade issued its opinion in *Michelin Tire Corporation v. United States*, Slip. Op. 81-94. The court remanded two issues to the Department. These issues were the redetermination and recalculation of the benefits from the grants and the recalculation of the interest subsidy on the IEL loan, both for

the years 1973 through 1977. On February 23, 1982, the Department forwarded its final results concerning these remanded issues to the court. The recalculation under the remand order of the subsidy rates for 1973-77 in turn affected those for the current review. The effects are discussed under *Analysis of Programs*.

Scope of the Review

Imports covered by the review are X-radial steel belted tires manufactured by Michelin Tires Canada, Limited. Such tires are currently classifiable under item numbers 772.5109, 772.5127, 772.5136, and 772.5144 through 772.5155 of the Tariff Schedules of the United States Annotated (TSUSA). The review covers the period January 1, 1980 through December 31, 1980. The Department reviewed the three programs found countervailable in the original determination: (1) a \$50 million preferential long-term loan from Industrial Estates Limited ("IEL"); (2) grants from the Department of Regional Economic Expansion ("DREE") and IEL; and (3) preferential property tax agreements.

Analysis of Programs

(1) IEL Loan

In the final determination, the Department of the Treasury ("Treasury") found countervailable a 1970 \$50 million loan agreement with IEL ("the 1970 agreement") at the preferential interest rate of 6 percent. Treasury ascertained the market rate for comparable financing to be 8 percent and the differential, 2 percent.

In the section 751 administrative review of this order for the years 1978 and 1979, the Department learned of a subsequent loan agreement with IEL in 1972 ("the 1972 agreement") that deferred payment of the first seven principal payments, amounting to approximately \$16 million, while financing that principal at higher interest rates. At that time, the Department did not consider the 1972 agreement to be preferential and calculated the loan interest subsidy on the \$34 million believed still subject to the 6 percent rate.

In its October 26, 1981 opinion, the court determined that the appropriate commercial interest rate was 7.56 percent, rather than 8 percent, and directed the Department to recalculate the loan interest subsidy on the full loan amount of \$50 million. The court stated that the principal payment deferrals provided under the 1972 agreement constituted additional funds not derived from the original \$50 million loan

amount and, therefore, the full original amount remained subject to countervailing duties.

Therefore, we have calculated the subsidy rate by applying the 1.56 percent interest differential against the loan amount remaining after subtraction of principal payments actually made, starting in 1976, through 1980 on the original \$50 million loan. We have preliminarily determined that the rate of benefit for this program is 0.17 percent *ad valorem*.

(2) Federal and Provincial Grants

Since the 1970 loan agreement contained a pledge which tied all grants received to the repayment of the \$50 million loan, Treasury calculated the subsidy for the years 1973 through 1977 by allocating the grants over the same loan repayment schedule. During the previous section 751 review, the Department found that the 1972 agreement abrogated that pledge. We therefore allocated the grants over half the accounting useful lives of the acquired assets.

The court's decision of October 26, 1981, stated that the allocation method used by Treasury in the final determination for the years 1973 through 1977 was incorrect. In our redetermination and recalculation, we applied the same allocation method as in our prior review, that is, a straight line basis over half the accounting useful lives of the assets purchased with the grant funds (20 years for buildings; 10 years for equipment) beginning in the year each grant installment was received. Consequently, we calculated the subsidy rate for 1980 by determining those grant portions attributable to that year. We then divided this amount by the value of Michelin Canada's production. We have preliminarily determined that the *ad valorem* rate of benefit for these grants is 0.87 percent.

(3) Preferential Property Tax Agreements

The 10-year property tax agreements between IEL and the area taxing authorities provided for a flat rate of 1 percent property tax based on the actual costs of construction, rather than the appraised values. Although the property tax agreement for Michelin Canada's facility in Granton expired in 1979, its other plant in Bridgewater remained eligible through 1980. We have calculated the benefit by estimating the normal tax incidence for the Bridgewater facility, and subtracting from that figure the payments made by Michelin Canada under the 1 percent agreement. Further, we have included the value of land, paving, and

manufacturing equipment in the total value of real property, since these items are normally included in appraised values. We have preliminarily determined that the rate of subsidy under this program is 0.14 percent *ad valorem*.

In the calculation of all of the *ad valorem* net subsidy rates, we divided the total amount of the subsidies by the value of production of the subsidized facilities. The Department has used the figure submitted by Michelin in its response to our countervailing duty questionnaire for its 1980 value of production.

Michelin requested that the Department add to the total value of production and amount for its labor charges for installation and modification of assets. We have not included this figure, however, since labor costs should already be reflected in the prices charged on the merchandise. Further, in the calculation of its value of production, Michelin employed exchange rates that differ from the Federal Reserve rates. Before publication of the final results of this administrative review, the Department intends to recalculate the value of production using the appropriate rates.

Verification

We verified Michelin's submission through access to government and company books and records. Documents examined include cancelled checks and invoices, approvals of grants, tax records and company production and sales records.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that the aggregate net subsidy conferred by the three programs cited above during the period of review is 1.18 percent *ad valorem*.

Accordingly, the Department intends to instruct the Customs Service to assess countervailing duties of 1.18 percent of the f.o.b. invoice price on unliquidated entries of this merchandise entered, or must be made no later than 5 days after the date of publication. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1))

and § 355.41 of the Commerce Regulations (19 CFR 355.41).

Gary N. Horlick,
Deputy Assistant Secretary for Import
Administration.

April 6, 1982.

[FR Doc. 82-9827 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-25-M

Prestressed Concrete Steel Wire Strand From Spain; Preliminary Affirmative Countervailing Duty Determination

AGENCY: International Trade Administration, Commerce.

ACTION: Preliminary affirmative countervailing duty determination.

SUMMARY: We have preliminarily determined that the government of Spain is providing its manufacturers, producers, and exporters of prestressed concrete steel wire strand with benefits that are bounties or grants within the meaning of the countervailing duty law. We preliminarily estimate the net bounty amount to be 1.44 percent of the f.o.b. value of the imported merchandise. Therefore, we are directing the U.S. Customs Service to suspend liquidation of all entries, or warehouse withdrawals for consumption of this merchandise and to require a cash deposit, bond, or other security in an amount equal to the estimated net bounty or grant. This investigation will proceed according to the statutory procedures.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT: John R. Brinkmann, Office of Investigations, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230 (202) 377-4929.

SUPPLEMENTARY INFORMATION:

Case History

On November 5, 1981, we received a petition in proper form from counsel on behalf of five domestic manufacturers of prestressed concrete steel wire strand (PC strand). Those manufacturers are: American Spring Wire Corporation, Armco Inc., Bethlehem Steel Corporation, Florida Wire & Cable Company, and Shinko Wire America, Inc. The petition alleges that the government of Spain pays or bestows, directly or indirectly, bounties or grants upon the manufacture, production, or exportation of PC strand within the meaning of section 303 of the Tariff Act of 1930, as amended ("the Act") through the following programs: (1) remission of indirect taxes upon export (Desgravacion Fiscal); (2) privileged

circuit exporter credits; (3) export credit insurance; (4) credit for construction of warehouse facilities; and (5) benefits to the PC strand industry in the form of preferential terms of loans and grants to manufacturers of steel billets and steel wire rod.

After reviewing the petition, we determined that it contained sufficient grounds upon which to initiate a countervailing duty investigation. Therefore, on December 2, 1981, we announced our initiation (46 FR 58543) and stated that we would issue a preliminary determination on this case by January 29, 1982.

Because Spain is not a "country under the Agreement," within the meaning of section 701(b) of the Act, section 303 of the Act applies to this investigation. In addition, the merchandise covered by this investigation is dutiable. Therefore, no injury determination is required.

We presented a questionnaire concerning the allegations to the government of Spain at its embassy in Washington, D.C. We also included, where appropriate, questions concerning programs investigated in other Spanish countervailing duty cases. The government requested and received an extension of the time for its response to the questionnaire. On January 8, 1982, we postponed the preliminary determination and published a notice in the *Federal Register* on January 14, 1982 (47 FR 2141). The reason for the postponement was that we determined in accordance with section 703(e)(1)(B) of the Act that the investigation was extraordinarily complicated.

Scope of Investigation

The merchandise covered by this investigation is prestressed concrete steel wire strand, a product used to compress concrete in order to provide active resistance to loads in such items as girders, beams, pilings, and other building materials. PC strand is currently provided for under item number 642.1120 of the *Tariff Schedules of the United States Annotated*.

Analysis of Program

In its response, the government of Spain provided data for calendar years 1980 and 1981. The government identified two programs, the "Desgravacion Fiscal a la Exportacion" and the Privileged Circuit Exporter Credits, as having been utilized by the Spanish PC strand companies. Three firms are known to have produced and exported PC strand to the United States during this time period. They are Elaborados Metalicos, S.A. (EMESA), Trenzas y Cables de Acero, S.A. (TYCSA), and Nueva Montana Quijano,

S.A. (NMQ). We verified the data pertaining to EMESA and TYCSA as these firms accounted for approximately 98 percent of the exports of PC strand from Spain to the U.S. in 1981.

Programs Preliminarily Determined To Be Bounties or Grants to PC Strand Manufacturers, Producers, and Exporters

We preliminarily determine that the government of Spain is providing bounties or grants to its manufacturers, producers, and exporters of PC strand through working capital loans under the Privileged Circuit Exporter Credits Program.

The government of Spain requires all Spanish commercial banks to maintain a specific percentage of their lendable funds in privileged circuit accounts. These funds are made available to exporters at preferential interest rates. While there is no actual outlay of government funds, the benefits conferred on the companies are the result of a government mandated program to promote exports. Of the four privileged circuits identified by petitioner, we preliminarily determine that one, the working capital loan, was received by the PC strand producers.

Under this privileged circuit program, firms may obtain working capital loans for one year or less in amounts that do not exceed 16 percent of the value of their exports in the previous year. With exporter's cards, firms may obtain loans up to 24 percent of the value of their exports in the previous year. In 1981, the interest rate for this privileged circuit program was 10 percent, including commissions and fees.

To calculate the amount of the bounty or grant to PC strand producers, we computed the interest on the working capital loans using the 10 percent rate under the privileged circuit program, less commissions and fees, and compared it with the interest using an average rate or the rate received commercially by each of the firms on loans on similar duration. The differential for each firm was prorated over that firm's total exports of all products.

Programs Preliminarily Determined Not To Be Bounties or Grants to PC Strand Manufacturers, Producers, and Exporters

We preliminarily determine that the government of Spain is not providing bounties or grants to its manufacturers, producers, and exporters of PC strand under the following:

1. *Desgravacion Fiscal A la Exportacion (DFE)*. Spain employs a

cascading tax system that is a turnover tax (IGTE) levied on each sale of a product through its various stages of production, up to (but not including) the ultimate sale at the retail level. The DFE is the mechanism used in Spain for the rebate of these accumulated taxes (hereafter referred to as 'indirect taxes') upon exportation of that product.

In this case we have determined that the DFE is a non-excessive rebate of indirect taxes paid on items physically incorporated into PC strand since those payments meet the requirements of our three-prong test. That test, consisting of three lines of inquiry, all of which must be answered in the affirmative in order to find that an export payment such as the DFE is not a subsidy, was supported by a recent Court of International Trade determination (*Industrial Fasteners Group, American Importers Association v. United States*, 2 CIT —, Slip Op. 81-99, October 29, 1981) and involves ascertaining the following:

(1) Whether the (export payment) operates for the purpose of rebating indirect taxes, (2) whether there is a clear link between eligibility for (export payments) and payment of indirect taxes, and (3) whether the government has reasonably calculated and documented the actual indirect tax incidence borne by (exported products) and has demonstrated a clear link between such tax incidence and the amount of the (export payment).

In the instant case we find that the Spanish government has reasonably calculated the DFE payments to be rebated to exporters by utilizing an elaborate input-output matrix of the economy which defines indirect tax incidences on a sectoral basis. The fiscal scheme of border taxation which evolves from this input-output system is used to ascertain the DFE rebate for specific products.

To demonstrate the actual indirect tax incidence on PC strand the government of Spain provided a "structure of cost" analysis of the product, which identified inputs incorporated into the product and the indirect tax incidence burdening each input. It was this "structure of cost" analysis which we verified to establish what inputs were physically incorporated into the final product in order to determine the proper level of indirect taxes.

The "structure of cost" indicated that steel wire rod, the major input physically incorporated into PC strand, accounted for approximately 75% of the total cost of producing the product. Three other inputs (lead, packing and other materials) accounted for approximately 1.95% of the total cost. The remaining factors included in the cost of producing PC strand were not

identified in this "structure of cost" and therefore these other factors were not considered in the calculation of the total indirect tax incidence of items physically incorporated into the production of PC strand. We did verify from company production records, however, the inputs and their relationship to the total cost of the finished product. Our verification of these figures at EMESA and TYCSA showed the "structure of cost" inputs and percentages to be correct. Based on the 1980 IGTE tax rate of 2.4% which we verified as accurate, the total indirect tax burden (including two final stage taxes) on PC strand in 1980 was 12.55%. The DFE rate in 1980 did constitute an over-rebate of indirect taxes because the DFE rebate for PC strand was 15.5 percent. However, in January, 1981, the government of Spain increased the IGTE tax rate by 58 percent to 3.8 percent, making the 1981 indirect tax burden on PC strand 19.74 percent. A further increase in the IGTE tax rate in January, 1982, to 4.6 percent increased the indirect tax burden to 23.92 percent. As a result of the increases in the tax rate, the over-rebate was eliminated. Our determination is based on the most recent period for which complete information is available. We preliminarily find, therefore, that the current DFE rebate of 15.5 percent is less than the indirect tax burden borne by this product in 1981 and 1982 and therefore, in the case, the DFE is not a benefit which constitute a bounty or grant.

2. Benefits to the Steel Industry. One of the allegations raised by petitioner is that manufacturers of PC strand benefited from indirect subsidies by purchasing wire rod or billets from subsidized Spanish steel makers. The Department has verified that both EMESA and TYCSA purchased only steel wire rod for their strand production and that these purchases were made from a variety of unrelated domestic and international suppliers at prices which were reasonably comparable. Our verification indicates that these purchases were arms-length transactions. We, therefore, have preliminarily determined that these manufacturers of PC strand are not receiving benefits which constitute bounties or grants as a result of their transactions with unrelated steel wire rod suppliers.

Programs Preliminarily Determined To Be Not Applicable Or Not Utilized By PC Strand Manufacturers, Producers, or Exporters

We preliminarily determine that the following programs, which were

described in the notice of initiation, are not applicable or not utilized by the PC strand producers:

1. Certain Privileged Circuit Exporter Credits—Those privileged circuit programs alleged by the petitioner but not utilized by P.C. strand producers are:
 - (a) Commercial Services Loans,
 - (b) Short-Term Export Credit,
 - (c) Prefinancing of Exports.
2. Warehouse Construction Loans.
3. Export Credit Insurance.
4. Other benefit programs included in this investigation from prior Spanish countervailing duty cases.

Verification

In accordance with section 766(a) of the Act, we verified the information submitted in the original response and relied upon in this determination. We used normal verification procedures to verify the government response. This included inspection of government documents, discussions with government and trade association officials, and on-site inspection of the manufacturers' operations and records.

Preliminary Determination

As a result of our investigation, we preliminarily determine that the government of Spain provides its manufacturers, producers, and exporters of prestressed concrete steel wire strand with bounties or grants estimated to be 1.44 percent of the f.o.b. value of this merchandise.

Suspension of Liquidation

In accordance with section 703 of the Act, we are directing the U.S. Customs Service to suspend, upon publication of this notice, the liquidation of all entries, or warehouse withdrawals for consumption of the merchandise subject to this investigation and to require a cash deposit, bond or other security in the amount of 1.44 percent ad valorem. This suspension will remain in effect until further notice.

Public Comment

In accordance with § 355.35 of the Commerce Department's regulations, we will hold a public hearing, if requested, on April 29, 1982, at 10:00 a.m. in Conference Room A of the Commerce Department building, to afford interested parties an opportunity to comment on this preliminary determination. All requests for hearings must be submitted within ten days of this notice's publication to the Deputy Assistant Secretary for Import Administration, at the U.S. Department of Commerce, Room 3099B, 14th Street and Constitution Avenue, N.W.,

Washington, D.C. 20230. They should contain: (1) the party's name, address, and telephone number; (2) the number of participants; (3) the reason for attending; and (4) a list of the issues to be discussed. In addition, prehearing briefs must be submitted to the Deputy Assistant Secretary for Import Administration by April 26, 1982. Oral presentations will be limited to the issues discussed in the briefs.

All written views should be filed in accordance with 19 CFR 355.43, within thirty days of this notice's publication, at the above address, and in at least ten copies.

This determination is published in accordance with section 703(f) of the Act (19 U.S.C. 1671b(f)).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

April 5, 1982.

[FR Doc. 82-9828 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-25-M

Anhydrous Sodium Metasilicate From France; Final Results of Administrative Review of Antidumping Duty Order

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of final results of administrative review of antidumping duty order.

SUMMARY: On November 12, 1981, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on anhydrous sodium metasilicate from France. The review covered the only known exporter of this merchandise and the period November 1, 1980 through May 31, 1981.

Interested parties were provided an opportunity to submit written comments and/or request a hearing. The exporter requested a hearing which was held on December 16, 1981. As a result of this hearing and post-hearing briefs, the Department affirms its preliminary determination that ASM mixed with caustic soda beads or with sodium tripolyphosphate is within the scope of this order.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT: Valerie Newkirk or John Kugelman, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-5345/5289).

SUPPLEMENTARY INFORMATION:

Background

On January 7, 1981, an antidumping duty order with respect to anhydrous

sodium metasilicate ("ASM") from France was published in the *Federal Register* (46 FR 1667-8). On November 12, 1981, the Department of Commerce ("the Department") published in the *Federal Register* a notice of the preliminary results of its administrative review of the order (46 FR 55737). The Department has now completed that administrative review.

Scope of the Review

Imports covered by the review are shipments of anhydrous sodium metasilicate, a crystalline silicate (Na_2SiO_3) which is alkaline and readily soluble in water. Uses include waste paper de-inking, ore flotation, bleach stabilization, clay processing, medium or heavy duty cleaning, and compounding into other detergent formulations. ASM is currently classifiable under item 421.3400 of the Tariff Schedules of the United States Annotated (TSUSA).

The review covers the only known exporter of this merchandise, Rhone-Poulenc, S.A., and the period November 1, 1980 through May 31, 1981. The preliminary results notice stated there were no importations of this merchandise during the review period and no known unliquidated entries.

Analysis of Comments Received

After publication of the preliminary results, the respondent requested a hearing which was conducted by the Department on December 16, 1981.

The respondent argued that two proprietary products, one a mixture of ASM and caustic soda beads and the other a mixture of ASM with sodium tripolyphosphate, should not be within the scope of this order, if exported to the United States, for the following reasons:

1. The products are substantially different from ASM in physical and chemical characteristics, and are therefore not of the same class or kind;
2. The products are different from ASM in both a commercial and tariff sense;
3. The products would have different brand names, characteristics, and uses.

The respondent also contended that tariff precedents alone cannot be used to establish whether a product is part of the class or kind of merchandise covered by an order, that the International Trade Administration does not have the authority to amend or modify the class or kind of merchandise, and that the ITA cannot impose antidumping duties on the ASM content of the proprietary products.

The petitioner, on the other hand, argued that no new chemical entity is formed in producing the two mixtures because no chemical reaction takes

place. The products have the same uses and customers as ASM. There is no economic advantage to the customers in premixing ASM with caustic soda beads or sodium tripolyphosphate. The petitioner agreed with Rhone-Poulenc that antidumping duties should not be imposed on the ASM content of the two products but rather, in the petitioner's view, on the entire product as imported.

The Department affirms that these two products have physical characteristics sufficiently similar to ASM to be of the same class or kind of merchandise. The channels of trade in which the merchandise would move, if imported, would be the same, and the purchasers' expectations of product performance would be the same.

Final Results of the Review

As a result of our analysis of these comments, the final results of our review are the same as our preliminary results of review. We therefore determine that ASM, whether imported separately or mixed with caustic soda beads or with sodium tripolyphosphate, is within the scope of this order.

Further, as provided for by § 353.48(b) of the Commerce Regulations, a cash deposit of estimated antidumping duties, of 60 percent of the entered value, shall be required on all shipments of ASM from France entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results. For any shipments from a new exporter not covered in this administrative review, unrelated to the covered firm, a cash deposit shall be required at the 60 percent rate. These deposit requirements shall remain in effect until publication of the next administrative review. The Department intends to conduct the next administrative review by the end of January 1983. The Department encourages interested parties to review the public record and submit applications for protective orders, if desired, as early as possible during the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce regulations (19 CFR 353.53).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

April 6, 1982.

[FR Doc. 82-9834 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-25-M

Portland Cement, Other Than White, Nonstaining Portland Cement, From the Dominican Republic; Preliminary Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of antidumping finding.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping finding on portland cement, other than white, nonstaining portland cement, from the Dominican Republic. The review covers the one known producer or exporter of this merchandise to the United States and the period from June 1, 1980 through May 31, 1981. There were no known shipments to the U.S. of this merchandise during the period and there are no known unliquidated entries for this time period.

As a result of the review, the Department has preliminarily determined to require cash deposits of estimated antidumping duties on future entries equal to the calculated margins on the last known shipments. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT: Dennis U. Askey or David R. Chapman, Office of Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-4793/2657).

SUPPLEMENTARY INFORMATION:

Background

On May 7, 1981, the Department of Commerce ("the Department") published in the *Federal Register* (46 FR 25677) the final results of its first administrative review of the antidumping finding on portland cement, other than white, nonstaining portland cement, from the Dominican Republic and announced its intent to conduct the next administrative review by the end of May, 1982. As required by section 751 of the Tariff Act of 1930 ("the Tariff Act"), the Department has now conducted that administrative review.

Scope of the Review

Imports covered by the review are shipments of portland cement, other than white, nonstaining portland cement, currently classifiable under item numbers 511.1420 and 511.1440 of the Tariff Schedules of the United States Annotated (TSUSA). The Department

knows of one producer/exporter of such cement from the Dominican Republic to the United States. That firm is Fabrica Dominicana de Cemento, C. por A. The review covers the period June 1, 1980 through May 31, 1981. There were no known shipments and there are no known unliquidated entries for this period. The firm did not answer our questionnaire for the period. We therefore used the best information available to determine the estimated cash deposit rate. The best information available is the most recent rate for the firm.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that a margin of 58.33 percent exists.

Interested parties may submit written comments on these preliminary results within thirty days of the date of publication of this notice and may request disclosure and/or a hearing within ten days. A hearing, if requested, will be held on the thirtieth day after publication, or the first workday thereafter. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

Further, as provided for by § 353.48(b) of the Commerce Regulations, a cash deposit of estimated antidumping duties based upon the most recent information available, that is, 58.33 percent, will be required on all shipments of this merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. This deposit requirement shall remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce regulations (19 CFR 353.53).

Gary N. Horlick,
Deputy Assistant Secretary for Import Administration.

April 6, 1982.
[FR Doc. 82-9832 Filed 4-9-82; 8:45 am]
BILLING CODE 3510-25-M

Sugar and Syrups From Canada; Preliminary Results of Administrative Review of Antidumping Duty Order

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of antidumping duty order.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping duty order on sugar and syrups from Canada. The review covers the seven known manufacturers and exporters of this merchandise to the United States and various periods through March 31, 1981. The review indicates the existence of dumping margins for all firms.

As a result of the review, the Department has preliminarily determined to assess dumping duties for two firms equal to the calculated differences between United States price and foreign market value on their shipments during the periods of review. For the three firms which failed to respond or provided an inadequate response, the Department has used the best information available. For the two firms which had no shipments during the periods, the cash deposit rate will be their rates calculated during the original fair value investigation, since this is the most recent information for these firms. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT: Betty H. Laxague or John R. Kugelman, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-5222/5289).

SUPPLEMENTARY INFORMATION:

Background

On May 22, 1981, the Department of Commerce ("The Department") published in the *Federal Register* (46 FR 27985) the final results of its administrative review of the antidumping duty order on sugar and syrups from Canada (45 FR 24126-7, April 9, 1980) and announced its intent to conduct the next administrative review by the end of April 1982. As required by section 751 of the Tariff Act of 1930 ("the Tariff Act"), the Department has now conducted that administrative review.

Scope of the Review

The imports covered by the review are shipments of sugar and syrups produced from raw sugar derived from sugar cane and sugar beets. The sugar is refined into granulated or powdered sugar, icing, or liquid sugar. Sugar and syrups are currently classifiable under items 155.2025, 155.2045, and 155.3000 of the Tariff Schedules of the United States Annotated (TSUSA).

The Department knows of seven Canadian firms engaged in the export of

sugar and syrups to the United States. This review covers those firms for various periods through March 31, 1981.

Two firms stated that they did not export sugar and syrups during their review period. The estimated duty deposit rate for these two firms is the rate calculated for each during the original fair value investigation, since this is the most recent information available. One firm investigated at fair value, St. Lawrence Sugar, Ltd., provided an inadequate response to the Department's questionnaire. For this firm we proceeded to use the best information available. The best information available is the highest rate for responding firms with shipments in the current period, as it is higher than the fair value rate, which is the most recent information for the firm. Two new firms for which no information is available, Lentzco Ltd. and Scott Paper Co., Ltd., failed to respond or provided an inadequate response to the Department's questionnaire. For these non-responsive firms we proceeded to use the best information available. The best information available is the highest current rate for responding firms with shipments, which is higher than the highest fair value rate.

United States Price

In calculating United States price the Department used purchase price, as defined in section 772 of the Tariff Act. Purchase price was based on the packed, delivered price to unrelated purchasers in the United States, with deductions, where applicable, for U.S. duty, brokerage, cash discounts, commissions to unrelated parties, and U.S. and Canadian inland freight. An addition was made for Customs duty paid upon importation into Canada of raw material used to produce the exported product, which duty was rebated upon exportation of the merchandise to the United States.

No other adjustments were claimed or allowed.

Foreign Market Value

In calculating foreign market value the Department used home market price, as defined in section 773 of the Tariff Act, since sufficient quantities of such or similar merchandise were sold in the home market to provide a basis for comparison. The foreign market value was based on the FOB factory, packed price, with adjustments for packing and for differences in the merchandise as provided for in section 353.16 of the Commerce Regulations. No other adjustments were claimed or allowed.

Preliminary Results of the Review

As a result of our comparison of United States price to foreign market value, we preliminarily determine that the following margins exist:

Canadian exporter	Time period	Margin
Atlantic Sugar, Ltd.	04/01/80-03/31/81	U.S. \$0.0229 per pound.*
B.C. Sugar.....	04/01/80-03/31/81	U.S. \$0.010105 per pound.*
F.W. Jones & Son.....	04/01/80-03/31/81	0.367 pct.
Lentzco Ltd.....	11/08/79-03/31/81	17.33 pct.
Redpath Sugars Ltd.....	04/01/80-03/31/81	17.33 pct.
Scott Paper Co., Ltd.....	04/09/80-03/31/81	17.33 pct.
St. Lawrence Sugar, Ltd.....	04/01/80-03/31/81	17.33 pct.

* No shipments during the period.

Interested parties may submit written comments on those preliminary results on or before May 12, 1982 and may request disclosure and/or a hearing on or before April 22, 1982. Any hearing, if requested, will be held within 30 days after publication of this notice or the first workday thereafter. Any request for an administrative protective order must be made no later than five days after the date of publication. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

The Department shall determine, and the U.S. Customs Service shall assess, dumping duties on all appropriate entries made with purchase dates during the time periods involved. Individual differences between United States price and foreign market value may vary from the percentages stated above. The Department will issue appraisal instructions on each exporter directly to the Customs Service.

Further, as provided for by § 353.48(b) of the Commerce Regulations, a cash deposit based upon the margins calculated above shall be required on all shipments by these firms of sugar and syrups from Canada entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. Since the margin for F.W. Jones & Son is less than 0.5 percent and therefore *de minimis*, the Department is waiving the deposit requirement for this firm. These deposit requirements and waiver shall remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1))

and § 353.53 of the Commerce regulations (19 CFR 353.53).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 82-9833 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-25-M

Synthetic Methionine From Japan; Final Results of Administrative Review and Clarification of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of final results of administrative review and clarification of antidumping finding.

SUMMARY: On August 13, 1981, the Department of Commerce published the preliminary results of its administrative review of the antidumping finding on synthetic methionine from Japan. This review covers the 34 known producers, exports and third country shippers of this merchandise to the United States for various time periods through June 30, 1980.

Interested parties were given an opportunity to submit oral or written comments, and a public hearing was conducted on September 29, 1981. Based on comments received and an International Trade Commission determination that no industry in the U.S. would be materially injured or threatened with material injury by reason of importations of synthetic L methionine, the Department has excluded two firms and has made adjustments to the margins for seven other firms. The margins in the preliminary results remain unchanged for all other firms.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT: Susan M. Crawford or Robert J. Marenick, Office of Compliance, International Trade Administration, Department of Commerce, Washington, D.C. (202-377-2209/2496).

SUPPLEMENTARY INFORMATION:

Background

On July 10, 1973, a dumping finding with respect to synthetic methionine from Japan was published in the Federal Register as Treasury Decision 73-188 (38 FR 18392). On August 13, 1981, the Department of Commerce ("the Department") published in the Federal Register the preliminary results of its administrative review of the finding (46 FR 40913-14). The Department has now completed that administrative review.

Scope of the Review

Imports covered by the review are shipments of synthetic methionine, other than synthetic L methionine. Synthetic methionine here is an amino acid produced in 2 grades, DL methionine National Formula grade (used for research and pharmaceutical purposes), and DL methionine feed grade (used as a feed additive). Both grades of synthetic methionine are currently classifiable under item 425.0420 of the Tariff Schedules of the United States Annotated (TSUSA). The Department knows of a total of 34 Japanese firms and third country shippers engaged in the manufacture and exportation of Japanese synthetic DL methionine to the United States. This review covers separate time periods for each of the firms through June 30, 1980.

The preliminary results of review covered 36 exporters and third country shippers and 3 grades of synthetic methionine. On July 27, 1981, the International Trade Commission ("ITC") determined that no industry in the U.S. would be materially injured or threatened with material injury, nor will the establishment of an industry in the U.S. be severely retarded, by reason of imports of Japanese synthetic L methionine, one of the grades covered by the original finding. The ITC recommended that the finding be revoked as to unliquidated entries of synthetic L methionine entered, or withdrawn from warehouse, for consumption on or after July 10, 1973, the date of the finding. The Department concurs with the ITC's recommendation. Accordingly, in these final results we excluded two firms that since 1973 solely exported synthetic L methionine and, where appropriate, have adjusted the margins of those firms that exported other types in addition to synthetic L Methionine. The firms affected by this decision are:

- (1) Ajinomoto Co.
- (2) Chugai Boyeki Co.
- (3) Kyowa Hakko Kogo Co.
- (4) Nagase & Co.*
- (5) Tanabe Seiyaku Co., Ltd.*

Analysis of Petitioner's Comments

We received comments from the petitioner, Monsanto Industrial Chemical Co.

(1) *Comment:* The petitioner resubmitted an earlier request that the Department investigate an exchange agreement between AEC Corporation, a subsidiary of Rhone Poulenc, a French firm, and Mitsui & Co., Japan to ensure that the agreement does not circumvent

the dumping finding. Based on confidential information released under an administrative protective order, and import statistics, the petitioner proposed certain circumstances, such as Japanese manufactured chemical intermediates exported to France for further processing into synthetic methionine for exportation to the U.S., that might constitute circumvention.

Position: Subsequent to the hearing, the Department contacted Rhone Poulenc to obtain information concerning its agreement with Mitsui. The Department will investigate further, if warranted.

(2) *Comment:* The deduction from foreign market value for inland freight is improper because it is contrary to the Tariff Act of 1930 ("the Tariff Act").

Position: In making a fair and equitable comparison, the Department believes it is necessary to reduce the United States price and foreign market value being compared to comparable terms. In its simplest form, the calculation will ordinarily be made by taking the ex-factory price for both the sale to the U.S. and for home consumption. In adjusting foreign market value pursuant to section 773(a)(4) of the Tariff Act for differences in circumstances of sale, to permit a fair value comparison on comparable terms, the Department followed a long-standing administrative practice with regard to inland freight.

(3) *Comment:* Mitsui, Japan's small amount of interest in the manufacturer, Nippon Soda, is not sufficient indication that Mitsui has a controlling interest in Nippon Soda to make Mitsui the "exporter" under section 206 of the Antidumping Act of 1921 ("the 1921 Act"). Accordingly, when analyzing sales by Nippon Soda through Mitsui, the Department should use purchase price rather than exporter's sales price ("ESP"), since the sale is made prior to the date of exportation. Further, the Department's use of the ESP offset is contrary to law and must not be allowed as an adjustment to foreign market value.

Position: The Department maintains that its use of ESP is in accordance with section 207(2) of the 1921 Act since Mitsui, Japan does have qualifying interest in the producer, Nippon Soda Co., Inc. We made adjustments for the ESP offset in accordance with section 153.10 of the Customs Regulations. The exporter's sales price offset is intended to permit an equitable adjustment to foreign market value where a comparable expense is required by section 204(3) of the 1921 Act to be deducted from U.S. price. The use of the ESP offset is a long-standing practice which Congress, in its amendments to

the antidumping law in 1974 and 1979, did not alter or bar.

(4) *Comment:* The Department's choice of home market country bases of comparison when analyzing sales exported by third country shippers such as Karl O. Helm A.G., W. Germany are contrary to the antidumping statute. The purpose of the statute is to determine whether a class or kind of foreign merchandise is being sold at a price that is less than the price for that merchandise in the home market where it is produced. There is no basis in the statute for treating the third country as the country of exportation. Therefore, rather than compare the third country shipper's price to the U.S. with its price to an unrelated customer in its home market, the Department should calculate purchase price by deducting all charges (ocean freight, etc.) from Japan and compare it to the Japanese supplier's home market price.

Position: While the normal basis for determination is the price of the merchandise in the country of production and exportation, this approach is not necessary or appropriate in situations in which the merchandise in question is not destined for the United States when exported from the country of production and not merely transshipped through a third country to the United States. Absent substantial transformation of this product in a third country, the fact that it has entered the commerce of that country does not remove it from the scope of the finding, but does, in the Department's view, alter the appropriate basis for determination of foreign market value to sales of such or similar merchandise in the home market of that third country, or, as appropriate, to other countries. While this approach is not specifically addressed in the Tariff Act, it is consistent with the statute. Further, it is in accordance with Article 2, section 3 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade ("the Antidumping Code"), which states that in instances where merchandise is produced in one country and exported from a third country "the price at which the products are sold from the country of export to the country of importation shall normally be compared with the comparable price in the country of export." Our records indicate that under these circumstances the Japanese producer does not know the destination of the merchandise upon sale to Helm (or other third country shippers). Therefore, the Department maintains purchase price is determined on the basis of the third country shipper to the

* Exclude—Only exported synthetic L methionine.

first unrelated purchaser in the U.S. and foreign market value on the basis of the third country shipper's home market price or its price to other third countries if its home market quantities are insufficient. The foregoing does not preclude the Department from using Japanese home market prices or costs in situations in which we conclude that the merchandise is transhipped through a third country or that the Japanese seller knew or should have known that all or a part of the merchandise was destined for the United States.

Analysis of Respondents' Comments

(5) *Comment:* The Department should calculate the weighted average margin used for cash deposit purposes by dividing the sum of dumping margins by the sum of foreign market values, rather than the sum of U.S. prices.

Position: The Department, and previously the Customs Service, has traditionally calculated the weighted average dumping margin, which is now used as the basis for deposit of estimated duties, as the sum of the duties due divided by the sum of the value of all U.S. sales. The respondent's proposed method would lead to an underdeposit of estimated dumping duties.

(6) *Comment:* The Department should accept explanatory information, concerning claimed adjustments for technical assistance and servicing fees, sales commissions, storage fees and discounts on bills (accounts receivable), adjustments it denied in the preliminary results for lack of quantification, and recalculate the foreign market value. The producer argues that its response was consistent with responses submitted prior to 1980 and the claims were allowed by Treasury on the basis of such responses.

Position: The Department granted this request and those of two other firms, since the Department failed to request the data prior to publication of the preliminary results. We recalculated the foreign market value. The claim for discount on accounts receivable was allowed as a directly related circumstance of sale; the storage fees and the technical assistance and servicing fees were included as indirect selling expenses to offset U.S. commissions paid to unrelated purchasers, in accordance with section 153.10 of the Customs Regulations. We denied the claims for sales commissions since the parties are related.

(7) *Comment:* Certain arithmetic corrections should be made.

Position: In instances where arithmetic errors were made, we have made appropriate corrections.

(8) *Comment:* The Department should accept responses to the Department's questionnaire from a firm that failed to respond prior to publication of the preliminary results. The Department should not use the best information available for cash deposit and appraisal purposes.

Position: The Department considers the response by this firm untimely and will not consider it. Instead the Department is using the best information available.

Final Results of the Review Based on our analysis of the comments received and on the ITC determination concerning synthetic L-methionine, the Department has made adjustments to the margins for seven firms and has excluded two firms.

	Time period	Margin (per-cent)
Manufacturer and exporter		
Ajinimoto Co.....	07/01/78-6/30/80	5.54
Aips Pharmaceutical Co.....	04/01/78-03/31/79	122.54
	04/01/79-06/30/80	122.54
Amano Pharmaceutical Co., Ltd.	02/12/73-06/30/80	48
Chugai Boyeki Co.....	02/12/73-06/30/80	10
Daida Bussan.....	02/12/73-06/30/80	10
Heim.....	02/12/73-06/30/80	11.14
Inui Yakuhin Kogyo.....	04/01/78-03/31/79	10
	04/01/79-06/30/80	10
Isho Corporation.....	07/01/77-06/30/80	10
	09/01/79-06/30/80	10
Iwaki & Co.....	02/12/73-06/30/80	1.69
Koyo Merchantile Co., Ltd.....	08/01/76-03/31/79	0
	04/01/79-06/30/80	10
Kyowa Hakko Kogyo Co.....	02/12/73-12/31/76	30.68
	01/01/77-06/30/80	29.10
Manubeni Corp.....	02/12/73-06/30/80	48
Nippon Kayaku.....	08/01/76-03/31/79	0
	04/01/79-06/30/80	48
Nippon Soda Co., Ltd./Mitsui & Co.....	04/01/78-03/31/79	8.83
	04/01/79-06/30/80	18.83
Nisso Raiho Kogyo & Co., Ltd.	02/12/73-06/30/80	0
K. Sakai & Co.....	02/12/73-06/30/80	0
Sakai Chemical.....	04/01/78-06/30/80	13.43
Sumitomo Chemical Industrial Co.....	04/01/78-07/31/79	10
	08/01/79-06/30/80	10
Tetra Chemicals Co.....	02/12/73-06/30/80	8.4
Third country shipper (country)		
Atlantic Trading Co. (Canada)	01/01/77-06/30/80	10
H. J. Baker & Brothers (West Germany)	02/12/73-06/30/80	0
Chemical & Feeds Ltd. (England)	02/12/73-06/30/80	48
Chemo Dondorff (West Germany)	02/12/73-06/30/80	48
Deutsch-Norwegische GmbH (West Germany)	02/12/73-06/30/80	22.53
Fortamex Chemicals (Canada)	01/01/77-06/30/80	121.66
Karl O. Helm (West Germany)	07/01/73-06/30/76	1.31
	07/01/77-06/30/79	2.86
	07/01/79-06/30/80	12.86
Hoffman La Roche (Canada)	02/12/73-06/30/80	0
Instei Corp. (France)	02/12/73-06/30/80	6.25
MAC Organization (Italy)	02/12/73-06/30/80	0
Mitsui & Co., (Belgium)	02/12/73-06/30/80	0
Mitsui & Co. (United Kingdom)	02/12/73-06/30/80	0
Nutrikem Limited (United Kingdom)	02/12/73-06/30/80	0
Seimsgluss & Shon (West Germany)	02/12/73-06/30/80	48

—Continued

	Time period	Margin (per-cent)
R. W. Unwin & Co. (United Kingdom)	02/12/73-06/30/80	0

¹ No shipments during period.

² Firm no longer exists.

The Department shall determine, and the U.S. Customs Service shall assess, duties on all entries, where appropriate, with purchase/export dates during the periods of review. Individual differences between United States price and foreign market value may vary from the percentages stated above. The Department will separately issue appraisal instructions to the Customs Service.

Further, as provided by § 353.48(b) of the Commerce regulations, a cash deposit based on the most recent of the margins calculated above shall be required on all shipments entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results. For any shipment from a new exporter not covered in this review, unrelated to any covered firm, a cash deposit shall be required at the highest rate for responding firms with shipments during the most recent period in which shipments occurred. These deposit requirements shall remain in effect until publication of the final results of the next administrative review. The Department intends to conduct the next administrative review by the end of July 1982.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce regulations (19 CFR 353.53).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

April 6, 1982.

[FR Doc. 82-9835 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-25-M

Minority Business Development Agency

Birmingham, Ala.; Cooperative Agreement; Soliciting Applications

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 Birmingham, Alabama 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 04-10-82002-01.

Applicants shall be required to contribute at least 10% 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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree St., N.E., Suite 505, Atlanta, Ga., 30309.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director. Telephone: 404/881-4091.

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 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. 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 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, copies of application forms, and applicable regulations 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 who will be held at the above address on April 30, 1982 at 1:30 p.m.

(11,800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-9778 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-21-M

Columbus, Ga.; Cooperative Agreement; Soliciting Applications

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 August 1, 1982 in the Columbus, Georgia 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 04-10-82030-01.

Applicants shall be required to contribute at least 10% 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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director. Telephone: 404/881-4091.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11825 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 0 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 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. 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, copies of application forms, and applicable regulations 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 who will be held at the above address on April 30, 1982 at 1:30 p.m.

(11.800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-9783 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-21-M

Jackson, Miss.; Cooperative Agreement; Soliciting Applications

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 Jackson, Mississippi 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 04-10-82012-01.

Applicants shall be required to contribute at least 10 percent 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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree St., N.E., Suite 505, Atlanta, Ga., 30309.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director, Telephone: 404/881-4091.

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 demonstrate 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 geographical 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 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, copies of application forms, and applicable regulations 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 who will be held at the above address on April 30, 1982 at 1:30 p.m.

(11.800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-9785 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-21-M

Miami-Ft. Lauderdale, Fla.; Cooperative Agreement; Soliciting Applications

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 Miami-Ft. Lauderdale, Fla., SMSA. The cost of the project is estimated to be \$700,000 and maximum federal participation amount is \$630,000. The minimum amount required for non-federal participation is \$70,000. The project number is 04-10-82015-01.

Applicants shall be required to contribute at least 10 percent 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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree St., N.E., Suite 505, Atlanta, Ga. 30309.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director, Telephone: 404/881-4091.

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 résumés 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 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 contributions.

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, time-lines and efficiency.

Include the principle 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 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, copies of application forms, and applicable regulations 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 who will be held at the above address on April 30, 1982 at 1:30 p.m.

(11.800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,

Regional Director.

[FR Doc. 82-9781 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-21-M

Mobile, Ala.; Cooperative Agreement; Soliciting Applications

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 Mobile, Alabama 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 04-10-82010-01.

Applicants shall be required to contribute at least 10 percent 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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency,

1371 Peachtree St., N.E., Suite 505, Atlanta, GA., 30309.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director. Telephone: 404/881-4091.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of this Announcement

Executive Order 11825 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 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 charged 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. 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 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, copies of application forms, and applicable regulations 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 who will be held at the above address on April 30, 1982 at 1:30 p.m.

(11.800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-9779 Filed 4-9-82; 8:35 am]

BILLING CODE 3510-21-M

Montgomery, Ala.; Cooperative Agreement; Soliciting Applications

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 Montgomery, Alabama 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 04-10-82019-01.

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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree St., N.E., Suite 505, Atlanta, Ga., 30309.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director. Telephone: 404/881-4091.

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 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 contracts 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 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. 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 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, copies of application forms, and applicable regulations 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 who will be held at the above address on April 30, 1982 at 1:30 p.m.

(11,800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-9780 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-21-M

Savannah, Ga.; Cooperative Agreement; Soliciting Applications

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 August 1, 1982 in the Savannah, Georgia 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 04-10-82031-01.

Applicants shall be required to contribute at least 10% 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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree St., N.E., Suite 505, Atlanta, Georgia 30309.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director, Telephone: 404/881-4091.

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 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. 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 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, copies of application forms, and applicable regulations 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 above address on April 30, 1982 at 1:30 p.m.

(11.800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-9784 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-21-M

West Palm Beach, Fla.; Cooperative Agreement; Soliciting Applications

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 West Palm Beach, Fl. 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 04-10-82018-01. Applicants shall be required to contribute at least 10 percent 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: May 14, 1982.

ADDRESS: Atlanta Regional Office, Minority Business Development Agency, 1371 Peachtree St., N.E., Suite 505, Atlanta, Ga., 30309.

FOR FURTHER INFORMATION CONTACT: Charles F. McMillan, Regional Director. Telephone: 404/881-4091.

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 organization, 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; and 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 charged 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. 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 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, copies of application forms, and applicable regulations 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 who will be held at the above address on April 30, 1982 at 1:30 p.m.

(11,800 Minority Business Development
(Catalog of Federal Domestic Assistance))

Dated: April 5, 1982.

Charles F. McMillan,
Regional Director.

[FR Doc. 82-9782 Filed 4-9-82; 8:45 am]

BILLING CODE 3510-21-M

DEPARTMENT OF DEFENSE**Defense Intelligence Agency****Privacy Act of 1974; Deletion of a System Notice**

AGENCY: Defense Intelligence Agency, DOD.

ACTION: Notice of deletion of a system notice.

SUMMARY: The Defense Intelligence Agency proposes to delete the system notice for system of records, LDIA 0819, entitled: DIA Financial Management. The system is no longer maintained by the Defense Intelligence Agency as the functions recorded were transferred to the Department of the Air Force.

DATES: This notice shall be deleted immediately.

ADDRESSES: Send any comments to the System Manager identified in the system notice below.

FOR FURTHER INFORMATION CONTACT: Helen E. Shuford, Chief, Administrative Services Branch, (RTS-1B) Defense Intelligence Agency, B112-Cafritz Building, Washington, D.C. 20301.

SUPPLEMENTARY INFORMATION: The Defense Intelligence Agency systems of records notices as prescribed by the Privacy Act have been published in the Federal Register at:

FR Doc. 82-674 (47 FR 2544) January 18, 1982

M. S. Healy,
OSD Federal Register Liaison Officer,
Department of Defense.
April 6, 1982.

Deletions**LDIA 0819**

System Name: DIA Financial Management (46 FR 6628).

Reason: System no longer maintained by the Defense Intelligence Agency as functions transferred to the Department of the Air Force. Only one record remains and it is not filed by a personal identifier.

[FR Doc. 82-9043 Filed 4-9-82; 8:45 am]

BILLING CODE 3810-01-M

Department of the Navy**Privacy Act of 1974; Amendments to Systems of Records Notices**

AGENCY: Department of the Navy (DON), DOD.

ACTION: Amendment of three systems of records notices.

SUMMARY: The Department of the Navy proposes to amend the notices for three systems of records notices in its inventory of systems of records subject to the Privacy Act of 1974. The proposed changes followed by amended section of the notices in their entirety are set forth below.

DATE: The proposed actions will be effective without further notice on May 12, 1982, unless comments are received which would result in a contrary determination.

ADDRESSES: Any comments, to include written data, views or arguments concerning the actions proposed should be addressed to the systems managers identified in the systems notices.

FOR FURTHER INFORMATION CONTACT: Mrs. Gwendolyn R. Aitken, Privacy Act Coordinator, Office of the Chief of Naval Operations (OP-09B1P), Department of the Navy, The Pentagon, Washington, D.C. 20350. Telephone: 202/694-2004.

SUPPLEMENTARY INFORMATION: The Department of the Navy inventory of systems of records notices as prescribed by the Privacy Act of 1974, Title 5, United States Code Section 552a (Pub. L. 93-579, 88 Stat. 1896 et seq.), was published in the Federal Register at:

FR Doc. 81-674 (47 FR 2574) January 18, 1982.

M. S. Healy,
OSD Federal Register Liaison Officer,
Department of Defense.
April 6, 1982.

N01500-7

System name: DODCI Lecture-Instructor Inventory System (47 FR 2655) January 18, 1982.

Changes:

Categories of records in the system: At the end of the entry, add the following sentence: "In addition to the items on disk, a manual file is maintained which is a record summary form containing the names of DODCI instructors and the number of lectures and/or laboratory hours they present in resident or onsite classes each quarter."

Authority for maintenance of the system: At the end of the phrase, add the following phrase: " * * * and 10 U.S.C. 5031."

Routine uses of records maintained in the system, including categories of users and the proposes of such uses: At the end of the entry, add the following sentence: "The Records Summary Form is used to evaluate the instructor's workloads and to assist in preparing the performance evaluation reports."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: At the end of the entry, add the following sentence: "The Record Summary Form is maintained in paper copy in file cabinets."

Retention and disposal: At the end of the entry, add the following sentence: "The Record Summary Form is retained for two years and then destroyed."

System manager(s) and address: At the end of the first sentence, add the following: " * * * for the records maintained on magnetic disks. The Scheduling/Reproduction Officer, for the Record Summary Form."

Record source categories: At the end of the entry, add the following sentence: "The information contained on the Instructor Hour Record forms are extracted from teaching schedules prepared on each course of instruction."

N05521-1**System name:**

Access Control System (47 FR 2690) January 18, 1982.

Changes:

Categories of individuals covered by the system:

Delete the entire entry and substitute with the following: "Individuals

considered or seeking consideration for access to space under the control of the Department of the Navy and any visitor (military civilian, contractor) requiring access to a naval base/activity."

Categories of records in the system:

Delete the entire entry and substitute with the following: "Visit requests for permission to transact commercial business, visitor clearance data for individuals to visit a naval base/activity; barring lists and letters of exclusion; and badge/pass issuance records."

Authority for maintenance of the system:

Add the following phrase at the end of the sentence: " * * * and E.O. 9397."

NO7401-1

System name:

Slot Machine Winners (47 FR 2724) January 18, 1982.

Changes:

System name:

At the end of the subject, delete the word "winners" and add the following phrase: " * * */Bingo Winners."

Categories of individuals covered by this system:

At the end of the entry, add the following phrase: " * * * or paid monies/prizes for winnings associated with bingo."

Categories of records in the system:

After the first word "Jackpot" in the entry, add the words: " * * * and bingo * * * ". In the third line, after the word "jackpot," add the phrase " * * * and bingo * * * ".

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the first line after the word "monies," insert the following phrase: " * * * and items of merchandise * * * ". In the third line after the word "jackpots," insert the phrase: " * * * and bingo games * * * ". Under the paragraph entitled "Uses," after the word "expenditures," delete the remainder of the phrase and insert the phrase " * * * and merchandise inventories associated with slot machine jackpots and bingo games."

Notification procedures:

At the end of the entry, add the following phrase: " * * * and bingo winnings."

Record access procedures:

At the end of the first sentence in this entry add the following phrase: " * * * and bingo winnings." At the end of the second sentence in this entry, add the phrase: " * * * and bingo winners."

Record source categories:

At the end of the entry, add the phrase: " * * * and bingo payout control sheets."

The amended portions of the systems of records are set forth below:

NO1500-7

SYSTEM NAME:

DODCI Lecture-Instructor Inventory System

CATEGORIES OF RECORDS IN THE SYSTEM:

Two disk files comprise the system of records. First master file contains instructor's name, functional group assignment code, projected date of departure; list of lectures instructor gives. Second master file contains lecture I.D., title, lecture primary, instructors giving the lecture. In addition to the items on disk, a manual file is maintained which is a record summary form containing the names of DODCI instructors and the number of lectures and/or laboratory hours they present in resident or on-site classes each quarter.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301 and 10 U.S.C. 5031.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Provides the ability for functional managers to generate a list of instructors along with the associated lectures in which they are proficient or to specify a lecture title and determine which instructors are capable of presentation. This provides assistance in assigning instructors to course schedules, teams for on-site course presentations, determining lectures which are critical in flexibility of assignment, planning instructor assignments in the order of lecture priority. The Records Summary Form is used to evaluate the instructor's workloads and to assist in preparing the performance evaluation reports.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on magnetic disks in a computer data base. The Record

Summary Form is maintained in paper copy in file cabinets.

RETENTION AND DISPOSAL:

The system data base is retained indefinitely. Revisions are in continuous process, e.g., instructors' names being added upon arrival and deleted on departure, lecture titles added or deleted as they are developed or discontinued, lecture presentation capability expanded or deleted as appropriate. The Record Summary Form is retained for two years and then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Manager, Computer Support Office, DOD Computer Institute, Building 175, Washington, DC 23074 for records maintained on magnetic disks. The Scheduling/Reproduction Officer, for the Record Summary Form.

RECORD SOURCE CATEGORIES:

DODCI functional managers maintain system and periodically revise data base by entering new data and deleting discontinued information. Additionally, the systems manager can enter information affecting printout format and contents. The information contained in the Instruction Hour Record forms are extracted from teaching schedules prepared on each course of instruction.

NO5521-1

SYSTEM NAME:

Access Control System

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals considered or seeking consideration for access to space under the control of the Department of the Navy and any visitor (military, civilian, contractor) requiring access to a naval base/activity.

CATEGORIES OF RECORDS IN THE SYSTEM:

Visit requests for permission to transact commercial business; visitor clearance data for individuals to visit a naval base/activity; barring lists and letters of exclusion; and badge/pass issuance records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301 Departmental Regulations and E.O. 9397.

N07401-1

SYSTEM NAME:

Slot Machine/Bingo Winners
* * * * *

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individual U.S. citizens 18 years of age and older who are paid monies for winnings associated with slot machine jackpots or paid monies/prizes for winnings associated with bingo.

CATEGORIES OF RECORDS IN THE SYSTEM:

Jackpot and bingo payout control sheet indicating individual name, grade, SSAN, duty station, dates and amounts of jackpot and bingo monies paid are maintained at each location.
* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To account for and control monies and items of merchandise paid to individual winners of slot machines jackpots and bingo games and as a basis for IRS Form 1099 reporting on individuals whose winnings are six hundred dollars or more during a calendar year.

USER: Navy and Marine Corps shore activities where slot machine have been approved by the Chief of Naval Personnel or the Commandant of the Marine Corps.

USES: Provides a means of paying, recording, accounting for, reporting, and controlling expenditures and merchandise inventories associated with slot machine jackpots and bingo games.
* * * * *

NOTIFICATION PROCEDURES:

Individuals are notified via IRS Form 1099 if their jackpot and bingo winnings are six hundred dollars or more in a calendar year. An individual can contact the applicable systems manager on matters concerning their jackpot and bingo winnings.

RECORD ACCESS PROCEDURES:

Individuals have access to information applicable to their individual jackpot and bingo winnings. Officials such as IRS, Auditor and etc., have access to information applicable to all jackpot and bingo winners. Access is through the system manager.
* * * * *

RECORD SOURCE CATEGORIES:

Daily jackpot payout sheets and bingo payout control sheets.
* * * * *

[FR Doc. 82-9842 Filed 4-9-82; 8:45 am]

BILLING CODE 3810-AE-M

Privacy Act of 1974; Notices for Systems of Records; Corrections

AGENCY: Department of the Navy, DOD.

ACTION: Corrections to notices for Systems of Records.

SUMMARY: This document corrects the legal citations contained in the notices for two systems of records, the address for the system location and system manager(s) in five other system notices and the omission of a phrase from another system notice. All eight system notices were published in the Annual DoD Compilation of System notices that appeared in the Federal Register on January 18, 1982 at 47 FR 2574. (FR Doc. 82-674).

FOR FURTHER INFORMATION CONTACT: Mrs. Gwendolyn R. Aitken, Privacy Act Coordinator, Office of the Chief of Naval Operations (OP-09B1P) Department of the Navy, The Pentagon, Washington, D.C. 20350. Telephone: (202) 694-2004.

M.S. Hesly,

OSD Federal Register Liaison Officer,
Department of Defense.

April 6, 1982.

N01001-3

System name:

Reserve Personnel History File (47 FR 2633) January 18, 1982.

Changes:

System location:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

System manager(s) and address:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

N01001-4

System name:

Intelligence Reserve Personnel Management File (47 FR 2634) January 18, 1982.

Changes:

System location:

Delete the entire entry and substitute with the following: "Commander, Naval

Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

System manager(s) and address:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

N01070-2

System name:

Naval Attaché Files (47 FR 2638) January 18, 1982.

Changes:

System location:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

System manager(s) and address:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

N01810-1

System name:

Directory of Retired Regular and Reserve Judge Advocates (47 FR 2663) January 18, 1982

Changes:

Authority for maintenance of the system:

Delete the entire entry and substitute with the following: "10 U.S.C. 806."

N03810-1

System name:

Naval Intelligence Management Information System (NIMIS) (47 FR 2667) January 18, 1982.

Changes:

System location:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

System manager(s) and address:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

N03834-1

System name:

Special Intelligence Personnel Access File (47 FR 2667) January 18, 1982.

Changes:**System location:**

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

System manager(s) and address:

Delete the entire entry and substitute with the following: "Commander, Naval Intelligence Command, 4600 Silver Hill Road, Washington, DC 20389."

N04060-1**System name:**

Navy and Marine Corps Exchange and Commissary Sales Control and Security Files (47 FR 2668) January 18, 1982

Changes:**Categories of records in the system:**

In the sixth line after the word "correspondence," insert the following phrase: " * * * abuser notification letters."

N05520-3**System name:**

Civilian Personnel Security Files (47 FR 2688) January 18, 1982

Changes:**Authority for maintenance of the system:**

Add the following phrase at the end of the sentence: " * * * and E.O. 9397."

[FR Doc. 82-9844 Filed 4-9-82; 8:45 am]

BILLING CODE 3810-AE-M**Office of the Secretary****Defense Science Board; Meeting**

The Defense Science Board will meet in closed session May 5-6, 1982 in the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on scientific and technical matters as they affect the perceived needs of the Department of Defense.

A meeting of the Board has been scheduled for May 5-6, 1982 to discuss interim findings and tentative recommendations resulting from ongoing Task Force activities associated with Strategic, Tactical, Intelligence/Command, Control and Communications, and Technology Issues. The Board will also discuss plans for future consideration of scientific and technical aspects of specific strategies, tactics, and policies

as they may affect the U.S. national defense posture.

In accordance with 5 U.S.C. App. I Section 10(d) (1976), it has been determined that this Defense Science Board meeting concerns matters listed in 5 U.S.C. 552b(c)(1)(1976), and that accordingly this meeting will be closed to the public.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

April 6, 1982.

[FR Doc. 82-9817 Filed 4-9-82; 8:45 am]

BILLING CODE 3810-01-M**Defense Science Board Task Force on Command Support; Meetings**

The Defense Science Board Task Force on Command Support will meet in closed session on June 1-2, 1982 at the Pentagon, Washington, D.C. 20301.

The mission of the Defense Science Board Task Force is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on overall research, engineering and acquisition issues and to provide long-range guidance in these areas to the Department of Defense.

The Task Force will provide an evaluation of the current technological applications currently employed in the area of command support and will advise upon improvements which appear possible and practical. They will also consider training emphasis and possibilities for improvement in the internal management process.

In accordance with 5 U.S.C. App. I Section 10(d)(1976), it has been determined that the Defense Science Board Task Force meeting concerns matters listed in 5 U.S.C. 552(c)(4)(1976), and that accordingly these meetings will be closed to the public.

M. S. Healy,

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

April 6, 1982.

[FR Doc. 82-9816 Filed 4-9-82; 8:45 am]

BILLING CODE 3810-01-M**DEPARTMENT OF EDUCATION****National Advisory Council on Bilingual Education; Meeting**

AGENCY: National Advisory Council on Bilingual Education, ED.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the National Advisory Council on Bilingual

Education. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATES: April 24 and 25, 1982—Business Meetings—9:00 a.m.—5:00 p.m.

ADDRESS: The Meetings on April 24 and 25 will be held in Room 409 of the Reporters Building, 300 7th Street, SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Ramon Ruiz, Designated Federal Official, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, DC 20202, (202) 245-2600.

SUPPLEMENTARY INFORMATION: The National Advisory Council on Bilingual Education is established under Section 723(a) of the Bilingual Education Act (20 U.S.C. 3242). The Council is established to advise the Secretary of the Department of Education concerning matters arising in the administration of the Bilingual Education Act and other laws affecting the education of limited English proficient populations.

The public is being given less than fifteen days notice of this meeting because of a change in the location of the meeting.

The meeting of the Council is open to the public. The proposed agenda includes the following:

April 24, 1982

- 9:00 a.m.—9:15 a.m.—Opening remarks by the Chairperson
- 9:15 a.m.—9:30 a.m.—Update on the Status of Education
- 9:30 a.m.—10:30 a.m.—Council's reaction to the Annual Report Outline
- 10:30 a.m.—11:30 a.m.—Legislative and Regulatory Update
- 11:30 a.m.—12:00 noon—Committee Reports
- 12:00 noon—1:00 p.m.—Lunch
- 1:00 p.m.—3:00 p.m.—Budget Update and Budget Process
- 3:00 p.m.—5:00 p.m.—Discussion of Public Hearings

April 25, 1982

- 9:00 a.m.—10:00 a.m.—Part C—Research Agenda
- 10:00 a.m.—12:00 noon—Subcommittee Reports to the Council
- 12:00 noon—1:00 p.m.—Lunch
- 1:00 p.m.—5:00 p.m.—New Business

Records are kept of all Council proceedings, and are available for public inspection at the Office of Bilingual Education and Minority Languages Affairs, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, D.C. 20202 from the hours of 9:00 a.m. to 5:00 p.m.

Dated: April 7, 1982.

James H. Lockhart,

Acting Director, Office of Bilingual Education
and Minority Languages Affairs.

[FR Doc. 82-9850 Filed 4-9-82; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[OFC Case No. 51518-0672-21-22A; Docket
No. ERA-FC-82-001]

Industrial City of Kissimmee; Order Granting Prohibitions of Powerplant and Use Act of 1978

AGENCY: Economic Regulatory
Administration, DOE.

ACTION: Order granting to the City of
Kissimmee and exemption from the
prohibitions of the Powerplant and
Industrial Fuel Use Act of 1978.

SUMMARY: On January 5, 1982, the City of Kissimmee Municipal Electric System (Kissimmee) filed a petition with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) for an order permanently exempting one new proposed powerplant from the provisions of the Powerplant and Industrial Fuel Use Act of 1978 (FUA or the Act) (42 U.S.C. 8301 *et seq.*) which (1) prohibit the use of petroleum and natural gas as a primary energy source in new electric powerplants and (2) prohibit the construction of a new powerplant without the capability to use and alternate fuel as a primary energy source. Kissimmee requested a permanent exemption due to its inability to obtain adequate capital. The Final Rule containing the criteria and procedures for petitioning for exemptions from the prohibitions of FUA are published in the *Federal Register* at 46 FR 59872 (December 7, 1981).

Kissimmee requested a permanent exemption for a combined cycle unit (unit #21) which will consist of a combustion turbine, a heat recovery boiler, and two steam turbines. The proposed unit will have a designed heat input rate of 9,010 Btu per KWH (full load heat rate).

The Combustion turbine will have a rating of 34.5 MW, and the two steam turbines will have a rating of 10.6 MW each at 80 degrees F ambient (55.7 MW total).

Pursuant to section 212(a)(1)(D) of the Act and 10 CFR § 503.35 ERA hereby issues this order, granting a permanent exemption to Kissimmee for the proposed combined cycle unit from the

prohibitions of FUA due to its inability to obtain adequate capital.

DATES: In accordance with section 702(a) of FUA, this order and its provisions shall take effect on June 11, 1982.

FOR FURTHER INFORMATION CONTACT:

William H. Freeman, Fuels Conversion
Division, Fuels Programs, Economic
Regulatory Administration, Forrestal
Building, Room GB-073, 1000
Independence Avenue SW.,
Washington, D.C. 20585, Telephone
(202) 252-2993

Henry Garson, Office of the General
Counsel, Department of Energy,
Forrestal Building, Room 6B-178, 1000
Independence Avenue SW.,
Washington, D.C. 20585, Telephone
(202) 252-2967

Jack Vanderburg, Office of Public
Information, Department of Energy,
12th and Pennsylvania Avenue, Room
7120 Washington, D.C. 20461,
Telephone (202) 633-8755.

The public file containing a copy of
this order and other documents and
supporting materials on this proceeding
is available for inspection upon request
at: DOE, Freedom of Information
Reading Room, 1000 Independence
Avenue SW., Room 1E190, Washington,
D.C. 20585, Monday through Friday, 8:00
a.m.-4:00 p.m.

SUPPLEMENTARY INFORMATION:

Kissimmee proposes to install a
combined cycle unit (unit #21) having a
primary energy source of natural gas
(70%) and No. 2 fuel oil (30%) at the Roy
Hansel Generating Plant in Kissimmee,
Florida. The combustion turbine is
scheduled for operation at the end of the
second quarter of 1982. The steam
turbines and the heat recovery generator
are scheduled to be completed by
January 1983. The combined cycle
facility will be used to provide baseload
power.

In accordance with the procedural
requirements of FUA and 10 CFR
501.3(d), ERA published notice of its
acceptance of Kissimmee's petition in
the *Federal Register* on February 5, 1982
(47 FR 5453), commencing a 45-day
public comment period pursuant to
section 701 of FUA. As required by
sections 701 (f) and (g) of the Act, ERA
provided a copy of Kissimmee's petition
to the Environmental Protection Agency
for their comments. During that period,
interested persons were also afforded
an opportunity to request a public
hearing. The period for submitting
comments and for requesting a public
hearing closed March 22, 1982. No
comments were received. No hearing
was requested.

Decision and Order

Based upon the entire record of this
proceeding, ERA has determined that
Kissimmee has satisfied all of the
eligibility requirements for the requested
exemption as set forth in 10 CFR 503.35.

Accordingly, pursuant to section
212(c) of FUA, ERA hereby grants
Kissimmee a permanent exemption for
Unit #21 to be installed at the Roy
Hansel Generating Plant in Kissimmee,
Florida, which permits the use of natural
gas and No. 2 fuel oil in the proposed
unit based on its inability to obtain
adequate capital.

ERA has determined that the granting
of the requested exemption does not
constitute a major Federal action
significantly affecting the quality of the
human environment within the meaning
of section 102(2)(C) of the National
Environmental Policy Act.

Pursuant to section 702(c) of the Act
and 10 CFR 501.69 any person aggrieved
by this order may petition for judicial
review at any time before June 11, 1982.

Issued in Washington, D.C. on March 30,
1982.

James W. Workman,
Director, Office of Fuels Programs, Economic
Regulatory Administration.

[FR Doc. 82-9012 Filed 4-9-82; 8:45 am]

BILLING CODE 6450-01-M

[ERA Docket No. 82-CERT-006]

Consolidated Edison Company of New York, Inc.; Certification of Eligible Use of Natural Gas To Displace Fuel Oil

On March 10, 1982, Consolidated
Edison Company of New York, Inc. (Con
Edison), 4 Irving Place, New York, N.Y.,
10003 filed with the Administrator of the
Economic Regulatory Administration
(ERA) pursuant to 10 CFR Part 595 an
application for certification of an
eligible use of approximately 5.0 billion
cubic feet of natural gas for the period
ending October 31, 1982. The use of this
natural gas is estimated to displace
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) at six of
Con Edison's steam and electric
generating stations located in New York
City: Astoria in Queens; East River in
Manhattan; Narrows in Brooklyn;
Ravenswood in Queens; Waterside in
Manhattan; and East 60th Street in
Manhattan. The eligible seller of the
natural gas 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. Notice of that application was published in the *Federal Register* (47 FR 12845, March 25, 1982) and an opportunity for public comment was provided for a period of ten (10) calendar days from the date of publication. No comments were received.

Con Edison has in effect other certifications by the ERA, as listed below, which authorized purchases of approximately 85 billion cubic feet of natural gas from other eligible sellers for use at the steam and electric generating stations named in this application.

Docket	Volume (Bcf)	Effective	Expires
81-CERT-005	82.00	04/27/81	04/26/82
81-CERT-025	2.20	12/03/81	12/02/82
81-CERT-026	21.00	12/24/81	12/23/81
Total	85.20		

The ERA has carefully reviewed Con Edison's application in accordance with 10 CFR Part 595 and the policy considerations expressed in the Final Rulemaking Regarding Procedures for Certification of the Use of Natural Gas to Displace Fuel Oil (44 FR 47920, August 16, 1979). The ERA has determined that Con Edison's application satisfies the criteria enumerated in 10 CFR Part 595, and, therefore, has granted the certification and transmitted that certification to the Federal Energy Regulatory Commission. More detailed information, including a copy of the application, transmittal letter, and the actual certification is available for public inspection at the ERA, Natural Gas Branch Docket Room, Room 6144, RG-631, 12th & Pennsylvania Avenue NW., Washington, D.C. 20461, from 8:00 to 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., April 5, 1982.

James W. Workman,
Director, Office of Fuels Programs, Economic
Regulatory Administration.

[FR Doc. 82-9789 Filed 4-9-82; 8:45 am]

BILLING CODE 6450-01-M

Quaker State Oil Refining Corp.; Proposed Consent Order

AGENCY: Economic Regulatory
Administration, DOE.

ACTION: Notice of proposed consent
order and opportunity for comment.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces a proposed Consent Order with Quaker State Oil Refining Company and provides an opportunity for public comment on the proposed Consent Order.

DATE: Comments by May 12, 1982.

ADDRESS: Send comments to: Robert J. McKee, Jr., Director, Philadelphia Field Office, ERA, 1421 Cherry Street, Philadelphia, Pennsylvania 19102.

FOR FURTHER INFORMATION CONTACT: Robert J. McKee, Jr., Director, Philadelphia Field Office, ERA, 1421 Cherry Street, Philadelphia, Pennsylvania 19102, (215) 597-2662.

Copies of the Consent Order may be obtained free of charge by writing or calling this office.

SUPPLEMENTARY INFORMATION: On March 5, 1982, the ERA executed a proposed Consent Order with Quaker State Oil Refining Corporation ("Quaker State") of Oil City, Pennsylvania. Under 10 CFR 205.199(j), a proposed Consent Order which involves the sum of \$500,000 or more, excluding interest and penalties, becomes effective no sooner than thirty days after publication of a notice in the *Federal Register* requesting comments concerning the proposed Consent Order. Although the ERA has signed and tentatively accepted the proposed Consent Order, the ERA may, after consideration of the comments it receives, withdraw its acceptance and, if appropriate, attempt to negotiate a modification of the Consent Order or issue the Consent Order as signed.

I. The Consent Order

Quaker State, with its home office located in Oil City, Pennsylvania, is a firm engaged in the production, refining and sale of crude oil and covered petroleum products, and was subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, and 212 during the period covered by this Consent Order. To resolve certain potential civil liability arising out of the Mandatory Petroleum Allocation and Price Regulations and related regulations, 10 CFR Parts 205, 210, 211, and 212 in connection with Quaker State's transactions involving covered petroleum products during the period January 1, 1973 through January 28, 1981 ("the period covered by this Consent Order"), the ERA and Quaker State entered into a Consent Order, the significant terms of which are as follows:

1. Quaker State engages in, among other things, the production, refining, processing, reselling and marketing of covered products. An audit conducted

by the ERA included a review of Quaker State's records relating to compliance with the Federal petroleum price and allocation regulations during the period January 1, 1973 through January 28, 1981 (the audit period).

2. In its audit the ERA reviewed Quaker State's pricing and allocation policies and procedures and the manner in which Quaker State applied the Federal petroleum price and allocation regulations. The ERA and Quaker State disagree in several respects concerning Quaker State's compliance with the Federal petroleum price and allocation regulations during the audit period. Notwithstanding the ERA's view as to the proper application of the regulations to Quaker State's activities, Quaker State maintains that it has correctly construed and applied the regulations. The ERA and Quaker State each believes that its respective positions on the legal issues underlying their disagreements are meritorious. However, both parties desire to resolve the issues raised by the audit without resort to complex, lengthy and expensive compliance actions. The ERA believes that the Consent Order is in public interest because it provides a satisfactory resolution of disputed issues and an appropriate conclusion of the Quaker State audit.

3. The Consent Order addresses all aspects of Quaker State's compliance with the Federal petroleum price and allocation regulations during the audit period, except for certain specifically excluded matters, and (with the same exclusions) resolves all issues concerning Quaker State's compliance with the Federal petroleum price and allocation regulations during the audit period.

4. In settlement of all disputes with the ERA concerning excess revenues which it may have received from sales of covered petroleum products during the audit period, Quaker State has agreed to deliver crude oil in the value of \$4,800,000 to the Strategic Petroleum Reserve ("SPR"). The crude oil must be of Type I or Type VI of the generic types specified by SPR and must be delivered within one hundred eighty (180) days of the effective date of the Consent Order. The delivery period may be extended by periods in excess of seven (7) days during which deliveries to the SPR are suspended by action of the government. The Consent Order contains details of delivery terms and conditions including the determination of price and freight to the point of delivery, i.e., the value of the oil determined as of the date of delivery. In the event of delivery of crude oil of a value less than \$4,800,000,

Quaker State shall pay to DOE the value of the undelivered balance plus applicable interest within ten days after the end of the delivery period of crude oil to the SPR. Before the end of the delivery period Quaker State also has the option to cease delivery of crude oil and pay the unpaid balance plus applicable interest. Such payments under the Consent Order shall be deposited by ERA in a suitable account for ultimate disposition in accordance with applicable law.

5. The ERA and Quaker State have agreed that the primary remedy of delivery of crude oil to the SPR is an appropriate remedy under applicable law because the products as to which overcharges were alleged were distributed by Quaker State nationwide through resellers and dealers to millions of end-users. Notwithstanding the problem of attempting to identify the specific end-users or purchasers who bore the burden of any alleged overcharges, it is also not administratively feasible, even if theoretically possible, to identify end-users. The cost of identifying end-users and the amount of any refund to which they might be entitled would far exceed the refund. The contribution of crude oil to the SPR will benefit the customers of Quaker State nationwide and all energy consumers by diminishing the vulnerability of energy consumers to the economic dislocations and hardship of a severe energy supply interruption, provide limited protection from the short term consequences of interruptions in petroleum product supplies, and otherwise protects the public health, safety, welfare and national defense.

6. After sixty (60) days after the effective date of the Consent Order, interest is payable on the outstanding balance of the \$4,800,000, computed on a compound basis on the monthly anniversary of such 60th day at the prime rate value determined according to DOE policy by reference to rates published in the Federal Reserve bulletin.

7. The Consent Order also provides details concerning records retention and procedures concerning enforcement of the provisions of the Consent Order.

8. Upon becoming final after consideration of public comments by the ERA, the Consent Order will be a final order in which Quaker State has waived its right to an administrative or judicial appeal.

9. The Consent Order does not constitute an admission by Quaker State nor a finding by the ERA of any violation of the Federal petroleum price and allocation regulations. This notice

merely summarizes the Consent Order, and neither limits nor modifies it in any way whatsoever.

10. The provisions of 10 CFR 205.199], including those regarding the publication of this Notice, are applicable to the Consent Order.

II. Refunds and Civil Penalty

A. Disposition of Refunds

Under this Consent Order, Quaker State will deliver crude oil having a delivered value of \$4,800,000.00 including interest to the Strategic Petroleum Reserve within one hundred eighty (180) days (plus extensions) after the effective date of this Consent Order (plus installment interest). Alternatively, Quaker State may pay the undelivered balance of \$4,800,000 to DOE for alternate disposition in accordance with applicable law. Upon full satisfaction of the terms and conditions of this Consent Order by Quaker State, the DOE releases Quaker State from any civil claims that the DOE may have arising out of the specified transactions during the period covered by this Consent Order.

B. Civil Penalty

In addition, Quaker State agrees to pay the sum of \$200,000.00 in lieu of civil penalties relating to the above described transactions during the period covered by this Consent Order.

III. Submission of Written Comments

Interested persons are invited to submit written comments concerning the terms and conditions of this Consent Order to the address given above. Comments should be identified on the outside of the envelope and on the documents submitted with the designation "Comments on Quaker State Consent Order." The ERA will consider all comments it receives by 4:30 P.M., local time, on May 12, 1982. Any information or data considered confidential by the person submitting it must be identified as such in accordance with the procedures at 10 CFR 205.9(f).

Issued in Philadelphia, Pennsylvania on the 31th day of March 1982.

Robert J. McKee, Jr.,
Director, Philadelphia Field Office, ERA.

[FR Doc. 82-9788 Filed 4-9-82; 8:45 am]

BILLING CODE 6450-01-M

U.S.A. Oil Co.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed

Remedial Order which has issued to U.S.A. Oil Company, Suite 218, 3928 Montclair Road, Mountain Brook, Alabama 35213. This Proposed Remedial Order charges U.S.A. Oil Company with pricing violations in the amount of \$301,057.12 connected with the sale of gasoline during the period January 1, 1979 through April 30, 1980.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from Mr. William R. Gibson, Deputy Director, Atlanta Office, Economic Regulatory Administration, 1655 Peachtree Street, NW., Atlanta, Georgia 30309, Telephone (404) 881-2661. On or before April 27, 1982, any aggrieved person may file a Notice of Objection with the U.S. Department of Energy, Office of Hearings and Appeals, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Atlanta, Georgia on the 23rd day of March 1982.

William R. Gibson,
Deputy Director, Atlanta Office, ERA.

Concurrence:
Susan P. Tate,
Deputy Regional Counsel.

[FR Doc. 82-9790 Filed 4-9-82; 8:45 am]

BILLING CODE 6450-01-M

Western Avenue Properties; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a proposed Remedial Order which was issued to Western Avenue Properties. This Proposed Remedial Order charges Western Avenue Properties with pricing violations in the amount of \$151,114.20 connected with the first sale of crude oil during the period April 1975 through January 1981 in the State of California.

A copy of the Proposed Remedial Order, with confidential information deleted may be obtained from Sandra K. Webb, Director, Economic Regulatory Administration, Department of Energy, 845 South Figueroa Street, Suite 410, Los Angeles, California 90017, phone (213) 688-4014. On or before April 27, 1982, any aggrieved person may file a Notice of Objection with the Office of Hearings and Appeals, 12th and Pennsylvania Avenue, Room 3344, Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Los Angeles, California on the 26th day of March 1982.

Sandra K. Webb,

Director, Los Angeles Office, Economic Regulatory Administration.

[FR Doc. 82-9791 Filed 4-9-82 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[Docket No. ECAO-CD-81-2; ORD-FRL-3100-3]

Air Quality Criteria Document For Lead

AGENCY: Environmental Protection Agency.

ACTION: Call for information.

SUMMARY: The Environmental Criteria and Assessment Office of the U.S. Environmental Protection Agency (EPA) is undertaking to update and revise, where appropriate, the *Air Quality Criteria Document for Lead* (EPA-600/8-77-017) published in December, 1977. Areas of interest include effects in humans and animals, effects on ecosystems, analytical methodology, sources and emissions, and transformation and transport in the environment.

Interested parties are invited to assist EPA in updating and refining the scientific information base for this document. To be considered for inclusion in the document, submitted material should already be published, accepted for publication, or presented at a public scientific meeting.

DATES: All communications and information should be submitted by June 1, 1982, and addressed to Project Manager for Lead Document, Environmental Criteria and Assessment Office (MD-52), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Dated: April 5, 1982.

Courtney Riordan,

Assistant Administrator for Research and Development (RD-672).

[FR Doc. 82-9805 Filed 4-9-82 8:45 am]

BILLING CODE 6560-50-M

[A-7-FRL-2098-2]

Approvals of PSD Permits; Boone Valley Cooperative (BVC), et al.

Notice is hereby given that the Environmental Protection Agency (EPA) has issued construction permits under the Prevention of Significant Air Quality Deterioration (PSD) regulations (40 CFR 52.21) to: Boone Valley Cooperative

(BVC); and to Consolidated Energy Group, Ltd. Notice is also given that EPA approved a change in a permit previously issued to ORTHO/Chevron Chemical Company.

On August 28, 1981, the EPA formally approved, with conditions, a proposal by the Boone Valley Cooperative (BVC) of Eagle Grove, Iowa, to expand an existing soybean processing plant. Included in the proposal was a coal-fired boiler and a new soybean extraction facility. The proposed project qualified as a major modification to an existing major stationary source due to a significant increase in emissions of sulfur dioxide (SO₂), nitrogen oxides (NO_x), and volatile organic compounds (VOC).

On November 13, 1981, the EPA formally approved, with conditions, a proposal by the Consolidated Energy Group, Ltd. to construct an anhydrous ethanol facility near Cowrie, Iowa. Included in the facility are one coal-fired boiler with coal handling and coal storage components, and equipment to produce ethanol and associated by-products. The project was subject to PSD review because of significant emissions of sulfur dioxide (SO₂), nitrogen oxides (NO_x), and particulate matter (PM).

On September 10, 1981, the EPA formally approved a request by the ORTHO/Chevron Chemical Company to extend the time limitations specified in a PSD permit issued on August 15, 1979. Maximum allowable emissions for the facility remained unchanged.

Under section 307(b)(1) of the Clean Air Act, as amended in August, 1977, judicial review of any of the above actions is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under section 307(b)(2) of the Clean Air Act, as amended in August, 1977, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by the EPA to enforce these requirements.

In these cases, the appropriate court is the Eighth Circuit Court of Appeals. A petition for review must be filed with this court on or before June 11, 1982.

Copies of the permits and related information are available for public inspection at: U.S. Environmental Protection Agency, Air and Waste Management Division, Air Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: March 26, 1982.

John J. Franke, Jr.,

Regional Administrator, Region VII.

[FR Doc. 82-9801 Filed 4-9-82 8:45 am]

BILLING CODE 6560-50-M

[A-7-FRL-2098-5]

Approvals of PSD Permits; Colorado Interstate Gas, et al.

Notice is hereby given that the Environmental Protection Agency (EPA) has issued construction permits under the Prevention of Significant Air Quality Deterioration (PSD) regulations (40 CFR 52.21) to: Colorado Interstate Gas; Panhandle Eastern Pipeline Company; and Northern Natural Gas Company. Notice is also given that EPA approved a change in permits previously issued to CRA, Inc.; and National Cooperative Refinery Association.

On October 19, 1981, the EPA formally approved, with conditions, a proposal by the Colorado Interstate Gas of Colorado Springs, Colorado, to construct four additional natural gas compressor engines at the company's Lakin Compressor Station in Kearny County, Kansas. The proposed project qualified as a major modification of an existing major stationary source due to a significant increase in emissions of nitrogen oxides (NO_x).

On November 18, 1981, the EPA formally approved, with conditions a proposal by the Panhandle Eastern Pipeline Company of Kansas City, Missouri, to construct two additional natural gas compressor engines at the company's Elkhart Compressor Station in Morton County, Kansas. The proposed project qualified as a major modification of an existing major stationary source due to a significant increase in emissions of nitrogen oxides (NO_x).

On March 12, 1982, the EPA formally approved, with conditions, a proposal by the Northern Natural Gas Company of Omaha, Nebraska, to operate three existing dual-fuel MEP internal combustion engines for unlimited hours at the Cunningham Underground Storage Field Compressor Station near Cunningham, Kansas. The company had previously been operating the three engines under a permit issued by the Kansas Department of Health and Environment for a maximum of 125.4 unit days per year (an average of 41.8 days per year for each engine). The change in operation will result in a significant increase in nitrogen oxides (NO_x), carbon monoxide (CO) and volatile organic compounds (VOC).

On August 24, 1981, the EPA formally approved a change to a condition of the PSD permit that was issued to CRA, Inc. on March 30, 1978. The change corrects an oversight in the original permit and limits the amount of sulfur dioxide (SO₂) that may be emitted when the boiler is using fuel oil and/or gas instead of coal. The change will have no effect on the emission of SO₂ from the subject boiler.

On December 30, 1981, the EPA formally approved a requested change to a PSD permit issued to the National Cooperative Refinery Association (NCRA) on July 17, 1981. The revision allows the company to install either a Claus sulfur recovery unit (SRU) or a Claus Ammonium thiosulfate (ATS) sulfur recovery unit. The original permit was for only a Claus SRU. The change will not result in any significant net emission increase of a regulated air pollutant not already permitted.

Under Section 307(b)(1) of the Clean Air Act, as amended in August 1977, judicial review of any of these determinations is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, as amended in August 1977, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by the EPA to enforce these requirements.

In these cases, the appropriate court is the Tenth Circuit Court of Appeals. A petition for review must be filed with this court on or before June 11, 1982.

Copies of these permits and related information are available for public inspection at: U.S. Environmental Protection Agency, Air and Waste Management Division, Air Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: March 26, 1982.

John J. Franke, Jr.,

Regional Administrator, Region VII.

[FR Doc. 82-9803 Filed 4-9-82 8:45 am]

BILLING CODE 6560-50-M

[A-7-FRL-2098-6]

Non-Applicability of PSD Regulations; Derby Refining Co., et al., Wichita, Kansas

Notice is hereby given that the Environmental Protection Agency (EPA) has determined that construction proposals by the above companies are not subject to the review requirements of the Prevention of Significant Air Quality Deterioration (PSD) regulations (40 CFR 52.21).

On November 18, 1981, the EPA issued a non-applicability determination to the Derby Refining Company for proposed changes in a project previously reviewed by the regional office and determined to be exempt from the PSD process. Since the proposed changes would not result in a significant increase of emissions, the PSD regulations did not apply.

On January 22, 1982, the EPA determined that the proposed modification to the municipal sludge incinerator operated by the City of Kansas City, Kansas, was not subject to the PSD regulations. A decrease in the total emissions from the facility was determined.

On February 19, 1982, the EPA issued a non-applicability determination to the Getty Refining and Marketing Company regarding a proposed modification to an existing Fluid Catalytic Cracking Unit (FCCU) and carbon monoxide (CO) boiler. Since the net emissions from the facility would not increase due to the proposed modification, the PSD regulations did not apply.

Under Section 307(b)(1) of the Clean Air Act, as amended in August 1977, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today.

In this case, the appropriate court is the Tenth Circuit Court of Appeals. A petition for review must be filed with this court on or before June 11, 1982.

These determinations and related background information are available for public inspection at: U.S. Environmental Protection Agency, Air and Waste Management Division, Air Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: March 26, 1982.

John J. Franke, Jr.,

Regional Administrator, Region VII.

[FR Doc. 82-9804 Filed 4-9-82; 8:45 am]

BILLING CODE 6560-50-M

[A-7-FRL-2098-4]

Non-Applicability of PSD Regulations; University of Northern Iowa and St. Joseph Light and Power Co.

Notice is hereby given that the Environmental Protection Agency (EPA) has determined that the construction proposals by the above companies are not subject to the review requirements of the Prevention of Significant Air Quality Deterioration (PSD) regulations (40 CFR 52.21).

On September 10, 1981, the EPA issued a non-applicability determination

to the University's Plant No. 2, and the University of Northern Iowa for a proposed construction of a boiler at the retirement of two smaller uncontrolled boilers. Since the proposed project would not result in a significant increase of emissions from the boiler complex, the PSD regulations did not apply.

On October 8, 1981, the EPA issued a non-applicability determination to the St. Joseph Light and Power Company for a proposal to use coal as an alternate fuel for the No. 4 boiler at the Lake Road Plant. Since the boiler was capable of using coal before January 6, 1975, and was not limited by enforceable permit conditions from using coal, the PSD regulations did not apply.

Under Section 307(b)(1) of the Clean Air Act, as amended in August, 1977, judicial review of any of the above actions is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, as amended in August, 1977, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by the EPA to enforce these requirements.

In these cases, the appropriate court is the Eighth Circuit Court of Appeals. A petition for review must be filed with this court on or before June 11, 1982.

Copies of these determinations and related information are available for public inspection at: U.S. Environmental Protection Agency, Air and Waste Management Division, Air Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: March 26, 1982.

John J. Franke, Jr.,

Regional Administrator, Region VII.

[FR Doc. 82-9802 Filed 4-9-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL HOME LOAN BANK BOARD

1st Financial Savings & Loan Association, Downers Grove, Illinois; Appointment of Receiver

Notice is hereby given that pursuant to the authority contained in Section 406(c)(2) of the National Housing Act, as amended (12 U.S.C. 1729(c)(2) (1976)), the Federal Home Loan Bank Board appointed the Federal Savings and Loan Insurance Corporation as sole receiver for 1st Financial Savings and Loan Association, Downers Grove, Illinois, effective April 3, 1982.

Dated: April 3, 1982.

Gregory B. Smith,

Acting Secretary.

[FR Doc. 82-9954 Filed 4-9-82; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL RESERVE SYSTEM

Acquisition of Bank Shares by Bank Holding Companies

The companies listed in this notice have 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 voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. 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.

A. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

Flagship Banks, Inc., Miami, Florida; to acquire 100 percent of the voting shares of Citizens National Bank of Naples, Naples, Florida. Comments on this application must be received not later than May 6, 1982.

B. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Marine Bancorp, Inc.*, Springfield, Illinois; to acquire 100 percent of the voting shares, less directors' qualifying shares, of the successor by merger to American National Bank of Champaign, Champaign, Illinois. Comments on this application must be received not later than April 30, 1982.

2. *Steel City Bancorporation, Inc.*, Chicago, Illinois; to acquire 80 percent or more of the voting shares of Thornbridge State Bank, South Holland, Illinois. Comments on this application must be received not later than May 4, 1982.

Board of Governors of the Federal Reserve System, April 6, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-9792 Filed 4-9-82; 8:45 am]

BILLING CODE 6210-01-M

Formation of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become bank holding companies by acquiring voting shares and/or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. 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.

A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

TrustCo Bank Corp. N.Y., Schenectady, New York; to become a bank holding company by acquiring 100 percent of the voting shares of The Schenectady Trust Company, Schenectady, New York. Comments on this application must be received not later than May 3, 1982.

B. Federal Reserve Bank of Cleveland (Harry W. Huning, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

Fort Thomas-Bellvue Bancorp, Inc., Fort Thomas, Kentucky; to become a bank holding company by acquiring 100 percent of the voting shares of the successor by merger to Fort Thomas-Bellvue Bank, Fort Thomas, Kentucky. Comments on this application must be received not later than May 3, 1982.

C. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

Magnolia State Capital Corporation, Magee, Mississippi; to become a bank holding company by acquiring 80 percent of the voting shares of Bank of Simpson County, Magee, Mississippi. Comments on this application must be received not later than May 3, 1982.

D. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

Edens Bancshares, Inc., Wilmette, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares, less directors' qualifying shares, of the successor by merger to Edens Plaza State Bank, Wilmette, Illinois. Comments on this application must be received not later than May 6, 1982.

E. Federal Reserve Bank of St. Louis (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

Marion Bancshares, Inc., Lexington, Kentucky; to become a bank holding company by acquiring 91 percent or more of the voting shares of Marion National Bank, Lexington, Kentucky. Comments on this application must be received not later than April 30, 1982.

F. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 400 South Sansome Street, San Francisco, California 94120:

1. *Bonneville Bancorp*, Provo, Utah; to become a bank holding company by acquiring 80 percent or more of the voting shares of The Bonneville Bank, Provo, Utah. Comments on this application must be received not later than May 6, 1982.

2. *Lamorinda Financial Corporation*, Lafayette, California; to become a bank holding company by acquiring 100 percent of the voting shares of Lamorinda National Bank, Lafayette, California. Comments on this application must be received not later than May 6, 1982.

Board of Governors of the Federal Reserve System, April 6, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-9793 Filed 4-9-82; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

Early Termination of the Waiting Period of the Premerger Notification Rules; Madison Fund, Inc.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: Madison Fund, Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain voting securities of *Dorchester Gas Corporation*. The grant was made by the

Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by Madison Fund, Inc. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: March 30, 1982.

FOR FURTHER INFORMATION CONTACT:

Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 301, Federal Trade Commission, Washington, D.C. 20580 (202) 523-3894.

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the *Federal Register*.

By direction of the Commission.

Carol M. Thomas,
Secretary.

[FR Doc. 82-9818 Filed 4-9-82; 8:45 am]

BILLING CODE 6750-01-M

Early Termination of the Waiting Period of the Premerger Notification Rules; John D. Hollingsworth on Wheels, Inc.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: John D. Hollingsworth on Wheels, Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of certain voting securities of Platt Saco Lowell Corporation. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: April 2, 1982.

FOR FURTHER INFORMATION CONTACT:

Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 301, Federal Trade

Commission, Washington, D.C. 20580 (202) 523-3894.

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the *Federal Register*.

By direction of the Commission.

Carol M. Thomas,
Secretary.

[FR Doc. 82-9818 Filed 4-9-82; 8:45 am]

BILLING CODE 6750-01-M

Costs and Benefits of the Line of Business Program; Supplemental Notice

AGENCY: Federal Trade Commission.

ACTION: Clarification of prior notice (47 FR 8407 (1982)) concerning request for comments on the costs and benefits of the line of business program.

SUMMARY: The Federal Trade Commission extends the period for comments on the costs and benefits of the Line of Business Program to May 3, 1982, and requests that comments be limited to information specifically solicited in that notice. A second comment period, dealing with broader issues regarding the future of the program, will be provided after the Commission staff's analysis of benefits and costs of the program is made public.

ADDRESS: Office of the Secretary, Federal Trade Commission, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: William F. Long, Manager, Line of Business Program, Bureau of Economics, (202) 254-8170.

SUPPLEMENTARY INFORMATION: On February 26, 1982, the Federal Trade Commission published a *Federal Register* notice inviting written comments, to be filed by April 12, 1982, on the costs and benefits of the Line of Business (LB) Program (47 FR 8407). In response, two law firms have requested that the Commission release for public comment staff studies on the costs and benefits that the Commission may use in its deliberations on the future of the program. The firms also asked that the Commission extend the comment period

beyond the April 12, 1982 date, so that interested parties may comment on the studies.

Before deciding how to proceed with the LB Program, the Commission intends to provide interested persons an opportunity to comment on the staff analysis of the benefits and costs of the LB Program. That study has not yet been prepared. The Commission is seeking a wide range of facts and opinions, in addition to the staff analysis, on the program's benefits and costs. The inquiry is being carried out in two stages.

First, in the *Federal Register* notice of February 26, 1982, the Commission requested information on benefits and costs. Previous discussions of benefits occurred in the early stages of the program's development. The recent release of the 1974 and 1975 *Annual Line of Business Reports* and several research manuscripts should make possible a more focused evaluation of the expected benefits. Similarly, previous compliance cost estimates have been generated from survey material about companies' experiences in the early reporting years. Because approximately 450 LB respondents have been complying with the program for several years, updated information about both start-up and annual compliance costs should be available. With respect to both benefits and costs, then, the Commission and staff seek comments based upon updated information.

Second, Commission staff is preparing an analysis of the program's benefits and costs, which will be based in part on the information supplied to the Commission in response to the February 26 request for comments. The staff plans to submit this analysis to the Commission for its consideration by July 1, 1982. Upon submission to the Commission, the staff analysis will be made available to the public, and the Commission will publish a *Federal Register* notice announcing its availability. The notice will also establish a 45-day period for comments addressed to the issues raised by the staff analysis. Only after this second comment period will the Commission decide the full range of issues on the future of the LB Program.

For the initial stage, therefore, the Commission requests that interested persons restrict their comments to the specific information requested in the February 26 *Federal Register* notice. To allow an adequate period for the information to be assembled, while assuring that comments will also be received in time for incorporation into

the staff's analysis, the period for comment on the February 26 Federal Register notice is extended from April 12 to May 3, 1982.

By direction of the Commission.

Dated: April 7, 1982.

Carol M. Thomas,

Secretary

[FR Doc. 82-9865 Filed 4-9-82; 8:45 am]

BILLING CODE 6750-01-M

GENERAL SERVICES ADMINISTRATION

Transportation and Public Utilities Service

[E-82-13]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in proceedings before the Utah Public Service Commission involving natural gas rates, Docket No. 81-057-17.

2. *Effective date.* This delegation is effective immediately.

3. Delegation.

a. Pursuant to the authority vested in the Administrator of General Services by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in proceedings before the Utah Public Service Commission involving the petition of the Mountain Fuel Supply Company for an increase in its natural gas rates, Docket No. 81-057-17.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration (GSA), and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

d. The Department of Defense shall add GSA to its service list in this case so that GSA will receive copies of testimony, briefs, and other Department of Defense filings.

Dated: March 24, 1982.

Allan W. Beres,

Commissioner, Transportation and Public
Utilities Service.

[FR Doc. 82-9794 Filed 4-9-82; 8:45 am]

BILLING CODE 6820-AM-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Digestive Diseases Advisory Board; Amended Meeting Notice

Notice is hereby given of the change in the meeting of the National Digestive Diseases Advisory Board on April 15-16, 1982, which was published in the Federal Register on March 29, 1982, 47 FR 13227.

Due to the fact that the majority of the Board members are unable to arrive in Bethesda before noon on April 15, the meeting will convene at 2:00 p.m. instead of 11:00 a.m. as previously announced. The National Digestive Diseases Advisory Board will meet in Conference Room 8, Building 31, C Wing, 6th Floor, National Institutes of Health, Bethesda, Maryland.

Dated: April 7, 1982.

Thomas E. Malone,

Deputy Director, National Institutes of
Health.

[FR Doc. 82-9877 Filed 4-9-82; 8:45 am]

BILLING CODE 4140-01-M

Office of the Secretary

Privacy Act of 1974; Proposed Amendment to System of Records

AGENCY: Office of the Assistant Secretary for Personnel Administration, Office of the Secretary, HHS.

ACTION: Notice of proposed new routine use for existing system of records.

SUMMARY: The Department is giving notice that it intends to add a new routine use to the following Privacy Act record system notice: 09-90-0017—Pay, Leave, and Attendance Records, HHS/OS/ASPER. Records in this system of records are used to insure that each employee receives the proper pay and allowances; that proper deductions and authorized allotments are made from employees' pay; and that employees are credited and charged with the proper amount of sick and annual leave. We invite public comment on this new routine use disclosure. (Number 19 in notice below)

EFFECTIVE DATE: This amendment shall become effective without further notice on May 12, 1982, unless comments are

received on or before that date which would result in a contrary determination.

ADDRESS: Comments should be addressed to: Director, Division of Policy, Room 2316 Switzer Building, 300 Independence Avenue S.W., Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT:

Ron Walczak, ASPER Privacy Act Coordinator, telephone: 202-245-1984.

SUPPLEMENTARY INFORMATION: The New York State Department of Social Services has asked the Department of Health and Human Services to voluntarily participate in the State's Wage Reporting System (WRS). The WRS is authorized by sections 171-a and 697(e) of the New York State Tax Law. The law requires non-federal employers in the State to submit quarterly wage reports on their employees to the WRS. Information in the WRS is used by the State in computer matching programs to reduce fraud and abuse in the expenditure of State and Federal public assistance funds. HHS is, then, serving as a matching source agency in a New York State anti-fraud matching program. As such, HHS has made the determinations required for source agencies by the OMB Guidelines for the Conduct of Matching Programs. The purpose of this notice is to establish the routine use required for the Privacy Act record system from which information will be provided to the State of New York as well as to other State and local agencies for the same purpose.

The Privacy Act allows disclosure of information under a routine use for purposes that are compatible with the purposes for which the information was collected. Section 411(a) of the Social Security Act makes Federal employee wage information available to the States on an annual basis for the Aid to Families with Dependent Children (AFDC) and child support programs. A current routine use of this system of records (number 1, at 46 FR 52658 and below) is to prepare W-2 Forms to submit to the Internal Revenue Service. Under section 411(a), annual wage information reflected on W-2 Forms becomes part of the Social Security Administration system from which the States will receive wage data. Therefore, one purpose for which wage information on HHS employees is collected is to provide it to the States for the administration of public assistance programs. Release under this proposed new routine use (number 19 in notice below) would, then, be consistent with

one purpose for which wage information is collected in this system of records.

The notice is published below in its entirety, as amended. Previously, the system was published at 46 FR 52658-52660 (October 27, 1981).

Thomas S. McFee,

Assistant Secretary for Personnel Administration.

April 7, 1982.

09-90-0017

SYSTEM NAME:

Pay, Leave and Attendance Records, HHS/OS/ASPER.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Division of Pay Services and Payroll Accounting, Department of Health and Human Services, 330 Independence Avenue SW., Washington, D.C. 20201.

Payroll Liaison Representatives. See Appendix 1. Timekeepers in organizational units serviced by Payroll Liaison Representatives shown in Appendix 1. Personnel offices shown in HHS System 09900006, Applicants for Employment Records, Appendix 1.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All paid employees of the Department of Health and Human Services including PHS Commissioned Corps Personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system consists of a variety of records relating to pay and leave determinations made about each employee of the Department of Health and Human Services. In addition to the name of the employee, the system includes information such as the employee's date of birth, social security number, home address, grade or rank, employing organization, timekeeper number, salary, Civil Service retirement fund contributions, pay plan, number of hours worked, annual and sick leave accrual rate and usage, annual and sick leave balance, FICA withholdings, Federal, State and city tax withholdings, Federal employees Group Life Insurance withholdings, Federal Employees Health Benefits Program withholdings, garnishment documents, savings allotments, union and management association dues withholdings, allotments, savings bonds allotments, and Combined Federal Campaign allotments; for Commissioned Corps Personnel, information such as the following is included: years of service, payroll number, base pay, incentive pay, hazardous pay, allowances and Servicemen's Group Life Insurance.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 5501 et seq., 5525 et seq., 6301 et seq.; 42 U.S.C. 201 et seq.; and Pub. L. 90-83.

PURPOSE(S):

Records in this system are used to insure that each employee receives the proper pay and allowances; that proper reductions and authorized allotments are made from employees' pay; and that employees are credited and charged with the proper amount of sick and annual leave. These records are maintained in each component of the Department. See also "Retrievability" below.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in this system of records is used or may be used:

(1) To prepare W-2 Forms to submit to the Internal Revenue Service and to disclose to State and local government agencies having taxing authority pertinent records relating to employees, including name, home address, social security number (in accordance with Section 7 of Public Law 93-579), earned income, and amount of taxes withheld.

(2) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(3) In the event the Department deems it desirable or necessary, in determining whether particular records are required to be disclosed under the Freedom of Information Act, disclosure may be made to the Department of Justice for the purpose of obtaining its advice.

(4) A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

(5) In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether State or local charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(6) Where Federal agencies having the power to subpoena other Federal agencies' records, such as the Internal Revenue Service or the Civil Rights Commission, issue a subpoena to the Department for records in this system of records, the Department will make such records available.

(7) Where a contract between a component of the Department and a labor organization recognized under E.O. 11491 provides that the agency will disclose personal records relevant to the organization's mission, records in this system of records may be disclosed to such organization.

(8) The Department contemplates that it will contract with a private firm for the purpose of collating, analyzing, aggregating or otherwise refining records in this system. Relevant records will be disclosed to such a contractor. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(9) By the Office of Personnel Management, Merit Systems Protection Board (including its Office of the Special Counsel), Equal Employment Opportunity Commission, and the Federal Labor Relations Authority (including the General Counsel of the Authority and the Federal Service Impasses Panel) in carrying out their functions.

(10) By the Department of Labor to make a compensation determination in connection with a claim filed by an

employee for compensation on account of a job-connected injury or disease.

(11) To respond to court orders for garnishment of an employee's pay for alimony or child support.

(12) To respond to orders from IRS for garnishment of an employee's pay for Federal income tax purposes.

(13) To the Department of Treasury for the purposes of preparing and issuing employee salary and compensation checks and U.S. Savings Bonds.

(14) By State offices of unemployment compensation in connection with claims filed by former HHS employees for unemployment compensation.

(15) When an individual to whom a record pertains dies, to disclose information in the individual's record to heirs, executors and legal representatives of beneficiaries.

(16) 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.

(17) 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.

(18) By financial organizations designated to receive labor organization or management association dues withheld from employee's pay, in order to account for the amounts of such withheld dues which they receive.

(19) A record from this system of records may be disclosed to a State or local agency for the purpose of conducting computer matching programs designed to reduce fraud, waste, and abuse in Federal, State, and local public assistance programs and operations.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM.

STORAGE:

Magnetic tape, microfilm, punch cards and forms.

RETRIEVABILITY:

Records are maintained by pay period and are retrievable by name, SSN and timekeeper number within each pay period. Records are also used to produce summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained and for related personnel management functions or pay studies, and for other purposes compatible with the intent for which the records system was created.

SAFEGUARDS:

Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

RETENTION AND DISPOSAL:

Records submitted by the individual, such as allotment authorization forms, home address forms, and tax withholding forms are retained until superseded by new forms or until the individual leaves the Department. Most of these records are then destroyed. Some of these records must be retained for an additional period, or forwarded to the new employing agency. Time and attendance records are retained for five years and are then destroyed. The automated payroll master record, established when the individual is first employed and continually updated throughout the period of his or her employment, is retained until the individual leaves the Department.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Pay Services and Payroll Accounting, P.O. Box 1825, Washington, D.C. 20013.

NOTIFICATION PROCEDURE:

An individual may contact the system manager. An individual also may contact, as appropriate, Payroll Liaison Representatives in Appendix 1 or Personnel Officers shown in HHS System 09900006, Applicants for Employment Records, Appendix 1. Provide name, social security number, timekeeper number and pay period about which inquiring.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. (These access procedures are in accordance with Department Regulations (45 CFR, Section 5b.5(a)(2)) **Federal Register**, October 8, 1975, page 47410).

CONTESTING RECORD PROCEDURES:

Contact the official at the address specified under notification procedures above, and reasonably identify the record and specify the information to be contested. (These procedures are in accordance with Department Regulations (45 CFR, Section 5b.7) **Federal Register**, October 8, 1975, page 47411).

RECORD SOURCE CATEGORIES:

Information in this system of records is (1) supplied directly by the individual, or (2) derived from information supplied by the individual, or (3) supplied by timekeepers and other Department officials.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Appendix 1

OS—Payroll Liaison Officer, Office of the Secretary, Room 4317, HHS North Bldg., 330 Independence Avenue, S.W., Washington, D.C. 20201.

HCFA—Payroll Liaison Officer, Health Care Financing Administration, BAY C-6, 1710 Gwynn Oak Avenue, Baltimore, Maryland 21207.

OHDS—Payroll Liaison Officer, Office of Human Development Services, Humphrey Building, Rm. 347D, 200 Independence Ave., SW., Washington, D.C. 20201.

Social Security Administration Headquarters

Payroll Liaison Officer, SSA Headquarters, Room 1M10, Annex Bldg., 6401 Security Blvd., Baltimore, Maryland 21235.

SSA, ORS—Payroll Liaison Officer, Universal Bldg., Room 930, 1875 Connecticut Ave., N.W., Washington, D.C. 20009.

OHA—Payroll Liaison Officer, Room 335, Webb Building, 801 N. Randolph Street, Arlington, Virginia 22203.

Social Security Administration Program Service Centers

Mid Atlantic—Payroll Liaison Officer, SSA, Program Service Center, P.O. Box 12807, Philadelphia, Pennsylvania 19108.

Northeastern—Payroll Liaison Officer, SSA, Program Service Center, 9605 Horace Harding Expressway, Flushing, New York 11368.

South Eastern—Payroll Liaison Officer, Birmingham Program Service Center, P.O. Box 1031, Birmingham, Alabama 35201.

Great Lakes—Payroll Liaison Officer, Chicago Program Service Center, 165 North Canal Street, Chicago, Illinois 60606.

Mid-American—Payroll Liaison Officer, SSA, Program Service Center, 601 East 12th Street—Room 1459, Kansas City, Missouri 64106.

Western—Payroll Liaison Officer, San Francisco Program Center, P.O. Box 2000, Richmond, California 94802.

*Social Security Administration**Regional Offices*

Boston, SSA—Payroll Liaison Officer, SSA, John F. Kennedy Federal Bldg., Government Center, Boston, Massachusetts 02203.

New York, SSA—Payroll Liaison Officer, SSA, 26 Federal Plaza, Room 737, New York, New York 10007.

Philadelphia SSA—Payroll Liaison Officer, P.O. Box 8788, Philadelphia, Pennsylvania 19101.

Atlanta, SSA—Payroll Liaison Officer, SSA, Suite 1601, 101 Marietta Tower, Atlanta, Georgia 30323.

Cleveland, SSA—Payroll Liaison Officer, SSA, Room 100, 14725 Detroit Ave., Cleveland, Ohio 44107.

Chicago, SSA—Payroll Liaison Officer, SSA, 300 South Wacker Drive, Chicago Illinois 60606.

Kansas City, SSA—Payroll Liaison Officer, SSA, 601 E. 12th Street, Kansas City, Missouri 64106.

Dallas, SSA—Payroll Liaison Officer, SSA, Room 624, 1114 Commerce Street, Dallas, Texas 75202.

Denver, SSA—Payroll Liaison Officer, SSA, Federal Office Bldg., 19th and Stout Streets, Denver, Colorado 80202.

Seattle, SSA—Payroll Liaison Officer, HHS Regional Personnel Office, Arcade Plaza Bldg., 1321 Second Avenue, Seattle, Washington, 98101.

San Francisco, SSA—Payroll Liaison Officer, HHS Personnel, 50 United Nations Plaza, San Francisco, California 94102.

Regional Offices

Region I—Payroll Liaison Officer Regional Office, John F. Kennedy Federal Building, Government Center, Boston, Massachusetts 02203.

Region II—Payroll Liaison Officer, Personnel Support Branch, Room 39-130, 26 Federal Plaza, New York, New York 10278.

Region III—Payroll Liaison Officer, Financial Management, P.O. Box 13716, Philadelphia, Pennsylvania 19101.

Region IV—Payroll Liaison Officer, Room 404, 50 7th Street, N.E., Atlanta, Georgia 30323.

Region V—Payroll Liaison Officer, HHS Personnel, 300 S. Wacker Drive, Chicago, Illinois 60606.

Region VI—Payroll Liaison Officer, Personnel Office, HHS, Main Tower Bldg., 1200 Main Street, Dallas Texas 75202.

Region VII—Payroll Liaison Officer, Office of Regional Director, HHS, 601 East 12th Street, Kansas City, Missouri 64106.

Region VIII—Payroll Liaison Officer, Room 1031, Federal Office Bldg., 19th and Stout Street, Denver, Colorado 80294.

Region IX—Payroll Liaison Officer, HHS Personnel, 50 United Nations Plaza, San Francisco, California 94102

Region X—Payroll Liaison Officer, Regional Personnel Office, Arcade Plaza Bldg., MS 627 Second Avenue, Seattle, Washington 96101.

Cleveland—Payroll Liaison Officer, Room 500, 14600 Detroit Ave., Cleveland, Ohio 44107.

Data Operations Center, SSA—Payroll Liaison Officer, Data Operations Center, P.O. Box 2247, Albuquerque, New Mexico 87103.

Public Health Service

Payroll Liaison Officer, Centers for Disease Control, Personnel Management Office, 1600 Clifton Road, N.E., Atlanta, Georgia 30330.

Payroll Liaison Officer, National Institutes of Health, Room B1B30, Bldg. 31, 9000 Rockville Pike, Bethesda, Maryland 20205.

Payroll Liaison Officer, FDA Payroll Liaison Section, Accounting Branch, HFA-120, Room 11-82, Parklawn Bldg., 5600 Fishers Lane, Rockville, Maryland 20857.

Payroll Liaison Officer, HHS, CDC, NIOSH, Financial Mgmt. Branch, Parklawn Bldg., DANAC 3-32F, 5600 Fishers Lane, Rockville, Maryland 20857.

Payroll Liaison Officer, National Institute of Environmental Health Sciences, NIH, P.O. Box 12233, Research Triangle Park, North Carolina 27709.

HSA, HRA, ASH—Payroll Liaison Officer, PHS, Room 1649, Parklawn Bldg., 5600 Fishers Lane, Rockville, Maryland 20857.

Payroll Liaison Officer, ADAMHA, Room 1399, Parklawn Bldg., 5600 Fishers Lane, Rockville, Maryland 20857.

HHS, HSA, FHPS—Payroll Liaison Officer, Administrative Asst., 6525 Belcrest Road, West Hyattsville, Maryland 20762.

Payroll Liaison Officer, St. Elizabeths Hospital, Room 120, E Bldg., 2700 Martin Luther King Ave., S.E., Washington, D.C. 20032.

Payroll Liaison Officer, USPHS Hospital, Carville, Louisiana 70721.

Indian Health Service

Payroll Liaison Officer, PHS Indian Health Service, Room 300, Citizens Bldg., Aberdeen, South Dakota 57401.

Payroll Liaison Officer, Albuquerque Indian Health Service, Federal Office Bldg., and U.S. Courthouse, Room 4006, 500 Gold Avenue, Albuquerque, New Mexico 87101.

Payroll Liaison Officer, Alaska Native Medical Center, P.O. Box 7-741, Anchorage, Alaska 99501.

Payroll Liaison Officer, Indian Health Area Office, P.O. Box 2134, Billings, Montana 59103.

Payroll Liaison Officer, Oklahoma City Area, Indian Health Service, 388 Old Post Office and Courthouse Bldg., Oklahoma City, Oklahoma 73102.

Payroll Liaison Officer, Indian Health Service, 1970 Main Street, Saratoga, Florida 33577.

Payroll Liaison Officer, Phoenix Area Indian Health, 801 E. Indian Medical Center, Phoenix, Arizona 85021.

Payroll Liaison Officer, Phoenix Indian Medical Center, 4212 North 16th Street, Phoenix, Arizona 85016.

Payroll Liaison Officer, IHS—HPSC, P.O. Box 11340, Tucson, Arizona 85734.

[FR Doc. 82-9861 Filed 4-9-82; 8:45 am]

BILLING CODE 4150-04-M

INTERSTATE COMMERCE COMMISSION

[Vol. No. 247]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: April 5, 1982.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR Part 1137. Part 1137 was published in the *Federal Register* of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of \$10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Canadian Carrier Applicants: In the event an application to transport property, filed by a Canadian domiciled motor carrier, is unopposed, it will be reopened on the Commission's own motion for receipt of additional evidence and further consideration in light of the record developed in Ex Parte No. MC-157, *Investigation Into Canadian Law and Policy Regarding Applications of American Motor Carriers For Canadian Operating Authority*.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with the criteria set forth in 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Ewing, and Shaffer.
Agatha L. Mergenovich,
Secretary.

MC-47203 (Sub-34)X filed March 29, 1982. Applicant: PETROLEUM CARRIERS, INC., 86 Westboro Road, North Grafton, MA 01536. Representative: David M. Marshall, Suite 304, 101 State Street, Springfield, MA 01103. Sub 3 certified, broaden to "commodities in bulk," from alcohol, and petroleum and petroleum products, in bulk.

MC-49304 (Sub-40)X filed March 1982. Applicant: BOWMAN TRUCKING CO., INC., P.O. Box 6, Stephens City, VA 22655. Representative: Daniel B. Johnson, 4304 East-West Hwy., Bethesda, MD 20814. Sub-Nos. 14, 16, 17, 20, 22, 24, 27, 28, 31, 34, 36, and E1 letter notice, broaden: (1)(a) From apples, beer, sugar and feed to "food and related products"; apples and apple products to "farm products, and food and related products"; fertilizer to "chemicals and related products"; empty fruit barrels, baskets, and boxes to "containers"; steel drums to "metal products"; fresh fruit to "farm products"; household goods to "household goods, furniture and fixtures, and materials, equipment and supplies used in the manufacture, sale and distribution of furniture and fixtures"; fire brick and fire clay to "clay, concrete, glass or stone products and minerals"; cement to "clay, concrete, glass or stone products and chemicals and related products"; lime and limestone to chemicals and related products, clay, concrete, glass or stone products and waste or scrap materials not identified by industry producing"; from empty containers to "containers", silica sand to "minerals, and clay, concrete, glass or stone products"; silica sand, in bulk, and agricultural lime, limestone and fertilizer, in bulk, to "commodities in bulk", lead; (b) lime, limestone products to "chemicals and related products, clay, concrete, glass or stone products, waste or scrap material not identified by industry producing", Sub-14; (c) crushed stone to "commodities in bulk", Sub-17; (d) masonry construction material to "construction materials"; decorative sand and decorative gravel to "clay, concrete, glass or stone products" and plastic mixing boxes to "rubber and plastic products", Sub-20; (e) soft drinks to "food and related products" and scrap material to "waste or scrap material not identified by industry producing", Sub-22; (f) silica sand to "commodities in bulk" and stone to "clay, concrete, glass or stone products," Sub-24; (g) polyethylene oxide to

"chemicals and related products" and plastic articles to "rubber and plastic products", Sub-27; (h) cement, lime and limestone products, in bulk to "commodities in bulk" and malt beverages to "food and related products", Sub-28; (i) lime, limestone and limestone products to "commodities in bulk", Sub-34; (j) coal residues to "coal and coal products" Sub-36; and (k) agricultural lime, agricultural lime and limestone and fertilizer to "commodities in bulk," E1; (2) allow service at intermediate points, lead; (3) (a) Cumberland, MD to Allegany County, MD and Mineral County, WV; Mt. Airy, MD to Frederick and Carroll Counties; Perryman, MD to Hartford County; Mt. Jackson, VA, to Shenandoah County; Westminster, MD and points within 10 miles thereof to Frederick, Carroll, and Baltimore Counties, MD; Big Pool, Md and points within 10 miles thereof to Washington County, MD, Morgan and Berkeley Counties, WV and Fulton and Franklin Counties, PA; Oranda and Strasburg, VA to Shenandoah, Warren and Frederick Counties; Frederick, MD to Frederick County; Stephens City, VA to Frederick Counties, VA; Frostburg, MD and points within 1 mile thereof to Garrett and Allegany Counties; Middletown, VA and points within six miles thereof to Shenandoah, Frederick and Warren Counties; Berryville, VA to Clarke County, VA; Edinburg, VA to Warren, Fauquier and Rappahannock Counties; New Market, VA to Shenandoah County; Romney, WV to Mineral and Hampshire Counties; Woodstock, VA to Shenandoah County; Boyce, VA to Clarke County; Gibbsboro, NJ to Gloucester County; Gore, VA to Frederick County, Va and Hampshire County, WV; South Charleston, WV to Kanawha County; Dickerson, MD to Montgomery and Frederick Counties; White Post, VA to Clarke and Frederick Counties; Philadelphia and Valley Forge, PA to Philadelphia, Chester, Montgomery, Bucks and Delaware Counties, PA, Salem, Gloucester, Burlington, Mercer, Hunterdon Counties, NJ and New Castle County, DE; (4) remove plantsite limitation; "originating at/destined to" against named commodities, in bags or in bulk, in containers, mixed loads, shipper-owned trailers, in tank vehicle, and size and weight restrictions in various subs, (5) remove (a) exception of Lewiston, Granville, and Derry Township, PA, Sub-22; (b) exception to named commodities from Middletown, VA and points within 6 miles thereof to points in NC, Sub-28; (c) against chemicals and petroleum products in bulk from points in OH and WV, Sub-31; and (d)

exception to points in the Wash, DC commercial zone which are not in the Alexandria, VA commercial zone, E1, and (5) to radial authority, lead Subs-14, 16, 17, 20, 22, 24, 27, 28, 31, 34, 36, and E1.

MC 76472 (Sub-23)X, filed February 22 1982, previously noticed in the Federal Register March 9, 1982, republished as follows: Applicant: MATERIAL TRUCKING, INC., 924 S. Heald St., Wilmington, DE 19801. Representative: Raymond A. Thistle, Jr., Five Cottman Ct., Homestead Rd. & Cottman St., Jenkintown, PA 19046. Lead and Sus-3, 7, 8, 12, and 15. Broaden: lead, from sand and stone, in bulk, in dump trucks and from such bulk commodities as are transported in dump trucks; in Subs-3, 7, and 15, from salt in bulk, salt, in bulk, in dump vehicles (except rock salt and rock salt and rock salt compounds in bulk); and in Subs-8 and 12 from sand, gravel, stone, clay, earth and bituminous concrete, and gypsum, in bulk, to "commodities in bulk" lead from Glen Mills, PA and points within five miles of Glen Mills to Delaware and Chester Counties, PA and from points in NJ within 60 miles of Glen Mills, PA to Mercer, Warren, Hunterdon, Burlington, Somerset, Camden, Gloucester, Middlesex, Salem, Atlantic, Cumberland, and Cape May Counties, NJ; Subs 3, 7, 12, and 15, from Wilmington, DE facilities to New Castle County, DE and to radial service.

The purpose of the republication is to correct the counties listed for the territorial expansion "within 60 miles of Glen Mills, PA."

MC 93235 (Sub-13X), filed March 29, 1982. Applicant: INDIANA TRUCKING, INC., 400 Blaine Street, Gary, IN 46406. Representative: Anthony E. Young, Suite 350, 29 South LaSalle Street, Chicago, IL 60603. Lead and Subs 3, 4, 8, 10 and 12 permits: (1) broaden (a) coal, coke, cinders, and empty metal containers, to "commodities in bulk, coal and coal products, nonmetallic minerals, and containers" lead; (b) salt to "food and related products, chemicals and related products", Sub 3; (c) gypsum and gypsum products, and asbestos board to "building materials", Sub 4; (d) castings, forgings, finished machine parts, truck cabs and truck parts, and materials and supplies used in the manufacture and processing of motor truck to "metal and metal products, machinery, and transportation equipment," Sub 8; (e) adhesives, gypsum and gypsum products, building materials, lime, fabricated metal products, paint and paint products, and such materials as are used in the manufacture, installation and distribution thereof to "building materials, metal and metal products,

chemicals and related products, petroleum or coal products, clay, concrete, glass or stone products", Sub 10; and (f) iron and steel articles, and aluminum and plastic articles, to "metal and metal products, and plastic and plastic articles", Sub 12; (2) change the territorial authority to between points in the United States under continuing contract(s) with unnamed shippers, lead, and named shippers, Subs 3, 4, 8, 10 and 12; (3) eliminate restrictions (a) except in bulk and/or tank vehicles, Subs 8 and 10; (b) dump-type vehicle restriction, Sub 3; and (c) mixed shipments restriction, Sub 4.

MC 94635 (Sub-13X), filed March 10, 1982. Applicant: INTERSTATE SAND & GRAVEL TRANSPORTATION, INC., 717 Elmer Street, Vineland, NJ 08360. Representative: Terrence D. Jones, 2033 K Street NW., Washington, DC 20006. Lead permit, broaden (1) territorial scope to between points in the U.S. (under continuing contracts;) and (2) from sand, gravel, stone, and clay to "ores and minerals; clay, concrete, glass or stone products and commodities in bulk."

MC 105369 (Sub-17X), filed March 16, 1982. Applicant: MIDLANTIC COAST DELIVERY SYSTEMS, INC., 47 10 Grand Avenue, Maspeth, NY 11378. Representative: Bruce J. Robbins, 18 East 48th St., New York, NY 10017. MC 129624 (Sub-17) acquired in MC-F-14333F broaden: (1) Copying machine parts and copying machine supplies to "machinery" (2) Pennsauken, NJ, to Camden County, NJ and Philadelphia County, PA.

MC 114552 (Sub-263X), filed November 19, 1981, previously noticed in the Federal Register of December 10, 1981, republished as corrected this issue. Applicant SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, SC 29108. Representative: William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210. Subs 3, 12, 13, 17, 18, 19, 20, 21, 23, 31, 32, 33, 35, 38, 39, 40, 41, 43, 44, 45, 47, 50, 52, 53, 57, 58, 59, 62, 69, 75, 80, 81, 82, 86, 88, 90, 91, 92, 93, 95, 98G, 99G, 100, 101, 104, 105, 107G, 109, 110, 111, 112, 113, 114, 118, 121, 124, 129, 134, 138, 139, 143, 144, 145, 146, 148, 150, 151F, 153F, 154F, 155, 158, 159F, 162F, 163F, 178F, 182F, 183F, 188F, 189F, 196F, 201, 208F, 209F, 210F, 219F, 222F, 223F, 224F, 246F, 249, 250F, 254F, 255 and 257. Broaden: (1) Sub 32, shells and shell products to "marine products", (2) Subs 62 and 150, wallboard and plastic pipe to "construction materials", (3) Sub 209, filters to "machinery", (4) Sub 138, Boston to "Bristol, Essex, Middlesex, Norfolk, Plymouth, Suffolk and Worcester Counties, MA". The purpose

of this republication is the broaden the above commodity and territorial descriptions.

MC 146361 (Sub-14X), filed March 4, 1982. Applicant: WOLTER TRUCK LINES, INC., R.D. 6, Box 102, Greenwood, DE 19950. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St. NW., Washington, D.C. 20005. Sub-Nos. 2, 4, 6, 11, 12 and 13 (1) broaden to "commodities in bulk" from various bulk commodities such as fertilizer and fertilizer ingredients, fish meal, ammonium sulfate, insecticides, fertilizer, limestone and limestone products, poultry feed, anthracite and bituminous coal, dry fertilizer and dry fertilizer ingredients, and agricultural lime, in Subs 2, 4, 6, 11, 12 and 13; to "ores and mineral, and clay, concrete, glass or stone products" from agricultural limestone products in Sub 6 and sheet 3 of Sub 13; to "farm products" from livestock and seeds on sheet 2 of Sub 13; and to "chemicals and related products" from insecticides and fertilizer and fertilizer ingredients on sheets 2 and 3 of Sub 13; (2) broaden to counties; Essex County, MA, for Gloucester, MA; Delaware, and Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Somerset, and Worcester Counties, MD, for points in Delaware and Maryland south of the Chesapeake and Delaware Canal and east of the Chesapeake Bay; York County, PA, for York, PA; Kent and Sussex Counties, DE, for Laurel and Milford, DE; New Castle County, DE, Chester and Delaware Counties, PA, and Salem County, NJ, for Wilmington, DE; Adams, Chester, Delaware, Montgomery, Philadelphia and York Counties, PA, for Hanover, King of Prussia and Plymouth Meeting, PA; Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, PA, Burlington, Camden, Gloucester, Hunterdon and Mercer Counties, NJ, and New Castle County, DE, for Philadelphia, PA; Bergen, Essex, Hudson, Passaic and Union Counties, NJ, for Kearny, NJ; Delaware for points in that part of Delaware on and south of an east and west line passing through Wilmington, DE; Schuylkill County, PA, for Minersville, Pottsville, and North Philadelphia, PA, and points within five miles of each; Kent and Sussex Counties, DE, for Milford, Lincoln, Ellendale, Houston, Lewes, Frederica and Dover, DE; Worcester County, MD, for Berlin, MD; Talbot and Dorchester Counties, MD, for Cambridge, MD, Somerset and Worcester Counties, MD, for Pocomoke City, MD, and Lancaster County, PA, for Salisbury Township, PA; (3) expand one-way to radial authority

in all Subs; (4) eliminate (a) the "in dump vehicles" restriction in Subs 2, 4, 6, 11, 12, and sheet 3 of Sub 13, and (b) restriction against serving Dover and Middletown, DE, at sheet 2 of Sub 13.

MC 149070 (Sub-6X), filed March 15, 1982. Applicant: LESCO TRUCKING COMPANY, INC., P.O. Box 38565, Dallas, TX 75238. Representative: Richard H. Streeter, 1729 H St. NW., Washington, DC 20006. Subs 1F and 3 certificates: (A) Broaden from (1) Sub 1F, scrap iron and scrap steel to "scrap metals" (2) Sub 3, (a) earth drilling machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with, (i) transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (ii) the completion of holds or wells drilled, (iii) the production, storage and transmission of commodities resulting from drilling operation at well or hole sites and (iv) the injection or removal of commodities into or from holes or wells to "machinery, equipment and metal products;" and (b) iron and steel pipe, pipe fittings, paint, and tar, pipeline machinery and equipment incidental to and used in connection with natural gas, oil and gasoline pipelines to "metal products, paint, tar, machinery and equipment;" and (c) iron and steel articles to "metal products;" (B) Sub 3, remove the restriction limiting service to, or prohibiting the transportation of (1) traffic moving to or from specified points; and (2) specified commodities used in connection with other specified commodities or services; (C) broaden to (1) countywide authority: Sub 3, Morris, Camp, Cass, Marion and Upshur Counties, TX (points within 5 miles of Lone Star); and (2) radial authority, Sub 3 (pages 5, 8 and 9).

MC 153262 (Sub-1X), filed March 25, 1982. Applicant: POLAR CORP., 40 Walcott St., Worcester, MA 01603. Representative: Michael R. Werner, 241 Cedar Lane, Teaneck, NJ 07666. Lead certificate: broaden from containers, closures, paper products and flavoring concentrates to "containers, carriers or devices, shipping, returned empty; pulp, paper and related products; and food and related products."

[FR Doc. 82-9774 Filed 4-9-82; 8:45am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's rules of practice, see 49 CFR 1100.251. Special

Rule 251 was published in the *Federal Register* of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the *Federal Register* issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform 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. OP2-68

Decided: April 1, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 15242 (Sub-15), filed March 16, 1982. Applicant: CAUTHEN GIN & BAG CO., Route 4, Box 550, Monroe, NC 28110. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Ave. NW., Washington, DC 20005, 202-347-9332. Transporting *textile mill product*, between points in NM, TX, OK and those points in the U.S. in and east of MN, IA, MO, AR and LA.

MC 99273 (Sub-5) filed March 8, 1982. Applicant: KINDLE TRUCKING CO., INC., 449 Silver St., Agawam, MA 01001. Representative: David M. Marshall, 101 State St.—Suite 304, Springfield, MA 01103, 413-732-1136. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in CT and MA, on the one hand, and, on the other, points in FL, GA, NC, SC, and TX.

MC 103602 (Sub-14) filed March 1, 1982. Applicant: SKJONSBY TRUCK LINE, INC., 2831 First Avenue North, P.O. Box 362, Fargo, ND 58107. Representative: Richard P. Anderson, P.O. Box 2581, Fargo, ND 58108, (701) 235-3300. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (excluding AK and HI), under continuing contract(s) with Transportation Systems International, Inc., of Minneapolis, MN.

MC 105733 (Sub-89) filed March 23, 1982. Applicant: RITTER TRANSPORTATION, INC., P.O. Box 1064-A Rahway, NJ 07065. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St., NW., Washington, DC 20005, 202-296-3555. Transporting *chemicals and related products*, between points in the U.S., under continuing contract(s) with Badische Corporation, of Williamsburg, VA.

MC 112713 (Sub-327) filed March 16, 1982. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, Overland Park, KS 66207. Representative: William F. Martin, Jr. (same address as applicant), 913-383-3000. Transporting

general commodities (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with Duncan Enterprises, of Fresno, CA.

MC 113952 (Sub-5) filed March 16, 1982. Applicant: HARVEY SERVICE, INC., 6001 West State St., Milwaukee, WI 53213. Representative: John C. Goheen, 2100 Marine Plaza, Milwaukee, WI 53202, 414-271-8210. Transporting *such commodities* as are dealt in and used by chain stores and mail order department stores, between points in the U.S., under continuing contract(s) with Sears, Roebuck & Company, of Chicago, IL.

MC 116632 (Sub-32), filed March 12, 1982. Applicant: H. O. BOUCHARD, INC., MRC Box 141A, Coldbrook Rd., Bangor, ME 04401. Representative: John R. McKernan, Jr., P.O. Box 586, Two Canal Plaza, Portland, ME 04112, 207-774-4573. Transporting (1) *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points of entry on the international boundary line between the United States and Canada, at points in ME, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) between points in the U.S. (except AK and HI).

MC 129063 (Sub-26), filed March 22, 1982. Applicant: JIMMY T. WOOD, P.O. Box 248, Ripley, TN 38063. Representative: Thomas A. Stroud, 109 Madison Ave., Memphis, TN 38103, 901-526-2900. Transporting (1) *pig iron and alloys*, between those points in the U.S. in and east of MN, IA, MO, OK, and TX; and (2) *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between Memphis, TN, on the one hand, and, on the other, points in MS, AL, TN, KY, MO, AR, and LA.

MC 150812 (Sub-7), filed March 8, 1982. Applicant: FROST TRANSPORTATION, INC., 6701 Greenwood Rd., P.O. Box 3400, Shreveport, LA 71103. Representative: Joseph A. Keating, Jr., 121 South Main St., Taylor, PA 18517, 717-344-8030. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with International Paper Co., of Mobile, AL.

MC 156922, filed March 12, 1982. Applicant: IMMANUEL FREIGHT LINES, INC., 13920 Mica St., Santa Fe Springs, CA 90670. Representative: Doug Adair (same address as applicant), 213-921-9696. Transporting *general commodities* (except classes A and B

explosives, household goods and commodities in bulk), between points in CA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161042, filed March 16, 1982. Applicant: JAMES E. NEWSOM, d.b.a. JIM NEWSOM TRUCKING, Route 1, Box 37A, Glen Allan, MS 38744. Representative: Harold H. Mitchell, Jr., P.O. Box 1295, Greenville, MS 38701, 601-335-3576. Transporting (1) *such commodities* as are dealt in or used by farm supply, manufacturing, and marketing stores, between points in AL, AR, FL, GA, IA, IL, KS, KY, LA, MN, MO, MS, NC, NE, OK, SC, SD, TN, and TX; and (2) *cullet*, between points in MS.

Volume No. OP3-053

Decided: April 5, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 2934 (Sub-117), filed March 26, 1982. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 9998 North Michigan Rd., Carmel, IN 46032. Representative: W. G. Lowry (same address as applicant), (317) 875-1142. Transporting *household goods*, between points in the U.S., under continuing contract(s) with American Airlines, Inc., of Grand Prairie, TX.

MC 10115 (Sub-14), filed March 26, 1982. Applicant: C. D. ZIMMERMAN, INC., P.O. Box 293, R.D. #2, Mifflintown, PA 17059. Representative: J. Bruce Walter, P.O. Box 1146, Harrisburg, PA 17108, (717) 233-5731. Transporting *aluminum ingots, zinc alloy ingots and zinc slab and zinc block*, between points in Cuyahoga and Lake Counties, OH, on the one hand, and, on the other, points in NJ and PA.

MC 15735 (Sub-41), filed March 24, 1982. Applicant: ALLIED VAN LINES, INC., P.O. Box 4403, Chicago, IL 60680. Representative: Richard V. Merrill (same address as applicant), (312) 818-8378. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S. under continuing contract(s) with the Control Data Corporation of Minneapolis, MN.

MC 74755 (Sub-6), filed March 25, 1982. Applicant: SUELZER MOVING & STORAGE, INC., 4325 Meyer Rd., Fort Wayne, IN 46808. Representative: Richard A. Huser, 1301 Merchants Plaza, Indianapolis, IN 46204-3491, (317) 638-1301. Transporting *household goods*, between points in the U.S. (except HI).

MC 96235 (Sub-3), filed March 25, 1982. Applicant: C. C. BORING TRUCKING, INC., Star Route, Box A-7, Belleville, PA 17004. Representative: J.

Bruce Walter, P.O. Box 1146, Harrisburg, PA 17108, (717) 233-5731. Transporting *fabricated metal products*, between points in Lancaster and Mifflin Counties, PA, on the one hand, and, on the other, points in NJ.

MC 123265 (Sub-9), filed March 25, 1982. Applicant: SANTRY TRUCKING CO., 10505 N.E. 2nd Ave., Portland, OR 97211. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055, (206) 228-3807. Transporting *paper, paper products, and pulp, and such commodities* as are manufactured and distributed by manufacturers of cellulose materials, between points in the U.S., under continuing contract(s) with Weyerhaeuser Company, of Tacoma, WA.

MC 127505 (Sub-82), filed March 29, 1982. Applicant: R. H. BOELK TRUCK LINES, INC., Rural Rt. 2, Mendota, IL 61342. Representative: Warren A. Goff, 109 Madison Ave., Memphis, TN 38103, (901) 526-2900. Transporting *machinery*, between points in LaSalle County, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 135924 (Sub-35), filed March 30, 1982. Applicant: SIMONS TRUCKING CO., INC., 3851 River Rd., Grand Rapids, MN 55744. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440, (612) 542-1121. Transporting *rubber and plastic articles*, between points in Steele County, MN, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and LA.

MC 136774 (Sub-27), filed March 23, 1982. Applicant: MC-MOR-HAN TRUCKING CO., INC., P.O. Box 368, Shullsburg, WI 53586. Representative: Carl L. Steiner, 29 S. LaSalle St., Chicago, IL 60603, (312) 236-9375. Transporting *alcoholic liquors, alcohol, distilled spirits, brandy, cordials, and wine*, between points in the U.S., under continuing contract(s) with Hiram Walker & Sons, Inc., of Fort Smith, AR.

MC 142114 (Sub-19), filed March 24, 1982. Applicant: RETAIL EXPRESS, INC., 9 Stuart Rd., Chelmsford, MA 01824. Representative: Frank M. Cushman, 36 South Main St., Sharon, MA 02067, (617) 784-6041. Transporting *glass and glass products*, between points in the U.S., under continuing contract(s) with General Glass International Corp., of New Rochelle, NY.

MC 143065 (Sub-4), filed March 29, 1982. Applicant: WEATHERFORD TRANSIT, INC., Hwy. 15 N., Hartsville, SC 29550. Representative: Kim G. Meyer, 235 Peachtree St., N.E., Suite 1200,

Atlanta, GA 30303, (404) 522-2322. Transporting *passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at points in SC, and extending to points in the U.S. (except AK and HI)

MC 143775 (Sub-170), filed March 30, 1982. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85311. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001, (202) 628-9243. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 146045 (Sub-3), filed March 29, 1982. Applicant: SWARD TRUCKING, INC., P.O. Box 146, Oakdale, CA 95361. Representative: John Paul Fischer, 256 Montgomery St., 5th Fl., San Francisco, CA 94104, (415) 421-6743. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, TX, WA, and WY.

MC 146265 (Sub-9), filed March 22, 1982. Applicant: JAMES L. ENGLAND, d.b.a. JIM ENGLAND TRUCKING, P.O. Box 5483, Huntsville, AL 35810. Representative: Robert E. Born, Suite 508, 1447 Peachtree St., N.E., Atlanta, GA 30309, (404) 892-8020. Transporting (1) *chemicals and related products*, between points in the U.S., under continuing contract(s) with Plant-Roberts Chemicals, a Partnership of Huntsville, AL and (2) *fabric*, between points in the U.S., under continuing contract(s) with Disposables, Inc. of Manhasset, NY.

MC 146674 (Sub-9), filed March 29, 1982. Applicant: K.I.T. MOTOR EXPRESS, INC., P.O. Box 4004, Louisville, KY 40204. Representative: Edward J. Kiley, 1730 M St., N.W., Washington, D.C. 20036, (202) 296-2900. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with Shedd's Food Products of Louisville, KY.

MC 146674 (Sub-10), filed March 29, 1982. Applicant: K. I. T. MOTOR EXPRESS, INC., P.O. Box 4004, Louisville, KY 40204. Representative: Edward J. Kiley, 1730 M St., N.W., Washington, D.C. 20036, (202) 296-2900. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with Bremer

Biscuits, Division of Ralston Purina of Louisville, KY.

MC 147514 (Sub-3), filed March 30, 1982. Applicant: L. E. MATCHETT TRUCKING, LTD., 844 47th St. E., Saskatoon, Saskatchewan S7K 0X4, Canada. Representative: Kip B. H. Erickson, 502 First National Bank Bldg., Fargo, ND 58126, (701) 235-4487. Transporting *dry fertilizer, fertilizer ingredients, animal feed, poultry feed, and animal and poultry feed ingredients*, in bulk, between the ports of entry on the International Boundary line between the U.S. and Canada at points in WA, ID, MT, ND, and MN, on the one hand, and, on the other, points in IA, KS, MN, MT, NE, ND, SD, and WI.

MC 150655 (Sub-1), filed March 26, 1982. Applicant: P & G TRANSPORT CO., d.b.a. SCHRECKER MOVING & STORAGE, 2600 1/2 Warehouse Rd., P.O. Box 1673, Owensboro, KY 42301. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K Street NW., Washington, DC 20005, (202) 783-7900. Transporting *household goods*, between points in Daviess, McLean, Hancock and Ohio Counties, KY, and Spencer County, IN, on the one hand, and, on the other, points in NY, NJ, DE, MD, NC, SC, GA, FL, AL, MS, AR, LA, and TX.

MC 151225 (Sub-6), filed March 25, 1982. Applicant: DON WARD, INC., 241 West 56th Ave., Denver, CO 80216. Representative: Steven E. Napper, 718 17th St., Suite 1700, Denver, CO 80202, (303) 825-5111. Transporting *cement*, between points in UT, on the one hand, and, on the other, points in AZ, CO, ID, NM, NV, and WY.

MC 152444 (Sub-7), filed March 26, 1982. Applicant: SHARP'S TRUCK & TRACTOR, INC., Business Hwy #36 & 69 West, Cameron, MO 64429. Representative: Frank W. Taylor, Jr., 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105-1961, (816) 221-1464. Transporting *petroleum, natural gas and their products*, (1) between points in Leavenworth, Johnson and Wyandotte Counties KS, and Clay, Platte, Jackson and Cass Counties, MO, on the one hand, and, on the other, points in MO; and (2) between points in Clay County, MO, Miami, Reno and Clay Counties, KS; and Cass County, NE, on the one hand, and, on the other, points in IA, KS, MO, NE, and OK.

MC 153395 (Sub-2), filed March 25, 1982. Applicant: CHAR-LINE CORPORATION, 702 E. 21st, Suite 30, Wichita, KS 67214. Representative: Tommy M. Thomas, 702 E. 21st, Suite 30, Wichita, KS 67214, 1-316-263-5939. Transporting *plastic articles, pulp & paper, printed matter, chemicals &*

related products, furniture and fixtures, between points in KS, KY, MO, AR, CO, IL, IN, IA, NE, OK, TX, OH, TN, CA, AZ, and NM.

MC 158365 (Sub-1), filed March 19, 1982. Applicant: J & J SERVICES, INC., 122 W. Central Ave., Lake Wales, FL 33853. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203, (205) 251-2881. Transporting *waterbeds and accessories*, between the facilities of Classic Corporation, at points in the U.S., on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 158565 (Sub-1), filed March 23, 1982. Applicant: MERCURY DISPATCH, INC., 401 No. 7th St., Minneapolis, MN 55405. Representative: James L. Nelson, Suite 163 No., 1821 University Ave., St. Paul, MN 55104, (612) 646-6677. Transporting *general commodities* (except classes A and B explosives), between Minneapolis, MN, on the one hand, and, on the other, points in ND, SD, IA and WI.

MC 160984, filed March 22, 1982. Applicant: C-TRANS., INC., 800 W. Center St., P.O. Box 1155, Paris, TX 75460. Representative: Milton W. Flack, 8484 Wilshire Blvd., #840, Beverly Hills, CA 90211, (213) 855-3573. Transporting *food and related products and paper products*, between the subsidiaries and divisions of Campbell Taggart, Inc., at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 161165, filed March 25, 1982. Applicant: THOMAS J. WALLACE, d.b.a. MID-WEST TRANSPORT, 12549 South Major, Palos Heights, IL 60463. Representative: Anthony E. Young, 29 South LaSalle St., Suite 350, Chicago, IL 60603, (312) 782-8880. Transporting *such commodities* as are dealt in or used by manufacturers, distributors, and installers of telecommunications equipment, between points in the U.S., under continuing contract(s) with Pruzan, Division of Anixter Bros., Inc., of Elk Grove Village, IL.

MC 161225, filed March 26, 1982. Applicant: ARISTOCRAT TOURS, P.O. Box 61, Stormville, NY 12582-0061. Representative: Margery M. Short (same address as applicant), (914) 221-0787. As a *broker*, at Stormville, NY, in arranging for the transportation of *passengers and their baggage*, by motor vehicle, between points in Dutchess, Ulster, Orange, Putnam, and Westchester Counties, NY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161074, filed March 16, 1982. Applicant: HELEN M. WHITTAKER, Box 73, Tiltonville, OH 43963.

Representative: Charlotte Whitaker, 318 Grandview Ave. Tiltonville, OH 43963, (614) 859-4424. As a *broker* at Tiltonville, OH, in arranging for the transportation of *passengers and their baggage*, beginning and ending at points in OH, and extending to points in the U.S. (except AK and HI).

Volume No. OP4-123

Decided: March 31, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Williams not participating.)

MC 42487 (Sub-1059), filed March 26, 1982. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208, (503) 226-4692. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with General Foods Corporation, and its subsidiaries General Foods Manufacturing Corporation, Birds Eye, Inc., all of White Plains, NY, and Oscar Mayer and Co., Inc., of Madison, WI.

MC 82507, filed March 23, 1982. Applicant: STEMM TRANSFER & STORAGE, INC., P.O. Box 297, St. Cloud, MN 56301. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. Transporting *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with Champion International Corporation of Stamford, CT.

MC 136267 (Sub-12), filed March 23, 1982. Applicant: BELS PRODUCE CO., INC., 11357 Vienna Rd, P.O. Box 348, Montrose, MI 48457. Representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167, (313) 349-3980. Transporting *foodstuffs*, between points in the U.S., under continuing contract(s) with Safie Bros. Farm Pickle Co., Inc., of New Baltimore, MI.

MC 139587 (Sub-28), filed March 25, 1982. Applicant: BROWN REFRIGERATED EXPRESS, INC., P.O. Box 601, Carthage, MO 64836. Representative: Wilburn L. Williamson, Suite 107, 50 Classen Center, 5101 N Classen Blvd., Oklahoma City, OK 73118, (405) 848-7946. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with Mohasco, Inc., of Atlanta, GA.

MC 144927 (Sub-42), filed March 22, 1982. Applicant: REMINGTON

FREIGHT LINES, INC., Box 315, U.S. 24 W., Remington, IN 47977.
Representative: Jack Luck (same address as applicant), (219) 261-3461. Transporting *floor coverings*, between points in Orange County, NY, Lehigh County, PA, and those points in the U.S. in and east of WI, IL, KY, TN, and MS.

MC 146717 (Sub-10), filed March 16, 1982. Applicant: MIDWEST VIKING, INC., 7009 University Ave., Des Moines, IA 50311. Representative: Richard D. Howe, 600 Hubbell Bldg., Des Moines, IA 50309, (515) 244-2329. Transporting *metal products and related products*, between points in the U.S., under continuing contract(s) with Pechiney Ugine Kuhlmann Corporation, of Greenwich, CT, and its subsidiaries Howmet Turbine Components Corporation, and Howmet Aluminum Corporation, both of Greenwich, CT.

MC 147047 (Sub-6), filed March 26, 1982. Applicant: CAPITAL WIRE & CABLE CORPORATION, d.b.a. C.W.C. TRUCKING COMPANY, P.O. Box 7, Plano, TX 75074. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75052, (214) 255-6279. Transporting *chemicals and related products*, between points in IN and PA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 147047 (Sub-7), filed March 26, 1982. Applicant: CAPITAL WIRE & CABLE CORPORATION, d.b.a. C.W.C. TRUCKING COMPANY, P.O. Box 7, Plano, TX 75074. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062, (214) 255-6279. Transporting *such commodities* as are dealt in by manufacturers of machinery and transportation equipment, between points in CA and TX, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 149497 (Sub-24), filed March 26, 1982. Applicant: HAUPT CONTRACT CARRIERS, INC., P.O. Box 1023 Wausau, WI 54401. Representative: Robert A. Wagman (same address as applicant), (715) 359-2907. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with Ralston Purina Company, of St. Louis, MO.

MC 155107 (Sub-1), filed March 26, 1982. Applicant: GEORGE R. BUCHANON d.b.a. SUPER "B" EXPRESS, P.O. Box 1195, Sherman, TX 75090. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062, (214) 255-6279. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in

the U.S., under continuing contract(s) with United Forwarding, Inc., of Omaha, NE, and Acme Freight, Inc., of New York, NY.

MC 155107 (Sub-2), filed March 26, 1982. Applicant: GEORGE R. BUCHANON d.b.a. SUPER "B" EXPRESS, P.O. Box 1195, Sherman, TX 75090. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062, (214) 255-6279. Transporting *food and related products*, between the facilities of The Pillsbury Co., and its subsidiaries, at points in the U.S. (except AK and HI), on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 159297, filed March 25, 1982. Applicant: WHEEL SERVICE TRANSPORT, INC., 5262 Skiba Dr. New Brighton, MN 55112. Representative: Stanley C. Olsen, Jr., 5200 Willson Rd., Suite 307, Edina, MN 55424, (612) 927-8855. Transporting (1) *clay, concrete, earth or stone products*, between points in Hennepin County, MN, on the one hand, and, on the other, points in IA, ND, SD, and WI, and (2) *lumber and wood products*, between points in Wadena County, MN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Volume No. OP4-125

Decided: April 6, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Fisher not participating.)

MC 61396 (Sub-400), filed April 1, 1982. Applicant: HERMAN BROS., INC., P.O. Box 189, Omaha, NE 68101. Representative: Jack L. Schultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *fly ash*, between points in Freestone and Titus Counties, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 109736 (Sub-53), filed April 1, 1982. Applicant: CAPITOL BUS COMPANY, P.O. Box 3353, Harrisburg, PA 17105. Representative: S. Berne Smith, P.O. Box 1166, Harrisburg, PA 17108-1166, (717) 232-8000. (1) Over regular routes, transporting *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, between Gettysburg and Philadelphia, PA: from Gettysburg over U.S. Hwy 30 to junction U.S. Hwy 202, then over U.S. Hwy 202 to junction Interstate Hwy 76 at King of Prussia, PA, then over Interstate Hwy 76 to Philadelphia, serving all intermediate points, and (2) Over alternate routes, (a) from York, PA, over PA Hwy 462 to Lancaster, PA; (b) between Lancaster and King of Prussia, PA: from Lancaster over U.S. Hwy 222 to junction Interstate

Hwy 76 (Interchange 21), then over Interstate Hwy 76 to King of Prussia; (c) from Lancaster, PA, over PA Hwy 272, to junction U.S. Hwy 222 at or near junction Interstate Hwy 76 (Interchange 21), and (d) from junction U.S. Hwy 30 and Business Hwy 30 near Sadsburyville, PA over Business Hwy 30 junction U.S. Hwy 30 near Exton, PA.

Note.—Applicant states it intends to tack the authority under (2) above at Philadelphia with applicant's present routes for service to and from Atlantic City, NJ.

MC 126196 (Sub-20), filed April 1, 1982. Applicant: BLACHOWSKA TRUCK LINE, INC., P.O. Box 530, Fairmont MN 56031. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108, (701) 237-4223. Transporting (1) *clay, concrete, glass or stone products*, (2) *ores and minerals*, and (3) *coal and coal products*, between points in IL, IN, IA, KS, MI, MN, MO, MT, NE, ND, OH, SD, WI, and WY.

MC 146536 (Sub-14), filed April 1, 1982. Applicant: WALTER SHORT AGENCY, INC., 5000 Wyoming, Dearborn, MI 48120. Representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167, (313) 349-3980. Transporting *metal and metal products and materials* used in the fabrication of metal and metal products, between points in Macomb County, MI, on the one hand, and, on the other, Cleveland, OH.

MC 161296, filed March 29, 1982. Applicant: HOWARD AND CRAIG CHRISTIANSON d.b.a. ARLINGTON DISTRIBUTING COMPANY, 21030 Armar Rd., Arlington, WA 98223. Representative: Clyde H. MacIver, 1700 Peoples National Bank Bldg., 1415 Fifth Ave., Seattle, WA 98171, (206) 624-1940. Transporting *lumber and wood products*, between points in the U.S., under continuing contract(s) with J. H. Baxter & Co., of Renton, WA.

Volume No. OP4-126

Decided: April 6, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Fisher not participating.)

MC 37896 (Sub-58), filed March 30, 1982. Applicant: YOUNGBLOOD TRUCK LINES, INC., P.O. Box 1048, Fletcher, NC 28732. Representative: Charles Ephraim, 406 World Center Bldg., 918 16th St., NW., Washington, DC 20006, (202) 833-1170. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with Ramco Transportation, Inc., of Seattle, WA.

MC 147156 (Sub-3), filed March 26, 1982. Applicant: MANUFACTURER'S MOBILE HOME TRANSPORT, INC., P.O. Box 1519, Athens, TX 78751. Representative: Thomas F. Sedberry, P.O. Box 2033, Austin, TX 78768, (512) 472-8355. Transporting (1) *buildings*, in sections, and (2) *trailers designed to be drawn by passenger automobiles*, between points in AR and TX, on the one hand, and, on the other, points in AR, LA, OK, NM, and TX.

MC 153586 (Sub-2), filed March 30, 1982. Applicant: RICHARD G. CONAWAY, R.D. 1, Box 78, Frenchville, PA 16836. Representative: Dwight L. Koerber, Jr., P.O. Box 1320, 110 N. Second St., Clearfield, PA 16830, (814) 765-9611. Transporting *coal, coal products and byproducts*, between points in Clearfield County, PA, on the one hand, and, on the other, Philadelphia, PA, and points in MD, DE, NJ, NY, CT, RI, MA, VT, NH, and ME.

MC 158286 (Sub-6), filed March 29, 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 *metal products*, between Toledo, OH, Chicago, IL, Pittsburgh, PA and points in Georgetown County, SC, on the one hand, and, on the other, those points in the U.S. in and east of MT, WY, CO, and TX.

MC 161156, filed March 23, 1982. Applicant: AMERICAN RELOCATION SERVICES, INC., 2755 State St., Hamden, CT 06514. Representative: Robert J. Gallagher, 1000 Connecticut Ave. NW., Suite 1200, Washington, DC 20036, (202) 785-0024. To operate as a *broker*, in arranging for the transportation of *household goods*, between points in the U.S. (except AK and HI).

MC 161256, filed March 29, 1982. Applicant: CACTUS TRANSPORTATION COMPANY, INC., 909 N. Judge Ely, Abilene, TX 79601. Representative: Sam Hallman, 4555 First National Bank Bldg., Dallas, TX 75202, (214) 741-6263. Transporting *Mercer commodities*, between points in the U.S., under continuing contract(s) with Cactus Consolidated, Inc., d.b.a. Cactus Wholesale Mud, of Abilene, TX.

MC 161276, filed March 30, 1982. Applicant: JONES CANDY COMPANY, P.O. Box 307, 608 E. Park St., Willow Springs, MO 65793. Representative: Jack Jones (same address as applicant), (417) 469-2600. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Poe Candy Company, of St. Joseph, MO.

Volume No. OP4-127

Decided: April 6, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 135846 (Sub-6), filed March 25, 1982. Applicant: MOLITOR TRUCKING, P.O. Box 252, Boulder, MT 59632. Representative: John R. Davidson, First Bank Bldg., Rm 805, Billings, MT 59101, (406) 248-9156. Transporting (1) *malt beverages and wine*, between points in AR, CA, ID, MT, NV, OR, UT and WA, (2) *floor coverings and related products*, between points in AR, CA, CO, ID, MT, ND, MN, NV, OR, SD, UT, WA, and WY, and (3) *copper and zinc oxides*, between Cascade County, MT, on the one hand, and, on the other, Los Angeles and San Francisco, CA, and Portland, OR.

MC 147556 (Sub-4), filed March 29, 1982. Applicant: SOUTHWESTERN SCIENTIFIC CO., 4345 E. Irvington Rd., Tucson, AZ 85714. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014, (602) 264-4891. Transporting *paper and paper products*, between points in WI, on the one hand, and, on the other, points in FL and TX.

MC 147556 (Sub-5), filed March 29, 1982. Applicant: SOUTHWESTERN SCIENTIFIC CO., 4345 E. Irvington Rd., Tucson, AZ 85714. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014, (602) 264-4891. Transporting *such commodities* as are dealt in or used by the manufacturers or distributors of tire and automotive parts and accessories, between points in AZ, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Volume No. OP5-76

Decided: April 2, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 40978 (Sub-93), filed March 25, 1982. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, 3321 So. Business Drive, Sheboygan, WI 53081. Representative: Daniel R. Dineen, 710 No. Plankinton Ave., Milwaukee, WI 53203, (414) 273-7410. Transporting *such commodities* as are dealt in or used by department stores, between points in IA, IL, IN, KS, KY, MI, MN, MO, OH, and WI.

MC 140498 (Sub-4), filed March 24, 1982. Applicant: BECHEM TRANSPORT, INC., 46 River St., New Haven, CT 06513. Representative: William C. Evans, 1660 L St. NW., Suite 1100, Washington, DC 20036, (202) 452-7430. Transporting *chemicals and chemical waste* between points in the U.S., under continuing contract(s) with Fine Chemical Division of the Upjohn Company of New Haven,

CT, and with Axton-Cross Company of Holliston, MA.

MC 146438 (Sub-14), filed March 23, 1982. Applicant: ETV, INC., P.O. Box 393, Comstock Park, MI 49321. Representative: Wilhelmina Boersma, 1600 First Federal Bldg., Detroit, MI 48226, (313) 962-6492. Transporting *food and related items* between points in Ottawa County, MI, and Portage County, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 149308 (Sub-20), filed March 25, 1982. Applicant: VICTORY FREIGHTWAY SYSTEM, INC., P.O. Box P, Sellersburg, IN 47172. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, 317-846-6655. Transporting *chemicals and related products*, (except in bulk), between points in the U.S. under continuing contract(s) with Dow Corning Corporation of Midland, MI.

MC 153479 (Sub-2), filed March 25, 1982. Applicant: KAYE TRUCKING AND LEASING COMPANY, INC., P.O. Box 632, Lucasville, OH 45648. Representative: Stephen C. Fitch, 155 E. Broad St., Columbus, OH 43215, (614) 461-1337. Transporting *commodities in bulk* between points in OH, KY, and WV, on the one hand, and, on the other, points in MI, PA, VA, IL, NY, TN, GA, NC, OH, KY, and WV.

MC 154779 (Sub-1), filed March 25, 1982. Applicant: ALLSTATE VAN LINES, INC. d.b.a. ALLSTATE MOVING & STORAGE CO., 11680 Grooms Rd., Cincinnati, OH 45242. Representative: Robert J. Gallagher, 1000 Connecticut Ave. NW., Suite 1200, Washington, DC 20036, (202) 785-0024. Transporting *household goods* as defined by the Commission, between points in the U.S., under continuing contract(s) with The Drackett Company of Cincinnati, OH.

MC 155298 (Sub-1), filed March 25, 1982. Applicant: CENTRAL CARRIERS, INC., P.O. Box 2, Rugby, ND 58368. Representative: Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108, (701) 237-4223. Transporting *building materials and machinery*, between points in Pierce, McHenry, Renville, Bottineau, Rolette, Towner, Benson, Ward, and Ramsey Counties, ND, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 155658 (Sub-8), filed March 25, 1982. Applicant: D. F. SYSTEM, INC., 875 Providence Hwy., P.O. Box 242, Dedham, MA 02026. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellesley Hills, MA 02181, (617) 235-5571. Transporting *hospital, medical, and surgical supplies*, between points in the U.S., under continuing

contract(s) with Becton, Dickinson & Company of Rutherford, NJ. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. 11343(a) or submit an affidavit, indicating why such approval is unnecessary, to the Secretary's office. In order to expedite issuance of any authority, please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 5, Room 6364.

MC 161208, filed March 25, 1982. Applicant: C & S HOGGERHEIDE TRUCKING, INC., P.O. Box 36, South Boardman, MI 49680. Representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, MI 48933, (517) 482-2400. Transporting *Mercer commodities* between points in MI, on the one hand, and, on the other, points in PA, OH, NY, WV, TN, VA, IN, IL, and TX. Agatha L. Mergenovich, Secretary.

[FR Doc. 82-9775 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under § 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the Federal Register publication no later than the 15th calendar date after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. F-161

The following applications were filed in region I. Send protests to: Interstate Commerce Commission, Regional Authority Center, 150 Causeway Street, Room 501, Boston, MA 02114.

MC 142539 (Sub-1-5TA), filed March 30, 1982. Applicant: B. W. T. TRANSPORT, INC., 757 River Drive, Passaic, NJ 07055. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Contract carrier*: irregular routes: *Such merchandise as dealt in by retail department stores* between New York, NY Commercial Zone, on the one hand, and, on the other, Dallas, Houston and San Antonio, TX, under continuing contract(s) with Allied Stores Corp., New York, NY. Supporting shipper: Allied Stores Corporation, 1114 Avenue of Americas, New York, NY 10036.

MC 161227 (Sub-1-1TA), filed March 31, 1982. Applicant: RICHARD T. BEUTEL AND THEODORE T. BEUTEL, d.b.a. BUETEL TRANSPORT, 165 Ward Street, Watertown, NY 13601. Representative: Michael R. Werner, Esq., 241 Cedar Lane, Teaneck, NJ 07666. *Food and related products*, between NY on the one hand, and, on the other, points in PA, CT, MA, NY, VT, and NJ. Supporting shipper: Borden, Inc., 148 N. Pleasant St., Watertown, NY 13601.

MC 161281 (Sub-1-1TA), filed March 30, 1982. Applicant: A. CUPIDO HAULAGE LIMITED, 1035 Howard Road, Burlington, Ontario, CD L7R 3X5. Representative: Robert D. Kolken, Esq., 580 Elmwood Avenue, Buffalo, NY 14222. *Contract carrier*: irregular routes: *Agricultural limestone, in bulk*, from the International Boundary at Buffalo, Niagara Falls, and Lewiston, NY, to points in NY in the following counties: Albany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Clinton, Columbia, Cortland, Delaware, Erie, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oswego, Oneida, Onondaga, Ontario, Orleans, Otsego, Saratoga, Schenectady, Schuyler, Steuben, Seneca, Tompkins, Warren, Wayne, Wyoming and Yates, and to Springboro, PA under continuing contract(s) with Lime It, Agricultural Division of Let Gardner Do

It, Inc., Grand Island, NY. Supporting shipper: Lime It, Agricultural Division of Let Gardner Do It, Inc., 1980 Baseline Road, Grand Island, NY 14072.

MC 149565 (Sub-1-1TA), filed March 31, 1982. Applicant: G. L. DUNPHY & SON, INC., R.F.D. #1, North Anson, ME 04958. Representative: William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210. *Wood products (except in bulk)*, from facilities of Anson Stick Co. at Madison, ME, to Apex, NC, and its commercial zone. Supporting shipper: Anson Stick Co., 15 Water Street, Post Office Box 140, Madison, ME 04950.

MC 150878 (Sub-1-2TA), filed March 31, 1982. Applicant: DON FRAME TRUCKING, INC., 5485 Route 5, Fredonia, NY 14063. Representative: Norman T. Fowlkes III, 805 McLachlen Bank Building, 666 Eleventh Street, N.W., Washington, DC 20001. *Contract carrier*: irregular routes: *Malt beverages and containers for malt beverages*, between Baltimore, MD and Cleveland, OH, on the one hand, and, on the other, Dunkirk, NY, under continuing contract(s) with Chester Zachary, Inc., of Dunkirk, NY. Supporting shipper: Chester Zachary, Inc., 3745 E. Lake Road, Dunkirk, NY 14084.

MC 151783 (Sub-1-2TA), filed March 30, 1982. Applicant: S. GOSKI & SONS, INC., 318 Massachusetts Street, Westfield, NJ 07090. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. *Contract carrier*: irregular routes: *Pneumatic rubber tires and tubes* (1) From Cumberland, MD to North Brunswick, NJ and (2) from North Brunswick, NJ to CT, MA, NY, PA and RI under continuing contract(s) with Kelley-Springfield Tire Co., Cumberland, MD. Supporting shipper: Kelley-Springfield Tire Company, Kelley Boulevard, Cumberland, MD 21502.

MC 151941 (Sub-1-9TA), filed March 31, 1982. Applicant: DELMONT E. HARTT, INC., U.S. Route 2, P.O. Box 26, Etna, ME 04435. Representative: John C. Lightbody, Esq., Murray, Plumb & Murray, 30 Exchange Street, Portland, ME 04101. *Canned and dry foodstuffs* between the premises of the Pillsbury Company Incorporated at Chester, Chicago, and Springfield, IL; Terre Haute, Lafayette, and Hammond, IN; Buffalo, NY; and Mechanicsburg, PA; on the one hand, and, on the other, points in CT, IL, IN, MA, ME, NH, NY, PA, RI, and VT. Supporting shipper: The Pillsbury Co., Inc., Pillsbury Center, Mall Station 1978, Minneapolis, MN 55402.

MC 152420 (Sub-1-3TA), filed March 26, 1982. Applicant: LAND TRANSPORT CORPORATION, 24 Sabrina Road,

Wellesley, MA 02181. Representative: James E. Mahoney, 148 State Street, Boston, MA 02109. *Perlite (other than crude), vermiculite (other than crude), and plant bed media*, between Irondale, AZ and Travelers Rest, SC, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, OK and TX under continuing contract(s) with Construction Products Division, W. R. Grace & Co., Cambridge, MA. Supporting shipper: Construction Products Division, W. R. Grace & Co., 62 Whittemore Street, Cambridge, MA 02140.

MC 161290 (Sub-1-1TA), filed March 30, 1982. Applicant: LOUIS McGLORY, 14 King Street, Freeport, NY 11520. Representative: Jack L. Schiller, 123-60 83rd Avenue, Kew Gardens, NY 11415. *Metal boxes* between the facilities of Doninger Metal Products Corp. located at Freeport, NY, on the one hand, and, on the other, points in FL, GA, MD, NC, NJ, PA, SC, and VA. Supporting shipper: Doninger Metal Products Corp., 205 Buffalo Avenue, Freeport, NY 11520.

MC 13267 (Sub-1-3TA), filed March 26, 1982. Applicant: MOUNTAINSIDE TRANSPORT, INC., 130 Davidson Avenue, Somerset, NJ 08873. Representative: A. David Millner, 7 Becker Farm Road, P.O. Box Y, Roseland, NJ 07068. *Contract carrier: irregular routes: Such commodities as are dealt in by wholesale and chain grocery and food business houses, department stores and variety stores, and materials, supplies and equipment used in the conduct of such businesses* from Salisbury, Frederick, Cockeysville, Hunt Valley, and Baltimore, MD; Flemington, Camden, Jersey City, Clifton, Hightstown, and Bordentown, NJ; New Haven, CT, Mechanicsburg and Philadelphia, PA; Rochester and Westfield, NY; and Newark, DE, to Landover, MD and Chester, VA under continuing contract(s) with Safeway Stores, Inc. of Oakland, CA. Supporting shipper: Safeway Stores, Inc., Oakland, CA 94660.

MC 161283 (Sub-1-1TA), filed March 30, 1982. Applicant: NEMC TRANSPORTATION INC., 35 Keeler Street, Huntington, NY 11743. Representative: George Carl Pezold, Esq., Augello, Pezold & Hirschmann, P.C., 120 Main Street, Huntington, NY 11743. *General commodities (except Classes A and B explosives)* between NY, NJ, CT, PA, VT, MA, ME, and NH. Supporting shipper(s): Van Wyck International, 49 Windsor Ave., Mineola, NY 11501; Amrum Metal Products, 475 Flushing Ave., Brooklyn, NY 11205; Giove Company, 108-20 180th Street, Jamaica, NY 11433; Future Chemical &

Oil, 74 Mall Drive, Commack, NY 11725; Poly-X Co., 165 Howard St., Phillipsburg, NJ 08865.

MC 152098 (Sub-1-6TA), filed March 26, 1982. Applicant: OAKHURST TRANSPORTATION, INC., 175 Oakhurst Street, Lockport, NY 14094. Representative: James E. Brown, 36 Brunswick Road, Depew, NY 14043. *Products dealt in by drug stores, and products used by hospitals* between Buffalo, NY, on the one hand, and, on the other, the counties of Erie, Crawford, Warren, McKean, Potter, Tioga, Bradford, Susquehanna, Mercer, Venango, Forest, Elk, and Cameron; all located in the State of PA, restricted to shipments originating at or destined to the facilities of Ellicott Drug Company, Cheektowaga, NY. Supporting shipper: Ellicott Drug Company, 1560 Walden Avenue, Cheektowaga, NY.

MC 17546 (Sub-1-1TA), filed March 30, 1982. Applicant: R. G. DELIVERY SERVICE, INC., 410 13th Street, Hoboken, NJ 07030. Representative: Paul J. Keeler, P.O. Box 253, South Plainfield, NJ 07080. *Contract carrier: irregular routes: (1) Such commodities as are dealt in by retail department stores* between points in CT, NY, NJ and PA on traffic originating at or destined to the facilities or subsidiaries of: Edison Bros. Stores, Inc., St. Louis, MO; The Gap Stores, Inc., Erlanger, KY; Morse Shoe Corp., Canton, MA; United States Shoe Corp., Cincinnati, OH; Melville Corp., Worcester, MA; Genesco Inc., Nashville, TN; Washington Manufacturing Co., Nashville, TN; Adler Shoe Corp., New York, NY; Butler Shoe Corp., Westwood, MA; Wohle Shoe Co., St. Louis, MO; Brown Shoe Co., St. Louis, MO; Felsway Corporation, Totowa, NJ; (2) *Such commodities as are dealt in by retail hardware stores* between points in CT, NY, NJ and PA on traffic originating at or destined to the facilities or subsidiaries of Edison Bros. Stores, Inc. of St. Louis, MO. Supporting shipper(s): There are twelve statements in support of this application which may be examined at the Regional Office of the I.C.C. in Boston, MA.

MC 127955 (Sub-1-10TA), filed: March 30, 1982. Applicant: RICCI TRANSPORTATION CO. INC., Odessa Avenue & Aloe Street, Pomona, NJ 08240. Representative: Joseph A. Keating Jr., Esq., 121 South Main Street, Taylor, PA 18517. *Foodstuffs and food related products* between Cumberland County, NJ on the one hand, and, on the other, points in the U.S. on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction along the western boundary of Itasca

County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the U.S./CD boundary line. Supporting shipper(s): Kramer Beverage Co., Inc., 110 No. Virginia Ave., Atlantic City, NJ 08401; Progresso Quality Foods, 500 Elmer Road, Vineland, NJ 08360.

The following applications were filed in Region 2. Send protests to: ICC, Fed. Res. Bank Bldg., 101 North 7th St. Rm. 620, Philadelphia, PA 19106.

MC 145252 (Sub-II-4TA), filed March 29, 1982. Applicant: HENRY ANDERSEN, INC., P.O. Box 75, King George, VA 22485. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 15th St., NW., Washington, DC 20005. *Such commodities as are used in connection with the exploration and drilling of oil and gas wells*, from Hopewell, VA, Quincy, FL, Attapulgus, GA, Micaville, NC, Syracuse, NY, Woodbridge, NJ, Houston, TX, and Upton, Colony and Casper, WY, to points in WY, CO, TX, OK, NM and LA, for 270 days. Supporting shipper: Eisenman Chemicals Company, Greeley, CO 80632.

MC 157809 (Sub-II-2TA), filed: March 29, 1982. Applicant: JOHN LAHOTSKI, WILLIAM LAHOTSKI, PAUL LAHOTSKI, AND STEPHEN LAHOTSKI, d.b.a. BLUE AND WHITE TRUCKING, 181 Phillips Street, Throop, Pennsylvania 18512. Representative: Joseph A. Keating Jr., Esq., 121 South Main Street, Taylor, Pennsylvania 18517. Authority sought: *Used motor vehicles (in secondary movements)*, between NY, NJ, PA, OH, MD, DE, CT, RI, and MA for 270 days. Supporting shipper: DeNaples Auto Parts, 118 Bush Street, Dunmore, PA 18512. Bolus Truck Parts, 922 Sanderson Street, Throop, PA 18512.

MC 161268 (Sub-II-1TA), filed March 30, 1982. Applicant: LLOYD DAIBER, d.b.a. LLOYD DAIBER TRUCKING, 2226 Caldwell Road, Bucyrus, OH 44820. Representative: Jerry B. Sellman, 50 West Broad Street, Columbus, OH 43215. *Such commodities as are dealt in or used by manufacturers, processors or distributors of crushed glass*, between Marion County, OH, on the one hand, and, on the other, Jay County, IN, for 270 days. An underlying ETA seeks authority for 120 days. Supporting shipper: Container Recovery Corporation, 1550 Cascade Dr., Marion, OH 43302.

MC 161248 (Sub-II-1TA), filed March 29, 1982. Applicant: JAMES L. MANNING, d.b.a. DIRECT EXPRESS, 1742 Lonna Drive, NW., Roanoke, VA 24019. Representative: James L. Manning, (same address as Applicant).

General Commodities (except Classes A & B explosives and Household Goods) between points in VA, NC, SC, GA, TN, KY, WV, OH, IN, PA, NJ, NY, CT, DE, and MD. There are thirteen supporting shippers statements attached to this application which may be examined at the Philadelphia Regional office.

MC 140159 (Sub-II-9TA), filed March 30, 1982. Applicant: C. L. FEATHER, INC., P.O. Box 1190, Altoona, PA 16603. Representative: Thomas M. Mulroy, 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, PA 15222. *Coal, in bulk, in dump vehicles*, from points in Clearfield and Cambria Counties, PA to Dresden, NY, and Johnson City, NY for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: Benjamin Coal Company, R. D., La Jose, PA. Nace Utility Sales, Inc., 20 Crossway Park North, Woodbury, NY 11797.

MC 161246 (Sub-II-1TA), filed March 29, 1982. Applicant: KENTON CRATE & PALLET COMPANY, INC., 18 Betty St., Milford, DE 19963. Representative: Chester A. Zyblut, 368 Executive Bldg., 1030 15th St., NW., Washington, D.C. 20005. *Foodstuffs*, between Kent and Sussex Counties, DE, and Fairfield County, CT, on the one hand, and, on the other, points in DE, MD, CT, NY, NJ, PA, VA, NC, WV, and DC, for 270 days. Supporting shipper(s): Quality Kitchen Foods, Inc., Wyoming, DE Clifton Canning Co., Milton, DE.

MC 149069 (Sub-II-4TA), filed March 29, 1982. Applicant: KEPPEL CORPORATION, Route One—Box 213, Staunton, VA 24401. Representative: H. Neil Garson, 3251 Old Lee Hwy, Fairfax, VA 22030. *Antenna Structures, antenna panels, electronic antenna tuning equipment and electronic parts used in the operation of antenna structures*, between the facilities of Radiation Systems, Inc. at Sterling, VA, on the one hand, and, on the other, points in the U.S. (except AK and HI). An underlying ETA seeks 120 days authority. Supporting shipper: Radiation Systems, Inc. 1501 Moran Rd., Sterling, VA 22170.

MC 128618 (Sub-II-1TA), filed March 30, 1982. Applicant: MARTINO TRUCKING, INC., Railroad St., Rochester, PA 15074. Representative: John A. Vuono, 2310 Grant Bldg., Pittsburg, PA 15219. *Steel castings and scrap metals*, in dump vehicles, between Rochester, PA, on the one hand, and on the other, points in OH for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper(s) General Alloys, Inc., New York Avenue, Rochester, PA 15074.

MC 153929, (Sub-II-2TA), filed March 30, 1982. Applicant: MONROE LEASING, INC., 3434 Akron-Cleveland

Rd., Cuyahoga Falls, OH 44423. Representative: Andrew Jay Burkholder, 275 E. State St., Columbus, OH 43215. *Contract; irregular: Rubber and plastic products* between points in the U.S. (except AK and HI) for 270 days under continuing contract(s) with T. J. Dangel and Associates, Akron, OH. Supporting shipper: T. J. Dangel & Associates, 1694 Somkerise Dr., Akron, OH 44313.

MC 135364, (Sub-II-18TA), filed March 30, 1982. Applicant: MORWALL TRUCKING, INC., Box 76-C, R.D. #3, Moscow, PA 18444. Representative: Joseph A. Keating Jr., 121 South Main Street, Taylor, PA 18517. *Synthetic fiber*, between Middlebury, VT on the one hand, and, on the other, points in and east of MN, NB, KS, OK and TX, under a contract with Polymers, Inc., Middlebury, VT for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Polymers, Inc., P.O. Box 151, Route 118, Middlebury, VT 05753.

MC 106663, (Sub-II-1TA), filed March 30, 1982. Applicant: NEEL TRANSPORTATION CO., INC., R.D. #6, Box 516, Washington, PA 15301. Representative: Sally A. Davoren, 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, PA 15222. *Cellulose insulation*, between the facilities of SIMPCO, Inc., at points in North Strabane Township, Washington County, PA, on the one hand, and, on the other, points in Mahoning County, OH; New Castle County, DE; Broome, Onondaga, Albany and Orange Counties, NY; Spotsylvania, Prince William, York and Henrico Counties, VA; Burlington, Monmouth, Mercer, Atlantic, Morris and Cumberland Counties, NJ; Providence County, RI; Hartford County, CT; and Anne Arundel, Baltimore, Frederick, Carroll, Montgomery and Prince Georges Counties, MD, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: SIMPCO, Inc., P.O. Box 48, Meadow Lands, PA 15347.

MC 141160, (Sub-II-3TA), filed March 30, 1982. Applicant: NEWTON TRANSPORTATION, INC., R.D. #1, Box 2153, Orwigsburg, PA 17961. Representative: Joseph A. Keating Jr., 121 South Main Street, Taylor, PA 18517. *Plastic film, sheeting and bags*, between Schuylkill County, PA on the one, hand, and, on the other, points in the U.S. (except AK and HI) under contract with Exxon Chemical Americas, Pottsville, PA for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Exxon Chemical Americas, P.O. Box 395, Pottsville, PA 17901.

MC 146807, (Sub-II-25TA), filed March 30, 1982. Applicant: S-n-W ENTERPRISES, INC., P.O. Box 1131, Wilkes Barre, PA 18702. Representative: Edward F. V. Pietrowski, 430 Scranton Life Bldg., Scranton, PA 18503. *Glue, paint, compounds, auto chemicals, degreasers, cleaners, and promotional displays (chemicals and related products)*, from Montgomery Co., PA and Chenango Co., NY to Oakland and City of Industry, CA; Sparks, NV; Portland, OR; Seattle, WA; Shakopee, MN; New Orleans, LA; Florence and Lawrence, KS; Atlanta and Newman, GA; St. Louis, MO; Ft. Wayne, IN; Plymouth, MI; Chicago, IL; Memphis, TN; Houston, Corsicana, Carrollton and Brownsville, TX, for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: Borden, Inc., 180 East Broad St., Columbus, OH 43215.

MC 158613 (Sub-II-7TA), filed March 31, 1982. Applicant: TRICOR BUSINESS GROUP, INC., 1242 Tatamy Road, Easton, PA 18042. Representative: Roger D. Hershman, TRICOR Business Group, Inc., Administrative Office, 22 Olde Mill Run, Medford, NJ 08055. *General commodities*, between points in the United States, restricted to the facilities of United Ohio Corporation and its associated member facilities for 270 days. An underlying ETA seeks 120 days authority. Shipper(s): United Ohio Corporation, 4120 Erie Street, Willoughby, OH 44094.

The following applications were filed in region 3. Send protests to: ICC, Regional Authority Center, Room 300, 1776 Peachtree Street, N.E., Atlanta, GA 30309.

MC 161272 (Sub-3-1TA), filed March 30, 1982. Applicant: MOUNTAIN PASSENGER & MINI-BUS SERVICE, INC., P.O. Box 132, Highway 64 & Blackgum Lane, Sapphire, NC 28774. Representative: Mike Mulaney, 1801 S.W. 20th Street, Ft. Lauderdale, FL 33315. *Passengers* from Jackson, Transylvania, Henderson, Macon and Buncombe Counties, NC to Knoxville, TN. Supporting shippers: Oakmont Lodge, Rt. 63, Box 170, Cashiers, NC 28717; Trantox, Inc., P.O. Box 70, Hwy. 64, Sapphire, NC 28774; Susan Breedlove Properties, P.O. Box 111, Hwy. 64 W., Lake Toxaway, NC 28747; Camenzino & Lee CPA's PA, P.O. Box 1094, Main Street, Brevard, NC 28712.

MC 146869 (Sub-3-6TA), filed March 31, 1982. Applicant: CARRIER FREIGHT LINES, INC., P.O. Box 813, Hickory, NC 28601. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204-2667.

Contract: irregular: furniture and fixtures, from the facilities of Bassett Furniture Industries of North Carolina, Inc. in Newton and Hiddenite, NC; Dumas, AR; and Dublin and Macon, GA, to points in the U.S. Supporting shipper: Bassett Furniture Industries of North Carolina, Inc., P.O. Box 47, Newton, NC 28658.

MC 161306 (Sub-3-1TA), filed March 31, 1982. Applicant: KEIL JOHNSON, d.b.a. JOHNSON TRUCKING, 1501 Joe Hinton Road, Knoxville, TN 37921. Representative: Rudolph L. Ennis, Esq., McCampbell & Young, 2021 United American Plaza, P.O. Box 550, Knoxville, TN 37901. *Contract: Irregular: (1) concrete products, (2) metal products, and (3) materials (including chemicals), equipment and supplies used in concrete and metal construction, between the facilities of Callaway Building Products at Knoxville, TN, and points in AL, GA, KY, and NC. Supporting shipper: Callaway Building Products, 2741 Mynderse Avenue, Knoxville, TN 37921.*

MC 161273 (Sub-3-1TA), filed April 1, 1982. Applicant: CAROLINA COUNTRY BOYS, Route 3, Box 303, Waynesville, NC 28786. Representative: James E. Sisk (same as above). *Passengers, no baggage, in special and charter operations, from Canton, NC to Knoxville, TN and Return. Supporting shipper(s): There are ten statements in supporting evidence of this application which may be examined at the ICC Regional Office, Atlanta, GA.*

The following applications were filed in region 4. Send protests to: Interstate Commerce Commission, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 40978 (Sub-4-19TA), filed March 29, 1982. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, 3321 South Business Drive, Sheboygan, WI 53081. Representative: Daniel R. Dineen, 710 North Plankinton Avenue, Milwaukee, WI 53203. *Containers, from the facilities of Rheem Manufacturing Company at Chicago, IL, to points in WI. An underlying ETA seeks 120 days authority. Supporting shipper: Rheem Manufacturing Company, 7600 South Kedzie Avenue, Chicago, IL 60652.*

MC 154460 (Sub-4-5TA), filed March 29, 1982. Applicant: "Q" CARRIERS INC., 14086 Rutgers Street-NE., Prior Lake, MN 55372. Representative: Randall D. Quiring (same as applicant). *Contract irregular: Gift items & giftware such as that sold in retail and wholesale department, variety, drug and grocery stores as well as soft soap, and other soap products, personal care products and related products between points in*

the U.S. Restricted to traffic moving under continuing contract with Minnetonka, Inc. Supporting shipper: Minnetonka Inc., P.O. Box 1-A, Minnetonka, Minnesota 55343.

MC 156352 (Sub-4-2TA), filed March 30, 1982. Applicant: MUELLER CONTRACTING COMPANY, INC., 210 North Prospect Street, Roselle, IL 60172. Representative: Albert A. Andrin, 180 North La Salle Street, Chicago, IL 60601. *Contract, irregular: General commodities (except Classes A and B explosives), between points in IL, on the one hand, and, on the other, points in TN, AL, GA, LA, NC, MS, MO, IN, NY, OH, PA, NJ, CT, MI, MN, WI, TX and IL, under a continuing contract(s) with Container Corporation of America. Supporting shipper: Container Corporation of America, 500 East North Avenue, Carol Stream, IL 60187.*

MC 157280 (Sub-4-3 TA), filed March 29, 1982. Applicant: DATIM, INC., 925 East Broadway, Madison, WI 53716. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Foodstuffs and materials, equipment and supplies used in the manufacture, sale, or distribution of such commodities, between Fond du Lac County, WI, on the one hand, and, on the other hand, points in AL, AR, FL, GA, IL, KS, KY, MO, NC, NJ, NY, OH, PA, SC, and TN. An underlying ETA seeks 120 days authority. Supporting Shipper: Heritage Wafer Ltd., Ripon Foods Inc., P.O. Box 348, Ripon, WI 54971.*

MC 160301 (Sub-4-2), filed March 29, 1982. Applicant: TOPDRAW FREIGHT SYSTEM, INC., 3407 West Pershing Road, Chicago, IL 60632. Representative: Owen B. Katzman, 1828 L Street NW., Suite 1111, Washington, DC 20036. *General commodities (except classes A and B explosives, household goods, and commodities in bulk), between points in MA, CT, NY, NJ, PA, OH, MI, WI, IN, IL, TN, GA, NC, SC, AL, MS, and AR, on the one hand; and, on the other, points in CA, AZ, UT, NV, and IL, restricted to traffic moving under freight forwarder bills of lading. Supporting shipper: Clipper Express Company, 3401 West Pershing Road, Chicago, IL 60632.*

MC 160388 (Sub-4-2 TA), filed March 25, 1982. Applicant: DAVID HALES, INC., 1615 South 8th St., Aberdeen, SD 57401. Representative: Stephen F. Grinnell, 1600 TCF Tower, Minneapolis, MN 55402. *Fertilizer from Minneapolis, Pine Bend and St. Paul, MN; and Omaha, NE to Bath, Bristol, Aberdeen, Redfield and Huron, SD. An underlying ETA seeks 120 days authority. Supporting*

shipper: South Dakota Wheat Growers, Inc., Bath, SD 57427.

MC 160727 (Sub-4-1), filed March 26, 1982. Applicant: DENNIS E. MOEN, Box 475, Baudette, MN 56623. Representative: Dennis E. Moen, Box 475, Baudette, MN 56623. *Lumber and plywood, between the United States-Canadian border points at or near Warroad, Lancaster, Pinecreek, and Noyes, MN on the one hand, and, on the other, points in IL, IN, IA, MI, NE, WI, and SD. An underlying ETA seeks 120 days authority. Supporting shipper: Northwoods Building Materials, 1460 Clarence Ave., Winnipeg, Manitoba R3T 1T6.*

MC 161244 (Sub-4-1 TA), filed March 26, 1982. Applicant: R & G CARRIERS, INC., 31W625 Smith Road, West Chicago, IL 60185, (P.O. Box 1154, Glendale Heights, IL 60137). Representative: Anthony T. Thomas, 2619-B So. Ridgeland Ave., Berwyn, IL 60402. *Contract, irregular: Building erection braces, scaffolds and scaffolding, trestles, trusses, shores and shoring, and accessories, supplies and equipment (including winches), used or useful in the construction and erection thereof, between Addison, IL, Beltsville, MD, Grand Prairie, TX, Hollywood, FL, Issaquah, WA, Long Beach and San Leandro, CA, on the one hand, and, on the other, points in the U.S. under continuing contract(s) with Aluma Systems, Inc. of Downsview, Ontario, Canada. Supporting shipper: Aluma Systems, Inc., 4800 Dufferin, Downsview, Ontario, Canada M3H 5S9.*

MC 161244 (Sub-4-2TA), filed March 26, 1982. Applicant: R & G CARRIERS, INC., 31W625 Smith Road, West Chicago, IL 60185 (P.O. Box 1154, Glendale Heights, IL 60137). Representative: Anthony T. Thomas, 2619-B So. Ridgeland Ave., Berwyn, IL 60402. *Contract, irregular: cargo restraining systems, and materials, supplies and equipment used in the manufacture and distribution of cargo restraining systems, between El Segundo and Lodi, CA, Lynwood, WA, Arlington, TX, Atlanta, GA and Addison, IL, on the one hand, and, on the other, points in the U.S. under continuing contract(s) with Ankra Corporation of El Segundo, CA. Supporting shipper: Ankra Corporation, 2233 E. Grand Ave., El Segundo, CA 90245.*

The following applications were filed in Region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 117386 (Sub-5-1TA), filed March 31, 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. *Anhydrous Ammonia and Fertilizers, in Bulk*, Between pts in Clay County, IA on the one hand, and, on the other, pts in MN and SD. Supporting shipper: Farmers Union Central Exchange, Inc., aka, CENEX, St. Paul, MN.

MC 135827 (Sub-5-1TA), filed April 2, 1982. Applicant: PANTIER, INC., 1501 2nd Street, Perry, IA 50220. Representative: Larry D. Knox, 600 Hubbell Building, Des Moines, IA 50309. *Chemicals (except in bulk)*, between the facilities of Brady Moving and Storage Company, Inc. at Ft. Dodge, IA, on the one hand, and, on the other, pts in the U.S. (except AK and HI). Supporting shipper: Brady Moving and Storage Company, Inc., 2 N. 17th Street, Fort Dodge, IA 50501.

MC 139457 (Sub-5-5TA), filed April 2, 1982. Applicant: G. L. SKIDMORE, d.b.a. JELLY SKIDMORE TRUCKING CO., P.O. Box 38, Paris, TX 75460. Representative: Paul D. Angened, P.O. Box 2207, 1806 Rio Grande, Austin, TX 78768. Contract, irregular: *food and related products* between points in Morgan County, IL, on the one hand, and, on the other, points in Grayson County, TX, under a continuing contract with Anderson Clayton Foods, Dallas, TX.

MC 146336 (Sub-5-14TA), filed April 2, 1982. Applicant: WESTERN TRANSPORTATION SYSTEMS, INC., 1609 109th Street, Grand Prairie, TX 75050. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245. Contract, irregular: *Furniture and fixtures* between Waco, TX on the one hand, and, on the other, points in the U.S. (except AK and HI) under continuing contract(s) with L. L. Sams and Sons, Inc., Waco, TX.

MC 152068 (Sub-5-3TA), filed April 1, 1982. Applicant: HOC-EXPRESS, INC., 125 N. Elizabeth, Wichita, KS 67203. Representative: Clyde N. Christey, 1010 Tyler, Suite 110L, Topeka, KS 66612. *Drilling mud, soda ash and related materials used with oil field drilling mud*, from MT, ND, SD, UT and WY to AR, CO, KS, LA, NE, OK, and TX. Supporting shippers: Eagleston Wholesale Mud & Chemical, Inc., Oklahoma City, OK; Davis Mud & Chemical, Inc., Great Bend, KS.

MC 152068 (Sub-5-4TA), filed April 1, 1982. Applicant: HOC-EXPRESS, INC., 125 N. Elizabeth, Wichita, KS 67203. Representative: Clyde N. Christey, 1010 Tyler, Suite 110L, Topeka, KS 66612. (1)

Food and related products, from points in the U.S. (except AK and HI) to Butler, Pratt and Sedgwick Counties, KS. (2) *Metal containers and materials necessary for the manufacture thereof*, from Chicago, IL; Denver, CO; Dallas and Longview, TX; St. Louis and Kansas City, MO and their Commercial zones to Butler and Sedgwick Counties, KS and (3) *Disinfectants, deodorants, floor sweeps, cleaning and polishing compounds and materials, supplies for distribution and use of such commodities*, from Sedgwick County, KS to points in the U.S. (except AK and HI). Supporting shippers: T & S Food Distributors, Inc., Augusta, KS; Spurrier Chemical Companies, Inc., Wichita, KS; Continental Group, Inc. of Stamford, Chicago, IL.

MC 161140 (Sub-5-1TA), filed March 31, 1982. Applicant: HOTSHOT OILFIELD DELIVERIES, INC., 5800 S. Lindsey, Oklahoma City, OK 73143. Representative: Clint Oldham, 623 South Henderson, 2nd Floor, Fort Worth, TX 76104. *Mercer commodities*, between points in OK, on the one hand, and, on the other, points in AR, CO, KS, LA, MS, MO, NM, TX, and WY. There are 14 supporting shippers.

MC 161234 (Sub-5-1TA), filed March 31, 1982. Applicant: FAYE LARISCEY, d.b.a. LARISCEY ENTERPRISES, Route 6, Box 1441 J, Odessa, TX 79763. Representative: Michael H. Lennox, 531 N. Portland Ave., Box 75613, Oklahoma City, OK 73147. *Oilfield equipment, materials and supplies, in shipments weighing less than 20,000 pounds*, between AL, CO, KS, KY, LA, MS, ND, NM, OK, TN, TX, WY, WV, restricted to supporting shippers hereto and/or their vendors. Supporting shippers: There are four supporting shippers.

MC 161289 (Sub-5-1TA), filed March 31, 1982. Applicant: B. PATTON TRUCKING COMPANY, P.O. Box 95, Irving, TX 75060. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. Contract: Irregular, *Air Filtration Products, Materials, Equipment and Supplies used in the manufacture, sale and distribution of Air Filtration Products* between Dallas, TX, on the one hand, and, on the other, points in AR, CO, KS, LA, OK, NM and TX. Under continuing contract(s) with Precisionaire, Dallas, TX.

MC 161290 (Sub-5-1TA), filed March 31, 1982. Applicant: CARROLL FOSTER d.b.a. CARROLL FOSTER TRUCKING CO., Route 3, Box 659, Jonesboro, AR 72401. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909, Memphis, TN 38103. *Cabinets and appliances* from Jeffersonville and Goshen, IN, to facilities utilized by

Drum's Cabinets, Inc. located at or near Las Cruces, Hobbs, Carlsbad, Artesia, and Roswell, NM. Supporting shipper: Drum's Cabinets, Inc., 910 1/2 El Paso Rd., Las Cruces, NM 88001.

MC 161294 (Sub-5-1TA), filed March 31, 1982. Applicant: KEN STEWART d.b.a. COWBOY COACH CO., 2412 Travis Street, Houston, TX 77006. Representative: James Robert Evans, 145 W. Wisconsin Avenue, Neenah, WI 54956. *Passengers and their baggage*, in charter operations, beginning and ending at Houston, TX, and its commercial zone, and extending to LaFayette and Vinton, LA and to points in CO, FL and NM. There are eight supporting shippers.

MC 161296 (Sub-5-1TA), filed March 31, 1982. Applicant: THOMAS L. HANSEN, Route 1, New Hartford, IA 50660. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309. Contract Irregular, *Agricultural machinery, implements, and parts*, from Moline, IL to Aplington, IA, under continuing contract(s) with Huisman Implement Co. Supporting shipper: Huisman Implement Co., Highway 20 East, Aplington, IA 50604.

MC 161326 (Sub-5-1TA), filed April 2, 1982. Applicant: KELLEY'S TRANSPORTATION, INC., 8801 S.E. 29th Street, Oklahoma City, OK 73110. Representative: William P. Parker, P.O. Box 54657, Oklahoma City, OK 73154. *Modular housing and mobile homes* from Reno and Russell Counties, KS to points in OK. Supporting shippers: Bella Vista Homes, Inc., South Front Street, Russell, KS 67665; Liberty Homes, Inc., P.O. Box 18, Yoder, KS 67585.

The following applications were filed in Region 6. Send protests to: Interstate Commerce Commission, Region 6, Motor Carrier Board, P.O. Box 7413, San Francisco, CA 94120.

MC 161245 (Sub-6-1TA), filed March 29, 1982. Applicant: AMERICAN WAREHOUSE CO., INC., 5150 Colorado Blvd., Denver, CO 80216. Representatives: Dale E. Isley, 330 Steele Park Bldg., 50 South Steele St., Denver, CO 80209. *General commodities (except Classes A and B explosives, hazardous materials, household goods and commodities in bulk)* between points in CO, for 270 days. Supporting shippers: Pacific Motor Trucking Co., 1766 El Camino Real, Burlingame, CA 94010; Piggyback Consolidators, Inc., 15501 Heron Ave., La Mirada, CA 90638; Modern Merchandising, Inc., 5101 Shady Oak Rd., Minnetonka, MN 55343; and Eschem, Inc., 30 North LaSalle, 42nd floor, Chicago, IL 60602.

MC 161247 (Sub-6-1TA), filed March 29, 1982. Applicant: BATBAI D. ZARKOFF d.b.a. BDZ AUTO TRANSPORT, 225 Santa Monica Blvd., Suite B-413, Santa Monica, CA 90401. Representative: Floyd L. Farano, 2555 E. Chapman Ave., Suite 415, Fullerton, CA 92631. *New and Used Automobiles:* between points in CA, AZ, and NV on the one hand, and on the other OH, MO, TX, IL, IN, MI, PA, MD, VA, NJ, NY, DC, for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: There are 7 shippers. Their statements may be examined at the regional office listed above.

MC 134387 (Sub-6-31TA), filed March 29, 1982. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Ave., South Gate, CA 90280. Representative: Patricia M. Schnegg, 707 Wilshire Blvd., #1800, Los Angeles, CA 90017. *Computer games*, from Sunnyvale, CA to Portland, OR; Seattle, WA; Denver, CO; and Reno, NV, for 270 days. An underlying ETA seeks up to 120 days. Supporting shipper: Imagic, 1281 Forgewood Dr., Sunnyvale, CA 94086.

MC 147551 (Sub-6-1TA), filed March 25, 1982. Applicant: EL SYD, INC., 1250 Menaul NE, Albuquerque, NM 87107. Representative: James C. Ash, 2524 Vermont NE, Albuquerque, NM 87110. *Contract Carrier, Irregular routes:* (1) *Malt Liquors* (2) *Wine, Brandy or Brandy Spirits* (3) *Distilled, Rectified or Blended Liquors* from CA to NM under contracts with New Mexico Beverage Company and Richard Distributing Company for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: New Mexico Beverage Company, P.O.B. 25945, Albuquerque, NM 87125; Richard Distributing Company, 1601 Commercial NE, Albuquerque, NM 87102.

MC 145102 (Sub-6-17TA), filed March 29, 1982. Applicant: FREYMILLER TRUCKING, INC., 1400 S. Union Ave., Bakersfield, CA 93307. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. *Contract carrier; Irregular routes: Food and related products* from Louisville, KY, Battle Creek, MI, and Lancaster and Sharonville, OH to points in CA, OR and TX under a continuing contract(s) with Ralston Purina Company, for 270 days. An underlying ETA seeks 120 day authority. Supporting shipper: Ralston Purina Company, Checkerboard Square, St. Louis, MO 63164.

MC 161240 (Sub-6-1TA), filed March 29, 1982. Applicant: AUGUST J. SIRIANNI, SR. and RICHARD GOODRIDGE, d.b.a. G & S TRANSPORTATION, 1551 South Milpitas Blvd., Milpitas, CA 95035.

Representative: Daniel W. Baker, 100 Pine St., #2550, San Francisco, CA 94111. *Contract Carrier, irregular routes, general commodities (except classes A & B explosives, household goods and commodities in bulk)*, between points in CA, restricted to shipments moving under freight forwarder bills of lading, and under continuing contracts with Riss Intermodal Corp., for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Riss Intermodal Corp., 1551 South Milpitas Blvd., Milpitas, CA 95035.

MC 126899 (Sub-6-1TA), filed March 30, 1982. Applicant: MOORE VAN & STORAGE OF WOODLAND, INC., 860 Onstott Rd., Yuba City, CA 95991. Representative: Floyd L. Farano, 2555 E. Chapman Ave., Suite 415, Fullerton, CA 92631. *Used Household Goods and Personal Effects* between Yuba, Humboldt, Siskiyou, Del Norte, Trinity, Sutter, Butte, Mendocino, Lake, Colusa, Glenn Counties, CA; Jackson, Josephine and Curry Counties, OR. Restricted to transportation having prior or subsequent movement in containers for 270 days. An underlying ETA seeks 120 days' authority. Supporting shipper: Beale Air Force Base, Yuba City, CA 95992.

MC 157360 (Sub-6-2TA), filed March 26, 1982. Applicant: ROWLAND HAM, d.b.a. PACIFIC LINK, 3805 Buchanan St., Riverside, CA 92503. Representative: Donald R. Hedrick, POB 4334, Santa Ana, CA 92702. *Contract Carrier, Irregular routes: Food and related products*, (1) from Riverside, Santa Ana and Vernon, CA to San Antonio and Dallas, TX, St. Louis, MO, Kansas City, KS, Albuquerque, NM, Chicago, IL, and Orlando, FL; and (2) from points in WI, MN, ID to Riverside, CA, for 270 days. Supporting shippers: Butcher Boy Food Products, Inc., 12155 Magnolia Ave., Riverside, CA 92517; Swiss Dairy, 4221 Buchanan St., Riverside, CA 92503; and Cal International, 608 Monterey Pass Rd., Monterey Park, CA 91754.

MC 161271 (Sub-6-1TA), filed March 26, 1982. Applicant: H. A. ROCHLITZ, and individual d.b.a. RANCH SUPPLY CO., 5307 Boyd Rd., Arcata, CA 95521. Representative: Ronald C. Chauvel, 100 Pine St., Suite 2550, San Francisco, CA 94111. *Contract carrier, Irregular routes: Liquid feed supplements and Lignon road sealer*, between CA, OR, WA, ID, and NV, for 270 days. Supporting shipper: Cargill, Inc., P.O.B. 5629, Minneapolis, MN 55440.

MC 148356 (Sub-6-2TA), filed March 26, 1982. Applicant: STAR MOTOR FREIGHT LINES, INC., 3110 N. Stone, Colorado Springs, CO 80907. Representative: Lee E. Lucero, 445

Capitol Life Center, East 16th Ave. at Grant St., Denver, CO 80203-1670. *Common carrier, Regular routes: General commodities (except classes A and B explosives, household goods as defined by the Commission and commodities in bulk)*, (A) Between Pueblo, CO and Raton, NM: from Pueblo over Interstate Hwy. 25 or combined U.S. Hwys. 85 and 87 to Raton and return over the same route, serving all intermediate points; (B) Between Pueblo and Trinidad, CO: from Pueblo over Interstate Hwy. 25 or combined U.S. Hwys. 85 and 87 to Walsenburg, CO, then over U.S. Hwy. 160 to its junction with Colorado Hwy. 12, then cover Colorado Hwy. 12 to Trinidad and return over the same route, serving all intermediate points and the off-route point of Canon City, CO, and points in Huerfano, Costilla and Las Animas Counties, CO; and (C) serving all points in NM as off-route points in connection with carrier's otherwise authorized regular route operations, for 270 days. Supporting shipper(s): There are 24 shippers. Carrier intends to tack this authority with its existing authorization and to interline with other authorized carriers.

MC 161238 (Sub-6-1TA), filed March 29, 1982. Applicant: SUNRISE TRUCKING LTD, 8705 163 St., Edmonton, Alberta, CN T5R 2N7. Representative: Patricia Garwasiuk (same as applicant). *Contract carrier, irregular routes, ores and minerals in bags or bales*, from Alberta, CN and U.S. International boundary to CA for the account of Cassiar Resources Division of Brinco Mining Ltd., for 270 days. Supporting shipper: Cassiar Resources Division of Brinco Mining, Ltd., 2000 1055 W. Hastings St., Vancouver, BC, CN V6E 3V3.

MC 160929 (Sub-6-2TA), filed March 25, 1982. Applicant: T-N-T SERVICES, INC., 711 No. Fairview, Santa Ana, CA 92703. Representative: Charles J. Kimball, #665, 1600 Sherman, Denver, CO 80203. *Such commodities dealt in by manufacturers or distributors of (1) plumbing materials, equipment, and supplies; (2) vitreous china urinals, toilets and lavatories, and (3) porcelain enamel steel bathtubs, lavatories, and kitchen sinks*, from the facilities of Colton-Wartsilla Co. at or near Colton, CA to points in the U.S. in and west of MT, WY, CO, NM, and TX, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Colton-Wartsilla Co., 330 West Citrus Avenue, Colton, CA.

MC 157794 (Sub-6-1TA), filed March 29, 1982. Applicant: ZEPHYR FACTORS,

INC., P.O.B. 206, Bend, OR 97701. Representative: Jerry R. Woods, 101 SW Main St., Rm 1600, Portland, OR 97204. (1) *Malt Liqueurs, wines, brandy or brandy spirits (except in bulk)*, between points in Deschutes and Wasco Counties, OR, on the one hand, and, on the other, points in CA and WA; (2) *Packaged and boxed fuel wood and paperboard, fiberboard or pulpboard containers or boxes*, between points in Deschutes County, OR, on the one hand, and, on the other, points in CA, NV, WA and WY for 270 days. Supporting shipper: M&M Distributing Inc., 2200 West 2nd St., The Dalles, OR 97058, Neel Distributing of Columbia Basin, Inc., 2200 W. 2nd St., The Dalles, OR 97058, Phil Hatch, Inc., 273 SE 9th St., Bend, OR 97702 and Wintertime Products, Inc., 2561 NE 4th St., Bend, OR 97701.

MC 161282 (Sub-6-1TA), filed March 26, 1982. Applicant: CHAPARRAL TOURS, INC., 148 E. Worthington Rd., Imperial, CA 92251. Representative: Donald R. Hedrick, POB 4334, Santa Ana, CA 92702. *Passengers with their baggage*, in the same vehicle, in round-trip special and charter operations beginning and ending at points in Imperial County, CA and extending to points in AZ, NV, NM, UT, CO, ID and WY, for 180 days. Supporting shipper: Union Oil Company of California, 461 W. Main St., Brawley, CA 92227; El Centro Community Hospital, Ross & Imperial, El Centro, CA 92243; Princess Travel Service, 1239 Adams Ave., El Centro, CA 92243; Economic Opportunity Commission of Imperial County, Incorporated, 654 Main St., El Centro, CA 92243.

MC 144963 (Sub-6-4TA), filed March 30, 1982. Applicant: JOBBERS FREIGHT SERVICE, INC., 111 N. College St., Grangeville, ID 83530. Representative: Timothy R. Stivers, P.O.B. 1576, Boise, ID 83701. *Contract Carrier*, Irregular routes: *Such commodities as are dealt in by auto and truck part supply houses*, from Spokane, WA to Umatilla and Union Counties, OR, for the accounts of Genuine Parts Company and Jobbers Warehouse Company, for 270 days. Supporting shippers: Genuine Parts Company, SACK No. TAF C-12, Spokane, WA 99220; and Jobbers Warehouse Company, P.O.B. 2967, Spokane, WA 99220.

MC 160976 (Sub-6-1TA), filed March 29, 1982. Applicant: DALE JANSSEN d.b.a. R & D ENTERPRISES, 1727 Darrah St., Simi Valley, CA 93063. Representative: Dale Janssen (same as applicant). *Passengers and their baggage in special operations*, from Fresno and Kern Counties, CA to the

International Boundary U.S./Mexico at El Centro, CA, for 180 days. An underlying ETA seeks 90 day authority. Supporting shipper: U.S. Department of Justice, Immigration and Naturalization Service, U.S. Border Patrol, P.O.B. 880, Pleasanton, CA 94586.

MC 151878 (Sub-6-2TA), filed March 30, 1982. Applicant: THREE WAY CORPORATION, 1120 Karlstad Dr., Sunnyvale, CA 94086. Representative: Charles H. White, Jr., Suite 800, 1019 19th St., NW., Washington, D.C. 20036. *Contract carrier*, Irregular routes: *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 with Sperry Univac Corporation, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Sperry Univac Corporation, P.O.B. 500, Blue Bell, PA 19422.

MC 161317 (Sub-6-1TA), filed April 1, 1982. Applicant: BUCKLEN EQUIPMENT CO., INC., 804 North 25th Ave., Greeley, CO 80631. Representative: Richard F. Bucklen (same as applicant). *Ores and Minerals*, from points in NM to points in CO for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: James E. Leatherman, 1515 North Ohio, Roswell, NM 88201.

MC 115523 (Sub-6-15TA), filed April 1, 1982. Applicant: CLARK TANK LINES COMPANY, 1450 N. Beck St., Salt Lake City, UT 84110. Representative: Melvin J. Whitear (same as applicant). *Liquid Sugar and Corn Sweeteners*, in bulk, from Salt Lake County, UT to all points and places in AZ, CO, ID, MT, NM, NV, UT and WY for 270 days. Supporting shipper: Corn Sweeteners, Div of Archer, Daniel Midland, Oakland, CA 94621.

MC 1515 (Sub-6-17TA), filed March 31, 1982. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Phoenix, AZ 85077. Representative: R. L. Wilson (same as applicant). *Common carrier, regular route passengers and their baggage and express and newspapers in the same vehicle with passengers*, between the junction of Interstate Hwy 10 and AZ State Hwy 90 and the junction of AZ State Hwy 90 and U.S. Hwy 80: From the junction of Interstate Hwy 10 and AZ State Hwy 90, over AZ State Hwy 90 to junction of U.S. Hwy 80 and return over the same route, serving all intermediate points for 180 days. Applicant intends to tack this authority with authority it presently holds in MC-1515. Supporting shippers: There are ten (10) shippers. Their statements may be examined at the Regional Office listed.

MC 149036 (Sub-6-7TA), filed April 1, 1982. Applicant: MAHAFFEY'S WAREHOUSE, INC., P.O. Box 317, Yellow Jacket, CO 81335. Representative: James F. Crosby & Associates, 7363 Pacific St., Suite 210B, Omaha, NE 68114. *Beer*, from Portland, OR to Grand Junction, CO (and points in their commercial zones), for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Hub Distributing Co., Inc., 131 North Spruce St., Grand Junction, CO 81501.

MC 144410 (Sub-6-1TA), filed March 30, 1982. Applicant: DEL AND NELLIE BUNCH, d.b.a. ROYAL CHARTERS, 211 West Lewis, Pasco, WA 99336. Representative: Eldon M. Johnson, 650 California Street, Suite 2808, San Francisco, CA 94108. *Passengers and their baggage in the same vehicle with passengers, in charter operations*, Beginning and ending at points in the Cities of Anacortes, Everett, Mount Vernon, Oak Harbor, Seattle and Tacoma, WA, and extending to points in AZ, CA, ID, NV, OR and UT, limited to service for Silver Threads Senior Travel, for 180 days. Supporting shipper: Silver Threads Senior Travel, 311 Kincaid, suite 5, Mt. Vernon, WA 98273.

MC 154410 (Sub-6-2TA), filed April 2, 1982. Applicant: BALDUC TRUCKING, INC., d.b.a. PAULSON TRUCKING CO., 1150 East 19th Ave., San Mateo, CA 94403. Representative: Thomas E. Kurtenbach (same as applicant). *General Commodities* (except items of unusual value, explosives, chemicals, hazardous materials, household goods, or in tank vehicles) between all points in CA, for 270 days. Supporting shipper(s): Clipper Express Company, 3401 W. Pershing Road, Chicago, IL 60632.

MC 161319 (Sub-6-1TA), filed April 1, 1982. Applicant: KENNETH M. SMITH, 2714 E. 8th, Casper, WY 82601. Representative: Kenneth M. Smith (same as applicant). *Contract carrier*, irregular routes, *petroleum products, anti-freeze and packaged goods of lube oil and grease, empty lube oil drums*, from WY to OK, NE, KS and CA for the account of Energy Distributing Co., for 270 days. Supporting shipper: Energy Distributing Co., Box 1340, Casper, WY 82602.

MC 157699 (Sub-6-1TA), filed April 1, 1982. Applicant: CONFEDERATE TRUCK LINES, INC., 352 Bush Creek Rd., Elma, WA 98541. Representative: Norman L. Taylor (same as Applicant). (1) *Heavy machinery and articles which because of size or weight require the use of special equipment*, (2) *Building materials*, and (3) *Lumber and Wood Products*, between points in AZ, CA, CO, ID, MT, NV, NM, OR, TX, UT, WA

and WY for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: There are (5) shippers. Their statements may be examined at the Regional office listed above.

MC 161340 (Sub-6-1TA), filed April 2, 1982. Applicant: ROLLAND CUNNINGHAM, d.b.a. GOFORTH FREIGHT LINES, INC., 14034 Orange Ave., Paramount, CA 90723. Representative: Rolland Cunningham (same as applicant). *General Commodities* (except classes A and B explosives, commodities in bulk, and household goods as defined by the Commission), between CA on the one hand, and, on the other, all points and places in AZ, NV, OR, and WA, for 270 days authority. Supporting shipper(s): There are (13) shippers. Their statements may be examined in the Regional Office listed above.

MC 147978 (Sub-6-6TA), filed April 2, 1982. Applicant: SYSTEM REEFER SERVICE, INC., 4614 Lincoln Ave., Cypress, CA 90630. Representative: Dixie C. Newhouse, P.O. Box 1417, Hagerstown, MD 21740. *Contract Carrier, Irregular routes: Toilet articles and preparations, including materials, equipment and supplies, from Cockeysville, MD, including its commercial zone, to points in OR, WA, ID, AZ and MT, for the account of Noxell Corporation, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Noxell Corporation, P.O. Box 1799, Baltimore, MD 21203.*

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-9771 Filed 4-9-82; 8:45 am]
BILLING CODE 7035-01-M

[Finance Docket No. 29873]

Rail Carriers; Chicago and North Western Transportation Co.; Trackage Rights Over Burlington Northern Railroad Co. Exemption Under 49 U.S.C. 10505 From 49 U.S.C. 11343

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Pursuant to 49 U.S.C. 10505, the Interstate Commerce Commission exempts from the requirements of prior approval under 49 U.S.C. 11343 the trackage rights agreement granting Chicago and North Western Transportation Company the right to operate over approximately 10 miles of Burlington Northern Railroad Company track between St. Paul, MN and Minneapolis, MN.

DATES: Exemption effective on May 12, 1982. Petitions for reconsideration must be filed by May 3, 1982, and petitions for stay must be filed by April 22, 1982.

ADDRESSES: Send pleadings to:

- (1) Section of Finance, Room 5414, Interstate Commerce Commission, 12th St. and Constitution Ave., NW., Washington, DC 20423
- (2) Petitioner's Representative, Anne E. Keating, Chicago and North Western Transportation Company, One North Western Center, 165 North Canal Street, Chicago, IL 60606, (312) 559-6090

FOR FURTHER INFORMATION CONTACT:

Louis E. Gitomer (202) 275-7245.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. For a copy of the full decision, write to the Interstate Commerce Commission, Room 2227, Washington, DC 20423 or call toll free 800-424-5403.

Decided: April 5, 1982.

By the Commission, Chairman Taylor, Vice Chairman Gilliam, Commissioners Gresham, Sterrett, and Andre. Commissioner Andre did not participate.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-9773 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387 (Sub-No. 107)]

Rail Carriers; L&N, Exemption for Contract Tariff ICC-L&N-C-0008

AGENCY: Interstate Commerce Commission.

ACTION: Notice of provisional exemption.

SUMMARY: Petitioner is granted a provisional exemption under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e). The contract supplement to be filed may become effective on one day's notice. This exemption may be revoked if protests are filed within 15 days of publication in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Donald J. Shaw, Jr., or Jane F. Mackall, (202) 275-7656.

SUPPLEMENTARY INFORMATION: The Louisville and Nashville Railroad Company (L&N) filed a petition on March 24, 1982, seeking an exemption under 49 U.S.C. 10505 from the statutory notice provisions of 49 U.S.C. 10713(e). It requests that we permit Supplement 2 to its contract ICC-L&N-C-0008 (filed on March 22, 1982) to become effective April 15, 1982. Both the contract and the supplement involve the movement of coal over the lines of the L&N from an

eastern Kentucky origin to Mobile, Alabama. The contract tariff expires on April 15, 1982. The Supplement would extend the expiration date six months.

Under 49 U.S.C. 10713(e), contracts must be filed on not less than 30 days' notice. There is no provision for waiving this requirement. However, the Commission has granted relief under our section 10505 exemption authority in exceptional situations.

The petition shall be granted. The parties entered into this short term contract and have been conducting negotiations on a long term contract. Extension of the current April 15, 1982 expiration date is necessary to prevent interruption of the movements. The necessary execution of the long term transportation contract could not be completed in sufficient time to provide the 30 days' notice required by statute. We find this to be the type of exceptional circumstance which warrants a provisional exemption. We note that the original contract was filed on short notice under the exemption authority and no protests were received.

Petitioner's supplement 2 contract ICC-L&N-C-0008 may become effective on one day's notice. We will apply the following conditions which have been imposed in similar exemption proceedings:

If the Commission permits the contract to become effective on one day's notice, this fact neither shall be construed to mean that this is a Commission approved contract for purposes of 49 U.S.C. 10713(g) nor shall it serve to deprive the Commission of jurisdiction to institute a proceeding on its own initiative or on complaint, to review this contract and to disapprove it.

Subject to compliance with these conditions, under 49 U.S.C. 10505(a) we find that the 30-day notice requirement in this instance is not necessary to carry out the transportation policy of 49 U.S.C. 10101a and is not needed to protect shippers from abuse of market power. Further, we will consider revoking this exemption under 49 U.S.C. 10505(c) if protests are filed within 15 days of publication in the Federal Register.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Dated: April 5, 1982.

By the Commission, Division 1, Commissioners Sterrett, Taylor, and Andre. Commissioner Andre did not participate.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-9772 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 339N)]

Rail Carriers, Conrail Abandonment Between Detroit and Detroit Transit RR, MI.; Notice of 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 Detroit and Detroit Transit RR in the County of Wayne, MI, a total distance of 1.6 miles effective on March 11, 1982.

The net liquidation value of this line is \$588,491. 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. 82-9742 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-355N)]

Rail Carriers; Conrail Abandonment Between Finderne and Manville, NJ; Notice of Findings

Notice is hereby given pursuant to section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Finderne and Manville in the County of Somerset, PA, a total distance of 0.9 miles effective on March 11, 1982.

The net liquidation value of this line is \$86,090. 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. 82-9751 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 316N)]

Rail Carriers; Conrail Abandonment Between Monmouth Junction and Route 26 in NJ; Notice of 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 Monmouth Jct and Rte. 26 in the County of Middlesex, NJ, a total distance of 2.7 miles effective on March 11, 1982.

The net liquidation value of this line is \$100,176. 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. 82-9759 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-327N)]

Rail Carriers; Conrail Abandonment Between Communipaw Avenue, NJ, and end of Track; 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 Communipaw Ave and End of Track in the County of Hudson, NJ, a total distance of 0.7 miles effective on March 11, 1982.

The net liquidation value of this line is \$170,060. 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. 82-9766 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-346N)]

Rail Carriers; Conrail Abandonment Between Malden and Bayonne, NJ; Notice of Findings

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Malden and Bayonne in the County of Hudson, NJ, a total distance of 0.9 miles effective on March 11, 1982.

The net liquidation value of this line is \$95,766. 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. 82-9740 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 337N)]

Rail Carriers; Conrail Abandonment in Trenton, NJ; Notice of 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 West Trenton, Hillcrest, Trenton, Princeton Ave., Cherry Lane, East Trenton, and Spruce Street in the County of Mercer, NJ, a total distance of 5.15 miles effective on March 11, 1982.

The net liquidation value of this line is \$357,650. 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. 82-9741 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 315N)]**Rail Carriers; Conrail Abandonment Between Brills Jct., NY and End of Track; 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 Brills Jct. and End of Track in the County of Essex, NJ, a total distance of 1.5 miles effective on March 11, 1982.

The net liquidation value of this line is \$926,785. 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. 82-9758 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 329N)]**Rail Carriers; Conrail Abandonment in Buffalo, 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 milepost 0.0 and milepost 0.6 in Buffalo in the County of Erie, NY, a total distance of 0.6 miles effective on March 11, 1982.

The net liquidation value of this line is \$235,272. 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. 82-9767 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 365N)]**Rail Carriers; Conrail Abandonment Between Poughkeepsie and Hopewell Junction, 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 3 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Poughkeepsie and Hopewell Junction in the County of Dutchess, OH, a total distance of 11.8 miles effective on March 11, 1982.

The net liquidation value of this line is \$865,952. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the new 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. 82-9757 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 333N)]**Rail Carriers; Conrail Abandonment in Rochester, New York; 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 mileposts 0.9 and 1.2 and between mileposts 383.2 and 384.8 in the County of Monroe, N.Y., a total distance of 1.9 miles effective on March 11, 1982.

The net liquidation value of this line is \$909,613. 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. 82-9769 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 330N)]**Rail Carriers; Conrail Abandonment Between Rochester Jct. and Henrietta, New York; 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 Rochester

Jct. and Henrietta in the County of Monroe, N.Y., a total distance of 5.5 miles effective on March 11, 1982.

The net liquidation value of this line is \$217,407. 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. 82-9768 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 345N)]**Rail Carriers; Conrail Abandonment Between Alger and Harrod, OH; Notice of Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Alger and Harrod in the Counties of Allen and Hardin, OH, a total distance of 3.5 miles effective on March 11, 1982.

The net liquidation value of this line is \$246,545. 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. 82-9745 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 318N)]**Rail Carriers; Conrail Abandonment Between Bayard and Fairhope, OH; Notice of 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 Bayard and Fairhope in the Counties of Columbiana and Stark, OH, a total distance of 13.5 miles effective on March 11, 1982.

The net liquidation value of this line is \$71,352. 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. 82-9760 Filed 4-9-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 334N)]

Rail Carriers; Conrail Abandonment Between Harding and Gallon, OH; 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 Harding and Gallon in the Counties of Richland and Crawford, OH, a total distance of 6.9 miles effective on March 11, 1982.

The net liquidation value of this line is \$512,653. 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. 82-9770 Filed 4-9-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 341N)]

Rail Carriers; Conrail Abandonment Between Minerva and Hopedale, OH; Notice of 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 Minerva and Hopedale in the Counties of Carroll, Jefferson and Harrison, OH, a total distance of 34 miles effective on March 11, 1982.

The net liquidation value of this line is \$982,895. 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. 82-9744 Filed 4-9-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-360N)]

Rail Carriers; Conrail Abandonment in Toledo, OH; Notice of 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 Toledo (Galena) and Toledo in the County of Lucas, OH, a total distance of 0.2 miles effective on March 11, 1982.

The net liquidation value of this line is \$-0-. 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. 82-9754 Filed 4-9-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-347N)]

Rail Carriers; Conrail Abandonment Between Trinway and Peabody Coal, OH; Notice of Findings

Notice is hereby given pursuant to section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Trinway and Peabody Coal in the Counties of Muskingum and Coshocton, OH, a total distance of 0.7 miles effective on March 11, 1982.

The net liquidation value of this line is \$228,885. 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. 82-9747 Filed 4-9-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 348N)]

Rail Carriers; Conrail Abandonment Between Carlisle and Shippensburg, PA; Notice of Findings

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Carlisle and Shippensburg in the County of Cumberland and Franklin, PA, a total distance of 20.6 miles effective on March 11, 1982.

The net liquidation value of this line is \$949,244. 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. 82-9748 Filed 4-9-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-320N)]

Rail Carriers; Conrail Abandonment Between Coal Run Junction and Morann, 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 Coal Run Junction and Morann in the County of Clearfield, PA, a total distance of 3.5 miles effective on March 11, 1982.

The net liquidation value of this line is \$28,449. 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. 82-9761 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-9749 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-9755 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-354N)]

Rail Carriers; Conrail Abandonment Between Dexter and End of Track, PA; Notice of Finding

Notice is hereby given pursuant to section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Dexter and End of Track in the County of Northampton, PA, a total distance of 0.6 miles effective on March 11, 1982.

The net liquidation value of this line is \$12,044. 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. 82-9750 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 358N)]

Rail Carriers; Conrail Abandonment Between Franklin and Eclipse, PA; Notice of Findings

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1, has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Franklin and Eclipse in the County of Venango, PA, a total distance of 2.2 miles effective on March 11, 1982.

The net liquidation value of this line is \$112,300. 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. 82-9753 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 323N)]

Rail Carriers; Conrail Abandonment Between Ivy Ridge and Spring Mill, 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 Ivy Ridge and Spring Mill in the Counties of Montgomery and Philadelphia, PA, a total distance of 3.7 miles effective on March 11, 1982.

The net liquidation value of this line is \$371,253. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the new 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. 82-9763 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-350N)]

Rail Carriers; Conrail Abandonment Between Fort Richmond and Kensington, PA; Notice of Findings

Notice is hereby given pursuant to section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Port Richmond and Kensington in the County of Philadelphia, PA, a total distance of 1.0 miles effective on March 11, 1982.

The net liquidation value of this line is \$60,585. 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

[Docket No. AB-167 (Sub-363N)]

Rail Carriers; Conrail Abandonment Between Harbor Bridge and New Castle, 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 3, has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Harbor Bridge and New Castle in the County of Lawrence, PA, a total distance of 4.1 miles effective on March 11, 1982.

The net liquidation value of this line is \$322,575. 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

[Docket No. AB-167 (Sub-No. 364N)]

Rail Carriers; Conrail Abandonment in Jeannette, 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 3 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between milepost 0.0 and milepost 0.7 in the County of Westmoreland, PA, a total distance of 0.7 miles effective on March 11, 1982.

The net liquidation value of this line is \$17,397. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the new 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. 82-9756 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 340N)]

Rail Carriers; Conrail Abandonment Between Manatawny and Stowe, PA; Notice of 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 Manatawny and Stowe in the Counties of Montgomery and Berks, PA, a total distance of 2.7 miles effective on March 11, 1982.

The net liquidation value of this line is \$278,320. 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. 82-9743 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 322N)]

Rail Carriers; Conrail Abandonment Between Norristown and Oaks, 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 Norristown and Oaks in the County of Montgomery, PA, a total distance of 5.0 miles effective on March 11, 1982.

The net liquidation value of this line is \$632,962. 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. 82-9762 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-326N)]

Rail Carriers; Conrail Abandonment in Pittsburgh, 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 milepost 0.0 and White Hall Industrial Track milepost 2.0 in Pittsburgh in the County of Allegheny, PA, a total distance of 2.0 miles effective on March 11, 1982.

The net liquidation value of this line is \$26,383. 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. 82-9765 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-357N)]

Rail Carriers; Conrail Abandonment Between Polk State School and Franklin, PA; Notice of Findings

Notice is hereby given pursuant to section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 1 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Polk State School and Franklin in the County of Venango, PA, a total distance of 8.0 miles effective on March 11, 1982.

The net liquidation value of this line is \$243,930. 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. 82-9752 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-324N)]

Rail Carriers; Conrail Abandonment Between Viaduct, PA, and End of Track; 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 Viaduct and End of Track in the County of Clearfield, PA, a total distance of 1.0 miles effective on March 11, 1982.

The net liquidation value of this line is \$10,469. 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. 82-9764 Filed 4-9-82; 8:45 am]

BILLING CODE 7035-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (82-21)]

Intent To Grant an Exclusive Patent License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of intent to grant an exclusive patent license.

SUMMARY: NASA hereby gives notice of intent to grant to Solartherm, Inc., Silver Spring, Maryland, a limited, exclusive, royalty-bearing, revocable license to practice the invention described in U.S. Patent No. 4,121,995 for "Surfactant-Assisted Liquefaction of Particulate Carbonaceous Substances," issued October 24, 1978, to the Administrator of the National Aeronautics and Space Administration on behalf of the United States of America. The proposed exclusive license will be for a limited number of years and will contain appropriate terms and conditions to be negotiated in accordance with the NASA Patent Licensing Regulations, 14

CFR Part 1245, Subpart 2. NASA will negotiate the final terms and conditions and grant the exclusive license unless, within 60 days of the date of this Notice, the Director of Patent Licensing receives written objections to the grant, together with supporting documentations. The Director of Patent Licensing will review all written responses to the Notice and then recommend to the Assistant General Counsel for Patent Matters whether to grant the exclusive license.

DATE: Comments to this notice must be received on or before June 11, 1982.

ADDRESS: National Aeronautics and Space Administration, Code GP-4, Washington, D.C. 20546.

FOR FURTHER INFORMATION CONTACT: Mr. John G. Mannix, (202) 755-3954.

Dated: April 5, 1982.

S. Neil Hosenball,
General Counsel.

[FR Doc. 82-9790 Filed 4-9-82; 8:45 am]

BILLING CODE 7510-01-M

[Notice (82-20)]

Intent To Grant an Option Agreement on an Exclusive Patent License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of intent to grant an option agreement on an exclusive patent license.

SUMMARY: NASA hereby gives notice of intent to grant an option agreement to CARRE, Inc., Seneca, South Carolina, on a limited, exclusive, royalty-bearing, revocable license to practice the invention described in U.S. Patent Application No. 119,334 for "Method of Forming Dynamic Membrane on Stainless Steel Support," filed February 7, 1980, by the Administrator of the National Aeronautics and Space Administration on behalf of the United States of America. The proposed option agreement will be for a limited period of time and will contain appropriate terms and conditions to be negotiated in accordance with the NASA Patent Licensing Regulations, 14 CFR Part 1245, Subpart 2. NASA will negotiate the final terms and conditions and grant the option agreement unless, within 60 days of the date of this Notice, the Director of Patent Licensing receives written objections to the grant, together with supporting documentations. The Director of Patent Licensing will review all written responses to the Notice and then recommend to the Assistant General Counsel for Patent Matters whether to grant the option agreement.

DATE: Comments to this notice must be received on or before June 11, 1982.

ADDRESS: National Aeronautics and Space Administration, Code GP-4, Washington, D.C. 20546.

FOR FURTHER INFORMATION CONTACT: Mr. John G. Mannix, (202) 755-3954.

Dated: April 5, 1982.

S. Neil Hosenball,
General Counsel.

[FR Doc. 82-9797 Filed 4-9-82; 8:45 am]

BILLING CODE 7510-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee on Extreme External Phenomena; Meeting

The ACRS Subcommittee on Extreme External Phenomena will hold a meeting on April 30, 1982, Room 1046, 1717 H Street, NW, Washington, DC. The Subcommittee will meet with the NRC regulatory staff and experts from outside NRC for presentations and discussions on hydrometeorological aspects of design basis flooding conditions for U.S. nuclear power plants.

In accordance with the procedures outlined in the *Federal Register* on September 30, 1981 (46 FR 47903), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance.

The agenda for subject meeting shall be as follows:

Friday, April 30, 1982—8:30 a.m. until the conclusion of business

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements

and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Dr. Richard Savio (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EST.

Dated: April 7, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-9659 Filed 4-9-82; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Watts Bar; Meeting

The ACRS Subcommittee on Watts Bar will hold a meeting on April 29 and 30, 1982 at the RAMADA INN WEST, 7621 Kingston Pike, Knoxville, TN. The subcommittee will review the application of Tennessee Valley Authority for an operating license for the Watts Bar Units 1 and 2.

In accordance with the procedures outlined in the *Federal Register* on September 30, 1981 (46 FR 47903), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance except for those sessions during which the Subcommittee finds it necessary to discuss proprietary and Industrial Security information. One or more closed sessions may be necessary to discuss such information. (SUNSHINE ACT EXEMPTION 4). To the extent practicable, these closed sessions will be held so as to minimize inconvenience to members of the public in attendance.

The agenda for subject meeting shall be as follows:

Thursday, April 29, 1982—1:00 p.m. until the conclusion of business

Friday, April 30, 1982—8:30 a.m. until the conclusion of business

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the Tennessee Valley Authority, NRC Staff, their consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Gary Quittschreiber or Mr. Stuart Beal, Staff Engineer (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., e.s.t.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close some portions of this meeting to protect proprietary and Industrial Security information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: April 6, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-9858 Filed 4-9-82; 8:45 am]

BILLING CODE 7590-01-M

Agency Procedures for the NRC Incident Response Plan; Notice of Availability

The NRC announces the availability of NUREG-0845, Agency Procedures for the NRC Incident Response Plan. This document is available for inspection at the NRC's Public Document Room, 1717 H St. NW, Washington, DC. It is available for purchase at a price of \$8.50 from the GPO Sales Program, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, DC 20555 or the National Technical Information Service, Springfield, VA 22161.

The NRC Incident Response Plan describes the functions of the NRC during an incident and the kinds of actions that comprise an NRC response. The NRC response plan will be activated in accordance with threshold criteria described in the plan for incidents occurring at nuclear reactors, fuel facilities and materials licensees, during transportation of licensed material, and for threats against facilities or licensed material. In contrast to the general overview provided by the Plan, the purpose of these agency procedures is to delineate:

1. The manner in which each planned response function is performed;

2. The criteria for making those response decisions which can be preplanned;

3. The information and other resources needed during a response.

An inexperienced but qualified person should be able to develop the ability to perform functions assigned by the Plan and make necessary decisions, given the specified information, by becoming familiar with these procedures. This rule of thumb has been used to determine the amount of detail in which the agency procedures are described. These procedures form a foundation for the training of response personnel both in their normal working environment and during planned emergency exercises. These procedures also form a ready reference or reminder checklist for technical team members and managers during a response.

Dated at Bethesda, Maryland, this 8th day of April, 1982.

For the Nuclear Regulatory Commission.

Kenneth E. Perkins,

Acting Director, Division of Emergency Preparedness, Office of Inspection and Enforcement.

[FR Doc. 82-9857 Filed 4-9-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-250 and 50-251]

Florida Power and Light Co.; Issuance of Amendment to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 82 to Facility Operating License No. DPR-31, and Amendment No. 76 to Facility Operating License No. DPR-41 issued to Florida Power and Light Company (the licensee), which revised Technical Specifications for operation of Turkey Point Plant, Unit Nos. 3 and 4 (the facilities) located in Dade County, Florida. The amendments are effective as of the date of issuance.

The amendments modify the Technical Specifications, Appendix A to the license, to update the emergency power system surveillance tests.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated August 15, 1980, (2) Amendments Nos. 82 and 76 to License Nos. DPR-31 and DPR-41, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Environmental and Urban Affairs Library, Florida International University, Miami, Florida 33199. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 5th day of April, 1982.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1
Division of Licensing.

[FR Doc. 82-9855 Filed 4-9-82; 8:45 am]

BILLING CODE 7590-01-M

Regulatory Guide; Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The guide is Regulatory Guide 3.51, "Calculational Models for Estimating Radiation Doses to Man from Airborne Radioactive Materials Resulting from Uranium Milling Operations." It describes models used by the NRC staff to estimate the radiological impacts resulting from uranium mills for the purpose of evaluating compliance with EPA and NRC regulations and of assessing overall environmental

radiological impacts in accordance with the National Environmental Policy Act.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of active guides may be purchased at the current Government Printing Office price. A subscription service for future guides in specific divisions is available through the Government Printing Office. Information on the subscription service and current prices may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Publications Sales Manager. (5 U.S.C. 552(a))

Dated at Silver Spring, Maryland this 6th day of April 1982.

For the Nuclear Regulatory Commission.
Denwood F. Ross, Jr.,
Deputy Director, Office of Nuclear Regulatory Research.

[FR Doc. 82-9856 Filed 4-9-82; 8:45 am]
BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

April 5, 1982.

OMB has received for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions, or reinstatements. Each entry contains the following information:

(1) The name and telephone number of the Agency Clearance Officer (from whom a copy of the form and supporting documents is available); (2) the office of the agency issuing this form; (3) The title of the form; (4) The agency form number, if applicable; (5) How often the form must be filled out; (6) Who will be required or asked to report; (7) An estimate of the number of responses; (8) An estimate of the total number of hours needed to fill out the form; (9) An indication of whether section 3504(h) of Pub. L. 96-511 applies; (10) The name and telephone number of the person or office responsible for OMB review.

Copies of the proposed forms and supporting documents may be obtained from the Agency Clearance Officer whose name and telephone number appear under the agency name. Comments and questions about the items on this list should be directed to the reviewer listed at the end of each entry. If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202-447-6201

New

- Rural Electrification Administration Load Management Activities Nonrecurring Businesses or other institutions REA Electric Distribution Borrowers—Total 926 businesses: 981 responses; 196 hours; not applicable under 3504(h) Nell Minow, 202-395-7340

- Agricultural Marketing Service Forms Required Under Cotton Research and Promotion Act Monthly, annually Farms, businesses or other institutions Cotton producers, cotton ginners and cotton merchants: 32,200 responses; 5,290 hours; not applicable under 3504(h) Charles A. Ellett, 202-395-7340

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202-377-3627

New

- Minority Business Development Agency Grant Application Package for Client Services SF 424 Annually Businesses or other institutions Profit and nonprofit businesses: 1,250 responses; 125,000 hours; not applicable under 3504(h) Phillip T. Balazs, 202-395-4814

DEPARTMENT OF DEFENSE

Agency Clearance Officer—John V. Wenderoth—703-697-1195

Extension (Burden Change)

- Departmental and Others A. Tender of Service—Mobile Homes B. Letter of Intent—Mobile Homes C. Accessorial Services—Mobile Homes Format only, DD form 1863 On occasion

Businesses or other institutions Transportation industry: 1,044 responses; 519 hours; not applicable under 3504(h) Kenneth B. Allen, 202-395-3785

Extensions (No Change)

- Department of the Air Force Application for Training Leading to a Commission in the United States Air Force AF 56 Nonrecurring Individuals or households College graduates wishing entry, Air Force officer program: 12,000 responses; 4,000 hours; not applicable under 3504(h) Edward C. Springer, 202-395-4814

DEPARTMENT OF ENERGY

Agency Clearance Officer—John Gross—202-633-9770

Extensions (Burden Change)

- Energy Information Administration Monthly Alternate Fuel/Incremental Price Monitoring Report FIA-194 Monthly Businesses or other institutions Natural gas pipeline companies: 1,440 responses; 0 hours; not applicable under 3504(h) Jefferson B. Hill, 202-395-7340
- Departmental and Others Data Report on Spouse DP-354 On occasion Individuals or households Persons with security clearances: 6,000 responses; 3,000 hours; not applicable under 3504(h) Jefferson B. Hill, 202-395-7340

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

New

Health Care Financing Administration Medicare Competition Demonstration Preclearance Nonrecurring Individuals or households/businesses or other institutions Medicare beneficiaries: Not applicable under 3504(h) Fay S. Iudicello, 202-395-3090 Social Security Administration Claimant's Recent Medical Treatment 4631 (4-81) On occasion Individuals or households

Claimants requesting hearings on SSA benefit issues: 100,000 responses; 8,333 hours; not applicable under 3504(h)
Richard Eisinger, 202-395-6880

Health Services Administration
Request for Report of Immunizations Administered

HSA-468
On occasion
State or local governments/businesses or other institutions
Health providers: 5,000 responses; 333 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

Revisions

- Social Security Administration
Application for Benefits Under the Switzerland-U.S. International Social Security Agreement
SSA-4231
On occasion
Individuals or households
Applicants for social security benefits (Switzerland): 100 responses; 33 hours; not applicable under 3504(h)
Richard Eisinger, 202-395-6880

Reinstatements

- Health Care Financing Administration
General Intermediate Care Facility Survey Report
HCFA-3070, 3070B, 3070D, 1516
On occasion
Businesses or other institutions
Intermediate care facilities: 6,000 responses; 54,000 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
Home Health Agency Survey Report
HCFA-1572, 1515
Annually
Businesses or other institutions
Providers of home health services: 1,860 responses; 15,500 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
Psychiatric Hospital Survey Report Form
HCFA-1537A, 1514
Annually
Businesses or other institutions
Psychiatric Hospitals in title XVIII, XIX programs: 240 responses 2,880 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
Medicare/Medicaid Skilled Nursing Facility Survey Report
HCFA-1569, 1516
Annually, biennially, other—See SF83
Businesses or other institutions
Skilled nursing facilities involved in medicare program(s): 4,680 responses; 112,320 hours; not applicable under 3504(h)

Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
Hospital Survey Report Form
HCFA-1537, 1514

Annually
Businesses or other institutions
Hospitals participating in title XVIII, XIX programs: 1,026 responses; 23,598 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
End-Stage Renal Disease Facility Survey Report
HCFA-3427

Annually
Businesses or other institutions
End stage renal disease centers and facilities: 720 responses; 8,640 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
Portable X-Ray Survey Report
HCFA-1882, 1880

Other—See SF83
Businesses or other institutions
Suppliers of portable X-ray services: 138 responses; 736 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
Tuberculosis Hospital Report Form
HCFA-1537B, 1514

Other—See SF83
Businesses or other institutions
Tuberculosis hospital in title XVIII, XIX programs: 7 responses; 84 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

- Health Care Financing Administration
Outpatient Physical Therapy—Special Pathology Survey Report
HCFA-1893, 1856

Annually
Businesses or other institutions
Outpatient physical therapy/speech pathology services: 300 responses; 1,600 hours; not applicable under 3504(h)
Fay S. Iudicello, 202-395-3090

Fay S. Iudicello, 202-395-3090

- Human Development Services
Annual Summary of Child Welfare Services and Annual Budget

Request title IV-B funds
CWS-101
Annually
State or local governments
State agencies: 110 responses; 1,760 hours; not applicable under 3504(h)
Gwendolyn Pla, 202-395-6880

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Agency Clearance Officer—Robert G. Masarsky—202-755-5184

New

- Community Planning and Development

CPD Notice—Criteria for Recovering Undisbursed Section 312 Escrow Funds

Nonrecurring
State or local governments
Local processing agencies (LPA's) handling section 312 loans: 210 responses; 420 hours; not applicable under 3504(h)

Robert Neal, 202-395-6880

Housing Programs
Single Family Mortgage Insurance Premium Billing Request and Questionnaire

Monthly
Businesses or other institutions
HUD approved mortgages (see item 22 above): 40,000 responses; 2,000 hours; not applicable under 3504(h)
Robert Neal, 202-395-6880

Housing Programs
Manager's Quarterly Report of Security Deposits
HUD-2749

Quarterly
Businesses or other institutions
Real estate management firms: 1,256 responses; 628 hours; not applicable under 3504(h)

Robert Neal, 202-395-6880

Housing Programs
Public Housing Contract Administration
HUD-51915

On occasion
Businesses or other institutions
Public housing agencies: 750 responses; 750 hours; not applicable under 3504(h)

Robert Neal, 202-395-6880

Extensions (Burden Change)

Housing Programs
Mortgage Record Change
HUD-92080
On occasion
Businesses or other institutions
Banks and lending institutions: 812,000 responses; 203,000 hours; not applicable under 3504(h)
Robert Neal, 202-395-6880

Extensions (No Change)

Housing Programs
Report of Tenants Accounts Receivable
HUD-52295
Quarterly
Businesses or other institutions
Public housing agencies (PHA's): 11,200 responses; 3,360 hours; not applicable under 3504(h)
Robert Neal, 202-395-6880

DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—Vivian A. Keado—202-343-6191

New

- Geological Survey

Reimbursement for Certain Geological and Geophysical Data and Information (30 CFR Part 250 and 251) Nonrecurring

Businesses or other institutions
OCCS Federal mineral permittees and lessees: 4,000 responses; 8,000 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

- Geological Survey
Report of Expenditures for Diligent Exploration Operations (30 CFR 270.77)

Other—See SF83

Businesses or other institutions
Lessees of Federal geothermal resources: 326 responses; 652 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

- Geological Survey
Operating Regulations for Exploration, Development, and Production (30 CFR 231)

Other—See SF83 on occasion, monthly, quarterly, annually

Businesses or other institutions
Federal Government and mineral exploration and mining industry: 540 responses; 10,380 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

Revisions

- Office of Surface Mining Reclamation and Enforcement

Abandoned Mine Reclamation Fund—Fee Collection and Coal Production reporting
Forms OSM-1 and 1A

Quarterly
Businesses or other institutions
Coal mine operators; 12,000 responses; 3,000 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

- Office of Surface Mining Reclamation and Enforcement

30 CFR 872—Abandoned Mine Reclamation Funds

Nonrecurring
State or local governments
Coal mine operators; 28 responses; 224 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

- United States Fish and Wildlife Service

Woodcock Wing Collection Envelope 3-156A

Annually

Individuals or households
Woodcock hunters that volunteer to participate in annual survey: 10,000 responses; 670 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

Reinstatements

- Office of Surface Mining Reclamation and Enforcement

30 CFR Part 717—Underground Mining General Performance Standards
Part 717

Quarterly, Annually, other—see SP83

Businesses or other institutions

Ducing States: 11,124 responses; 5,609 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

- Office of Surface Mining Reclamation and Enforcement

30 CFR 843—Federal Enforcement
On occasion

Businesses or other institutions
Coal mine operations: 1,357 responses; 339 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

- Office of Surface Mining Reclamation and Enforcement

30 CFR 840—State Regulatory Authority
Inspection and Enforcement

Monthly, quarterly, on occasion
State or local governments
State governments: 24 responses; 960 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

DEPARTMENT OF LABOR

Agency Clearance Officer—Paul E. Larson—202-523-6331

Extensions (No Change)

- Mine Safety and Health Administration

Ground Control Plan

MSHA-202

Nonrecurring

Businesses or other institutions
New surface coal mines: 760 responses; 30,400 hours; not applicable under 3504(h)

Laverne V. Collins, 202-395-6880

Reinstatements

- Occupational Safety and Health Administration

7(C)(1) Consultation Pre-Application
OSHA-161

Annually

State or local governments
State governments and State Universities with agreements: 40 responses; 600 hours; not applicable under 3504(h)

Laverne V. Collins, 202-395-6880

DEPARTMENT OF THE TREASURY

Agency Clearance Officer—Ms. Joy Tucker—202-634-5394

NEW

- Internal Revenue Service
Request for Information on Purchases of Diesel Fuel

Letter 1460 (Do)

Nonrecurring on occasion
Businesses or other institutions
Certain bulk purchasers of diesel fuel: 1,000 responses; 500 hours; not applicable under 3504(h)

Karen P. Sagett, 202-395-6880

Extensions (No Change)

- Internal Revenue Service
Statement for Certain Gambling Winnings

W-2G W-3G

Annually

State or local governments/businesses or other institutions

Gambling establishments: 379,000 responses; 333,500 hours; not applicable under 3504(h)

Karen P. Sagett, 202-395-6880

- Internal Revenue Service
Special Tax Return and Application for Registry Wagering

11C

Annually

Businesses or other institutions

Persons accepting wagers: 3,000 responses; 4,000 hours; not applicable under 3504(h)

Karen P. Sagett, 202-395-6880

Reinstatements

- Bureau of Alcohol, Tobacco and Firearms

Brewers Monthly Report of Operations
ATF P 103 (5130.9)

Monthly

Businesses or other institutions

Breweries: 1,212 responses; 1,212 hours; not applicable under 3504(h)

Karen P. Sagett, 202-395-6880

FEDERAL HOME LOAN BANK BOARD

Agency Clearance Officer—Frank J. Crowne—202-377-6025

Revisions

Beneficial Ownership and Proposed Acquisition Under the Securities Exchange Act of 1934

13D, 13G, 14D-1 14D-9

On occasion, monthly, annually

Businesses or other institutions
Savings and loan associations; 1,500 responses; 4,500 hours; not applicable under 3504(h)

Robert Neal, 202-395-6880

Robert Neal, 202-395-6880

Robert Neal, 202-395-6880

Extensions (No Change)

Securities Exchange Act Disclosure

Monthly, quarterly, annually

Businesses or other institutions

Savings and loan associations with at least 500 stockholders; 1,050 responses; 45,000 hours; not applicable under 3504(h)

Robert Neal, 202-395-6880

Robert Neal, 202-395-6880

Robert Neal, 202-395-6880

Reinstatements

Application for Mutual to Stock Conversion

Monthly, quarterly, annually

Businesses or other institutions

Savings and loan associations; 50 responses; 28,000 hours; not applicable under 3504(h)
Anita T. Ducca, 202-395-7340

FEDERAL MEDIATION AND CONCILIATION SERVICE

Agency Clearance Officer—Ted M. Chaskelson—202-653-5211

New

Project Performance Report (FMCS LM-8)

FMCS LM-8

Quarterly

State or local governments/businesses or other institutions

Established labor-management committees—state and local units of government; 60 responses; 300 hours; not applicable under 3504(h)

Laverne V. Collins, 202-395-6880

VETERANS ADMINISTRATION

Agency Clearance Officer—R. C. Whitt (004A2)—202-389-2146

New

Portfolio Loan Service Report
26-6808A

On occasion

Businesses or other institutions

Homeowners; 16,000 responses; 4,000 hours; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

VA Claim Under Loan Guaranty
26-1874

On occasion

Businesses or other institutions

Banks, savings and loan associations and mortgage banking companies;

12,000 responses; 12,000 hours; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Revisions

Certification of Loan Disbursement—
Mobile Home

26-8646

On occasion

Businesses or other institutions

Mortgage lenders; 1,200 responses; 300 hours; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Report of Automatic Mobile Home and/
or Lot Loan

26-8149

On occasion

Businesses or other institutions

Mortgage lenders (banks, S&L's, etc.); 7,700 responses; 3,850 hours; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Extensions (Burden Change)

Request for Information to Make Direct
Payment to Child Reaching Majority

21-863

On occasion

Individuals or households

Veteran's school children in receipt of disability compensation; 22,600 responses; 3,767 hours; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Application for DIC or Death Pension (Including Accrued Benefits and Death Compensation Where Applicable From the VA)

VA-21-4182

On occasion

Individuals or households

Those widows/widowers in receipt of social security; 28,200 responses; 4,700 hours; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Reinstatements

Application for Consideration of Home in the Community Care Program
10-2407

Other—see SF83

Individuals or households/businesses or other institutions

Applicants who desire to be providers in VA residential home care; 1,000 responses; 333 hours; not applicable under 3504(h)

Gwendolyn Pla, 202-395-6880

Nathaniel Scurry,

Chief, Reports Management.

[FR Doc. 82-9552 Filed 4-9-82; 8:45 am]

BILLING CODE 3110-01-M

Agency Forms Under Review

April 7, 1982.

OMB has received for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions, or reinstatements. Each entry contains the following information:

(1) The name and telephone number of the Agency Clearance Officer (from whom a copy of the the form and supporting documents is available); (2) The office of the agency issuing this form; (3) The title of the form; (4) The agency form number, if applicable; (5) How often the form must be filled out; (6) Who will be required or asked to report; (7) An estimate of the number of responses; (8) An estimate of the total number of hours needed to fill out the form; (9) An indication of whether section 3504(H) of Pub. L. 96-511 applies; (10) The name and telephone number of the person or office responsible for OMB review.

Copies of the proposed forms and supporting documents may be obtained from the Agency Clearance Officer whose name and telephone number appear under the agency name. Comments and questions about the items on this list should be directed to the reviewer listed at the end of each entry. If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202-447-6201

Revisions

Agricultural Stabilization and Conservation Service

Feed Grain, Rice, Wheat, and Upland Cotton Programs (Intention to Participate and Application for Payment)

ASCS-477

On occasion

Farms

Producers on farms that participate in feed grain, etc.: 2,625,000 responses; 656,250 hours; not applicable under 3504(h)

Charles A. Ellett 202-395-7340

Agricultural Stabilization and Conservation Service

Forms ASCS-658, Record of Acreage, Production, and Disposition and ASCS-65801, Certification of Deliveries to Handlers

ASCS-658 & 658-1

Annually

Farms

Producers on farms that participate in feed grain, etc.: 173,500 responses; 57,833 hours; not applicable under 3504(h)

Charles A. Ellett 202-395-7340

Agricultural Stabilization and Conservation Service

Feed Grain, Rice, Upland Cotton and Wheat Regulations, 7 CFR Part 713 (recordkeeping)

Annually

Farms

Producers on farms that participate in feed grain, etc.: 115,500 responses; 28,875 hours; not applicable under 3504(h)

Charles A. Ellett 202-395-7340

Farmers Home Administration

7 CFR 1944-G, Rural Housing Site Loan Policies, Procedures, and Authorizations

On occasion

State or local government/businesses or other institutions

Public or private non-profit organizations & local gov't: 415 responses; 588 hours; not applicable under 3504(h)
Neil Minow 202-395-7340

DEPARTMENT OF DEFENSE

Agency Clearance Officer—John V. Wenderoth—703-697-1195

Revisions

Departmental and Others
Personnel Security Questionnaire (Industrial) (Multipurpose)
DD Form 49
On Occasion
Individuals or households
DOD contractor personnel: 50,000 responses; 75,000 hours; not applicable under 3504(h)

Kenneth B. Allen, 202-395-3785

Departmental and Others
Personnel Security Questionnaire (Industrial)—NAC
DD 48 DD 48-3
On Occasion
Individuals or households
DOD contractor personnel: 150,000 responses; 225,000 hours; not applicable under 3504(h)

Kenneth B. Allen, 202-395-3785

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

New

Social Security Administration
Authorization for the Social Security Administration to Obtain Account Records From a Financial Institution
SSA-4641 (3-82)
On Occasion
Businesses or other institutions
Fin. institutions (banks, savings and loans, credit unions): 1,500,000 responses; 150,000 hours; not applicable under 3504(h)

Richard Eisinger, 202-395-6880

Health Care Financing Administration
Hospital Providers of Long-Term Care (Swing-Bed Provision)
BPP-149-FC
HCFA-345
Annually
State or local governments/businesses or other institutions
State Medicaid agencies: 50 responses; 500 hours; not applicable under 3504(h)

Fay S. Iudicello, 202-395-3090

Revisions

Social Security Administration

State Plan for Child Support Collection and Establishment of Paternity Under Title IV-D of the Social Security Act
OCSE-100
On Occasion
State or local governments
States receiving Federal funds for social programs: 54 responses; 810 hours; not applicable under 3504(h)

Richard Eisinger, 202-395-6880

Social Security Administration
Government Pension Questionnaire
SSA-3885 (1-82)
On Occasion
Individuals or households
Certain individuals receiving social security spouse's benefits: 50,000 responses; 3,333 hours; not applicable under 3504(h)

Richard Eisinger, 202-395-6880

Extensions (Burden Change)

Health Care Financing Administration
Telephone Surveys of Medicare Part B Providers and Beneficiaries (to Evaluate Part B Fixed Price Contracts)
HCFA-343
Nonrecurring
Individuals or households/businesses or other institutions
Medicare part B providers and beneficiaries: 2,400 responses; 700 hours; not applicable under 3504(h)

Fay S. Iudicello, 202-395-3090

DEPARTMENT OF THE INTERIOR

Agency Clearance Officer—Vivian A. Keado—202-343-6191

New

Bureau of Land Management
Leasing of minerals other than oil or gas, General (43 CFR 3500)
Nonrecurring
Individuals or households/businesses or other institutions
General public (citizen entrepreneurs who enter mineral development for the first time and mining companies): 410 responses; 410 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

Revisions

Bureau of Land Management
Arizona Socioeconomic Wilderness Survey
Nonrecurring
Individuals or households
Arizona registered voters: 3,000 responses; 1,500 hours; not applicable under 3504(h)

William T. Adams, 202-395-4814

DEPARTMENT OF LABOR

Agency Clearance Officer—Paul E. Larson—202-523-6331

Revisions

Employment and Training Administration
Targeted Jobs Tax Credit (TJTC) Report Forms
ETA 8468 thru 8473
On occasion, quarterly
Businesses or other institutions/individuals or households/state or local governments
State employment security agencies, state and Federal, etc.: 1,086,624 responses; 90,656 hours; not applicable under 3504(h)

Laverne V. Collins, 202-395-6880

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer—John Windsor—202-426-1887

New

Federal Highway Administration
Regional Truck Permit Center Study
Nonrecurring
State or local governments/businesses or other institutions
Universe of top State motor vehicle administrators, etc.: 596 responses; 238 hours; not applicable under 3504(h)

Donald Arbuckle, 202-395-7340

Federal Highway Administration
Inspection, Repair and Maintenance and Driver Vehicle Inspection Report
On occasion
Individuals or households/businesses or other institutions
Drivers/motor carriers: 1,362,000 responses; 26,160,166 hours; not applicable under 3504(h).
Donald Arbuckle 202-395-7340

Federal Highway Administration
Use of Private Funds for Highway Improvements
Nonrecurring
State or local governments/businesses or other institutions
State/local transportation agencies & planning agencies: 105 responses; 840 hours; not applicable under 3504(h).
Donald Arbuckle 202-395-7340

Urban Mass Transportation Administration
Application Procedures for Section 8 Grants
Nonrecurring
State or local governments
State departments of transportation: 330 responses; 16,500 hours; not applicable under 3504(h).

Donald Arbuckle 202-395-7340

Revisions

Federal Highway Administration
Guide for Reporting Highway Statistics
FHWA 531 532, 534 536, 541 542, 551M
556, 561 562, 566 571, 1502
On occasion monthly annually
biennially
Other—See SF83
State or local governments
State government agencies: 3,455
responses; 36,968 hours; not
applicable under 3504(h).
Donald Arbuckle 202-395-7340

DEPARTMENT OF THE TREASURY

(Agency Clearance Officer—Ms. Joy
Tucker—202-634-5394)

Revisions

Office of the Secretary
Custody Liabilities of Reporting Banks,
Brokers and Dealers To
"Foreigners"—Payable in Dollars
BL-2 BL-2 (SA)
Monthly
Businesses or other institutions
U.S. banks, banking institutions, brokers
and dealers: 1,800 responses; 9,000
hours; not applicable under 3504(h).
Arnold Strasser 202-395-6880

Extensions (Burden change)

Office of the Secretary
Part 1—Reporting Bank's Own Claims,
and Selected Claims of Broker or
Dealer, on Foreigners, Part II—
Domestic
Customers' claims
IC BQ-1
Quarterly
Businesses or other institutions
U.S. Banks, banking institutions, dealers
and brokers: 2,600 responses; 10,400
hours; not applicable under 3504(h).
Arnold Strasser 202-395-6880
Office of the Secretary
Part 1—Liabilities to, and Claims on
"Foreigners" of Reporting Banks,
Brokers, and Dealers, Part 2—
Domestic Customers Claims on
"Foreigners"
BQ-2
Quarterly
Businesses or other institutions
Banks, banking institutions, brokers and
dealers: 1,340 responses; 5,360 hours;
not applicable under 3504(h).
Arnold Strasser 202-395-6880
United States Customs Service
Importer's Premises Visit—Significant
Importation Report 213
On occasion
Businesses or other institutions
Importers: 4,439 responses; 10,654 hours;
not applicable under 3504(h).

Karen P. Sagett 202-395-6880

Reinstatements

Internal Revenue Service
Generation—Skipping Transfer Tax
Return
706-B
On occasion
Individual or households
Individuals, trusts & those institutions
that manage trusts: 300 responses;
4,682 hours; not applicable under
3504(h)
Karen P. Sagett 202-395-6880

ENVIRONMENTAL PROTECTION AGENCY

(Agency Clearance Officer—Christine
Socoby—202-382-2742)

New

Application and Summary Report For
An Emergency Exemption (0596)
(0602)
Nonrecurring
State or local governments
State governments: 400 responses; 6,400
hours; not applicable under 3504(h)
Robert Shelton 202-395-7340.
Cooperative Agreements For Remedial
Planning—Implementation (0864)
Other—See SF83
State or local governments
State governments desiring certain
funds for remedial actions: 35
responses; 22,400 hours; not
applicable under 3504(h)
Robert Shelton 202-395-7340

FEDERAL RESERVE SYSTEM

(Agency Clearance Officer—William
Jones—202-452-2983)

Revisions

Monthly survey of selected deposits and
other accounts
FR 2042
Monthly
Businesses or other institutions
Sample of insured commercial banks
and mutual savings banks: 7,896
responses; 9,870 hours; not applicable
under 3504(h)
Richard Sheppard 202-395-6880

NUCLEAR REGULATORY COMMISSION

(Agency Clearance Officer—Stephen
Scott—301-492-8585)

Revisions

10 CFR 50, Domestic Licensing of
Production and Utilization Facilities
NRC-366 R.G. 1.70 R.G. 1.16
Nonrecurring on occasion monthly
semiannually annually biennially
other—See SF83
Businesses or other institutions

NRC applicants and licensees: 8,100
responses; 5,723,500 hours; not
applicable under 3504(h)
Jefferson B. Hill 202-395-7340
Nathaniel Scurry,
Chief, Reports Management.
[FR Doc. 82-9841 Filed 4-9-82; 8:45 am]
BILLING CODE 3110-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 09/09-5259]

**Milestone Capital Corp.; License
Surrender**

Notice is hereby given that Milestone
Capital Corporation, 5401 Mission
Street, San Francisco, California 94112,
has surrendered its license to operate as a
small business investment company
pursuant to 13 CFR 107.105 (1981) of the
Small Business Administration's rules
and regulations governing small
business investment companies.

Milestone Capital Corporation was
licensed on October 22, 1980, to operate
as a Section 301(d) small business
investment company whose investment
policy is to invest in small concerns
owned, controlled and operated by
socially or economically disadvantaged
persons under the provisions of the
Small Business Investment Act of 1958
(the Act), as amended (15 U.S.C. 611 *et
seq.*).

Under the authority vested by the Act
and pursuant to the cited Regulation, the
surrender of the license is hereby
accepted and all rights, privileges and
franchises therefrom are cancelled.

(Catalog of Federal Domestic Program No.
59.011, Small Business Investment
Companies)

Dated: April 6, 1982.

Robert G. Lineberry,
Acting Deputy Associate Administrator for
Investment.

[FR Doc. 82-9851 Filed 4-9-82; 8:45 am]

BILLING CODE 8025-01-M

[Proposed License No. 02/02-0438]

**New Publication Fund, Inc.; Application
for a License To Operate as a Small
Business Investment Company**

Notice is hereby given that an
application has been filed with the
Small Business Administration pursuant
to Section 107.102 of the Regulations
governing small business investment
companies (13 CFR 107.102 (1980)) under
the name of New Publication Fund, Inc.,
325 East 75th Street, New York, New
York 10021, for a license to operate as a
small business investment company,

under the provisions of the Small Business Investment Act of 1958, as amended (the Act), (15 U.S.C. 661 *et seq.*), and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and stockholders are as follows:

President, Director: Richard E. Ekstract, 10 Gracie Square, New York, New York (100%)

Secretary, Director: Robert L. Frome, 505 Park Avenue, New York, New York 10022

Director: Peter Sprague, P.O. Box 301, Radnor, PA 19087

The Applicant will begin operations with a capitalization of \$995,000 which will be a source of both equity and debt financing to qualified small business concerns in the printing and publishing industries for normal growth, expansion and working capital.

The Applicant does not intend to use the services of an investment adviser but will provide consulting services to its clients and other small concerns.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed management and owner, including adequate profitability and financial soundness in accordance with the Act and Regulations.

Notice is further given that any person may, not later than April 27, 1982, submit to SBA, in writing, relevant comments on the proposed licensing of this company. Any such communications should be addressed to: Acting Deputy Associate Administrator for Investment, 1441 "L" Street, NW., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in the New York City area.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 5, 1982.

Robert G. Lineberry,

Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-9652 Filed 4-9-82; 8:45 am]

BILLING CODE 8025-01-M

[License No. 06/06-0243]

Rainbow Capital Corp.; Surrendering of License

Notice is hereby given that Rainbow Capital Corporation (RCC), 1100 One Allen Center, Houston, Texas 77002, has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended (the Act). RCC

was licensed by the Small Business Administration on February 27, 1981.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender of the license was accepted on March 18, 1982, and accordingly, all rights, privileges and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 6, 1982.

Robert G. Lineberry,

Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-9653 Filed 4-9-82; 8:46 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Radio Technical Commission for Aeronautics (RTCA); Special Committee 137—Airborne Area Navigation Systems; Notice of Meeting

Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of RTCA Special Committee 137 on Airborne Area Navigation Systems to be held on May 4-6, 1982 in RTCA First Floor Conference Room, 1717 H Street, NW., Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Introductory Remarks; (2) Approval of Minutes of Ninth Meeting Held on January 26-28, 1982; (3) Review of Draft Committee Report on Minimum Operational Performance Standards for VOR/DME Based Airborne Area Navigation Systems; (4) Review of Draft Committee Report on Loran-C Based Area Navigation Equipment; (5) Review of Draft Committee Report on Omega Based Area Navigation Equipment; (6) Review of Draft Committee Report on Multi-Sensor Based Area Navigation Equipment; (7) Assignment of Tasks; and (8) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1717 H Street, NW., Washington, D.C. 20006; (202) 296-0484. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C. on April 5, 1982.

Karl F. Bierach,

Designated Officer.

[FR Doc. 82-9661 Filed 4-9-82; 8:46 am]

BILLING CODE 4910-13-M

Federal Railroad Administration

[Waiver Petition Docket No. PB-81-6]

Petition for Waiver of Power Brake Standards

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that the Federal Railroad Administration (FRA) has received a petition for exemption from certain provisions of the Power Brake Standards (49 CFR Part 232). The petition was filed by the Jefferson Parish Council (Council) a local governmental body in the vicinity of New Orleans, Louisiana.

The Council requests that FRA grant waivers of compliance to three railroads that operate trains at a location identified as Shrewsbury Interchange near New Orleans, Louisiana. The Council indicates that the three railroad block several rail-highway grade crossings for extensive periods of time while performing required power brake inspections and tests pursuant to the provisions of FRA regulations. The Council requests that each of the railroads be permitted to modify their test procedures or the location at which the test and inspections are performed in order to prevent the rail-highway grade crossing from being blocked.

The three railroads, the Illinois Central Gulf Railroad (ICG), the New Orleans Terminal Company (NOT) a component of Southern Railway System and the Louisiana and Arkansas Railway (L&A) a component of the Missouri Pacific Railroad, that operate trains at this location all perform the power brake inspections and tests. The tests and inspections vary from railroad to railroad depending on the facts involved in their operation. Generally, either a "transfer train" test and inspection under § 232.13(e) or an "interchange" test and inspection under § 232.13(a) is performed at this location.

All three railroads have indicated that they support the waiver of compliance being sought by the Council. The ICG suggests that a waiver which would permit a train to be moved a sufficient distance to clear the crossings before performing the tests and inspections would be appropriate. The NOT suggests that a waiver permitting movement of approximately one mile

would be appropriate for their operations. The L&A suggests that the waiver permit movement for whatever distance is needed to prevent blockage of the crossings. All of the railroads indicate that only a short distance move at low speeds is involved and that the safety of train operations would not be adversely affected by granting a waiver. Both the railroads and the Council indicate that granting the waiver would be in the public interest.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number PB-81-6 and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before May 10, 1982 will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 5101, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

(Sec. 9 of the Safety Appliance Acts (45 U.S.C. 9) and § 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49(d))

Issued in Washington, D.C. on March 2, 1982.

Joseph W. Walsh,
Chairman, Railroad Safety Board.

[FR Doc. 82-9847 Filed 4-9-82 8:45 am]

BILLING CODE 4910-06-M

[FRA Waiver Petition Docket No. HS-82-1]

Transkentucky Transportation Railroad Co.; Petition for Exemption From the Hours of Service Act

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that the Transkentucky Transportation Railroad Company (TTR) has petitioned the Federal Railroad Administration (FRA) for an exemption from the Hours of Service Act (83 Stat. 464, Pub. L. 91-169, 45 U.S.C. 64a(e)). That petition requests that the TTR be granted authority to permit certain employees to continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a

period in excess of twelve hours. However, the Hours of Service Act contains a provision that permits a railroad, which employs no more than fifteen employees who are subject to the statute, to seek an exemption from this twelve hour limitation.

The TTR seeks this exemption so that it can permit certain employees to remain continuously on duty for periods not to exceed sixteen hours. The petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number HS-82-1, and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before May 10, 1982, will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 7321A, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

(Sec. 5 of the Hours of Service Act of 1969 (45 U.S.C. 64a), § 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49 (d))

Issued in Washington, D.C. on March 5, 1982.

Joseph W. Walsh,
Chairman, Railroad Safety Board.

[FR Doc. 82-9848 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-06-M

National Highway Traffic Safety Administration

Calendar of Meetings for International Harmonization of Safety Standards

The National Highway Traffic Safety Administration (NHTSA) plans to continue its participation during this year in the international meetings to harmonize U.S. and foreign motor vehicle safety standards. These meetings will be conducted by the

Group of Experts on the Construction of Vehicles (WP29) under the Inland Transport Committee of the United Nations' Economic Commission for Europe (ECE) and the eight groups of Rapporteurs of the WP29. The NHTSA participates in all of the rapporteur meetings except those on Noise and Pollution which are represented by the Environmental Protection Agency (EPA).

This calendar consists of those meetings in which the NHTSA and the EPA will provide representation and in which the public interest is expected. It is published for information and planning purposes and the meeting dates and places are subject to change. Inquiries or comments relating to specific meetings should be made at least two weeks preceding that meeting.

FOR FURTHER INFORMATION CONTACT:

John Carson, Office of Vehicle Safety Standard, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202) 426-2715
January 18-20, 1982:

Group of Rapporteurs on Crashworthiness (GRCS)

Tenth Session—Geneva, Switzerland

February 9-12, 1982:

Group of Rapporteurs on Pollution and Energy (GRPE)

Fifth Session—Geneva, Switzerland

March 4-5, 1982:

Ad Hoc Meeting on the Program of Work of the WP29

Eighteenth Session—Geneva, Switzerland

March 8-12, 1982:

Group of Experts on the Construction of Vehicles

Sixty-sixth Session—Geneva, Switzerland

April 27-30, 1982:

Group of Rapporteurs on Brakes and Running Gear (GRRF)

Eleventh Session—Geneva, Switzerland

May 11-14, 1982:

Group of Rapporteurs on General Safety Provisions (GRSG)

Thirty-ninth Session—Frankfort, Germany

June 17-18, 1982:

Ad Hoc Meeting on the Program of Work of the WP29

Nineteenth Session—Geneva, Switzerland

June 21-25, 1982:

Group of Experts on the Construction of Vehicles

Sixty-seventh Session—Geneva, Switzerland

July 20-23, 1982:

Group of Experts on Protective Devices (GRDP)

Eleventh Session—Geneva, Switzerland

August 24-26, 1982:

Group of Rapporteurs on Crashworthiness (GRCS)

Eleventh Session—Geneva, Switzerland

August 31-September 3, 1982:

Group of Rapporteurs on Pollution and Energy (GRPE)

Sixth Session—Geneva, Switzerland

September 14-17, 1982:

Group of Rapporteurs on Noise (GRB)

Eleventh Session—Brussels, Belgium
September 28–October 1, 1982:
Group of Rapporteurs on Lighting and
Lighting Signalling (GRE)
Tenth Session—Netherlands
October 12–15, 1982:
Group of Rapporteurs on General Safety
Provisions (GRSG)
Fourteenth Session—London, England
October 21–22, 1982:
Ad Hoc Meeting on the Program of Work of
the WP29
Twentieth Session—Geneva, Switzerland
October 25–29, 1982:
Group of Experts on the Construction of
Vehicles
Sixty-eighth Session—Geneva, Switzerland
November 2–5, 1982:
Group of Rapporteurs on General Safety
Provisions on Motor Coaches and Buses
(GRSA)
Twenty-seventh Session—Budapest,
Hungary

November 30–December 3, 1982:
Group of Rapporteurs on Brakes and
Running Gear (GRRF)
Twelfth Session—Geneva, Switzerland
December 7–10, 1982:
Group of Rapporteurs on General Safety
Provisions (GRSG)
Forty-first Session—Geneva, Switzerland
Issued on April 6, 1982.

Courtney M. Price,

Associate Administrator for Rulemaking.

[FR Doc. 82-9808 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-59-M

Research and Special Program Administration

Hazardous Materials; Applications for Exemptions

AGENCY: Materials Transportation
Bureau, RSPA, DOT.

ACTION: Notice of grants and denials of
applications for exemptions.

SUMMARY: In accordance with the
procedures governing the application
for, and the processing of, exemptions
from the Department of Transportation's
Hazardous Materials Regulations (49
CFR Part 107, Subpart B), notice is
hereby given of the exemptions granted
in February 1982. The modes of
transportation involved are identified by
a number in the "Nature of Exemption
Thereof" portion of the table below as
follows: 1—Motor vehicle, 2—Rail
freight, 3—Cargo vessel, 4—Cargo-only
aircraft, 5—Passenger-carrying aircraft.
Application numbers prefixed by the
letters EE present applications for
Emergency Exemptions.

RENEWAL AND PARTY TO EXEMPTIONS

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
2708-X	Dot-E 2708	Union Carbide Corporation, Tarrytown, NY.	49 CFR 173.315(a), 173.316	To authorize a new design cargo tank for shipment of liquefied hydrogen. (Mode 1.)
3992-X	Dot-E 3992	Stauffer Chemical Company, Westport, CT.	49 CFR 173.314	To authorize transport of anhydrous hydrogen chloride in a DOT Specification 105A600W tank car. (Mode 2.)
3992-X	Dot-E 3992	Dow Chemical Company, Plaquemine, LA.	49 CFR 173.314	To authorize transport of anhydrous hydrogen chloride in a DOT Specification 105A600W tank car. (Mode 2.)
3992-X	Dot-E 3992	E. I. Du Pont de Nemours & Company, Inc., Wilmington, DE.	49 CFR 173.314	To authorize transport of anhydrous hydrogen chloride in a DOT Specification 105A600W tank car. (Mode 2.)
4453-X	Dot-E 4453	Austin Powder Company, Cleveland, OH.	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-type tank for shipment of blasting agent, n.o.s. or ammonium nitrate-fuel oil mixture. (Mode 1.)
4453-X	Dot-E 4453	Atlas Powder Company, Dallas, TX	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-type tank for shipment of blasting agent, n.o.s. or ammonium nitrate-fuel oil mixture. (Mode 1.)
4453-X	Dot-E 4453	Maynes Explosives Company, Lee's Summit, MO.	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-type tank for shipment of blasting agent, n.o.s. or ammonium nitrate-fuel oil mixture. (Mode 1.)
4453-X	Dot-E 4453	Monsanto Company, St. Louis, MO	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-type tank for shipment of blasting agent, n.o.s. or ammonium nitrate-fuel oil mixture. (Mode 1.)
4453-X	Dot-E 4453	Strawn Explosives, Inc., Dallas, TX	49 CFR 173.114a(h)(3)	To authorize use of a non-DOT specification bulk, hopper-type tank for shipment of blasting agent, n.o.s. or ammonium nitrate-fuel oil mixture. (Mode 1.)
5112-X	Dot-E 5112	U.S. Department of Defense, Washington, DC.	49 CFR 173.62(a), 177.834(L)(1), 177.835(k).	To authorize use of specially designed kettle drum type aluminum containers for transportation of Class A explosives. (Mode 1.)
5112-X	Dot-E 5112	Austin Powder Company, Cleveland, OH	49 CFR 173.62(a), 177.834(L)(1), 177.835(k).	To authorize use of specially designed kettle drum type aluminum containers for transportation of Class A explosives. (Mode 1.)
5122-X	Dot-E 5122	E. I. du Pont de Nemours & Company, Inc., Wilmington, DE.	49 CFR 173.314(c)	To authorize transport of a certain nonflammable compressed gas in DOT Specification 108A500X and 110A500W multi-unit tank car tanks. (Modes 1 and 2.)
5243-X	Dot-E 5243	Hercules, Incorporated, Wilmington, DE	49 CFR 173.103(a), 173.66(g)(1), 177.835(g).	To authorize specific packaging for the tailless MS connector. (Modes 1, 2, and 3.)
5243-X	Dot-E 5243	E. I. du Pont de Nemours & Company, Inc., Wilmington, DE.	49 CFR 173.103(a), 173.66(g)(1), 177.835(g).	To authorize specific packaging for the tailless MS connector. (Modes 1, 2, and 3.)
5736-X	Dot-E 5736	Northern Petrochemical Company, Des Plaines, IL.	49 CFR 172.101, 173.314(c)	To authorize use of non-DOT specification tank car tanks for the transportation of a flammable gas. (Modes 2 and 3.)
5736-X	Dot-E 5736	Phillips Petroleum Company, Bartlesville, OK.	49 CFR 172.101, 173.314(c)	To authorize use of non-DOT specification tank car tanks for the transportation of a flammable gas. (Modes 2 and 3.)
6039-X	Dot-E 6039	Rohm & Haas Company, Philadelphia, PA.	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification insulated cargo tanks for shipment of a flammable compressed gas. (Mode 1.)
6113-X	Dot-E 6113	South Jersey Gas Company, Folsom, NJ	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of certain flammable gases. (Mode 1.)
6113-X	Dot-E 6113	Public Service Electric and Gas Company, Newark, NJ.	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of certain flammable gases. (Mode 1.)
6113-X	Dot-E 6113	L. P. Transportation, Inc., Chester, NY	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of certain flammable gases. (Mode 1.)
6113-X	DOT-E 6113	UGI Corporation, Reading, PA	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of certain flammable gases. (Mode 1.)
6113-X	DOT-E 6113	Southern Connecticut Gas	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of certain flammable gases. (Mode 1.)
6113-X	DOT-E 6113	New Jersey Natural Gas Company, Asbury Park, NJ.	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of certain flammable gases. (Mode 1.)
6113-X	DOT-E 6113	San Diego Gas & Electric Company, San Diego, CA.	49 CFR 172.101, 173.315(a)	To authorize use of a non-DOT specification cargo tank for shipment of certain flammable gases. (Mode 1.)
6397-X	DOT-E 6397	Harstan Chemical Corporation, Brooklyn, NY.	49 CFR 173.346(a)	To authorize shipment of certain Class B poisonous liquids in DOT Specification 34 polyethylene containers. (Modes 1 and 2.)
6464-X	DOT-E 6464	South Jersey Gas Company, Folsom, NJ	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification cargo tanks for shipment of certain flammable gases. (Mode 1.)
6464-X	DOT-E 6464	L. P. Transportation, Inc., Chester, NY	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification cargo tanks for shipment of certain flammable gases. (Mode 1.)
6464-X	DOT-E 6464	New Jersey Natural Gas Company, Asbury Park, NJ.	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification cargo tanks for shipment of certain flammable gases. (Mode 1.)
6464-X	DOT-E 6464	Public Service Electric and Gas Company, Newark, NJ.	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification cargo tanks for shipment of certain flammable gases. (Mode 1.)
6614-X	DOT-E 6614	Jones Chemicals, Incorporated Caledonia, NY.	49 CFR 173.263(a)(28); 173.277(a)(6)	To authorize use of non-DOT specification polyethylene bottles, packed inside a high density polyethylene box, for transportation of certain corrosive liquids. (Mode 1.)

RENEWAL AND PARTY TO EXEMPTIONS—Continued

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
6765-X	DOT-E 6765	Airco Industrial Gases, Murray Hill, NJ	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification portable tanks for transportation of a flammable gas and a nonflammable gas. (Modes 1 and 3.)
6765-X	DOT-E 6765	Air Products and Chemicals, Incorporated, Allentown, PA	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification portable tanks for transportation of a flammable gas and a nonflammable gas. (Modes 1 and 3.)
6765-X	DOT-E 6765	Phillips Petroleum Company, Bartlesville, OK	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification portable tanks for transportation of a flammable gas and on nonflammable gas. (Modes 1 and 3.)
6765-X	DOT-E 6765	Bureau of Mines, Amarillo, TX	49 CFR 172.101, 173.315(a)	To authorize use of non-DOT specification portable tanks for transportation of a flammable gas and a nonflammable gas. (Modes 1 and 3.)
6801-P	DOT-E 6801	Phillips Chemical Company, Bartlesville, OK	49 CFR 173.119(a)(7), 173.119(e)(1)	To become a party to Exemption 6801. (Modes 1 and 2.)
6801-X	DOT-E 6801	Phillips Petroleum Company Bartlesville, OK	49 CFR 173.119(a)(7), 173.119(e)(1)	To authorize use of a one-gallon glass bottle, packed in a DOT Specification 12B fiberboard box for shipment of certain flammable liquids. (Modes 1 and 2.)
6816-X	DOT-E 6816	U.S. Department of Defense, Washington, DC	49 CFR 173.53(p)	To authorize transport of completely assembled liquid and solid fueled missiles by motor vehicle only. (Mode 1.)
6824-X	DOT-E 6824	Bio-Lab, Incorporated Congers, GA	49 CFR 173.217(a)	To authorize packaging not provided for in the Hazardous Materials Regulations for certain oxidizing materials. (Modes 1, 2, and 3.)
6874-P	DOT-E 6874	Twain Incorporated, Denver, CO	49 CFR 172.101, 173.370(a)(13)	To become a party to Exemption 6874. (Modes 1 and 3.)
6919-P	DOT-E 6919	Northern States Power Company, Minneapolis, MN	49 CFR 172.101, 173.315(a)	To become a party to Exemption 6919. (Mode 1.)
6971-P	DOT-E 6971	PolyScience Corporation, Niles, IL	49 CFR Parts 100-199	To become a party to Exemption 6971. (Modes 1, 2, 3, 4, and 5.)
7066-P	DOT-E 7066	Compagnie Generale Maritime, Paris, France	49 CFR 173.119(m), 173.346	To become a party to Exemption 7066. (Modes 1 and 3.)
7087-X	DOT-E 7087	Unitek Corporation, Monrovia, CA	49 CFR 173.286(b), 175.3	To authorize shipment of small quantities of certain hazardous materials in non-DOT specification glass, polyethylene, or other plastic containers. (Modes 1, 2, 3, 4, and 5.)
7205-X	DOT-E 7205	U.S. Department of Defense, Washington, DC	49 CFR 146.29-99	To authorize certain stowage deviations in the transportation of military explosives by vessel. (Mode 3.)
7220-X	DOT-E 7220	Grief Brothers Corporation, Springfield, NJ	49 CFR Part 173, Subparts D, E, F, & H	To authorize manufacture, marking and sale of non-DOT specification reusable, blow-molded, polyethylene container for shipment of certain corrosive, flammable liquids, oxidizers and Class B poisonous liquids. (Modes 1, 2, and 3.)
7255-X	DOT-E 7255	U.S. Department of Defense, Washington, DC	49 CFR 146.29-45(a), 46 CFR 146.29-45(c)	To authorize simultaneous loading of two holds within the same hatch when handling military explosives. (Mode 3.)
7257-X	DOT-E 7257	Brewer Chemical Corporation, Honolulu, HI	49 CFR 173.245, 173.249, 173.263	To authorize use of non-DOT specification portable tanks, for transportation of certain corrosive liquids. (Mode 3.)
7280-X	DOT-E 7280	U.S. Department of Defense, Washington, DC	49 CFR 176.905(c), 176.905(d)	To authorize fuel tanks to be 3/4 full instead of 1/4 full and vehicles to be transported with battery cables connected if the holds or compartments of a vessel in which vehicles are loaded are mechanically ventilated. (Mode 3.)
7482-X	DOT-E 7482	Monsanto Company, St. Louis, MO	49 CFR 173.245(b)(6)	To authorize use of reconditioned non-DOT specification blow-molded high molecular weight polyethylene drum, for shipment of certain corrosive solid waste materials. (Mode 1.)
7536-X	DOT-E 7536	U.S. Department of Defense, Washington, DC	49 CFR 146.29-41	To authorize an increase to the maximum allowable draft weights for five and ten ton rated booms for shipment of military explosives. (Mode 3.)
7541-X	DOT-E 7541	E. I. du Pont de Nemours & Company, Inc., Wilmington, DE	49 CFR 173.315(a)	To authorize use of a non-DOT specification portable tank for the transportation of certain flammable and nonflammable compressed gases. (Modes 1 and 3.)
7549-X	DOT-E 7549	Stauffer Chemical Company, Westport, CT	49 CFR 173.245(a)	To authorize use of a non-DOT specification 316L stainless steel portable tank for shipment of a certain corrosive material. (Modes 1, 2, and 3.)
7616-X	DOT-E 7616	Missouri Pacific Railroad Company, Saint Louis, MO	49 CFR 172.204(a), 172.204(d)	To authorize the carrier to certify the shipping paper on behalf of the shipper when transporting hazardous materials on repetitive basis. (Mode 2.)
7641-X	DOT-E 7641	American President Lines, Ltd., Seattle, WA	49 CFR 176.905(c)	To authorize carriage of motor vehicles aboard cargo vessels with battery cables connected. (Mode 3.)
7648-X	DOT-E 7648	Intermountain Aerial Sightseeing, Inc., Salt Lake City, UT	49 CFR 172.204(c), 172.300(a), 172.400(a), 173.91(a), 173.91(i), 175.3, 175.35(a)	To authorize carriage of aerial illuminating flares for testing purposes in cargo-only aircraft. (Mode 4.)
7774-P	DOT-E 7774	WRC Wireline, Inc., Grand Prairie, TX	49 CFR 173.246, 175.3	To become a party to Exemption 7774. (Mode 1, 2, 4, and 5.)
7835-P	DOT-E 7835	Wilson Oxygen and Supply, Inc., Austin, TX	49 CFR 177.848, Part 107 Appen. B(1)	To become a party to Exemption 7835. (Mode 1.)
7835-P	DOT-E 7835	Liquid Air Corporation, San Francisco, CA	49 CFR 177.848, Part 107 Appen. B(1)	To become a party to Exemption 7835. (Mode 1.)
7948-X	DOT-E 7948	Clark Tank and Manufacturing Company, Incorporated Long Beach, CA	49 CFR 173.119(a), 173.119(m), 173.245(a), 173.346(a), 178.340-7, 178.342-5, 178.343-5	To authorize manufacture, marking and sale of non-DOT specification cargo tanks for shipment of liquid and semi-solid waste materials. (Mode 1.)
8009-P	DOT-E 8009	Matador Service, Inc., Wichita, KS	49 CFR 172.101, 173.301(d)(2), 173.302(a)(3)	To become a party to Exemption 8009. (Mode 1.)
8129-X	DOT-E 8129	RAD Services, Inc., d/b/a Triangle Resource Inc., Laurel, MD	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To authorize the shipment of certain hazardous waste materials in DOT Specification 37A, 5-gallon capacity drums, and DOT Specification 17H or 6J, 30 or 55-gallon capacity drums. (Mode 1.)
8129-X	DOT-E 8129	Rad Services, Inc., Laurel, MD	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To authorize the shipment of certain hazardous waste materials in DOT Specification 37A, 5-gallon capacity drums, and DOT Specification 17H or 6J, 30 or 55-gallon capacity drums. (Mode 1.)
8129-P	DOT-E 8129	Allied Corporation, Morristown, NJ	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To become a party to Exemption 8129. (Mode 1.)
8129-X	DOT-E 8129	Resource Technology Services, Inc., Devon, PA	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To authorize the shipment of certain hazardous waste materials in DOT Specification 37A, 5-gallon capacity drums, and DOT Specification 17H or 6J, 30 or 55-gallon capacity drums. (Mode 1.)
8129-P	DOT-E 8129	University of Florida, Gainesville, FL	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To become a party to Exemption 8129. (Mode 1.)
8129-P	DOT-E 8129	Multichem Corporation, Baltimore, MD	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To become a party to Exemption 8129. (Mode 1.)
8129-P	DOT-E 8129	Applied Technology, Inc., Toms River, NJ	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To become a party to Exemption 8129. (Mode 1.)
8129-P	DOT-E 8129	Earth Industrial Waste Management Inc., Memphis, TN	49 CFR Part 173, Subparts D, E, F, H, Subparts K, L, M, O	To become a party to Exemption 8129. (Mode 1.)
8192-X	DOT-E 8192	Greif Brothers Corporation Springfield, NJ	49 CFR 173.154, 173.266, 173.272(g), 173.346, 173.348	To authorize shipment of Class B poisonous liquids, sulfuric acid and oxidizers in DOT Specification 34 containers. (Modes 1, 2, and 3.)

RENEWAL AND PARTY TO EXEMPTIONS—Continued

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8244-X	DOT-E 8244	Halliburton Services, Incorporated, Duncan, OK.	49 CFR 173.119, 173.125, 173.245, 173.263, 173.264, 173.289, 46 CFR 64.9.	To authorize use of a DOT Specification marine portable tank for shipment of certain flammable liquids, corrosive materials and combustible liquids. (Modes 1 and 3.)
8244-X	DOT-E 8244	Otis Engineering Corporation, Dallas, TX.	49 CFR 173.119, 173.125, 173.245, 173.263, 173.264, 173.289, 46 CFR 64.9.	To authorize use of a DOT Specification marine portable tank for shipment of certain flammable liquids, corrosive materials and combustible liquids. (Modes 1 and 3.)
8244-X	DOT-E 8244	Halliburton Services, Incorporated, Duncan, OK.	49 CFR 173.119, 173.125, 173.245, 173.263, 173.264, 173.289, 46 CFR 64.9.	To authorize use of a DOT Specification marine portable tank for shipment of certain flammable liquids, corrosive materials and combustible liquids. (Modes 1 and 3.)
8301-X	Dot-E 8301	Container Corporation of America, Wilmington, DE.	49 CFR Part 173, Subparts D, E, F, H.	To authorize use of a 30-gallon capacity DOT Specification 34 polyethylene container, for shipment of certain flammable, corrosive and Poison B liquids, and liquid organic peroxides. (Modes 1, 2, and 3.)
8655-P	DOT-E 8655	American Chemical & Refining Company, Waterbury, CT.	49 CFR 173.352(a)(1)	To become a party to Exemption 8655. (Mode 1.)
8745-X	DOT-E 8745	Goex, Inc., Moosic, PA.	49 CFR 173.60(a)	To authorize the shipment of black powder in DOT Specification 13 metal kegs. (Modes 1, 2.)
8752-X	DOT-E 8752	Thiokol Corporation Elkton, MD.	49 CFR 173.92	To authorize the shipment of fifteen rocket motors in packaging not presently authorized. (Mode 1.)

NEW EXEMPTIONS

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8725-N	DOT-E 8725	NCF Industries, Los Alamitos, CA.	49 CFR 173.302(a)	To authorize manufacture, marking and sale of non-DOT Specification fiber reinforced plastic hoop wrapped cylinders, for shipment of certain compressed gases. (Mode 1.)
8729-N	DOT-E 8729	Inland Steel Container, Chicago, IL.	49 CFR 175.3, 178.102-4	To authorize reuse of steel drums manufactured in accordance with DOT Specification 6D and indelibly marked on the sidewall, though inadvertently embossed "DOT-37M, NRC", for shipment of those hazardous materials authorized in DOT Specification 6D with 2SL liners. (Modes 1, 2, 3, 4, and 5.)
8735-N	DOT-E 8735	Letica Corporation, Rochester, MI.	49 CFR 178.19, Part 173, Subpart F.	To authorize manufacture, marking and sale of non-DOT specification removable head polyethylene drums for shipment of corrosive liquids. (Modes 1, 2, and 3.)
8750-N	DOT-E 8750	Applied Environments Corporation, Van Nuys, CA.	49 CFR 173.302(a), 175.3	To authorize manufacture, marking and sale of non-DOT specification girth welded steel cylinders, for shipment of certain nonflammable gases. (Modes 1, 2, and 4.)
8761-N	DOT-E 8761	The Heil Company, Milwaukee, WI.	49 CFR 173.119(a), 173.119(m), 173.245(a), 173.346(a), 178.340-7, 178.342-5, 178.343-5.	To authorize manufacture, mark and sale of non-DOT specification cargo tanks complying with DOT Specification MC-307/312 except for bottom outlet valve variations for transportation of liquid and semi-solid waste materials. (Mode 1.)
8766-N	DOT-E 8766	Thiokol Corporation, Brigham City, UT.	49 CFR 173.88(e)(2)(ii), 173.92(a)	To authorize transport of two types of rocket motors in a propulsive state and in a temperature controlled van. (Mode 1.)

WITHDRAWALS

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8408-P	Environmental Pollution Control Service, Akron, OH.	49 CFR 173.119(a), 173.119(m), 173.245(a), 173.346(a), 178.340-7, 178.342-5, 178.343-5.	To become a party to Exemption 8408. (Mode 1.)

DENIALS

8627-N	Request by Exxon Chemical Company, Houston, TX to authorize modification to the design of chassis mounted tanks denied February 12, 1982.
8627-P	Request by Petrolite Corporation, St. Louis, MO to authorize modification to the design of chassis mounted tanks denied February 12, 1982.
8719-N	Request by Halliburton Services, Duncan, OK to authorize transport of hydrochloric acid solutions in a 12,000 gallon marine portable tanks denied February 11, 1982.
8733-N	Request by ICI Americas Inc., Wilmington, DE to authorize transport of nonflammable gases in non-DOT specification portable tanks denied February 2, 1982.

Issued in Washington, DC, on March 29, 1982.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 82-9515 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-80-M

Saint Lawrence Seaway Development Corporation

Advisory Board; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is

hereby given of a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation, to be held at 1:00 p.m., April 30, 1982, at the offices of the Corporation, 800 Independence Ave. SW., Washington, D.C. The agenda for this meeting is as follows: Opening Remarks; Approval of Minutes; Administrator's Report; Review of Programs; Old and New Business; Closing Remarks.

Attendance is open to the interested public but limited to the space available. With the approval of the Administrator, members of the public may present oral statements at the hearing. Persons wishing to attend and persons wishing

to present oral statements should notify, not later than April 28, 1982 and information may be obtained from Robert D. Kraft, Director, Plans and Policy Development, Saint Lawrence Seaway Development Corporation, 800 Independence Avenue SW., Washington, D.C. 20591; 202-426-3574.

Any member of the public may present a written statement to the Advisory Board at any time.

Issued at Washington, D.C. on April 7, 1982.

D. W. Oberlin,
Administrator.

[FR Doc. 82-9649 Filed 4-9-82; 8:45 am]

BILLING CODE 4910-81-M

Sunshine Act Meetings

Federal Register

Vol. 47, No. 70

Monday, April 12, 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>
Federal Home Loan Bank Board.....	1
Federal Maritime Commission.....	2
National Mediation Board.....	3

1

FEDERAL HOME LOAN BANK BOARD

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 47 FR 14652, Monday, April 5, 1982.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., Thursday, April 8, 1982.

PLACE: Board room, sixth floor, 1700 G Street NW., Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

CHANGES IN THE MEETING: The following items have been withdrawn from the

Bank Board meeting scheduled for Thursday, April 8, 1982:

Permission to organize a New Federal Association—Ralph B. Chutz, et al., New Roads, Louisiana

Bank Membership; Insurance of Accounts—Petroplex Savings and Loan Association, Midland, Texas

Insurance of Accounts—Burleson County Savings and Loan Association, Caldwell, Texas

[No. 21, April 8, 1982]

S-518-82 Filed 4-8-82; 10:16 am]

BILLING CODE 6720-01-M

2

FEDERAL MARITIME COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 47 FR 15206, April 8, 1982.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 9 am., April 14, 1982.

CHANGE IN THE MEETING: Addition of the following item to the closed session:

2. Docket Nos. 81-30 and 81-31: *The Boston Shipping Association, Inc. v. New York Shipping Association, Inc.*—Consideration of request for oral argument and possible

consideration of the record.

S-520-82 Filed 4-8-82; 2:17 pm]

BILLING CODE 6730-01-M

3

NATIONAL MEDIATION BOARD

TIME AND DATE: 2 p.m., Monday, May 3, 1982.

PLACE: Board hearing room eighth floor, 1425 K Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Ratification of Board actions taken by notation voting during the month of April, 1982.

2. Other priority matters which may come before the Board for which notice will be given at earliest practicable time.

SUPPLEMENTARY INFORMATION: Copies of the monthly report of the Board's notation voting actions will be available from the Executive Secretary's office following the meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Rowland K. Quinn, Jr., Executive Secretary; Tel: (202) 523-5920.

Dated: April 7, 1982.

[S-519-82 Filed 4-8-82; 2:15 pm]

BILLING CODE 7550-01-M

federal register

Monday
April 12, 1982

Part II

Environmental Protection Agency

Regulatory Agenda

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL No. 3000-1]

Regulatory Agenda

AGENCY: Environmental Protection Agency.

ACTION: Regulatory agenda.

SUMMARY: The Agency publishes a semi-annual Regulatory Agenda which summarizes the status of regulations under development, revision and review. The purpose is to keep interested parties informed of the progress of these regulations.

FOR FURTHER INFORMATION CONTACT: For information on a regulation in the Agenda, please contact the person whose name is listed next to the regulation.

If you have suggestions for improving this publication, or need general information about the Agenda, please call or write to David Sahr, Regulation Management Staff, Environmental Protection Agency, PM-223, Washington, D.C., 20460, (202) 382-2730.

If you want to be on the mailing list for the Regulatory Agenda, please call or write to Penelope Parker, Regulation Management Staff, Environmental Protection Agency, PM-223, Washington, D.C., 20460, (202) 382-2701.

SUPPLEMENTARY INFORMATION:

Background

Both Executive Order 12291 and the Regulatory Flexibility Act require that EPA publish a Regulatory Agenda in October and April every year. Executive Order 12291 on "Federal Regulation," appeared in the Federal Register on February 19, 1981, 46 FR 13193. The Order requires that EPA's Regulatory Agenda identify regulations under development or review. Under section 602 of the Regulatory Flexibility Act, the Agenda must identify regulations that are likely to have a significant impact on a substantial number of small entities. EPA published its most recent Regulatory Agenda on October 30, 1981, 46 FR 53990. The next Regulatory Agenda will appear in October 1982.

Organization of the Agenda

The Agenda appears in three parts: (1) A set of entries identifying regulations under development or revision, (2) a list of regulations EPA is deleting from the first part because they have been completed or cancelled and (3) a list of regulations under review.

The Agenda entries in the first and second parts are organized by statutory

area—generally by the titles of the major legislation authorizing EPA's pollution control programs. In a few cases, the Agenda combines different statutory authorities that have closely-related subject matter. For example, the Fuel Economy Data regulation—authorized by the Energy Policy and Conservation Act—appears at the end of the section on the Clean Air Act, along with other mobile source regulations.

The statutory areas appear in the following order:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug and Cosmetics Act (FFDCA)
The Toxic Substances Control Act (TSCA)
The Clean Water Act (CWA) and the Marine Protection, Research, and Sanctuaries Act (MPRSA)
The Atomic Energy Act (AEA) and the Uranium Mill Tailings Radiation Control Act (UMTRCA)
The Safe Drinking Water Act (SDWA)
The Noise Control Act (NCA)
The Resource Conservation and Recovery Act (RCRA)
The Clean Air Act (CAA) and the Energy Policy and Conservation Act (EPCA)
The Comprehensive Environmental Response, Compensation, and Liability Act—"Superfund" (CERCLA)
General—Other Acts (including general grant and procurement regulations and regulations that cut across several programs)

Within each statutory area, we have divided the regulations into two basic groups: (a) "New Regulations", i.e., actions that will result in new CFR parts, subparts or subsections, and (b) "Revised Regulations", i.e., actions that revise or amend already existing CFR parts, subparts or subsections. Within each of these two groups, the regulations are ordered numerically by section number of the authorizing legislation. For example, all air regulations under section 109 of the Clean Air Act will appear before those under section 111. Within each statutory section the Agenda orders regulations by CFR part number.

Regulations Covered in the First Part of the Agenda

The first part of the Agenda includes most of the regulations under development that are subject to Executive Order 12291. The only rules excluded are: (a) Specialized categories of action (such as EPA approvals of state plans and other actions that do not apply nationally) and (b) routine actions (such as pesticide tolerances and minor amendments to existing regulations).

The first part of the Agenda generally includes regulations scheduled for publication as a proposed or final rule

within the coming calendar year. Occasionally, it also includes regulations with scheduled actions that are more than a year away. In some cases, regulations do not appear in the Agenda until they reach the stage of notice of proposed rulemaking.

Explanation of Information in the First Part of the Agenda

242 regulation entries are in the first part of today's Agenda. Of these, 111 are revisions to existing regulations. 19 of the regulations are classified as "major" under Executive Order 12291.

There are four columns of information for each entry in the first part of the Agenda.

The *first* column contains the title, the Start Action Request (SAR) number and the docket number of the regulation. If the title is underlined, this indicates that the regulation entry is appearing in the Agenda for the first time. The Agency assigns the SAR number to a new regulation when the program office prepares the SAR for it. The SAR replaces the Start Action Notice (SAN) system previously used in the Agency. Where regulations already had SAN numbers, they have kept the same numbers under the new SAR system. As for docket numbers—for those regulations that have them, they are useful for identifying the official files on the regulation that are open to the public.

The *second* column contains most of the descriptive information on the regulation. It includes information under the following categories.

Description: The problem addressed by the regulation and the need for the regulation.

Statutory Authority: (a) The sections of the statutes that authorize the regulation, and

(b) The sections from the United States Code where the statutes are codified. (See the section above, entitled "Organization of the Agenda", for abbreviations of the titles of the statutes.)

CFR: (a) The part or subpart where the final regulation will appear in volume 40 of the Code of Federal Regulations (CFR); and

(b) Whether EPA has classified the regulation as "major" under Executive Order 12291. Major regulations are so identified; non-major regulations are those that are not labeled "major." Regulations ultimately classified as major require a Regulatory Impact Analysis under Executive Order 12291. Executive Order 12291 defines "major" as:

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

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

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

Analysis: Whether the Agency plans to perform any of the following special analyses, i.e., a Regulatory Impact Analysis (RIA), a Regulatory Flexibility Analysis (RFA), an Environmental Impact Statement (EIS) or an Information Impact Analysis (IIA). EPA prepares an economic analysis for all regulations that have significant economic impacts on public or private sectors. If this will be the *only* analysis performed, then we do not include an "Analysis" category for the regulation.

Small Entity: Whether a regulation is likely to have a significant impact on a substantial number of small businesses, small governmental jurisdictions, or small organizations. Identification as "likely" is only tentative and does not mean that EPA will prepare a Regulatory Flexibility Analysis. For some regulations that are still a long way from proposal, we have indicated that this likelihood is "not yet determined."

Note.—EPA has dropped "classification" as a separate category. Regulations that are classified as "major" are identified in the "CFR" category.

The *third* column lists the person to contact for additional information on the regulation.

The *fourth* column lists documents published in the *Federal Register* in connection with the regulation, and provides the timetable for future actions. Published documents may include:

(a) The Advance Notice of Proposed Rulemaking (ANPRM), which describes the propose of the proposed action and

the issues and alternatives which the Agency will consider;

(b) The Notice of Proposed Rulemaking (NPRM), which is the regulation that the Agency proposes for public comment;

(c) The Notice of Reproposed Rulemaking (RPRM), which repropose a regulation EPA has already proposed at least once.

(d) The Interim Final Rule (IFR), which is a regulation that becomes effective immediately but on which the Agency is accepting public comment; and

(e) The Final Rule (FR).

In many cases, the timetable for future actions is only tentative. Readers should call the contact person for the latest scheduling information.

Regulations Covered in the Second Part of the Agenda

In the second part of the Agenda, EPA lists regulations appearing in the last Agenda that are now no longer under consideration. EPA will delete these from future Agendas. The information given on these regulations is less detailed than for those still under consideration. Generally, it includes (1) the date and *Federal Register* citation, if any, of the last action on the regulation, and (2) an explanation of why the Agency is deleting the regulation from the Agenda. If EPA has completed work on the regulation, the effective date of the regulation appears after the designation "completed."

Third Part of the Agenda—Regulations Under Review

The third part of the Agenda identifies existing EPA regulations: (1) That are now under review or (2) whose review will begin before the next Agenda is published. The purpose of such reviews is to determine whether the regulation should be revised, rescinded, or left unchanged. If EPA decides to revise or rescind the regulation, the action will then appear as an entry in the first part of Agenda, and this will state the timetable for completing the revision or rescission.

For each regulation under review, the

Agenda gives the title, a short description, statutory authority, CFR reference, any analysis EPA is preparing, contact person, and the schedule for completing the review. It also indicates the "review authority," which in many cases will be different from the regulation's statutory authority. Regulations are reviewed under the following mandates:

- Executive Order 12291
- Regulatory Flexibility Act
- Paperwork Reduction Act
- Environmental Statutes

Some of EPA's reviews satisfy more than one of these mandates. In the paragraphs below we summarize the different goals of these authorities.

Executive Order 12291 establishes the general policy that EPA should review all of its existing regulations to ensure that the costs of these regulations are justified by their benefits. This policy covers any regulations that EPA is reviewing at the request of the President's Task Force on Regulatory Relief.

The Regulatory Flexibility Act (5 U.S.C. 610) requires that EPA review once every ten years those existing regulations that have a significant economic impact on a substantial number of small entities, including small businesses, small organizations, and small governments. EPA issued its plan for conducting these reviews on July 16, 1981 at 46 FR 36930. The Agency is analyzing the comments it received in response to this notice.

The Paperwork Reduction Act requires that Federal agencies reduce unnecessary paperwork burdens on the public. EPA reviews information collection activities for duplication, practical utility, and burden on the public.

Many of EPA's authorizing *environmental statutes* also set review dates for specific regulations.

Joseph A. Cannon,

Acting Associate Administrator for Policy and Resource Management.

BILLING CODE 6560-50-M

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
-------	---------	---------	-----------

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), with the cooperation of the States for certain activities, regulates the use of pesticide products in the United States. Under Section 3 of the Act all manufacturers of pesticides must register their products with EPA. At the request of the President's Task Force on Regulatory Relief, EPA is reviewing and revising its Section 3 regulations (SAR No. 1524).

NEW REGULATIONS

<p><u>Classification for Restricted Use of Certain Active Ingredients in Fumigants</u> SAR No. 1828</p>	<p>Description: The Federal Insecticide, Fungicide, and Rodenticide Act requires that pesticides be classified for either restricted or general use. This rule would classify certain active ingredients in fumigants for restricted use based on an evaluation of the incremental risks and benefits of unrestricted use. Classification for restricted use permits the continued use of certain pesticides which, if used without restriction, may have unreasonable adverse effects on the environment. Statutory Authority: FIFRA 3, 25 / 7 USC 136(a) CFR:40 CFR 162.31 Small Entity:Not yet determined</p>	<p>Walter Waldrop EPA (TS-767-C) Washington, DC 20460 FTS:8-557-0592 COMM:703-557-0592</p>	<p>NPRM: 10/00/82</p>
<p><u>Classification for Restricted Use of Certain Active Ingredients Used in Granular Insecticides</u> SAR No. 1829</p>	<p>Description: The Federal Insecticide, Fungicide, and Rodenticide Act requires that pesticides be classified for either restricted or general use. This rule would classify certain active ingredients in granular insecticides for restricted use based on an evaluation of the incremental risks and benefits of unrestricted use. Classification for restricted use permits the continued use of certain pesticides which, if used without restriction, may have unreasonable adverse effects on the environment. Statutory Authority: FIFRA 3, 25 / 7 USC 136(a) CFR:40 CFR 162.31 Small Entity:Unlikely</p>	<p>Walter Waldrop EPA (TS-767-C) Washington, DC 20460 FTS:8-557-0592 COMM:703-557-0592</p>	<p>NPRM: 44FR45218 (08/01/79) FR: 11/00/82</p>
<p><u>Reporting Requirements for Certain Dealers of Restricted Use Pesticides</u> SAR No. 1748</p>	<p>Description: This rule would establish certain recordkeeping and reporting requirements for pesticides that are classified for restricted use. This rule will only apply to States and Indian Reservations where the Administrator is conducting a Federal program to certify pesticide applicators. The rule would require persons who make restricted use pesticides available to users to submit a report to the Agency and maintain records of sales. Statutory Authority: FIFRA 3(d), 4(2)(1), 25(2)(1) / 7 USC 136a, 136b, 136w CFR:40 CFR 171 Small Entity:Unlikely</p>	<p>David Hanneman EPA (EN-342) Washington, DC 20460 FTS:8-755-9404 COMM:202-755-9404</p>	<p>NPRM: 05/00/82 FR: 05/00/83</p>
<p><u>Registration of Pesticide Producing Establishments</u> SAR No. 1747</p>	<p>Description: This regulation amends the existing regulations on registering establishments that produce pesticides. The regulation implements the Congressional mandate to register establishments that produce active ingredients used in pesticides. Statutory Authority: FIFRA 7 / 7 USC 136e, 136f, 136w CFR:40 CFR 167 Small Entity:Unlikely</p>	<p>Richard Kuntz EPA (EN-342) Washington, DC 20460 FTS:8-755-9404 COMM:202-755-9404</p>	<p>NPRM: 45FR46100 (07/09/80) FR: 07/00/82</p>
<p><u>Closed System Packaging</u> SAR No. 1523 Docket No. OPP 250022</p>	<p>Description: The objective of this rule is to reduce the hazards associated with the transfer, mixing, and loading of pesticides. These hazards have resulted in adverse effects on pesticide mixers and loaders of certain classes of pesticides. Statutory Authority: FIFRA 25(c)(3) / 7 USC 136(e) CFR:40 CFR 162 Small Entity:Unlikely</p>	<p>William Jacobs EPA (TS-767-C) Washington, DC 20460 FTS:8-557-2783 COMM:703-557-2783</p>	<p>ANPRM: 44FR54508 (09/20/79) NPRM: 06/00/82</p>
<p><u>Proposed Interpretive Rule Governing State Primary Enforcement Responsibility for Pesticide Use Violations</u> SAR No. 1563</p>	<p>Description: This rule will give the Agency interpretation of Sections 26 and 27 of FIFRA which provide for State enforcement of pesticide violations. Statutory Authority: FIFRA 26, 27 / 7 USC 136-W-1, W-2 CFR:40 CFR 173 Small Entity:Unlikely</p>	<p>Laura Campbell EPA (EN-342) Washington, DC 20460 FTS:8-755-1212 COMM:202-755-1212</p>	<p>NPRM: 04/00/82 FR: 04/00/83</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT			
REVISED REGULATIONS			
<u>Data Requirements for Registration</u> SAR No. 1837	Description: This regulation will specify the kinds of data that will normally be required to support the registration of a pesticide based on its product type and use pattern. It will indicate whether the requirements apply to manufacturing-use products or to end-use products. These requirements will provide two principal benefits: 1) generation of data needed to evaluate pesticides' effects, and 2) more efficient and faster pesticide development and registration. Statutory Authority: FIFRA 3 / 7 USC 136(a) CFR:40 CFR 162 Small Entity:Unlikely	Frederick S. Betz EPA (TS-769) Washington DC 20460 FTS:8-557-7490 COMM:703-557-7490	NPRM: 09/00/82
<u>Modification of Regulations for Pesticide Reregistration, Classification and Incorporation of Registration Standards</u> SAR No. 1524 Docket No. OPP-30034	Description: These regulations will revise procedures and requirements for the registration of new pesticide chemicals and products, the registration and reregistration of old pesticide chemicals and products, the classification of pesticides for general or restricted use, and child-resistant packaging. EPA is revising this regulation at the request of the President's Task Force on Regulatory Relief. Statutory Authority: FIFRA 3(c)(2)(C) / 7 USC 136(d) CFR:40 CFR 162 Small Entity:Unlikely	Suzanne Harker EPA (TS-767C) Washington DC 20460 FTS:8-557-8292 COMM:703-557-8292	ANPRM: 44FR76311 (12/26/79) NPRM: 09/00/82
<u>Amendments to Criteria for the Rebuttable Presumption Against Registration Process</u> SAR No. 1745	Description: EPA is proposing amendments to the criteria for initiating the Rebuttable Presumption Against Registration (RPAR) process. These amendments will make the process consistent with recent changes in the statute and the program. Statutory Authority: FIFRA 6(b) / 7 USC 136 CFR:40 CFR 162 Small Entity:Unlikely	Tim Stanceu EPA (TS-791) Washington, DC 20460 FTS:8-557-8195 COMM:703-557-8195	NPRM: 06/00/82 FR: 02/00/83
<u>Revised Worker Protection Standards for Agricultural Pesticides</u> SAR No. 1640	Description: This revision will clarify the authority of EPA to enforce and establish standards that protect farm families and workers from unreasonable adverse effects of agricultural pesticides. Also a plan will be developed to share the responsibility of farm-worker protection with state governments. Statutory Authority: FIFRA 3, 7, 25 / 7 USC 136 a, e, w CFR:40 CFR 170 Small Entity:Not yet determined	Stanley Weissman EPA (TS 766C) Washington, DC 20460 FTS:8-557-7695 COMM:703-557-7695	ANPRM: 06/00/82 NPRM: 09/00/82 FR: 03/00/83
<u>Proposed Revisions to Crop Group Tolerances</u> SAR No. 1823	Description: This amendment proposes to revise the Crop Group Regulations to allow for more extensive use of group tolerances for related crops. It will minimize the burden of establishing tolerances for pesticide residues in or on minor crops. It defines crop groups and the procedures for establishing group tolerances. Statutory Authority: / 21 USC 346a(e) CFR:40 CFR 180.34(f) Small Entity:Unlikely	Charles L. Trichilo EPA (TS-769) Washington, DC 20460 FTS:8-557-7484 COMM:703-557-7484	NPRM: 06/00/82 FR: 04/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES CONTROL ACT			
EPA is writing regulations under four sections of the Toxic Substances Control Act (TSCA): under Section 4, rules that require the testing of specific chemical substances and mixtures; under section 5, premanufacture notification rules; a series of specific control actions under Section 6, for chemicals presenting unreasonable risks; and under Section 8, reporting and recordkeeping requirements necessary for implementing other TSCA provisions.			
NEW REGULATIONS			
<i>General Reimbursement Policy for TSCA Test Rules</i> SAR No. 1726 Docket No. OPTS-48001C	Description: TSCA requires that those who manufacture and process a chemical must pay for tests to develop necessary information on its risks. Industry has initial responsibility for deciding how to share testing costs, but Section 4 requires EPA to issue reimbursement orders when private negotiations fail. This rule establishes procedures and criteria for EPA to make decisions on fair and equitable reimbursement. It is designed to encourage private arrangements by reducing the advantage of transferring a dispute to EPA. Statutory Authority: TSCA 4(c) / 15 USC 2603 CFR: 40 CFR 790 F Small Entity: Unlikely	Ellen Selonick EPA (TS-779) Washington, DC 20460 FTS: 8-382-3700 COMM: 202-382-3700	ANPRM: 44FR54284 (09/18/79) NPRM: 05/00/82
<i>General Exemption Policy for Test Rules</i> SAR No. 1669 Docket No. OPTS-47001	Description: This is a final notice of the policies and procedures EPA will use to grant exemptions from testing under Section 4(c) of TSCA. Section 4(c) requires EPA to exempt applicants from testing if the chemical they manufacture or process is equivalent to one which is already being tested or if testing by applicants for exemptions would duplicate data already submitted to EPA. Statutory Authority: TSCA 4(c) / 15 USC 2603 CFR: 40 CFR 790 (proposed as 773) Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, DC 20460 FTS: 8-557-5781 COMM: 703-557-5781	NPRM: 45FR48512 (07/18/80) FR: 09/00/82
<i>Health Effects Testing: Good Laboratory Practice Standards</i> SAR No. 1739 Docket No. OTS 046004	Description: This regulation sets forth standards for Good Laboratory Practices (GLP) which apply to all health effects testing conducted under TSCA and FIFRA. Good Laboratory Practices are recognized, established practices which laboratory professionals use to ensure accurate and replicable tests. EPA will invoke these GLP standards when it publishes chemical specific test rules. Statutory Authority: TSCA 4(b) / 15 USC 2603 CFR: 40 CFR 792 (proposed as 772) Small Entity: Unlikely	Diane Beal EPA (TS-796) Washington, DC 20460 FTS: 8-382-4250 COMM: 202-382-4250	NPRM: 44FR27362 (05/09/79) FR: Undetermined
<i>Environmental Testing: Good Laboratory Practice Standards</i> SAR No. 1740 Docket No. OPTS 46004A	Description: This regulation sets forth standards for Good Laboratory Practices (GLP) which apply to all ecotoxicology and physical/chemical environmental persistence testing conducted under TSCA. Good Laboratory Practices are recognized, established practices which laboratory professionals use to ensure accurate and replicable tests. EPA will invoke these GLP standards along with testing standards when it publishes chemicals specific test rules. Statutory Authority: TSCA 4(b), FIFRA 3 / 15 USC 2603 CFR: 40 CFR 793 (proposed as 772) Small Entity: Unlikely	James Gilford EPA (TS-796) Washington, DC 20460 FTS: 8-382-4237 COMM: 202-382-4237	NPRM: 46FR44476 (11/21/80) FR: Undetermined
<i>Test Rules for Chloromethanes and Chlorinated Benzenes and Decision Not to Test Acrylamide</i> SAR No. 1131 Docket No. OPTS 47002	Description: This regulation would require chemical manufacturers and processors to test chloromethanes and chlorinated benzenes for specified health and environmental effects. This is EPA's first rule under Section 4 requiring testing of specific chemicals. EPA is also giving notice of its decision not to require health effects testing on acrylamide. Statutory Authority: TSCA 4 / 15 USC 2603 CFR: 40 CFR 799 (proposed as 771) Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, DC 20460 FTS: 8-557-5781 COMM: 703-557-5781	NPRM: 45FR48524 (07/18/80) FR: 09/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES CONTROL ACT			
<i>Test Rule for Nitrobenzene, Dichloromethane and 1, 1, 1-Trichloroethane</i> SAR No. 1668 Docket No. OPTS-47004	Description: This regulation would require chemical manufacturers and processors to test nitrobenzene, dichloromethane and 1,1,1-trichloroethane for specified health and environmental effects. This is one of a series of rules issued under Section 4 to require testing of specific chemicals. Statutory Authority: TSCA 4 / 15 USC 2603 CFR:40 CFR 799 (proposed as 771) Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, D.C. 20460 FTS:8-557-5781 COMM:703-557-5781	NPRM: 46FR30301 (06/05/81) FR: 10/00/82
<i>Decision on Test Rules for Xylenes, Toluene, 4, 4-Methylenediamiline Acrylamide (Environmental), Hexachlorobutadiene, Acetonitrile, and Alkyl Epoxides</i> SAR No. 1667	Description: This is one of a series of rules issued under Section 4 of TSCA. EPA will either require testing of specific chemicals or provide adequate reasons for not requiring testing. Statutory Authority: TSCA 4 / 15 USC 2603 CFR:40 CFR 799 Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, D.C. FTS:8-557-5781 COMM:703-557-5781	NPRM: 12/00/82 FR: 12/00/83
<i>Decision on Test Rules for Antimony, Antimony Trioxide, Antimony Sulfide, Arylphosphates, Cresols and Pyridine</i> SAR No. 1668A	Description: This is one of a series of rules issued under Section 4 requiring health and environmental effects testing of specific chemicals or providing adequate reasons for not requiring testing. Statutory Authority: TSCA 4(a) / 15 USC 2603(a) CFR:40 CFR 799 Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-788) Washington, DC 20460 FTS:8-557-5781 COMM:703-557-5781	NPRM: 06/00/82 FR: 06/00/83
<i>Test Rule for Phenylenediamines</i> SAR No. 1789 Docket No. OPTS-42008	Description: This action initiates rulemaking on the Sixth Interagency Testing Committee (ITC) list of chemicals recommended for testing. EPA must initiate action or decide not to require testing within twelve months of the ITC recommendation. Statutory Authority: TSCA 4 / 15 USC 2603 CFR:40 CFR 799 Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, DC 20460 FTS:8-557-5771 COMM:703-557-5571	ANPRM: 47FR973 (01/08/82) NPRM: 12/00/82 FR: 12/00/83
<i>Decision on Test Rule for Fluoroalkenes</i> SAR No. 1748	Description: This action initiates rulemaking on the seventh Interagency Testing Committee (ITC) list of chemicals recommended for testing. EPA must initiate action or decide not to require testing within twelve months of the ITC recommendation. Statutory Authority: TSCA 4(a) / 15 USC 2603 CFR:40 CFR 799 Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, DC 20460 FTS:8-557-5781 COMM:703-557-5781	ANPRM: 46FR53704 (10/30/81) NPRM: 09/00/82 FR: 09/00/83
<i>Decision on Test Rules for Hexachloroethane, Diethylenetriamine, and Chlorotoluene</i> SAR No. 1832	Description: This action initiates rulemaking on the Eighth ITC list of chemicals. EPA will either require testing of specific chemicals or provide adequate reasons for not requiring testing. Statutory Authority: TSCA 4 / 15 USC 2603 CFR:40 CFR 799 Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, D.C. 20460 FTS:8-557-5771 COMM:703-557-5771	NPRM: 04/00/82 FR: 04/00/83
<i>Decision on Test Rules for Tris(2-chloroethyl) Phosphate, Chlorendic Acid, and 4-Chloro-Benzotrifluoride</i> SAR No. 1833	Description: This action initiates rulemaking on the Ninth ITC list of chemicals. EPA will either require testing of specific chemicals or provide adequate reasons for not requiring testing. Statutory Authority: TSCA 4 / 15 USC 2603 CFR:40 CFR 799 Small Entity: Unlikely	Steven Newburg-Rinn EPA (TS-778) Washington, D.C. 20460 FTS:8-557-5771 COMM:202-557-5771	NPRM: 10/00/82 FR: 10/00/83
<i>Premanufacture Notification Requirements and Review Procedures</i> SAR No. 1134 Docket No. OPTS-50019 / OTS-50002	Description: This regulation establishes procedures for chemical manufacturers to submit notices to EPA before manufacturing new chemical substances for commercial purposes. EPA will use these notices to screen potentially harmful chemicals before they enter production and use. The Agency may, if necessary, take any of several different actions to prohibit, monitor, or control commercial development of a chemical. Statutory Authority: TSCA 5 / 15 USC 2604 CFR:40 CFR 720 - MAJOR Analysis: RIA, RFA Small Entity: Likely	Joe DeSantis EPA (TS-794) Washington, DC 20460 FTS:8-382-3849 COMM:202-382-3849	NPRM: 44FR2242 (01/10/79) IFR: 44FR28564 (05/15/79) RPRM: 44FR59764 (10/16/79) INTERIM POLICY: 45FR74378 (11/07/80) FR: 03/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES CONTROL ACT			
<p><i>Labeling Rule for Treated Wood</i> SAR No. 1680</p>	<p>Description: Pentachlorophenol, creosote and inorganic arsenicals are used as wood preservatives. They pose risks of teratogenicity, fetotoxicity, oncogenicity, and mutagenicity for persons improperly handling treated wood. This regulation would require the distribution of labels containing safe handling directions for products treated with these preservatives. In a related action, EPA is conducting a Rebuttable Presumption Against Registration (RPAR) review of these preservatives under FIFRA, because they may pose unreasonable risks to health. Statutory Authority: TSCA 6 / 15 USC 2605 CFR: Not yet assigned Small Entity: Not yet determined</p>	<p>Paul Lapsley EPA (TS-791) Washington, D.C. 20460 FTS: 8-557-7420 COMM: 703-557-7420</p>	<p>ANPRM: 06/00/82 NPRM: 02/00/83</p>
<p><i>Proposed Production Restriction for Chlorofluorocarbons</i> SAR No. 1644 Docket No. OPTS-62009</p>	<p>Description: Chlorofluorocarbons (CFCs) are a family of chemicals suspected of depleting stratospheric ozone and posing several health and environmental threats. EPA is analyzing the need for further regulatory activity. Statutory Authority: TSCA 6 / 15 USC 2605 CFR: Not yet assigned - MAJOR Analysis: EIS Small Entity: Likely</p>	<p>Ed Klein EPA (TS-794) Washington, DC 20460 FTS: 8-382-3939 COMM: 202-382-3939</p>	<p>ANPRM: 45FR66726 (10/07/80) NPRM: Undetermined</p>
<p><i>Rules Restricting the Commercial and Industrial Use of Asbestos Fibers</i> SAR No. 1627</p>	<p>Description: The Agency is evaluating the need for regulation of the commercial and industrial use of asbestos. A variety of alternatives are being considered, including: (1) requiring the labeling of asbestos and asbestos-containing products, and (2) prohibition or otherwise restricting certain uses of asbestos that present unreasonable risks. EPA will coordinate the implementation of this regulation with other Federal agencies. Statutory Authority: TSCA 6 / 15 USC 2605 CFR: 40 CFR 763 - MAJOR Analysis: RIA Small Entity: Not yet determined</p>	<p>Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS: 8-382-3949 COMM: 202-382-3949</p>	<p>ANPRM: 44FR60056 (10/17/79) NPRM: Undetermined</p>
<p><i>Asbestos-Containing Materials in School Buildings - Identification and Notification</i> SAR No. 1519A Docket No. OPTS-61004</p>	<p>Description: The purpose of this regulation is to protect school children and employees from unreasonable risks of exposure to asbestos. It will require local education agencies for some 109,000 public and private school buildings to inspect and identify friable asbestos-containing materials in their buildings and notify employees and parent-teacher associations of the presence of such materials. Statutory Authority: TSCA 6(a)(3) / 15 USC 2605 CFR: 40 CFR 763 Small Entity: Unlikely</p>	<p>Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS: 8-382-3949 COMM: 202-382-3949</p>	<p>ANPRM: 44FR54676 (09/20/79) NPRM: 45FR61966 (08/17/80) FR: 04/00/82</p>
<p><i>Preliminary Assessment Information Reporting</i> SAR No. 1137 Docket No. OTS-082004</p>	<p>Description: This rule is designed to obtain information for pre-regulatory assessment of chemical substances. The rule would apply to manufacturers and importers and would require them to fill out a short form on general production, use and exposure. EPA will use this information to rank potentially important chemicals for investigation and preliminary risk assessment. Statutory Authority: TSCA 8(a) / 15 USC 2607(a) CFR: 40 CFR 712 Analysis: IIA Small Entity: Unlikely</p>	<p>Barbara Ostrow EPA (TS-778) Washington, DC 20460 FTS: 8-382-3841 COMM: 202-382-3841</p>	<p>ANPRM: 44FR37517 (06/27/79) NPRM: 45FR13646 (02/29/80) FR: 06/00/82</p>
<p><i>Standards for Excluding Small Manufacturers from TSCA 8(a)</i> SAR No. 1529 Docket No. OPTS-8011</p>	<p>Description: Under Section 8(a) of TSCA, EPA can minimize burdens on small businesses by exempting small manufacturers and processors from reporting requirements, unless the chemical manufactured or processed is subject to certain Agency actions. This rule will establish a generic standard to determine which manufacturers may qualify as "small" for the purpose of these exemptions. Statutory Authority: TSCA 8(a) / 15 USC 2607(a) CFR: 40 CFR 712 Analysis: RFA Small Entity: Likely</p>	<p>Barbara Ostrow EPA (TS-778) Washington, DC 20460 FTS: 8-382-3841 COMM: 202-382-3841</p>	<p>ANPRM: 45FR66180 (09/06/80) NPRM: 05/00/82 FR: 04/00/83</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES CONTROL ACT			
<p><i>Health and Safety Study Reporting</i> SAR No. 1139 Docket No. OTS-084003</p>	<p>Description: This rule would require chemical manufacturers, processors, distributors, and others who possess health and safety studies on specifically listed chemicals to submit them to EPA. EPA will use these studies to assess the health and environmental effects of the chemicals and to determine what kind of testing is needed on certain priority existing chemicals. EPA will amend this rule from time to time by adding to the list of chemicals subject to this rule. Statutory Authority: TSCA 8(d) / 15 USC 2607(d) CFR:40 CFR 716 Analysis: IIA Small Entity:Unlikely</p>	<p>Suzanne Rudzinski EPA (TS-778) Washington DC 20460 FTS:8-382-3844 COMM:202-382-3844</p>	<p>ANPRM: 42FR56686 (03/11/77) NPRM: 44FR77470 (12/31/79) FR: 05/00/82</p>
<p><i>Records and Reports of Allegations of Significant Adverse Reactions to Health or the Environment</i> SAR No. 1138 Docket No. OPTS-083001</p>	<p>Description: This regulation implements Section 8(a) of TSCA, which requires that any person who manufactures a chemical substance or mixture keep records of significant adverse reactions to health or the environment alleged to have been caused by the substance or mixture. Companies must keep employee allegations for thirty years, and all others for five years. This will enable EPA to find patterns of adverse effects and identify previously unknown chemical hazards. Statutory Authority: TSCA 8(c) / 15 USC 2607(c) CFR:40 CFR 717 Analysis: IIA Small Entity:Likely</p>	<p>Suzanne Rudzinski EPA (TS-778) Washington, DC 20460 FTS:8-382-3844 COMM:202-382-3844</p>	<p>ANPRM: 42FR56686 (03/11/77) NPRM: 45FR47008 (07/11/80) FR: Undetermined</p>
<p><i>Asbestos Use and Substitutes Reporting</i> SAR No. 1552 Docket No. OPTS 84004</p>	<p>Description: EPA is reexamining the need for a rule that will use the reporting authority of section 8(a) to obtain information on the industrial and commercial uses of asbestos fiber. EPA would use this information to determine whether action should be taken to control asbestos under TSCA or other Federal laws. The rule would require information on quantities of asbestos used in various processes, employee exposure and monitoring, and waste disposal and pollution control. It would apply to asbestos manufacturers, importers, and processors. Firms of 10 or fewer employees are exempt. Statutory Authority: TSCA 8(a) / 15 USC 2607(a) CFR:40 CFR 763 Analysis: IIA Small Entity:Unlikely</p>	<p>Suzanne Rudzinski EPA (TS-778) Washington DC 20460 FTS:8-382-3844 COMM:202-382-3844</p>	<p>ANPRM: 44FR60061 (10/17/79) NPRM: 46FR8200 (01/26/81) FR: 06/00/82</p>
REVISED REGULATIONS			
<p><i>Proposed Exemption for Chemicals Used in or for Instant Photographic Film Articles</i> SAR No. 1821 Docket No. OPTS-50028A</p>	<p>Description: EPA proposes to issue a section 5(h)(4) exemption for those persons who manufacture and process new chemical substances used in or for the manufacture of instant photographic film articles. EPA is also requesting comments on the need for and adequacy of the various exposure safeguards that EPA is proposing as conditions of the exemption. Statutory Authority: TSCA 5(h)(4) / 15 USC 2604 CFR:40 CFR 723 Small Entity:Unlikely</p>	<p>Joseph A. DeSantis EPA (TS-794) Washington, DC 20460 FTS:8-755-7014 COMM:202-755-7014</p>	<p>NPRM: 46FR54585 (11/03/81) FR: 06/00/82</p>
<p><i>Section 5(h)(4) Exemptions of New Chemical Substances</i> SAR No. 1820 Docket No. OPTS-50032</p>	<p>Description: The Chemical Manufacturers Association has petitioned EPA to commence a rulemaking proceeding under section 5(h)(4) of TSCA. Under section 5(h)(4) the Agency may, upon application and by rule, exempt the manufacturer of a chemical substance from all or part of the requirements of section 5 if the Agency determines that the new chemical will not present an unreasonable risk of injury to health or the environment. EPA is considering exempting polymers, low volume chemicals and site-limited intermediates. Statutory Authority: TSCA 5 / 15 USC 2604 CFR:40 CFR 723 Small Entity:Unlikely</p>	<p>Joseph A. DeSantis EPA (TS-794) Washington, DC 20460 FTS:8-755-7014 COMM:202-755-7014</p>	<p>Notice:46FR54688 (11/03/81) NPRM: 06/00/82</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES CONTROL ACT			
<i>Amendment to the Use Authorization for PCB Railroad Transformers</i> SAR No. 1749 Docket No. OPTS 62020	Description: 40 CFR 761 authorizes the use of polychlorinated biphenyls (PCBs) in railroad transformers until July 1, 1984. Two of the restrictions on this use of PCBs are that these transformers must contain dielectric fluids with a PCB concentration not exceeding 60,000 parts per million (ppm) (6 percent) after January 1, 1982, and not exceeding 1000 ppm (0.1 percent) after January 1, 1984. Several railroad organizations have been unable to select an acceptable PCB substitute for use in these transformers in time to comply with the 60,000 ppm requirement. EPA is therefore proposing to extend the time for compliance with the 60,000 ppm requirement to a date not later than October 1, 1983, and requesting comments on whether there should be any change in the 1000 ppm requirement. Statutory Authority: TSCA 6(e) / 15 USC 2605(e) CFR: 40 CFR 61 Small Entity: Unlikely	Michael Phillips EPA (TS-794) Washington, DC 20460 FTS: 8-382-3972 COMM: 202-382-3972	NPRM: 46FR56626 (11/18/81) FR: 07/00/82
<i>Exclusion for Closed System Manufacture of PCBs</i> SAR No. 1796	Description: In response to a decision by the D.C. Circuit, this action would exclude from the PCB regulation: (1) closed systems and (2) PCB wastes disposed in a manner specified by EPA. "Closed systems" occur when PCBs are generated and destroyed in a closed process. Statutory Authority: TSCA 6(e) / 15 USC 2605(e) CFR: 40 CFR 61 Small Entity: Unlikely	Bill Gunter EPA (TS-794) Washington, DC 20460 FTS: 8-382-3937 COMM: 202-382-3937	NPRM: 05/00/82 FR: 10/00/82
<i>PCB Manufacture and Distribution</i> SAR No. 1709 Docket No. OPTS-62014	Description: EPA is revising earlier regulations on the use of PCBs in electrical equipment, based on a ruling of the D.C. Circuit. EPA is reviewing its earlier determination that PCB-containing transformers, capacitors, and electromagnets are "totally enclosed." Under EPA's definition, the requirement of TSCA 6(e) that containers of PCB be totally enclosed to prevent significant exposure means that there must be no detectable exposure from any such container. Statutory Authority: TSCA 6(e) / 15 USC 2605(e) CFR: 40 CFR 761 Small Entity: Unlikely	Bill Gunter EPA (TS-794) Washington, D.C. 20460 FTS: 8-382-3937 COMM: 202-382-3937	ANPRM: 46FR16090 (03/10/81) NPRM: 04/00/82 FR: 08/00/82

CLEAN WATER ACT

The Clean Water Act (CWA) seeks to maintain and improve water quality through a combination of federal and state regulatory actions and federal support of state and local activities. Title III of the Act provides for EPA to establish technology-based limitations and standards for industrial dischargers, and for States to establish water quality standards applicable to their waters. Enforceable control over dischargers is established principally through permits awarded by EPA or by delegated States under the National Pollutant Discharge Elimination System (NPDES). Permit limits for individual dischargers are set to meet both technology requirements and water quality standards. At the request of the President's Task Force on Regulatory Relief, EPA is revising its NPDES requirements as part of the Consolidated Permits revision (see SAR No. 1753 in the "General" section). Publicly owned treatment works are required to meet at least secondary treatment levels in most cases. A major element of current EPA regulatory activity is to issue industry specific regulations establishing direct discharge limitations for named pollutants at levels specified by the CWA as best practical technology (BPT), best available technology (BAT) and best conventional technology (BCT) — the "effluent guidelines." EPA is also developing standards for new industrial sources and for pretreaters (industrial sources that discharge to municipal waste treatment systems). A substantial portion of this effort is governed by the decree in *NRDC v. Gorsuch*, as amended 12 ERC 1133 (D.D.C. 1979). EPA also provides financial support under Title II of CWA to construct publicly owned sewage treatment works capable of meeting CWA requirements, and provides grant support to States to plan for and carry into effect the requirements of CWA.

NEW REGULATIONS

<i>Requirements for Application for 301(c) Variances</i> SAR No. 1404	Description: Section 301(c) of the Clean Water Act provides for variances on economic grounds of the strict requirements of BAT controls for non-toxic, non-conventional pollutants. This regulation will establish application ground rules and national criteria for granting variances from BAT requirements. Statutory Authority: CWA 301(c) / 33 USC 1311(c) CFR: 40 CFR 125 Small Entity: Unlikely	Tom Laverty EPA (EN-336) Washington, DC 20460 FTS: 8-426-2970 COMM: 202-426-2970	NPRM: 12/00/82 FR: 12/00/83
--	---	--	--------------------------------

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<i>Waivers from BAT for Non-conventional Pollutants under 301(g)</i> SAR No. 1634	Description: Section 301(g) allows NPDES permit applicants to request a waiver from BAT effluent limitations for nonconventional pollutants whenever the application can show that a less stringent permit limit will not interfere with the attainment or maintenance of water quality and will not endanger human health or the environment. This regulation will establish guidelines for evaluating waiver applications. Statutory Authority: CWA 301(g) / 33 USC 1311(g) CFR:40 CFR 125 F Small Entity:Unlikely	Robert Cantilli EPA (EN-336) Washington, DC 20460 FTS:8-426-7010 COMM:202-426-7010	NPRM: 12/00/82 FR: 12/00/83
<i>Compliance Extension for Innovative Technology for Industrial Discharge</i> SAR No. 1608	Description: Section 301(k) allows industrial dischargers to request an extension of the compliance date for BAT until July 1, 1987 if they will install an innovative technology. This technology must be either (1) superior to BAT or (2) equivalent to BAT and allow significant cost savings. It must also have the potential for industry-wide application. Statutory Authority: CWA 301(k) / 33 USC 1311(k) CFR:40 CFR 125 Small Entity:Unlikely	Tom Laverty EPA (EN-336) Washington, DC 20460 FTS:8-426-2970 COMM:202-426-2970	ANPRM: 45FR62509 (09/19/80) NPRM: 46FR46597 (09/21/81) FR: 09/00/82
<i>Effluent Guidelines for Textile Mills</i> SAR No. 1417	Description: The Agency is developing final BAT, NSPS and pretreatment standards for nine subcategories of the industry. Pollutants include total phenols, chromium, copper, and zinc. EPA will promulgate BCT standards after promulgation of the revised BCT methodology. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 410 Small Entity:Unlikely	Richard Williams EPA (WH-552) Washington DC 20460 FTS:8-426-2554 COMM:202-426-2554	NPRM: 44FR62204 (10/29/79) RPRM: 46FR62204 (01/26/81) FR:09/00/82 (BAT) FR:04/00/83 (BCT)
<i>Effluent Guidelines for Metal Finishing</i> SAR No. 1428	Description: Metal finishing concerns 45 different industrial processes, including electroplating, machining, anodizing and painting. The Agency is proposing BPT, BAT, NSPS, and pretreatment standards to regulate the discharge of copper, nickel, zinc, chromium, lead, cadmium, silver, cyanide, total toxic organics, oil and grease, and TSS. This regulation is no longer classified as "major" because the proposal under consideration will be less costly than originally assumed. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 413 Small Entity:Unlikely	Richard Kinch EPA (WH-552) Washington DC 20460 FTS:8-426-2582 COMM:202-426-2582	NPRM: 08/00/82 FR: 10/00/83
<i>Effluent Guidelines for Organic Chemicals and Plastics and Synthetics</i> SAR No. 1415	Description: The Agency is proposing BPT, BAT, NSPS, and pretreatment standards for the organic chemicals industry. Pollutants include aromatic chlorinated hydrocarbons, phenolic compounds, and metals. EPA is also developing proposed BCT, BAT, BPT, NSPS, and pretreatment standards for the plastics and synthetics industry (SIC 2821, 2823, 2824). Pollutants of concern include phenols, benzene, acrolein, acrylimide, ethylbenzene, toluene, and vinyl chloride. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 414, 416 - MAJOR Analysis: RIA, RFA Small Entity:Likely	Maria Irizarry (Toxic Pollutants) E.H. Foscht (Conventional) EPA (WH-552) Washington, DC 20460 FTS:8-426-2497 COMM:202-426-2497	NPRM: 03/00/83 FR: 06/00/84
<i>Effluent Guidelines for Inorganic Chemicals</i> SAR No. 1416	Description: The Agency is proposing BPT for seven industrial subcategories, BCT for two subcategories, and BAT for ten subcategories. In addition, the Agency is promulgating NSPS and pretreatment standards. Pollutants include cyanide, lead, mercury, chromium, zinc, nickel, and cadmium. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 415 Small Entity:Unlikely	Thomas Fielding EPA (WH-552) Washington DC 20460 FTS:8-426-2582 COMM:202-426-2582	NPRM: 45FR49450 (07/24/80) FR: 07/00/82 NPRM: 07/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<i>Effluent Guidelines for Petroleum Refining</i> SAR No. 1406	Description: The Agency is developing final BAT and BCT for 182 direct dischargers and pretreatment standards for 48 indirect dischargers. Pollutants are chromium, zinc, phenol, and polynuclear aromatic hydrocarbons. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 419 Small Entity:Unlikely	John Lum EPA (WH-552) Washington DC 20460 FTS:8-426-4617 COMM:202-426-4617	NPRM: 44FR75928 (12/21/79) FR: 09/00/82
<i>Effluent Guideline for Iron and Steel Manufacturing</i> SAR No. 1405	Description: The Agency is developing final BPT, BCT, BAT, NSPS and pretreatment standards for the iron and steel industry. The steel industry's approximately 650 plants process more than 6 billion gallons of water per day. Pollutants include zinc, chromium, lead, naphthalene, benzene, phenols, and cyanide. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 420 - MAJOR Analysis: RIA Small Entity:Unlikely	Edward Dulaney EPA (WH-552) Washington DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 46FR1858 (01/07/81) FR: 05/00/82
<i>Effluent Guidelines for Nonferrous Metal Manufacturing</i> SAR No. 1410	Description: The Agency is developing BPT, BCT, BAT, NSPS, and PSES for 14 subcategories in the nonferrous metals manufacturing industry. These 14 subcategories include the production of aluminum, copper, lead, silver and zinc and represent a significant fraction of the total wastewater discharged by this industry. The pollutants of concern include cadmium, copper, lead and zinc. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 421 Analysis: RFA Small Entity:Likely	James Berlow EPA (WH-552) Washington DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 01/00/83 FR: 02/00/84
<i>Effluent Guidelines for Steam Electric Power Plants</i> SAR No. 1408	Description: The steam electric power industry consists of 1000 plants which produce about 80% of the United States energy supply. The average plant discharges 315 million gallons of wastewater per day. The Agency has proposed BAT limitations on total residual chlorine, chromium, copper and zinc. This regulation is no longer classified as "major" because of lower cost estimates for the metal cleaning and chlorine subcategories. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 423 Small Entity:Unlikely	John Lum EPA (WH-522) Washington, DC 20460 FTS:8-426-4617 COMM:202-426-4617	NPRM: 45FR68328 (10/14/80) FR: 03/00/83
<i>Effluent Guidelines for Leather Tanning and Finishing</i> SAR No. 1409	Description: The leather tanning industry consists of 161 indirect and 20 direct discharges. The Agency is promulgating BPT, BAT, NSPS, and pretreatment standards for eight subcategories. Pollutants of concern are chromium and sulfide. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 425 Small Entity:Likely	Donald F. Anderson EPA (WH-552) Washington, DC 20460 FTS:8-426-2707 COMM:202-426-2707	NPRM: 44FR38746 (07/02/79) FR: 12/00/82
<i>Effluent Guidelines for Pulp, Paper, and Paperboard</i> SAR No. 1419	Description: The Agency is developing final BAT, NSPS and pretreatment standards for this industry. Final BCT effluent limitations will also be established, but on a different schedule. Pulp, paper, and paperboard mills discharge approximately 4.2 billion gallons of wastewater per day. Pollutants of concern are BOD, TSS, chloroform, zinc, and chlorinated phenols. This regulation is no longer classified as "major" because EPA has reduced its estimates of the cost of BCT. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 430, 431 Small Entity:Unlikely	Robert Dellinger EPA (WH-552) Washington, DC 20460 FTS:8-426-2554 COMM:202-426-2554	NPRM: 46FR1430 (01/06/81) FR: 11/00/82 FR:(BCT)04/00/83
<i>Effluent Guidelines for Coal Mining</i> SAR No. 1414	Description: The Agency is revising effluent limitations for BPT and NSPS and promulgating BAT and BCT for runoff and wastewater discharge from coal mines. Pollutants of concern are manganese and iron. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 434 Small Entity:Unlikely	Dennis Ruddy EPA (WH-552) Washington, DC 20460 FTS:8-426-4617 COMM:202-426-4617	NPRM: 46FR3136 (01/13/81) RPRM: 46FR28873 (05/29/81) FR: 10/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<i>Effluent Guidelines for Off-shore Oil and Gas Industry</i> SAR No. 1649	Description: In 1975 the Agency proposed regulations for the offshore oil and gas industry. EPA published a final rule for BPT in 1979 but deferred action on the NSPS and BAT standards. Under a settlement agreement with NRDC, the Agency withdrew the 1975 NSPS proposal and is repropounding NSPS standards. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 435 Small Entity:Not yet determined	Ron Kirby EPA (WH-552) Washington, DC 20460 FTS:8-472-9075 COMM:202-472-9075	NPRM:Undetermined
<i>Effluent Guidelines for Pharmaceuticals</i> SAR No. 1427	Description: EPA is proposing effluent limitations for BPT, BCT, BAT, and NSPS standards for this industry. Pollutants discharged by the pharmaceuticals industry include benzene, chloroform, toluene, methylene chloride, cyanide, and heavy metals. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 439 Small Entity:Unlikely	Frank Hund EPA (WH-552) Washington, DC 20460 FTS:8-426-2497 COMM:202-426-2497	NPRM: 10/00/82 FR: 11/00/83
<i>Effluent Guidelines for Ore Mining and Dressing Point Source Category</i> SAR No. 1413	Description: The Agency is developing final BAT, BCT, and NSPS effluent limitations for the mining of iron, copper, lead, zinc, gold, silver, molybdenum, aluminum, tungsten, nickel, vanadium, uranium, antimony, and titanium ore. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 441 Small Entity:Unlikely	B. Matthew Jarrett EPA (WH-552) Washington, DC 20460 FTS:8-426-4617 COMM:202-426-4617	NPRM: 05/00/82 FR: 03/00/83
<i>Effluent Guidelines for Paint Formulation</i> SAR No. 1411	Description: Under the authority of paragraph 8 of the Settlement Agreement the Agency is withdrawing the proposed BAT, NSPS, and pretreatment standards for the caustic and/or wastewater subcategory and the pretreatment standards for the solvent wash subcategory. There will be no cost to the industry nor benefit to the environment resulting from this action. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 446 Small Entity:Unlikely	Robert Dellinger EPA (WH-552) Washington, DC 20460 FTS:8-426-2554 COMM:202-426-2554	NPRM: 45FR912 (01/03/80) Notice:07/00/82
<i>Effluent Guidelines for Ink Formulation</i> SAR No. 1411A	Description: Under the authority of paragraph 8 of the Settlement Agreement the Agency is withdrawing the proposed BAT, NSPS, and pretreatment standards for the caustic and/or wastewater subcategory and the pretreatment standards solvent waste subcategory. There will be no cost to the industry nor benefit to the environment resulting from this action. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 447 Small Entity:Unlikely	Robert Dellinger EPA (WH 552) Washington, DC 20460 FTS:8-426-2554 COMM:202-426-2554	NPRM: 45FR928 (01/03/80) Notice:08/00/82
<i>Effluent Guidelines for Gum and Wood</i> SAR No. 1425	Description: The Agency will promulgate BPT limitations for one industrial subcategory, sulfate turpentine, and BCT limitations for four subcategories: sulfate turpentine, wood rosin, tall oil, and rosin derivatives. EPA will withdraw proposed BAT and pretreatment standards. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 454 Small Entity:Unlikely	Robert Dellinger EPA (WH-552) Washington, DC 20460 FTS:8-426-2554 COMM:202-426-2554	NPRM: 44FR68710 (11/29/80) FR: 11/00/82
<i>Effluent Guidelines for Pesticides</i> SAR No. 1426	Description: EPA is proposing BAT, BPT, BCT, NSPS, and pretreatment controls for manufacturers of pesticides and related products. Pollutants of concern are active ingredient pesticides, organic solvents, and metals. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 455 Analysis: RFA Small Entity:Likely	George Jett EPA (WH-552) Washington DC 20460 FTS:8-426-2497 COMM:202-426-2497	NPRM: 10/00/82 FR: 11/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<i>Effluent Guidelines for Battery Manufacturing</i> SAR No. 1434	Description: The Agency is proposing BAT and other standards for seven subcategories of the battery manufacturing industry. Toxic pollutants of concern are mercury, lead, cadmium, phenols, nickel, and zinc. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 461 Small Entity:Unlikely	Mary Belefski EPA (WH-552) Washington, DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 08/00/82 FR: 09/00/83
<i>Effluent Guidelines for Metal Moulding and Casting (Foundries)</i> SAR No. 1432	Description: The Agency is proposing BPT, BAT and other standards for the aluminum casting, copper casting, iron and steel casting, magnesium casting, lead casting, and zinc casting subcategories. The industry discharges approximately 1,200 lb/day of toxic pollutants. Pollutants of concern include zinc, copper, lead, and phenolic compounds. This regulation is no longer classified as "major" because EPA has reduced its estimates of the regulation's costs. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 464 Analysis: RFA Small Entity:Likely	Ernst P. Hall EPA (WH-552) Washington DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 11/00/82 FR: 01/00/84
<i>Effluent Guidelines for Coil Coating</i> SAR No. 1435	Description: The Agency is promulgating BPT, BAT, NSPS and pretreatment standards for steel, galvanized and aluminum coil coating subcategories. Toxic pollutants of concern are chromium, cyanide, copper, lead, nickel, and zinc. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 465 Small Entity:Unlikely	Ernst P. Hall EPA (WH-552) Washington DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 46FR2934 (01/12/81) FR: 11/00/82
<i>Effluent Guidelines for Porcelain Enameling</i> SAR No. 1437	Description: The Agency is promulgating BAT, BPT, NSPS and pretreatment standards for the steel, cast iron, aluminum and copper subcategories. Pollutants of concern are cadmium, chromium, copper, lead, nickel, selenium, and zinc. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 466 Analysis: RFA Small Entity:Likely	Ernst P. Hall EPA (WH-552) Washington, DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 46FR8860 (01/27/81) FR: 12/00/82
<i>Effluent Guidelines for Aluminum Forming</i> SAR No. 1438	Description: EPA is proposing BPT, BAT, and other standards for the aluminum forming industry. Pollutants of concern include chromium, zinc, lead, and cyanide. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 467 Small Entity:Unlikely	Janet Goodwin EPA (WH-552) Washington DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 08/00/82 FR: 09/00/83
<i>Effluent Guidelines for Copper Forming</i> SAR No. 1433	Description: The Agency is proposing BPT, BAT, NSPS and pretreatment standards for several subcategories of the copper forming industry. Pollutants of concern include copper, lead, zinc, nickel, and chromium. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR:40 CFR 468 Small Entity:Unlikely	Ernst P. Hall EPA (WH-552) Washington DC 20460 FTS:8-426-2586 COMM:202-426-2586	NPRM: 12/00/82 FR: 01/00/84
<i>Effluent Guidelines for Electrical and Electronic Products</i> SAR No. 1431	Description: The Agency is proposing BAT, NSPS, and pretreatment standards for two subcategories of the electronics industry, semi-conductors and electronic crystals. Pollutants of concern are organic solvents, arsenic, and fluoride. Statutory Authority: CWA 301, 304, 306, 307 / 33 USC 1311, 1314, 1316, 1317 CFR:40 CFR 469 Small Entity:Unlikely	David Pepson EPA (WH-552) Washington DC 20460 FTS:8-426-2582 COMM:202-426-2582	NPRM: 08/00/82 FR: 08/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<i>Removal of Oil and Hazardous Substance Discharges</i> SAR No. 1544	Description: This regulation sets forth the methods and procedures for the removal of oil and hazardous substances from inland waters of the United States, excluding the Great Lakes. Key elements of the regulation are voluntary removal guidelines for the proper removal and disposal of oil and hazardous substance discharges and mandatory provisions governing the use of chemical agents applied to discharges. Statutory Authority: CWA 311 / 33 USC 1321 CFR:40 CFR 111 Small Entity:Unlikely	Jack Kooyoomjian EPA (WH-548) Washington, DC 20460 RCRA/Superfund Hotline 800-424-9346 FTS:8-382-3000	NPRM: 45FR84942 (12/23/80) FR: Undetermined
<i>Hazardous Substances Pollution Prevention for Facilities Subject to Permitting Requirements of Section 402</i> SAR No. 1451	Description: This regulation's purpose is to prevent spills of hazardous substances into navigable waters. It sets forth requirements for the Spills Prevention Control and Countermeasure Plans for facilities which (a) are not related to transportation, (b) which store, manufacture or otherwise handle hazardous substances at their facilities, and (c) are subject to NPDES permits. The Agency will likely exempt any small facilities which store less than ten times the reportable quantities of spilled, hazardous substances. Statutory Authority: CWA 311(j)(1)(C) / 33 USC 1321(j)(1)(C) CFR:40 CFR 151 Small Entity:Likely	Steve Heare EPA (WH-548) Washington DC 20460 RCRA/Superfund Hotline 800-424-9346 FTS:8-382-3000	NPRM: 43FR39276 (09/01/78) RPRM:Undetermined
<i>Sewage Sludge Disposal Regulations</i> SAR No. 1459 Docket No. 405	Description: The regulations will provide guidelines for the disposal and use of wastewater treatment plant sludge. Publicly owned treatment works generate annually 9 million dry tons of sludge. The regulation will cover the distribution and marketing of fertilizers and soil derived from sewage sludge, land spreading, thermal processing and ocean disposal. Statutory Authority: CWA 405 / 33 USC 1345 CFR:40 CFR 258 Analysis: EIS Small Entity:Unlikely	Merna Hurd EPA (WH-556) Washington DC 20460 FTS:8-755-2800 COMM:202-755-2800	NPRM:Undetermined
REVISED REGULATIONS			
<i>Revisions to Water Quality Management Regulations</i> SAR No. 1802	Description: The Clean Water Act authorizes EPA to provide grants and other assistance to States and other governmental jurisdictions to develop water quality management programs. EPA is revising the existing regulations to simplify the requirements and to remove any aspects of the regulations that are unduly detailed or inflexible. Statutory Authority: CWA 106, 208, 303 / 33 USC 1256, 1288,1313 CFR:40 CFR 35 G Small Entity:Unlikely	Carl Myers EPA (WH-554) Washington, DC 20460 FTS:8-755-7003 COMM:202-755-7003	NPRM:05/00/82 FR: 08/00/82
<i>Simplifying Construction Grants Regulations</i> SAR No. 1722 Docket No. G-81-5	Description: These proposed revisions will simplify the requirements of the existing construction grants regulations and will provide more flexibility in meeting the requirements. Rather than mandating how grantees must meet the goals of the regulations, this revision will allow grantees to choose the most cost-effective ways to achieve these goals. Statutory Authority: CWA 201, 501 / 33 USC 1361 CFR:40 CFR 35 Small Entity:Unlikely	Jane Magee EPA (WH-546) Washington, DC 20460 FTS:8-755-8253 COMM:202-755-8253	NPRM: 46FR55220 (11/06/81) IFR: 04/00/82 FR: 06/00/82
<i>Construction Management Assistance Grants</i> SAR No. 1846	Description: These proposed revisions will simplify the requirements of the existing State assistance program to manage construction grants and certain other State environmental management programs authorized by Sec. 205(g) of the Clean Water Act. The proposal will provide greater flexibility to States and EPA Regions to manage delegation while maintaining continuity in the 205(g) grant process. Statutory Authority: CWA 205(g) / 33 USC 1251 CFR:40 CFR 35 F Small Entity:Unlikely	Carl Reeverts EPA (WH-546) Washington, DC 20460 FTS:8-426-8990 COMM:202-426-8990	NPRM: 05/00/82 FR: 08/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<i>NPDES New Source Application Form</i> SAR No. 1725	Description: The purpose of this action is to develop an NPDES application form for new manufacturing, commercial, mining, and silvicultural operations. It will become a part of the EPA Consolidated Permit Application Form. Besides obtaining information necessary for setting effluent discharge limitations, it will also help permit writers determine whether the facility is a new source. Statutory Authority: CWA 301 / 33 USC 1311. CFR: 40 CFR 122 Analysis: IIA Small Entity: Unlikely	Robert April EPA (EN-336) Washington, DC 20460 FTS: 8-426-2970 COMM: 202-426-2970	NPRM: Undetermined
<i>Modification of Secondary Treatment Requirements for Discharge into Marine Waters</i> SAR No. 1743	Description: Section 301(h) provides municipal dischargers to marine waters an opportunity to obtain a variance from secondary treatment requirements if statutory criteria are met. EPA is amending the 301(h) regulations to extend the deadline for new applications to provide for a one-time opportunity to revise 301(h) applications, to simplify application data requirements, and to reduce the cost burden for small applicants. Statutory Authority: CWA 301(h) / 33 USC 1311 CFR: 40 CFR 125 G Small Entity: Unlikely	Robert Zeller EPA (WH-546) Washington, DC 20460 FTS: 8-755-9231 COMM: 202-755-9231	NPRM: 04/00/82 FR: 08/00/82
<i>Criteria for Best Management Practices</i> SAR No. 1710	Description: EPA is revising the Best Management Practices (BMP) regulations promulgated on June 7, 1979. This revision will incorporate public comments on the BMP Guidance Document that was made available for comment in March 1980 and will describe the conditions governing the use of BMPs in the NPDES program. Statutory Authority: CWA 301(e), 304(e), 402(a) / 33 USC 1311 CFR: 40 CFR 125 K Small Entity: Unlikely	Harry Thron EPA (EN-336) Washington, DC 20460 FTS: 8-426-7010 COMM: 202-426-7010	NPRM: Undetermined
<i>Modified pH Standard for Effluent Guideline Limitations</i> SAR No. 1655	Description: This regulation would adjust effluent guideline limitations for pH values on a monthly basis for industrial discharges whose NPDES permits require continuous monitoring. It would also limit the duration of individual excursions exceeding the range set forth in the applicable effluent guidelines. EPA is making these changes in response to a petition from industry. Statutory Authority: CWA 301, 304 / 33 USC 1311, 1314 CFR: 40 CFR 401 Small Entity: Unlikely	Russell Roegner EPA (WH-586) Washington DC 20460 FTS: 8-755-3624 COMM: 202-755-3624	NPRM: 45FR81180 (12/09/80) FR: 04/00/82
<i>Revision to BAT for Inorganic Chemicals</i> SAR No. 1751	Description: In response to industry request, EPA is reconsidering the necessity for zero discharge in BAT regulations for the following three subcategories: sodium chloride, calcium chloride, and sodium sulfide. Since toxic pollutants are not present in these subcategories, the costs to achieve the zero discharge required by BAT may not be reasonable. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR: 40 CFR 415 Small Entity: Unlikely	Thomas Fielding EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 COMM: 202-426-2582	NPRM: 06/00/82 FR: 11/00/82
<i>Effluent Guidelines for Rubber Processing</i> SAR No. 1420	Description: EPA has proposed to withdraw BAT and substitute limits for COD and metals equivalent to BPT for nine subcategories. Lead limits for three subcategories are being restudied. Rubber reclaimers covered by subparts H and I are being re-examined for BCT, BAT, and NSPS regulations. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR: 40 CFR 428 Small Entity: Unlikely	J.S. Vitals EPA (WH-552) Washington DC 20460 FTS: 8-426-2497 COMM: 202-426-2497	NPRM: 44FR75016 (12/18/79) FR: 06/00/82
<i>Effluent Guideline for the Crushed Stone Industry</i> SAR No. 1712	Description: Following a decision of the Fourth Circuit, EPA is reconsidering BPT limitations for the crushed stone industry. Statutory Authority: CWA 301, 304, 306, 307, 501 / 33 USC 1311, 1314, 1316, 1317, 1361 CFR: 40 CFR 436 Analysis: RFA Small Entity: Likely	Ron Kirby EPA (WH-552) Washington, DC 20460 FTS: 8-472-9075 COMM: 202-472-9075	NPRM: 11/00/82 FR: 09/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<p><i>Amendment to Secondary Treatment Regulations</i> SAR No. 1657 Docket No. G-81-3</p>	<p>Description: The secondary treatment regulations require municipalities to achieve one of two standards of removal efficiency for conventional pollutants. They must comply with the more stringent of the following two standards: maximum amounts of TSS or 5 day BOD of 30g/liter or 85% removal of BOD or TSS. The purpose of these amendments is to consider (1) adjustments to the 85% removal requirement; (2) use of a test for carbonaceous BOD5 in addition to the standard BOD5 test for certain plants experiencing significant interference from nitrification; and (3) to reconsider the effluent limitations established for the control of BOD and TSS in municipal effluents. Statutory Authority: CWA 304(d)(1) / 33 USC 1314(d)(1) CFR: 40 CFR 133 Small Entity: Unlikely</p>	<p>Marie Perez EPA (WH-595) Washington, D.C. 20460 FTS: 8-426-8973 COMM: 202-426-8973</p>	<p>ANPRM: 05/00/82 NPRM: 10/00/82 FR: 02/00/83</p>
<p><i>Revision of the Best Conventional Technology (BCT) Cost Test and BCT Effluent Guidelines</i> SAR No. 1752</p>	<p>Description: EPA is revising the cost reasonableness test for BCT effluent limitations for secondary industries, primarily food processors and light manufacturers. EPA will also propose new BCT limitations for the affected industries, including seafood processing and meat packing. EPA issued a notice withdrawing the existing BCT limitations on February 17, 1982 (47 FR 6835). EPA is making these revisions in response to a court decision. This revision also fulfills the request for review of the program by the President's Task Force on Regulatory Relief. Statutory Authority: CWA 304 / 33 USC 1314 CFR: 40 CFR 405, 406, 407, 422, 424, 426, 429, 430, 431, 432 Analysis: RFA Small Entity: Likely</p>	<p>Renee Rico EPA (WH-586) Washington, DC 20460 FTS: 8-426-2617 COMM: 202-426-2617</p>	<p>NPRM: 05/00/82 FR: 02/00/83</p>
<p><i>Water Quality Standards Regulations</i> SAR No. 1441</p>	<p>Description: EPA is revising its water quality standards to improve the management of the program. The revision will ensure that the process for setting water quality standards takes into account appropriate data and analysis, scientific peer review and participation of the affected public. The revision will allow EPA and the States to more effectively meet the requirements of the Clean Water Act. Statutory Authority: CWA 303 / 33 USC 1313 CFR: 40 CFR 35.1550 Small Entity: Unlikely</p>	<p>David Sabock EPA (WH-585) Washington DC 20460 FTS: 8-245-3042 COMM: 202-245-3042</p>	<p>ANPRM: 43FR29588 (07/10/78) NPRM: 06/00/82 FR: 12/00/82</p>
<p><i>Discharge of Oil</i> SAR No. 1579</p>	<p>Description: This revision will extend reporting requirements for oil to 200 miles offshore. It will also provide for exemptions from reporting requirements. Statutory Authority: CWA 311(b) / 33 USC 1321(b) CFR: 40 CFR 110 Small Entity: Not yet determined</p>	<p>Jack Kooyoomjian EPA (WH-548) Washington, DC 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000</p>	<p>NPRM: Undetermined</p>
<p><i>Oil Pollution Prevention Regulation</i> SAR No. 1584</p>	<p>Description: This revision to 40 CFR 112 will include exemptions from reporting requirements and will extend EPA's oil pollution authority from three miles to two hundred miles offshore. This revision does not affect the existing exemption for facilities that store 1,320 gallons or less. Statutory Authority: CWA 311(j)(1)(C) / 33 USC 1321(j)(1)(C) CFR: 40 CFR 112 Small Entity: Unlikely</p>	<p>Steve Heare EPA (WH-548) Washington DC 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000</p>	<p>NPRM: 45FR33814 (05/20/80) FR: Undetermined</p>
<p><i>Guidelines for Specification of Disposal Sites for Dredged or Fill Material (Revision of Chemical and Biological Testing and Mixing Zone Determinations)</i> SAR No. 1585</p>	<p>Description: This rulemaking will revise part of the section 404(b)(1) guidelines: (1) to bring the 1975 Interim Final Guidelines up-to-date in the light of new research and management information on testing procedures, and (2) to provide a format for the testing procedure, which will be clearer for both applicants and permitting officials and reduce unnecessary testing requirements. Statutory Authority: CWA 404(b)(1) / 33 USC 1344(b)(1) CFR: 40 CFR 230 Small Entity: Unlikely</p>	<p>Victor T. McCauley EPA (WH-585) Washington DC 20460 FTS: 8-472-3042 COMM: 202-472-3042</p>	<p>NPRM: 45FR85330 (12/24/80) FR: 10/00/82</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN WATER ACT			
<p><i>Revision of Ocean Dumping Criteria</i> SAR No. 1604</p>	<p>Description: This action revises the ocean dumping criteria to make them more flexible and to permit the use of ocean disposal as an acceptable means of waste disposal for materials which will not unreasonably degrade the ocean environment. The need for dumping will be balanced against the environmental impacts of dumping and the impacts of the use of alternatives to ocean dumping. These revisions will also incorporate international regulations and guidelines under the London Dumping Convention for incineration at sea and the ocean disposal of low-level radioactive wastes. Statutory Authority: MPRSA / 33 USC 1401 et seq. CFR: 40 CFR 220-29 Small Entity: Not yet determined</p>	<p>T. A. Wastler EPA (WH-585) Washington DC 20460 FTS: 8-755-0356 COMM: 202-755-0356</p>	<p>ANPRM: 06/00/82</p>
ATOMIC ENERGY ACT			
<p>Reorganization Plan No. 3 of 1970 transferred to EPA the authorities of the Federal Radiation Council. This included authority to develop guidance for other federal agencies to follow in limiting radiation exposures. This guidance is issued by the President. Additionally, EPA was given authority under the Atomic Energy Act, to establish generally applicable environmental standards to protect public health from exposure to radiation. The NRC, the Department of Energy, and other federal agencies are responsible for implementing and enforcing these standards.</p>			
<p>EPA is also developing regulations for clean up and disposal of uranium mill tailing piles under the Uranium Mill Tailings Radiation Control Act of 1978.</p>			
NEW REGULATIONS			
<p><i>Guidance for Occupational Radiation Exposure</i> SAR No. 1161 Docket No. A-79-46</p>	<p>Description: This guidance would update existing (1960) radiation occupational exposure limits for all workers except radiation exposure to uranium miners. It would lower allowable exposure per year and cumulative lifetime exposure. It also would provide a graded (tier) system of radiation protection for each of three ranges of exposure. Statutory Authority: AEA 274(h); Reorganization Plan No. 3 of 1970 / 42 USC 2021(h) CFR: Not applicable Small Entity: Unlikely</p>	<p>Allan Richardson EPA (ANR 460) Washington, DC 20460 FTS: 8-557-8927 COMM: 703-557-8927</p>	<p>ANPRM: 44FR53785 (09/17/79) NPRM: 46FR7836 (01/23/81) FR: 09/00/83</p>
<p><i>Transuranic Elements</i> SAR No. 1162</p>	<p>Description: This guidance to Federal Agencies will establish dose rate limits for people exposed to transuranic elements in the general environment. The guidance considers both human inhalation and ingestion of transuranium elements and establishes a maximum dose rate to lungs and bones for members of the general population. This dose rate limit can be associated with an estimated maximum risk of one additional death per million persons continuously exposed at this rate per year. Guidance is undergoing interagency review. Statutory Authority: AEA 274(h); Reorganization Plan No. 3 of 1970 / 42 USC 2021(h) CFR: Not applicable Small Entity: Unlikely</p>	<p>Gordon Burley EPA (ANR-460) Washington, DC 20460 FTS: 8-557-0740 COMM: 703-557-0740</p>	<p>NPRM: 42FR60956 (11/30/77) FR: 06/00/82</p>
<p><i>Radiofrequency Radiation Guidance</i> SAR No. 1525</p>	<p>Description: This guidance will serve to limit exposure of the general public to radiofrequency radiation, which poses a potential health risk. Statutory Authority: AEA 274(h); Reorganization Plan No. 3 of 1970 / 42 USC 2021(h) CFR: Not applicable Analysis: EIS Small Entity: Not yet determined</p>	<p>David Janes EPA (ANR-461) Washington DC 20460 FTS: 8-427-7604 COMM: 301-427-7604</p>	<p>ANPRM: 05/00/82 NPRM: 09/00/83</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
ATOMIC ENERGY ACT			
<i>Environmental Protection Standards for High-Level Radioactive Waste</i> SAR No. 1163	Description: EPA is developing environmental standards which state the public health and environmental requirements to be met for disposal of high-level radioactive waste. These consist of general design and site selection principles as well as numeric performance requirements for high-level waste repositories. DOE and NRC will use EPA's regulation to set their standards to govern the licensing, design and operation of permanent high-level radioactive waste disposal facilities. Statutory Authority: AEA 274(h); Reorganization Plan No. 3 of 1970 / 42 USC 2021(h) CFR: 40 CFR 191 - MAJOR Analysis: EIS Small Entity: Unlikely	Dan Egan EPA (ANR-460) Washington, DC 20460 FTS: 8-557-8610 COMM: 703-557-8610	ANPRM: 41FR53363 (12/06/76) NPRM: 05/00/82 FR: 05/00/83
<i>Environmental Protection Standards for Low-Level Radioactive Waste</i> SAR No. 1727	Description: The National Radioactive Waste Management Program requires the development of a standard for disposal of other-than-high-level radioactive wastes. These include all radioactive wastes except high-level radioactive wastes, high-activity transuranic-contaminated wastes, uranium mill tailings, and wastes regulated under the Resource Conservation and Recovery Act of 1976. Statutory Authority: AEA 274(h), Reorganization Plan No. 3 of 1970 / 42 USC 2021(h) CFR: 40 CFR 193 Small Entity: Unlikely	Floyd Galpin EPA (ANR-460) Washington, DC 20460 FTS: 8-557-8977 COMM: 703-557-8977	ANPRM: 06/00/82
<i>Remedial Action Standards for Inactive Uranium Processing Sites</i> SAR No. 1166 Docket No. A-79-25	Description: This regulation defines standards for the clean-up and disposal of uranium mill tailings from inactive sites. Based on the EPA standards, the Department of Energy will take remedial action. Statutory Authority: UMTRCA 206, AEA 275 / 42 USC 2022 CFR: 40 CFR 192 Analysis: EIS Small Entity: Unlikely	Stan Lichtman EPA (ANR-460) Washington, DC 20460 FTS: 8-557-8927 COMM: 703-557-8927	NPRM: 45FR27370 (04/22/80) NPRM: 46FR2556 (01/19/81) IFR: 45FR27366 (04/22/80) FR: 05/00/82
<i>Environmental Standards for Active Uranium Mill Processing Sites</i> SAR No. 1166A	Description: The Administrator is required to issue generally applicable standards for protecting the public health and safety, and the environment, from certain radiological and nonradiological hazards of uranium. These are the hazards associated with processing, keeping, transferring and disposing of uranium byproduct material at sites which either (a) process the uranium ore primarily for its source material content or (b) dispose of the uranium byproduct material. Statutory Authority: UMTRCA 206, AEA 275(b) / 42 USC 2022(b) CFR: 40 CFR 192 Analysis: RIA, EIS Small Entity: Unlikely	John Russell EPA (ANR-460) Washington, DC 20460 FTS: 8-557-8610 COMM: 703-557-8610	NPRM: 09/00/82 FR: 09/00/83

SAFE DRINKING WATER ACT

The Safe Drinking Water Act of 1974 requires EPA to establish primary and secondary drinking water regulations for public drinking water supplies. Primary regulations are aimed at protecting public health. They establish maximum allowable contaminant levels in drinking water, provide for water treatment technologies, and set general criteria for water treatment technologies and water supply system operation. Secondary regulations deal with the taste, odor, and appearance of drinking water. The Act also provides for protection of groundwater through controls over injection wells under the Underground Injection Control (UIC) program. EPA delegates primary responsibility for both public water supply and UIC programs to the States under specified conditions, and supports State programs through grants.

NEW REGULATIONS

<i>Definition of Small Water Supply Entities in Support of Regulatory Flexibility Analysis</i> SAR No. 1742	Description: This notice will propose a definition for EPA to use in analyzing the economic impacts its actions may have on the water supply industry. This is part of EPA's implementation of the Regulatory Flexibility Act. Statutory Authority: SDWA, RFA 601 / 5 USC 601 CFR: Not applicable Small Entity: Unlikely	Dale Ruhter EPA (WH-550) Washington, DC 20460 FTS: 8-426-8877 COMM: 202-426-8877	NPRM: 05/00/82 FR: 12/00/82
--	---	--	--------------------------------

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
SAFE DRINKING WATER ACT			
<p><i>Maximum Contaminant Levels for Volatile Organic Chemicals Found in Drinking Water</i> SAR No. 1567</p>	<p>Description: EPA is considering several possible approaches for reducing exposure to certain volatile synthetic organic compounds (VOCs). These VOCs have been most commonly found in drinking water drawn from groundwater sources. These chemicals include such compounds as trichloroethylene, tetrachloroethylene, and vinyl chloride. Aeration and granular activated carbon (GAC) systems are treatment technologies that can reduce these contaminants to a low level. Preliminary estimates show that average residential monthly bills for affected systems could rise from \$1-\$14 depending on the size of the drinking water system and the type of technology selected. Statutory Authority: SDWA 1412 / 42 USC 300g-1 CFR:40 CFR 141 Analysis: RFA, IIA Small Entity: Not yet determined</p>	<p>Craig Vogt EPA (WH-550) Washington, DC 20460 FTS:8-472-5030 COMM:202-472-5030</p>	<p>ANPRM: 41FR23991 (07/14/76) ANPRM: 47FR9350 (03/04/82) NPRM: 03/00/83</p>
REVISED REGULATIONS			
<p><i>Revised Primary Drinking Water Regulations</i> SAR No. 1755</p>	<p>Description: The monitoring requirements and MCLs in the National Interim Primary Drinking Water Regulations will be comprehensively reviewed for inorganic and organic compounds, microbiological contaminants and turbidity and radionuclides. EPA will conduct an assessment of exposure, analytical methods, potential health effects, and the performance and costs of treatment technologies. Statutory Authority: SDWA 1412 / 42 USC 300g-1 CFR:40 CFR 141 Analysis: RFA, IIA Small Entity: Likely</p>	<p>Joseph Cotruvo EPA (WH-550) Washington, DC 20460 FTS:8-472-5016 COMM:202-472-5016</p>	<p>ANPRM: 07/00/82 NPRM: 08/00/83</p>
<p><i>Revised Primary Drinking Water Regulations: Fluoride</i> SAR No. 1756</p>	<p>Description: The Agency will assess the fluoride maximum contaminant level (MCL) in the National Interim Primary Drinking Water Regulations to determine if their knowledge of MCLs reflects potential health effects and the performance and cost of available treatment technologies. Statutory Authority: SDWA 1412 / 42 USC 300g-1 CFR:40 CFR 141 Analysis: RFA, IIA Small Entity: Likely</p>	<p>Joseph Cotruvo EPA (WH-550) Washington, DC 20460 FTS:8-472-5016 COMM:202-472-5016</p>	<p>NPRM: 09/00/82</p>
<p><i>Amendment to National Interim Primary Drinking Water Regulations: Trihalomethanes (TTHM)</i> SAR No. 1757</p>	<p>Description: EPA will amend the TTHM regulations to include identification of generally available treatment technology (taking costs into consideration) for controlling TTHMs. Statutory Authority: SDWA 1412 / 42 USC 300g-1 CFR:40 CFR 141 Small Entity: Unlikely</p>	<p>Joseph Cotruvo EPA (WH-550) Washington, DC 20460 FTS:8-472-5016 COMM:202-472-5016</p>	<p>NPRM: 47FR9796 (03/05/82) FR: 09/00/82</p>
NOISE CONTROL ACT			
REVISED REGULATIONS			
<p><i>Rescission of Noise Emission Standards for Truck-Mounted Solid Waste Compactors</i> SAR No. 1848</p>	<p>Description: This action would rescind the noise emission regulation for truck-mounted solid waste compactors. It would also withdraw these compactors from EPA's list of major sources of noise. Statutory Authority: NCA 5, 6 / 42 USC 4904, 4905 CFR:40 CFR 205 F Small Entity: Unlikely</p>	<p>Timothy Barry EPA (ANR-490) Washington, DC 20460 FTS:8-557-2710 COMM:703-557-2710</p>	<p>NPRM: 05/00/82</p>
<p><i>Revocation of Recordkeeping and Reporting Requirements</i> SAR No. 1759</p>	<p>Description: This action will revoke the recordkeeping and reporting requirements for EPA's noise regulations. It will reduce unnecessary regulatory burdens on industry. Statutory Authority: NCA 5, 6, 8 / 42 USC 4904, 4905, 4907 CFR:40 CFR 203, 204, 205 Small Entity: Unlikely</p>	<p>Louise Giersch EPA (ANR-490) Washington, DC 20460 FTS:8-557-2710 COMM:703-557-2710</p>	<p>NPRM: 46FR44476 (08/14/81) FR: 08/00/82</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
-------	---------	---------	-----------

RESOURCE CONSERVATION AND RECOVERY ACT

The primary goals of the Resource Conservation and Recovery Act are: 1) to improve the management of solid wastes in order to protect human health and the environment, and 2) to conserve valuable material and energy resources. The Act also calls for State programs authorized by EPA to regulate hazardous waste management from generation through disposal, and for the States to regulate the disposal on land of all other solid wastes in accordance with minimum Federal criteria. EPA's regulations in large part exempt businesses that generate less than 1000 kg. of hazardous waste per month. EPA issued final regulations implementing most of Subtitle C on hazardous waste management in May 1980. Most of the regulatory actions identified below consist of revisions and amendments to those regulations.

For further information on EPA's implementation of RCRA, please contact the toll free RCRA Hotline at (800) 424-9346.

NEW REGULATIONS

<p><i>Standards for the Management of Specific Hazardous Wastes: Waste Oil</i> SAR No. 1713 Docket No. 3012</p>	<p>Description: In 1978, EPA proposed the listing of certain waste oils as hazardous wastes and proposed a set of standards applicable to the transportation, storage, treatment, recycling, and disposal of these and other waste oils. EPA is repropounding this listing and the corresponding regulations because of the many new and revised provisions which have not undergone public review. Statutory Authority: RCRA 3001, 3012 / 42 USC 6921, 6932 CFR:40 CFR 266 - MAJOR Analysis: IIA, RFA, RIA Small Entity: Likely</p>	<p>Michael Petruska EPA (WH-565) Washington, DC 20460 FTS:8-755-9200 COMM:202-755-9200</p>	<p>NPRM: 43FR58946 (12/18/78) RPRM: Undetermined</p>
<p><i>Standards for Owners/Operators of Waste Facilities: Land Disposal</i> SAR No. 1194 Docket No. 3004</p>	<p>Description: The Agency intends to establish requirements for use in permitting existing (and potentially new) land disposal facilities (surface impoundments, waste piles, land treatment, landfills). The requirements for existing facilities are subject to the court order in <i>Illinois v. Costle</i>. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR:40 CFR 264,265,266 - MAJOR Analysis: EIS, RIA, RFA Small Entity: Likely</p>	<p>RCRA Hotline FTS:8-382-3000 COMM:800-424-9346</p>	<p>NPRM: 43FR58946 (12/18/78) RPRM: 46FR11126 (02/05/81) RPRM: 46FR28314 (05/26/81) NPRM: 46FR51407 (10/20/81) IFR: Undetermined</p>
<p><i>Guidelines for Federal Procurement of Spent Pickle Liquor Used in Wastewater Treatment: Phosphorus Removal Operations</i> SAR No. 1779 Docket No. 6002(e)</p>	<p>Description: This guideline is one of a continuing series of guidelines designed to encourage purchase of products containing recovered materials. EPA has listed spent pickle liquor (SPL) from steel finishing operations as a hazardous waste under RCRA. However, SPL can be beneficially reused. This guideline would recommend that any purchases of phosphorous removal chemicals at wastewater treatment plants allow for the use of SPL. Statutory Authority: RCRA 6002 / 42 USC 6962 CFR:40 CFR 249 Small Entity: Unlikely</p>	<p>William Kline EPA (WH-565) Washington, DC 20460 FTS:8-755-9203 COMM:202-755-9203</p>	<p>NPRM: 12/00/82 FR: 09/00/83</p>
<p><i>Guideline for Federal Procurement of Cement and Concrete Containing Fly Ash</i> SAR No. 1200 Docket No. 6002(e)</p>	<p>Description: Section 6002 requires procurement agencies using Federal funds to purchase items composed of the highest percentage of recovered materials practicable. This guideline would recommend that procuring agencies include provisions in construction contracts which allow use of fly ash as a partial cement replacement. Fly ash is a residue from coal combustion. This guideline will stimulate greater recovery and reuse of fly ash, while reducing energy and material costs for cement and concrete. Statutory Authority: RCRA 6002(e) / 42 USC 6962(e) CFR:40 CFR 249 Small Entity: Unlikely</p>	<p>John Heffelfinger EPA (WH-565) Washington DC 20460 FTS:8-755-9206 COMM:202-755-9206</p>	<p>NPRM: 45FR76906 (11/20/80) FR: 06/00/82</p>

REVISED REGULATIONS

<p><i>Identification and Listing of Hazardous Waste: Delisting Procedures</i> SAR No. 1838 Docket No. 3001</p>	<p>Description: This action makes some minor changes to streamline the existing procedures for delisting wastes that were listed solely because they exhibit a hazardous waste characteristic. The regulation also streamlines the procedure for changing the status of wastes listed because they are acutely hazardous. Statutory Authority: RCRA 3001 / 42 USC 6921 CFR:40 CFR 260 Small Entity: Unlikely</p>	<p>Matthew Straus EPA (WH-565) Washington, DC 20460 FTS:8-755-9187 COMM:202-755-9187</p>	<p>NPRM: 46FR33066 (05/19/81) FR: 05/00/82</p>
--	--	--	--

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
RESOURCE CONSERVATION AND RECOVERY ACT			
<p><i>Identification and Listing of Hazardous Waste: Definition of Solid Waste</i> SAR No. 1191 Docket No. 3001</p>	<p>Description: This action would modify the definition of solid waste and the applicability of RCRA standards to recycled solid wastes. It would regulate those recycling activities which have posed an environmental threat. It will substantially reduce the regulatory burden for recycling. Some materials presently defined as wastes may be excluded from the RCRA system and others, presently excluded, may be subject to some level of control. EPA has already issued interim final amendments exempting spent pickle liquors when reused (46 FR 44970, 9/8/81). Statutory Authority: RCRA 3001 / 42 USC 6921 CFR:40 CFR 261.2, 261.6 Small Entity:Unlikely</p>	<p>Matthew Straus EPA (WH-565) Washington, DC 20460 FTS:8-755-9187 COMM:202-755-9187</p>	<p>NPRM: 06/00/82</p>
<p><i>Identification and Listing of Hazardous Waste: Mixtures Rule</i> SAR No. 1760 Docket No. 3001</p>	<p>Description: The "mixture rule" establishes a presumption that certain mixtures of hazardous wastes and solid wastes are hazardous, unless the mixture is delisted. EPA has issued an interim final rule which excludes from the "mixture rule" certain categories of waste that consist of mixtures of listed hazardous waste and wastewater from facilities which are regulated under the NPDES or pretreatment programs. This rule removes the presumption for these categories of waste, but any wastewater that exhibits hazardous characteristics, for example corrosivity would still be hazardous for that reason. EPA could also decide to list wastewater as hazardous waste. Statutory Authority: RCRA 3001 / 42 USC 6921 CFR:40 CFR 261.3 Small Entity:Unlikely</p>	<p>Judith Bellin EPA (WH-565) Washington, DC 20460 FTS:8-755-9187 COMM:202-755-9187</p>	<p>IFR: 46FR56582 (11/17/81) FR: 10/00/82</p>
<p><i>Identification and Listing of Hazardous Waste: Exemption for Waste Samples</i> SAR No. 1765 Docket No. 3001/ Samples Exemption</p>	<p>Description: EPA issued an interim final rule that conditionally exempts from regulation waste and other samples collected for the purpose of monitoring or testing. Facilities that test materials to determine if they are "hazardous" are not required to obtain a RCRA permit in certain circumstances, provided that they meet certain minimum requirements. Statutory Authority: RCRA 3001 / 42 USC 6921 CFR:40 CFR 261.4 Small Entity:Unlikely</p>	<p>Claire Welty EPA (WH-565) Washington, DC 20460 FTS:8-755-9187 COMM:919-755-9187</p>	<p>IFR: 46FR47426 (09/25/81) FR: 09/00/82</p>
<p><i>Identification and Listing of Hazardous Waste: Hexavalent Chromium Modification</i> SAR No. 1761 Docket No. 3001</p>	<p>Description: This action modifies the hazardous waste characteristics of extraction procedure (EP) toxicity. It amends the existing regulation (which regulates on the basis of total chromium) to a standard based on hexavalent chromium (CR (+6)). This is the valence state of chromium, which is of environmental concern. The regulation also includes a test method for determining CR(+6). This amendment will reduce the regulatory burden for many wastes. Statutory Authority: RCRA 3001 / 42 USC 6921 CFR:40 CFR 261.24 Small Entity:Unlikely</p>	<p>David Friedman EPA (WH-565) Washington, DC 20460 FTS:8-755-9187 COMM:202-755-9187</p>	<p>NPRM: 45FR72029 (10/30/80) FR: 06/00/82</p>
<p><i>Identification and Listing of Hazardous Waste: Definition of Empty Container</i> SAR No. 1762 Docket No. 3001</p>	<p>Description: Existing regulations exclude from regulation waste residues in so-called "empty containers." This term is defined in terms of normal techniques for emptying a drum but stipulates that no more than one inch of waste can remain. This amendment clarifies when a container is considered "empty" and therefore no longer a hazardous waste. Based on comments on the interim final rule, EPA is considering allowing a weight alternative to the one-inch rule, i.e. if no more than a specified percentage of the weight of the original wastes remains in the container it may be treated as "empty." Statutory Authority: RCRA 3001 / 42 USC 6921 CFR:40 CFR 261.7 Small Entity:Unlikely</p>	<p>Claire Welty EPA (WH-565) Washington, DC 20460 FTS:8-755-9187 COMM:202-755-9187</p>	<p>IFR: 45FR78524 (11/25/80) FR: 06/00/82</p>
<p><i>Identification and Listing of Hazardous Waste: Definition of Household Waste</i> SAR No. 1763 Docket No. 3001</p>	<p>Description: 40 CFR 261.4 excludes household waste from regulatory control under RCRA. EPA is considering expanding this exclusion to include wastes generated by ranger stations and campgrounds. Statutory Authority: RCRA 3001 / 42 USC 6921 CFR:40 CFR 261.4(b)(1) Small Entity:Unlikely</p>	<p>Matthew Strauss EPA (WH-565) Washington, DC 20460 FTS:8-755-9187 COMM:202-755-9187</p>	<p>IFR: 08/00/82</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
RESOURCE CONSERVATION AND RECOVERY ACT			
<p><i>Identification and Listing of Hazardous Waste: Laboratory Wastes</i> SAR No. 1841 Docket No. 3001</p>	<p>Description: EPA is considering modifying the list of hazardous wastes in Part 261 to ease administrative compliance burdens on laboratories. Laboratories generate small quantities of a large variety of wastes and seem to have some unique hazardous waste management problems. Part 264 regulations affecting labs may be amended as well. Statutory Authority: RCRA 3001, 3002, 3004 / 42 USC 6921, 6922, 6924 CFR: 40 CFR 261.264 Small Entity: Unlikely</p>	<p>Claire Welty EPA (WH-565) Washington, DC 20460 FTS: 8-755-9187 COMM: 202-755-9187</p>	<p>NPRM: 10/00/82</p>
<p><i>Identification and Listing of Hazardous Waste: Product Storage Requirements</i> SAR No. 1764 Docket No. 3001</p>	<p>Description: The interim final regulation provides that, in general, hazardous waste which is generated in a product or raw material storage tank is not subject to regulation until: (1) it leaves the unit where it was generated, or (2) a 90 day period is completed. EPA is considering lengthening the exemption period under specific conditions. Statutory Authority: RCRA 3001 / 42 USC 6921 CFR: 40 CFR 261.4(c) Small Entity: Unlikely</p>	<p>Claire Welty EPA (WH-565) Washington, DC 20460 FTS: 8-755-9187 COMM: 202-755-9187</p>	<p>IFR: 45FR72024 (10/30/80) FR: 11/00/82</p>
<p><i>Standards for Hazardous Waste Generators: "Satellite" Accumulation of Hazardous Waste</i> SAR No. 1767 Docket No. 3002</p>	<p>Description: Current regulations allow generators of hazardous waste to accumulate waste on-site for 90 days without a permit, providing the accumulation is in accordance with certain standards. This action will add an initial period for "satellite" accumulation, defined as waste accumulated in small quantities at or near a point of generation before the standards for 90 day accumulation apply. The 90 day period would begin only after the initial period is completed. This change will be more appropriate and less burdensome for short term satellite storage activities than are the existing requirements. This action would also waive the contingency plan requirement for satellite storage. Statutory Authority: RCRA 3002 / 42 USC 6922 CFR: 40 CFR 262.34 Small Entity: Unlikely</p>	<p>Amy Mills EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107</p>	<p>NPRM: 06/00/82 FR: 12/00/82</p>
<p><i>Standards for Hazardous Waste Generators: Annual Report</i> SAR No. 1824 Docket No. 3002</p>	<p>Description: EPA has deferred the date by which hazardous waste handlers must submit their first annual report while it develops a less burdensome reporting system (47FR7841, 2/23/82). In this action EPA will propose to replace the annual report with an annual survey of hazardous waste generators and facilities. EPA has also delayed the compliance dates for facilities to: (1) prepare groundwater assessment program outlines and (2) submit initial quarterly groundwater monitoring parameter readings (47FR7841). These dates were delayed because EPA is preparing proposals which will eliminate or reduce, respectively, the reporting burdens in these areas. The reporting burden on the regulated community will be relieved while EPA will still receive necessary information on hazardous waste operations. community will be relieved while EPA will still receive Statutory Authority: RCRA 3002, 3004 / 42 USC 6922, 6924 CFR: 40 CFR 262.41, 264, 265 Small Entity: Unlikely</p>	<p>Michael Burns EPA (WH-562) Washington, DC 20460 FTS: 8-382-4486 COMM: 202-382-4486</p>	<p>NPRM: 04/00/82 FR: 07/00/82</p>
<p><i>Standards for Hazardous Waste Generators: Uniform Hazardous Waste Manifest</i> SAR No. 1768 Docket No. 3002</p>	<p>Description: In conjunction with the Department of Transportation, EPA has proposed a uniform national manifest to eliminate problems caused by differing state manifest requirements. This action would require all generators and transporters of hazardous waste to use the Federal form. Statutory Authority: RCRA 3002 / 42 USC 6922 CFR: 40 CFR 262 Small Entity: Unlikely</p>	<p>Rolf Hill EPA (WH-563) Washington, DC 20460 FTS: 8-755-9140 COMM: 202-755-9140</p>	<p>NPRM: 47FR9336 (03/04/82) FR: 12/00/82</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
RESOURCE CONSERVATION AND RECOVERY ACT			
<u>Standards for Hazardous Waste Generators: Alternate Manifest</u> SAR No. 1842 Docket No. 3002	Description: This action would allow generators to reuse a manifest form if they repeatedly ship identical wastes to facilities which they own or operate. This will relieve the paperwork burden for generators. Statutory Authority: RCRA 3002 / 42 USC 6922 CFR:40 CFR 262 Small Entity: Not yet determined	Michael Shannon EPA (WH-563C) Washington, DC 20460 FTS:8-755-9150 COMM:202-755-9150	NPRM: 10/00/82 FR: 05/00/83
<u>Standards for Hazardous Waste Generators: International Shipments</u> SAR No. 1839 Docket No. 3002	Description: EPA is developing amendments to clarify the current regulations on exports of hazardous waste and on international shipments. EPA is also making minor changes needed to improve the processing of export notices. Statutory Authority: RCRA 3002 / 42 USC 6922 CFR:40 CFR 262.50 Small Entity: Unlikely	Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS:8-755-9107 COMM:202-755-9107	FR: 08/00/82
<u>Standards for Hazardous Waste Generators: Shipments of Hazardous Waste from Permitted Facilities</u> SAR No. 1770 Docket No. 3002	Description: EPA issued an interim final rule to clarify the responsibilities of owners and operators of permitted facilities with respect to generator standards (40 CFR 262) when they initiate a shipment of hazardous waste from their facilities. Statutory Authority: RCRA 3002 / 42 USC 6922 CFR:40 CFR 262 Small Entity: Unlikely	Rolf Hill EPA (WH-563) Washington, DC 20460 FTS:8-755-9150 COMM:202-755-9150	IFR: 45FR86968 (12/31/80) FR: 09/00/82
<u>Standards for Hazardous Waste Generators: Transporting Hazardous Waste by Rail</u> SAR No. 1769 Docket No. 3002	Description: EPA has issued an interim final rule which allows generators to transport hazardous waste by rail without a manifest, provided that certain minimum information accompanies the load. EPA concluded that the existing tracking system used by railroads was sufficient to protect human health and the environment. Statutory Authority: RCRA 3002, 3003 / 42 USC 6922, 6923 CFR:40 CFR 262, 263 Small Entity: Unlikely	Carolyn Barley EPA (WH-563) Washington, DC 20460 FTS:8-755-9150 COMM:202-755-9150	IFR: 45FR86970 (12/31/80) FR: 09/00/82
<u>Standards for Hazardous Waste Transporters: In-Transit Storage Requirements</u> SAR No. 1771 Docket No. 3003	Description: EPA has issued an interim final rule to allow a transfer facility to hold a shipment of hazardous waste with a manifest for up to ten days without obtaining a RCRA permit or complying with storage facility standards. This rule is intended to allow transporters to store waste temporarily at a transfer facility for such purposes as consolidation of shipments for further transport. Statutory Authority: RCRA 3003 / 42 USC 6923 CFR:40 CFR 263 Small Entity: Unlikely	Rolf Hill EPA (WH-563) Washington, DC 20460 FTS:8-755-9150 COMM:202-755-9150	IFR: 45FR86966 (12/31/80) FR: 09/00/82
<u>Standards for the Management of Specific Hazardous Wastes: Wastewater Treatment/Elementary Neutralization</u> SAR No. 1772 Docket No. 3004	Description: In November 1980, EPA suspended the applicability of the RCRA regulations to wastewater treatment and elementary neutralization tanks (facilities that treat corrosive wastes). At the same time, EPA proposed to substantially relax the substantive requirements and the permitting procedures for these facilities. The proposal establishes a tailored set of management standards and a permit-by-rule scheme for these facilities. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR:40 CFR 266 B Small Entity: Unlikely	Howard Cohen EPA (WH-565) Washington, DC 20460 FTS:8-755-9200 COMM:202-755-9200	NPRM: 45FR76076 (11/17/80) FR: 09/00/82
<u>Standards for Management of Specific Hazardous Waste: Experimental Facilities</u> SAR No. 1817 Docket No. 266	Description: This action would amend existing requirements for facilities engaging in hazardous waste research activities. EPA's object is to encourage research and development of hazardous waste management technology while assuring environmental protection. Statutory Authority: RCRA 3004, 3005, 8001 / 42 USC 6924, 6925 CFR:40 CFR 261-64, 266 Small Entity: Not yet determined	Michael Petruska EPA (WH-565) Washington, DC 20460 FTS:8-755-9200 COMM:202-755-9200	IFR: 08/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
RESOURCE CONSERVATION AND RECOVERY ACT			
<p><i>Standards for Owners/Operators of Waste Facilities: Incinerators</i> SAR No. 1784 Docket No. 3004/ Incinerator Docket</p>	<p>Description: In response to public comments on the interim final rule published on January 25, 1981 (46 FR 7666), EPA is amending its regulations applicable to hazardous waste/incineration facilities. The proposed amendments would, among other things, affect: (1) performance standards for hydrogen chloride and particulate emissions, (2) permit application procedures, and (3) partial exemption of some corrosive and reactive wastes. EPA is also developing a separate notice which will respond to issues raised during the public comment period on EPA's proposal of October 20, 1981 (46 FR 51407) to suspend the effective date of the January 1981 permitting standards for existing incinerators. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR: 40 CFR 122, 264, 265 Small Entity: Unlikely</p>	<p>Jan Jablonski EPA (WH-565) Washington, DC 20460 FTS: 8-755-9203 COMM: 202-755-9203</p>	IFR: 05/00/82
<p><i>Standards for Owners/Operators of Waste Facilities: Discharge Response Exemption</i> SAR No. 1773</p>	<p>Description: EPA issued an interim final rule which relieves persons who treat or store hazardous waste in immediate response to a spill from complying with the facility standards and permitting requirements of 40 CFR 122, 264, and 265. This amendment clarifies that immediate response actions are exempt from permit requirements. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR: 40 CFR 122, 260, 264, 265 Small Entity: Unlikely</p>	<p>Amy Mills EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107</p>	IFR: 45FR76630 (11/19/80) FR: 05/00/82
<p><i>Standards for Owners/Operators of Waste Facilities: Financial Responsibility</i> SAR No. 1194A Docket No. 3004</p>	<p>Description: The financial test and closure and post-closure insurance regulations would provide additional means of assuring financial responsibility for closure and post-closure care. They supplement previous interim final regulations which allow trust funds, letters of credit and surety bonds. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR: 40 CFR 264 H, 265 Analysis: RIA, RFA, IIA Small Entity: Likely</p>	<p>Emily Sano EPA (WH-565) Washington, DC 20460 FTS: 8-755-9190 COMM: 202-755-9190</p>	NPRM: 45FR33272 (05/19/80) IFR: 04/00/82
<p><i>Interim Status: Open Burning</i> SAR No. 1849 Docket No. 3004</p>	<p>Description: Existing regulations allow open burning of explosives under certain conditions, e.g. beyond a specified distance from buildings and other objects. In response to a petition by industry, this action would modify EPA's existing restrictions. It will allow open burning of small quantities of waste explosives under specific conditions at selected facilities. This amendment will provide relief for a small number of highly specialized disposal facilities. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR: 40 CFR 264, 265.382 Small Entity: Unlikely</p>	<p>Marc Turgeon EPA (WH-565) Washington, DC 20460 FTS: 8-755-9203 COMM: 202-755-9203</p>	IFR: 08/00/82
<p><i>Interim Status: Liquids in Landfills</i> SAR No. 1843 Docket No. 3004</p>	<p>Description: This proposal would amend EPA's existing controls of landfill disposal of waste containing free liquid. EPA seeks comment on the proposal to allow some containers holding free liquids to be disposed of in a landfill in certain circumstances. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR: 40 CFR 265 Small Entity: Unlikely</p>	<p>Rodney Jenkins EPA (WH-564) Washington, DC 20460 FTS: 8-382-4494 COMM: 202-382-4494</p>	NPRM: 47FR8307 (02/25/82) IFR: 47FR8304 (02/25/82) IFR: 47FR12316 (03/22/82) FR: Undetermined
<p><i>Interim Status: Expansion and Modification of Facilities</i> SAR No. 1807 Docket No. 3005</p>	<p>Description: Under the settlement agreement in NRDC v EPA, EPA is proposing to allow existing hazardous waste management facilities greater flexibility to expand and modify their operation during interim status. Among other things, these amendments would: (1) allow the addition of tanks and containers to treat or store waste; (2) allow increases in design capacity up to 50 percent of that listed in the Part A permit application; and (3) eliminate the restriction on capital investment in the changes allowed at a facility. Statutory Authority: RCRA 3004, 3005 / 42 USC 6924, 6925 CFR: 40 CFR 122, 265, 267 Small Entity: Unlikely</p>	<p>Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107</p>	NPRM: 06/00/82 FR: 03/00/83
<p><i>Consolidated Permits: Minor Technical Amendments</i> SAR No. 1850 Docket No. 3005</p>	<p>Description: EPA plans to issue six minor amendments and a Regulatory Interpretation Memorandum to clarify and correct current permit and State program requirements. Statutory Authority: RCRA 3005, 3006 / 42 USC 6925, 6926 CFR: 40 CFR 122, 123, 124 Small Entity: Unlikely</p>	<p>Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107</p>	FR: 04/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
RESOURCE CONSERVATION AND RECOVERY ACT			
<u>Consolidated Permits</u> <u>Class Permits</u> SAR No. 1844 Docket No. 3005	Description: EPA will propose to allow precisely defined classes of facilities to obtain permits by certifying compliance with specific permit conditions established by regulation. This will simplify and expedite the process for individual members of the classes to receive permits. Statutory Authority: RCRA 3004, 3005 / 42 USC 6924, 6925 CFR: 40 CFR 122, 124, 264, 266 Small Entity: Not yet determined	David Sussman EPA (WH-563) Washington, DC 20460 FTS: 8-755-9140 COMM: 202-755-9140	NPRM: 09/00/82 FR: 04/00/83
<u>Consolidated Permits: Minor Modifications to Existing RCRA Permits</u> SAR No. 1805 Docket No. 122	Description: Existing regulations allow EPA to make selected minor modifications to existing RCRA permits without going through the draft permit and public participation procedures required to make more substantial changes to permits. Under the settlement agreement in NRDC v EPA, EPA is proposing an amendment which would expand the kinds of permit modifications that qualify as minor modifications and thus are exempt from most procedural requirements. Statutory Authority: RCRA 3005 / 42 USC 6925 CFR: 40 CFR 122.17 Small Entity: Unlikely	Amy Mills EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: 04/00/82 FR: 10/00/82
<u>Consolidated Permits: Duration of Permits for Hazardous Waste Facilities</u> SAR No. 1806 Docket No. 3005	Description: Existing EPA regulations provide that EPA-issued permits for hazardous waste treatment, storage and disposal facilities are effective for a fixed term not to exceed ten years. Under the settlement agreement in NRDC v EPA, EPA proposes to revise this regulation by making permits effective for the designed operating life of the facility. Permit terms for land disposal facilities would include the post-closure care period as well. EPA would also increase opportunities for the Agency to modify permits during their term. EPA will also amend State program requirements to allow authorized States to adopt similar standards to vary the duration of permits. Statutory Authority: RCRA 3005, 3006 / 42 USC 6925, 6926 CFR: 40 CFR 122.9, 123, 264 Small Entity: Unlikely	Amy Mills EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: 06/00/82 FR: 12/00/82
<u>Consolidated Permits</u> <u>Construction Ban</u> SAR No. 1814 Docket No. 3005	Description: Existing EPA regulations require that an owner or operator of a hazardous waste management facility receive a RCRA permit before beginning construction of the facility. Under the settlement agreement in NRDC v EPA, EPA will propose an amendment that would allow construction, but not operation, of a hazardous waste management facility before a RCRA permit is issued. This amendment will not apply to land disposal facilities, which would still be required to obtain a permit before beginning construction. Statutory Authority: RCRA 3005 / 42 USC 6925 CFR: 40 CFR 122, 123, 124 Small Entity: Unlikely	Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: 09/00/82
<u>State Amendments</u> <u>Program</u> SAR No. 1809 Docket No. 3005	Description: Under the settlement agreement in NRDC v EPA, EPA is proposing amendments to state program requirements. In particular, it would require that the EPA Regional Administrator explain the basis for any comment contending that a State failed to include a necessary provision in its permit. Statutory Authority: RCRA 3004, 3005, 3006 / 42 USC 6924, 6925, 6926 CFR: 40 CFR 123 Small Entity: Unlikely	Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: Undetermined
<u>Consolidated Permits</u> <u>Owner/Operator Signature</u> SAR No. 1813 Docket No. 3005	Description: Existing EPA regulations require that both the owner and operator of a hazardous waste facility sign the facility's permit application. Under the settlement agreement in NRDC v EPA, EPA will propose allowing permit applications to be filed in certain circumstances solely under the signature of the facility operator. Statutory Authority: RCRA 3004 / 42 USC 6924 CFR: 40 CFR 122 Small Entity: Unlikely	Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: 08/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
RESOURCE CONSERVATION AND RECOVERY ACT			
<u>Consolidated Permits: Hearings on Interim Status</u> SAR No. 1812 Docket No. 3005	Description: Under the settlement agreement in NRDC v EPA, EPA will propose to notify owners and operators of hazardous waste facilities of any deficiencies in their Part A applications and to give them 30 days to respond. EPA will also propose to provide a hearing on initial RCRA permits in certain circumstances. Statutory Authority: RCRA 3005 / 42 USC 6925 CFR: 40 CFR 122, 124 Small Entity: Unlikely	Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: 08/00/82
<u>Consolidated Permits: Transfer of Permits</u> SAR No. 1811 Docket No. 3005	Description: Under the settlement agreement in NRDC v EPA, EPA will propose to amend its regulations to ease restrictions on certain transfers of RCRA permits when ownership of a hazardous waste facility changes. Statutory Authority: RCRA 3005 / 42 USC 6925 CFR: 40 CFR 122 Small Entity: Unlikely	Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: 08/00/82
<u>Consolidated Permits: Retention of Groundwater Monitoring Data</u> SAR No. 1810 Docket No. 3005	Description: Under the settlement agreement in NRDC v EPA, EPA will propose to reduce the period of time during which a facility must retain groundwater monitoring data. Statutory Authority: RCRA 3005 / 42 USC 6925 CFR: 40 CFR 122, 123, 124 Small Entity: Unlikely	Deborah Wolpe EPA (WH-563) Washington, DC 20460 FTS: 8-755-9107 COMM: 202-755-9107	NPRM: Undetermined
<u>State Interim Authorization</u> SAR No. 1837 Docket No. 3006	Description: EPA plans to amend state authorization requirements and schedules to allow States more flexibility in applying for interim authorization under RCRA. Statutory Authority: RCRA 3006 / 42 USC 6926 CFR: 40 CFR 123 Small Entity: Unlikely	Terry Grogan EPA (WH-563) Washington, DC 20460 FTS: 8-382-2224 COMM: 202-382-2224	IFR: 46FR8298 (01/26/81) FR: 06/00/82
<u>Resource Recovery: Reporting Requirements for Federal Agencies</u> SAR No. 1815	Description: This action would cancel the reporting requirements for Federal agencies under the Beverage Container Guidelines, Resource Recovery Facilities Guidelines, and Materials Recovery Guidelines for Source Separation. The requirements are of limited utility and their elimination will not prejudice the guidelines' objectives. Statutory Authority: RCRA 6004, SWDA 209 / 42 USC 6964 CFR: 40 CFR 244, 245, 246 Small Entity: Unlikely	Jane Stieber EPA (WH-563) Washington, DC 20460 FTS: 8-755-9140 COMM: 202-755-9140	NPRM: 47FR1307 (01/12/82) FR: 07/00/82

CLEAN AIR ACT

The goal of the Clean Air Act is to protect the public health and welfare from the harmful effects of air pollution. To achieve the goal, EPA develops National Ambient Air Quality Standards (NAAQS) and the States adopt State Implementation Plans (SIP) to meet these standards. A NAAQS defines the maximum amount of an air pollutant which in the judgment of the Administrator provides an adequate margin of safety to protect the public health. States are also required, pursuant to EPA regulations, to develop plans to prevent significant deterioration of air quality in areas where the ambient standards have been attained and to enhance visibility.

EPA also develops New Source Performance Standards (NSPS) under CAA 111. The NSPS are based on the best systems demonstrated to reduce emissions continually, taking into account costs and energy requirements. The standards will apply to both new sources and existing sources which are modified after approval of the regulation.

EPA is also developing National Emission Standards for Hazardous Air Pollutants (NESHAPS) under section 112 of the CAA. This section requires that the Administrator develop NESHAPS for emissions that cause or contribute to air pollution which results in an increase in mortality or in serious or incapacitating illness. The standards apply to both new sources and existing sources.

Under Title II of the Clean Air Act EPA controls emissions from moving sources of air pollution. To relieve burdens on industry, EPA is revising several mobile source regulations.

NEW REGULATIONS

<u>Quality Assurance Procedures, Appendix F, Procedure 1</u> SAR No. 1741 Docket No. A-80-29	Description: This rule would add quality assurance requirements on gas continuous emission monitoring systems (CEMS) used for compliance. The purpose is to improve data quality and strengthen the basis for decisions made with regard to quality assurance. Statutory Authority: CAA 111, 114, 301(a) / 42 USC 7411, 7414, 7601 CFR: 40 CFR 60 Appendix F Small Entity: Unlikely	Darryl von Lehmden EPA (MD-77) Research Triangle Park NC 27711 FTS: 8-629-2415 COMM: 919-541-2415	NPRM: Undetermined
--	--	--	--------------------

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<p><i>NSPS: Industrial Surface Coating: Metal Furniture</i> SAR No. 1115 Docket No. A-79-47</p>	<p>Description: This regulation will establish emission standards for volatile organic compounds from surface coating of metal furniture. The "affected facility" includes applications, flash-off, and oven areas of coating line. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 EE Analysis: EIS Small Entity: Likely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-514-5624</p>	<p>NPRM: 45FR79390 (11/28/80) FR: 06/00/82</p>
<p><i>NSPS: Stationary Internal Combustion Engines</i> SAR No. 1008 Docket No. OAQPS-79-5</p>	<p>Description: These regulations will require the application of best available demonstrated technology to control nitrogen oxide emissions from stationary diesel and dual-fuel internal combustion engines. EPA will issue separate standards for gas and gasoline-fueled stationary I.C. engines later. The Agency is considering exempting engines with a displacement of less than 560 cubic inches per cylinder. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 FF Analysis: EIS Small Entity: Likely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 44FR43173 (07/23/79) FR: Undetermined</p>
<p><i>NSPS: Organic Solvent Cleaners</i> SAR No. 1010 Docket No. OAQPS 78-12</p>	<p>Description: This rule will control evaporative emissions from metal cleaning and degreasing operations. A related rule (SAR 1695) will also require States to act under Section III(d) to control some specific solvent emissions from existing sources. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 JJ Analysis: EIS Small Entity: Likely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 45FR39766 (06/11/80) FR: Undetermined</p>
<p><i>NSPS: Lead-Acid Battery Manufacture</i> SAR No. 1116 Docket No. OAQPS-79-1</p>	<p>Description: This regulation will establish standards for particulate lead emissions from new, modified, or reconstructed lead-acid battery manufacturing facilities that have a production capacity of at least 500 batteries per day. The affected facilities are several different processes in the production line: lead oxide production, grid casting, paste mixing, 3-process operation, lead reclamation and other lead emitting operations. Control technology consists of fabric filters or high energy scrubbers. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 KK Analysis: EIS Small Entity: Likely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 45FR2790 (01/14/80) FR: Undetermined</p>
<p><i>NSPS: Metallic Minerals</i> SAR No. 1700 Docket No. A-81-03</p>	<p>Description: This standard would limit stack and fugitive particulate emissions at new, modified, or reconstructed plants in the processing of minerals prior to metal reduction. These areas are: aluminum, copper, gold, iron, lead molybdenum, silver, titanium, tungsten, uranium, zinc, and zirconium. The affected facilities are individual points and equipment in the processing plant. Facilities located underground are not affected. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 LL Analysis: EIS Small Entity: Unlikely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: Undetermined</p>
<p><i>NSPS: Phosphate Rock Operations</i> SAR No. 1118 Docket No. OAQPS-79-6</p>	<p>Description: This regulation will control the emission of particulate matter from phosphate rock processes. It applies to new, reconstructed, or modified plants, and calls for both weight emission limits and visible emission limits of zero percent opacity for rock dryers, calciners, and grinders. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 NN Analysis: EIS Small Entity: Unlikely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 44FR62914 (11/01/79) FR: Undetermined</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<p><i>NSPS: Perchloroethylene Dry Cleaning</i> SAR No. 1119 Docket No. A-79-30</p>	<p>Description: This regulation will control hydrocarbon emissions, including perchloroethylene, from professional and coin-operated dry cleaning establishments. It will also reduce the ambient ozone problem. The rule will limit process wastes and leaks, and will require the use of a carbon adsorber, or refrigeration equipment, to control emissions from exhausts and vents. EPA is considering an exemption for coin operated facilities. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 00 Analysis: EIS Small Entity:Likely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 45FR78174 (11/25/80) FR: 07/00/82</p>
<p><i>NSPS: Publication Rotogravure Printing</i> SAR No. 1120 Docket No. A-79-50</p>	<p>Description: This regulation will control emissions of volatile organic compounds from large-scale publication rotogravure printing presses. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 QQ Analysis: EIS Small Entity:Unlikely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 45FR71538 (10/28/80) FR: 06/00/82</p>
<p><i>NSPS: Industrial Surface Coating: Pressure Sensitive Tapes and Labels</i> SAR No. 1114 Docket No. A-79-38</p>	<p>Description: This regulation will establish emission standards for volatile organic compound emissions from pressure sensitive tapes and labels coating operations. It will apply to new, modified or reconstructed coating lines. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 RR Analysis: EIS Small Entity:Unlikely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 45FR88278 (12/30/80) FR: 08/00/82</p>
<p><i>NSPS: Industrial Surface Coating: Large Appliances</i> SAR No. 1599 Docket No. A-80-6</p>	<p>Description: This regulation will control volatile organic compound emissions from industrial surface coating operations for large appliances. It applies to each prime coat or top coat operation. The "affected facility" is application station(s), flashoff area and curing oven. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 SS Analysis: EIS Small Entity:Likely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 45FR85085 (12/24/80) FR: 06/00/82</p>
<p><i>NSPS: Industrial Surface Coating: Metal Coils</i> SAR No. 1598 Docket No. A-80-5</p>	<p>Description: This rule will control emissions of volatile organic compounds from metal coils industrial surface coating operations. It will affect each prime coating and each finish coating operation. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 TT Analysis: EIS Small Entity:Likely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 46FR1102 (01/05/81) FR: 05/00/82</p>
<p><i>NSPS: Asphalt Roofing Manufacture</i> SAR No. 1591 Docket No. A-79-39</p>	<p>Description: This rule will control particulate emissions from the manufacture of asphalt roofing. The standard applies to emissions from asphalt blowing stills and asphalt saturators, by mass and opacity. Storage and handling operations are also under opacity limits. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 UU Analysis: EIS Small Entity:Likely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 45FR76427 (11/18/80) FR: Undetermined</p>
<p><i>NSPS: Synthetic Organic Chemical Manufacturing: Fugitive Emissions</i> SAR No. 1112 Docket No. A-79-32</p>	<p>Description: This rule will control fugitive emissions from the manufacture of volatile organic chemicals from new process units within the synthetic organic chemical manufacture industry. It requires a leak detection and repair program and the use of certain equipment to reduce emissions. Statutory Authority: CAA 111 / 42 USC 7411 CFR:40 CFR 60 VV Analysis: EIS Small Entity:Unlikely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 46FR1136 (01/05/81) FR: 10/00/82</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<p><i>NSPS: Industrial Surface Coating: Cans</i> SAR No. 1113 Docket No. A-80-4</p>	<p>Description: These standards will limit VOC emissions from new, modified, and reconstructed two piece beverage can surface coating facilities. The standards will cover base coat, over varnish, coating and inside coat. Statutory Authority: CAA 111/42 USC 7411 CFR:40 CFR 60 WW Analysis: EIS Small Entity: Unlikely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 45FR78980 (11/26/80) FR: 06/00/82</p>
<p><i>NSPS: Bulk Gasoline Terminals</i> SAR No. 1589 Docket No. OAQPS-78-2</p>	<p>Description: This rule will control volatile organic compound (VOC) emissions from new, modified, and reconstructed gasoline tank truck loading racks at bulk gasoline terminals. It will require installation of VOC vapor collection equipment, set VOC emission limits, and restrict loadings only to gasoline tank trucks that pass an annual vapor-tight test. Statutory Authority: CAA 111/42 USC 7411 CFR:40 CFR 60 XX Analysis: EIS Small Entity: Likely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 45FR68616 (12/17/80) FR: 06/00/82</p>
<p><i>NSPS: Industrial Boilers</i> SAR No. 1586 Docket No. A-79-02</p>	<p>Description: Industrial boilers are a major stationary source of sulfur dioxide particulates, and nitrogen oxide emissions. EPA is developing performance standards for industrial boilers to achieve continuous emission reduction. The Agency will base emission limits upon the best available system of control, taking costs, environmental impacts and energy requirements into account. Statutory Authority: CAA 111/42 USC 7411 CFR:40 CFR 60 ZZ - MAJOR Analysis: EIS, RIA, RFA Small Entity: Likely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>ANPRM: 44FR37632 (06/28/79) NPRM: 02/00/83</p>
<p><i>NSPS: Volatile Organic Liquids Storage</i> SAR No. 1612 Docket No. A-80-51</p>	<p>Description: This standard will control volatile organic compound emissions from the storage of organic liquids. It will affect new, modified or reconstructed VOL storage vessels with capacities of 40,000 gallons or more. Statutory Authority: CAA 111/42 USC 7411 CFR:40 CFR 60 AAA Analysis: EIS Small Entity: Unlikely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 10/00/82 FR: 10/00/83</p>
<p><i>NSPS: Rubber Products Industry-Tire Manufacturing</i> SAR No. 1615 Docket No. A-80-9</p>	<p>Description: This standard will control VOC (volatile organic compound) emissions from solvent application during undertread/sidewall cementing, tread and cementing, bead cementing and green tire coating in rubber tire manufacturing plants, by using less solvent or by installing a 75% efficient emission reduction system. Statutory Authority: CAA 111/42 USC 7411 CFR:40 CFR 60 BBB Analysis: EIS Small Entity: Unlikely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: Undetermined</p>
<p><i>NSPS: Non-Fossil Fuel Fired Boilers</i> SAR No. 1614 Docket No. A-79-22</p>	<p>Description: This rule will control particulate emissions from combustion of wood, municipal solid waste, refuse derived fuels, and bagasse. It will also control particulate emissions of the above when combined with fossil fuels. The rule will set an individual control level for each non-fossil fuel addressed. EPA is considering the highest volume fuels first, but will consider others later. Statutory Authority: CAA 111/42 USC 7411 CFR:40 CFR 60 CCC Analysis: EIS Small Entity: Likely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 02/00/83</p>
<p><i>NSPS: Gypsum</i> SAR No. 1673 Docket No. A-80-15</p>	<p>Description: This regulation will control particulate emissions from eight separate sources of gypsum manufacturing facilities. It will require improved operation and maintenance of particulate control equipment already used by the industry under state regulations. Statutory Authority: CAA 111/42 USC 7411 CFR:40 CFR 60 DDD Analysis: EIS Small Entity: Unlikely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: Undetermined</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<p><i>NSPS: Coke Ovens Bat Stacks</i> SAR No. 1688</p>	<p>Description: This regulation will control emissions of particulate matter from the flue systems of new coke production batteries. Inspection, maintenance and operating procedures for flue gas cleaning with high efficiency collectors will be required. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 EEE Analysis: EIS Small Entity: Unlikely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624</p>	<p>NPRM: Undetermined</p>
<p><i>NSPS: Industrial Surface Coating: Vinyl Coating and Printing</i> SAR No. 1672 Docket No. A-80-8</p>	<p>Description: This regulation will control volatile organic compound emissions from the manufacture of polyvinylchloride films. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 FFF Analysis: EIS Small Entity: Unlikely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624</p>	<p>NPRM: 06/00/82 FR: 06/00/83</p>
<p><i>NSPS: Refinery Fugitive Emissions</i> SAR No. 1696;</p>	<p>Description: This regulation will control fugitive emissions of volatile organic compounds from new, reconstructed, or modified processing units in petroleum refineries. It will allow no detectable emissions from pressure relief devices during normal operations; require a leak detection and repair program for valves and pumps; and the use of certain equipment for compressors, sampling connections, and open-ended lines to reduce emissions. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 GGG Analysis: EIS Small Entity: Unlikely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5578 COMM: 919-541-5578</p>	<p>NPRM: 06/00/82 FR: 06/00/83</p>
<p><i>NSPS: Synthetic Fibers</i> SAR No. 1692</p>	<p>Description: This action will control VOC emissions from synthetic fiber manufacturing plants that use "solvent spinning" processes by monitoring the amount of solvent used and the amount recovered. A size cutoff for facilities producing less than 500 megagrams of fiber per year will exempt facilities with an insignificant level of emissions. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 HHH Analysis: EIS Small Entity: Unlikely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624</p>	<p>NPRM: 07/00/82 FR: 07/00/83</p>
<p><i>NSPS: Synthetic Organic Chemical Industry: Air Oxidation Process</i> SAR No. 1618</p>	<p>Description: This regulation will control emissions of volatile organic compounds from the manufacture of synthetic organic chemicals via air oxidation processes. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 III Analysis: EIS, RFA Small Entity: Likely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5578 COMM: 919-541-5578</p>	<p>NPRM: 06/00/82 FR: 06/00/83</p>
<p><i>NSPS: Coke Ovens Quenching</i> SAR No. 1687</p>	<p>Description: This regulation will control emissions of particulate matter generated by new facilities for the quenching of coke with water at coke production facilities. Two possible systems of control are: (1) quenching water that is low in total solids content, and/or (2) impingement baffles installed in the quenching tower. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 Analysis: EIS Small Entity: Unlikely</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624</p>	<p>NPRM: 08/00/82 FR: 08/00/83</p>
<p><i>NSPS: Petroleum Solvent Dry Cleaning</i> SAR No. 1690</p>	<p>Description: This regulation will control emissions of volatile organic compounds from dry cleaning equipment in which petroleum solvent is used. EPA is considering exempting facilities that clean less than an as yet undetermined amount of material a year. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 Analysis: EIS, RFA Small Entity: Likely</p>	<p>Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624</p>	<p>NPRM: 06/00/82 FR: 06/00/83</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<i>Solvent Degreasing</i> SAR No. 1695	Description: This action will require States to control organic solvent cleaners to reduce emissions of specific organic solvents designated under a separate NSPS action (SAR 1010). Statutory Authority: CAA 111(d) / 42 USC 7411 CFR: 40 CFR 60 Analysis: EIS Small Entity: Likely	Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624	NPRM: Undetermined
<i>NSPS: On-Shore Production</i> SAR No. 1697	Description: This regulation will control volatile organic compounds and sulfur dioxide from new, modified and reconstructed facilities at natural gas/gasoline processing plants. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 Analysis: EIS Small Entity: Not yet determined	Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5578 COMM: 919-541-5578	NPRM: 09/00/82 FR: 09/00/83
<i>NSPS: Distillation Operations</i> SAR No. 1733	Description: This regulation will control emissions of volatile organic compounds from modified and reconstructed facilities at petroleum refineries and synthetic organic chemical plants. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 Analysis: EIS Small Entity: Not yet determined	Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5578 COMM: 919-541-5578	NPRM: 11/00/82 FR: 11/00/83
<i>NSPS: Petroleum Refinery, FCC Regenerators</i> SAR No. 1736	Description: This standard will require control of sulfur dioxide from fluidized catalytic cracking units. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 Analysis: EIS Small Entity: Unlikely	Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624	NPRM: 06/00/82 FR: 06/00/83
<i>NESHAPS: Listing of Coke Oven Emissions as Hazardous Air Pollutant</i> SAR No. 1594	Description: EPA is conducting a health risk assessment of coke oven emissions. If we determine that these emissions are hazardous, we will list them as hazardous air pollutants under Section 112 and will propose emission standards. Statutory Authority: CAA 112 / 42 USC 7412 CFR: 40 CFR 61 Small Entity: Unlikely	Kent Berry EPA (MD-12) Research Triangle Park NC 27711 FTS: 8-629-5504 COMM: 919-541-5504	Decision on Listing: 09/00/82
<i>NESHAPS: Listing of Acrylonitrile</i> SAR No. 1677	Description: EPA is conducting a health risk assessment of acrylonitrile emissions. If the Agency determines that these emissions are hazardous, it will list them under Section 112 and will propose emission standards. Statutory Authority: CAA 112 / 42 USC 7412 CFR: 40 CFR 61 Small Entity: Unlikely	David Patrick EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5645 COMM: 919-541-5645	Decision on Listing: 09/00/82
<i>NESHAPS: Arsenic from Smelters</i> SAR No. 1684	Description: This regulation will control inorganic arsenic emissions from the one remaining non-ferrous smelter in the U.S. which processes high-arsenic concentrates. High efficiency particulate controls operated at optimum temperature for arsenic condensation will be required for process gas streams. The standard requires effective capture systems and high efficiency particulate controls for several sources of fugitive emissions. The smelter has agreed to install efficiency central system; consequently the Agency is reviewing the need for the standard. Statutory Authority: CAA 112 / 42 USC 7412 CFR: 40 CFR 61 Analysis: EIS Small Entity: Unlikely	Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624	NPRM: Undetermined
<i>NESHAPS: Benzene in Coke Ovens/By Products Plants</i> SAR No. 1685	Description: This regulation will control benzene emissions generated by the storage of benzene and the processing of gaseous and liquid streams at by-product plants. Inspection and maintenance procedures, operating practices, floating roof tanks, and exhaust gas treatment may be required. Statutory Authority: CAA 112 / 42 USC 7412 CFR: 40 CFR 61 Analysis: EIS Small Entity: Not yet determined	Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5578 COMM: 919-541-5578	NPRM: 01/00/83 FR: 02/00/84

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<p><i>NESHAPS: Maleic Anhydride Manufacture</i> SAR No. 1127 Docket No. OAQPS 79-3</p>	<p>Description: This regulation will control the emission of benzene from process vents in the manufacture of maleic anhydride. Statutory Authority: CAA 112/42 USC 7412 CFR:40 CFR 61 H Analysis: EIS Small Entity: Likely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 42FR26660 (04/18/80) FR: 06/00/82</p>
<p><i>NESHAPS: Ethylbenzene/Styrene Manufacture</i> SAR No. 1128 Docket No. A-79-49</p>	<p>Description: This regulation will control the emission of benzene from process vents in the manufacture of ethylbenzene and styrene at new and existing plants, through the use of boilers or process heaters. Process vents account for almost 90 percent of total uncontrolled plant emissions. Excess emissions during startup/shutdown or malfunction must be controlled by smokeless flares. Statutory Authority: CAA 112/42 USC 7412 CFR:40 CFR 61 I Analysis: EIS Small Entity: Unlikely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 45FR83448 (12/18/80) FR: 06/00/82</p>
<p><i>NESHAPS: Benzene Fugitive Emissions</i> SAR No. 1126 Docket No. A-79-27</p>	<p>Description: This regulation would limit benzene emissions from fugitive emission sources in new and existing petroleum refineries and organic chemical manufacturing plants. The standards would allow no detectable emissions due to leaks from safety/relief valves and product accumulator vessels. The standards would also require a leak detection and repair program for pipeline valves and pumps, and would require certain equipment for compressors, sampling connections, and open-ended valves. Statutory Authority: CAA 112/42 USC 7412 CFR:40 CFR 61 J Analysis: EIS Small Entity: Likely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 46FR1165 (01/05/81) FR: 11/00/82</p>
<p><i>NESHAPS: Benzene Storage</i> SAR No. 1593 Docket No. A-80-14</p>	<p>Description: This regulation will limit benzene emissions resulting from the storage of pure benzene. EPA will require new and existing storage tanks to meet certain structural standards (a combination of roofs and seals) and require industry to inspect the equipment periodically to ensure that it functions properly. Statutory Authority: CAA 112/42 USC 7412 CFR:40 CFR 61 K Analysis: EIS Small Entity: Likely</p>	<p>Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5578 COMM:919-541-5578</p>	<p>NPRM: 45FR83952 (12/19/80) FR: 01/00/83</p>
<p><i>NESHAPS: Airborne Radionuclides</i> SAR No. 1595 Docket No. A-79-11</p>	<p>Description: Radionuclides are a hazardous air pollutant. EPA is determining from which source categories radionuclide emissions create a significant health risk. The Agency will issue separate standards for each source named. Statutory Authority: CAA 112/42 USC 7412 CFR:40 CFR 61 - MAJOR Small Entity: Not yet determined</p>	<p>Allen Richardson EPA (ANR-460) Washington, DC 20460 FTS:8-557-8927 COMM:703-557-8927</p>	<p>NPRM: Undetermined</p>
<p><i>NESHAPS: Coke Oven Emissions from By-Product Coke Oven Charging, Door Leaks, and Topside Leaks on Wet-Coal Charged Batteries</i> SAR No. 1686 Docket No. A-79-15</p>	<p>Description: This regulation will control emissions of organic pollutants designated as hazardous under section 112. It will require improved maintenance and operation to limit visible emissions from wet-coal-charged coke oven batteries. The standards apply to charging, and leaks from doors, lids or oftakes for all existing or new sources. Statutory Authority: CAA 112/42 USC 7412 CFR:40 CFR 61 G Analysis: EIS Small Entity: Not yet determined</p>	<p>Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS:8-629-5624 COMM:919-541-5624</p>	<p>NPRM: 08/00/82 FR: 08/00/83</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<i>Heavy-Duty Evaporative Emissions</i> SAR No. 1312 Docket No. OMSAPC-79-1	Description: EPA Air Quality Analysis shows that many Air Quality Control Regions will not meet the Ozone NAAQS even if current and planned regulations for Nonmethane Hydrocarbon (NMHC) control are implemented. This regulation would reduce NMHC emissions from all mobile sources by 3.5 to 3.6 percent in the year 1995. Implementing this regulation would reduce the number of Ambient Ozone Violations by 2.4 to 14.0 percent. Effective for the 1985 model year heavy duty vehicles would have to meet a 3 grams/test standard. Statutory Authority: CAA 202(a) / 42 USC 7521(a) CFR:40 CFR 86 Analysis: EIS Small Entity:Unlikely	Tim Mott EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS:8-374-8462 COMM:313-668-4462	NPRM: 45FR28922 (04/30/80) FR: 06/00/82
<i>Heavy-Duty Diesel Particulate Standards</i> SAR No. 1310 Docket No. OMSAPC-78-3 A-80-18	Description: Diesel engines emit 40-100 times the particulate matter emitted by catalyst-equipped vehicles operated on unleaded gasoline. EPA has proposed an emission limit of .25 grams per brake horsepower-hour and intends to promulgate a standard for the 1986 model year. Statutory Authority: CAA 202(a)(3) / 42 USC 7521(a)(3) CFR:40 CFR 86 - MAJOR Analysis: EIS Small Entity:Unlikely	Richard Rykowski EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS:8-374-8339 COMM:313-668-4339	NPRM: 46FR1910 (01/07/81) FR: 11/00/83
<i>NOx regulations for Light-Duty Trucks and Heavy-Duty Engines</i> SAR No. 1315 Docket No. A-80-31	Description: EPA has identified several Air Quality Control Regions which currently are exceeding acceptable Nitrogen Dioxide levels. Heavy duty vehicles and light duty trucks produce 15 percent of total NOx emissions. The Clean Air Act requires EPA to establish emission standards for heavy-duty vehicles. These standards must incorporate a 75% reduction in nitrogen oxides beginning with model year 1985. EPA has developed a new test procedure for measuring exhaust emissions which will be used to measure base-line emissions. To give flexibility to manufacturers, this regulation will allow emissions averaging. Statutory Authority: CAA 202, 206, 207, 301 / 42 USC 7521, 7525, 7526, 7541 CFR:40 CFR 86 - MAJOR Analysis: EIS Small Entity:Unlikely	Peter Kohnken EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS:8-374-4303 COMM:313-668-4303	ANPRM: 45FR79382 (11/28/80) ANPRM: 46FR5836 (01/19/81) NPRM: 10/00/82 FR: 11/00/83
<i>Importation of Motor Vehicles and Motor Vehicle Engines</i> SAR No. 1317 Docket No. EN-79-9	Description: These revised regulations allow only certified vehicles and engines to be imported except that an individual may import an uncertified version for one time only. The purpose is to improve the effectiveness and administration of EPA's present regulation. Statutory Authority: CAA 203 / 42 USC 7522 CFR:40 CFR 85 Small Entity:Likely	Gerard C. Kraus EPA-(EN-340) Washington, D.C. 20460 FTS:8-382-2503 COMM:202-382-2503	NPRM: 45FR48812 (07/21/80) FR: 09/00/82
<i>Tampering Enforcement Regulations</i> SAR No. 1601 Docket No. EN-80-2	Description: These regulations will clarify EPA's enforcement policy against tampering with the emission control systems of motor vehicles. They will identify what kinds of "modifications" or "repairs" are tampering and will clarify the liability of manufacturers, suppliers, and repairers for tampering. Statutory Authority: CAA 203(a)(3), 301 / 42 USC 7522(a)(3), 7601 CFR:40 CFR 85 Small Entity:Unlikely	David Feldman EPA (EN-340) Washington, DC 20460 FTS:8-382-2645 COMM:202-382-2645	ANPRM: 46FR8982 (01/27/81) NPRM: 07/00/82 FR: 01/00/83
<i>Nonconformance Penalties for 1984 Model Year Heavy-Duty Engines (HDEs)</i> SAR No. 1571	Description: This regulation will allow manufacturers of 1984 HDEs to sell their engines even though they fail to meet 1984 regulatory requirements for specific pollutants, provided that emissions do not exceed a specified maximum level and that the manufacturer pays a nonconformance penalty for each HDE sold. The penalty will remove any competitive advantage of noncompliance and still provide manufacturers with an incentive to meet the standard. Statutory Authority: CAA 206(g), 301(a) / 42 USC 7525(g), 7601(a) CFR:40 CFR 86 Analysis: EIS, IIA Small Entity:Unlikely	Timothy Fields EPA (EN-340) Washington, D.C. 20460 FTS:8-382-2503 COMM:202-382-2503	NPRM: 44FR9485 (02/13/79) NPRM: 07/00/82 FR: 07/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<i>Nonconformance Penalties for Light-Duty Trucks</i> SAR No. 1632	Description: This regulation will allow manufacturers of 1984 light duty trucks over 6,000 pounds gross vehicle weight to sell their vehicles even though they fail to meet 1984 regulatory requirements for specific pollutants, provided that emissions do not exceed a specified maximum level and that the manufacturer pays a nonconformance penalty for each truck sold. The penalty will remove any competitive advantage of noncompliance. Statutory Authority: CAA 206(g), 301(a) / 42 USC 7525(g), 301(a) CFR:40 CFR 86 Analysis: IIA, EIS Small Entity: Unlikely	Timothy Fields EPA (EN-340) Washington DC 20460 FTS:8-382-2503 COMM:202-382-2503	NPRM: 44FR40791 (07/12/79) NPRM: 07/00/82 FR: 07/00/83
<i>Fuels and Fuel Additives</i> SAR No. 1328	Description: These protocols will help determine effects of fuel and fuel additives on public health and emission control devices. They will ensure that motor vehicle fuels and additives will not harm the public health. They will also ensure that they do not damage emission control devices in motor vehicles. Statutory Authority: CAA 211 / 42 USC 7545 CFR:40 CFR 79 - MAJOR Analysis: IIA, EIS Small Entity: Not yet determined	Richard A. Rykowski EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS:8-374-8339 COMM:313-668-4339	ANPRM: 07/00/82 NPRM: 07/00/83
REVISED REGULATIONS			
<i>Attainment Designations by County for the Purpose of Establishing Baseline Air Quality Data</i> SAR No. 1826	Description: In applying for a permit under the Prevention of Significant Deterioration (PSD) requirements of CAA 169, major new sources must demonstrate that the facility will not cause air pollution in excess of specified air quality increments above the baseline. This action proposes to set the air quality baseline on a county-by-county basis in areas classified as "attainment" or "unclassifiable." Statutory Authority: CAA 107 / 42 USC 7407 CFR:40 CFR 81 Small Entity: Unlikely	Catherine Cotter EPA (A-133) Washington, DC 20460 FTS:8-472-7806 COMM:202-472-7806	NPRM: 47FR3011 (01/21/82) FR: 07/00/82
<i>NAAQS for Sulfur Oxides</i> SAR No. 1002 Docket No. OAQPS-79-7	Description: EPA is reviewing the scientific criteria used as a basis for establishing ambient air quality standards for sulfur dioxide. The Agency will revise the criteria document and the standards where appropriate to protect public health and welfare. Statutory Authority: CAA 108 / 42 USC 7408 CFR:40 CFR 50.4 - MAJOR Analysis: EIS Small Entity: Unlikely	Bruce Jordan EPA (MD-12) Research Triangle Park NC 27711 FTS:8-629-5655 COMM:919-541-5655	ANPRM: 44FR56730 (10/02/79) NPRM: 02/00/83 FR: 02/00/84
<i>NAAQS for Particulate Matter (TSP)</i> SAR No. 1003 Docket No. A-79-29	Description: Particulate matter is one of the major pollutants in the ambient air. EPA is reviewing the scientific criteria used as a basis for establishing ambient air quality standards for particulate matter. The Agency will revise the criteria document and the standards themselves when appropriate to protect public health and welfare. Statutory Authority: CAA 108 / 42 USC 7408 CFR:40 CFR 50.6 - MAJOR Analysis: EIS Small Entity: Unlikely	Bruce Jordan EPA (MD-12) Research Triangle Park NC 27711 FTS:8-629-5655 COMM:919-541-5655	ANPRM: 44FR56730 (10/02/79) NPRM: 08/00/82 FR: 06/00/83
<i>NAAQS for Carbon Monoxide</i> SAR No. 1001 Docket No. OAQPS-79-7	Description: Carbon monoxide is a major source of air pollution, which endangers people with heart and central nervous system diseases, pregnant women and other people (5-12% of U.S. population in all). EPA is reviewing the scientific criteria used as a basis for establishing ambient air quality standards for CO. The Agency will revise the criteria document and the standards where appropriate to protect public health and welfare. Statutory Authority: CAA 108, 109 / 42 USC 7408, 7409 CFR:40 CFR 50.8 - MAJOR Analysis: EIS Small Entity: Unlikely	Bruce Jordan EPA (MD-12) Research Triangle Park NC 27711 FTS:8-629-5655 COMM:919-541-5655	ANPRM: 43FR56250 (12/01/78) NPRM: 45FR55066 (08/18/80) FR: 06/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<p><i>NAAQS for Nitrogen Dioxide</i> SAR No. 1004 Docket No. OAQPS 78-9</p>	<p>Description: EPA is reviewing the scientific criteria used as a basis for establishing ambient air quality standards for nitrogen dioxide. The Agency will revise the criteria document and the standards where appropriate to protect public health and welfare. Statutory Authority: CAA 108 / 42 USC 7408 CFR: 40 CFR 50.11 - MAJOR Analysis: EIS Small Entity: Unlikely</p>	<p>Bruce Jordan EPA (MD-12) Research Triangle Park NC 27711 FTS: 8-629-5655 COMM: 919-541-5655</p>	<p>NPRM: 12/00/82 FR: 12/00/83</p>
<p><i>Revocation of the National Ambient Air Quality Standards for Hydrocarbons</i> SAR No. 1683 Docket No. A-80-60</p>	<p>Description: This action is a result of the review of the criteria upon which the Agency based the existing primary and secondary hydrocarbon standards. These standards were not based upon health effects, as the Clean Air Act requires, but upon the fact that hydrocarbons are precursors to ozone. Recent scientific evidence shows, however, that there is no quantitative relationship between hydrocarbons and ozone concentrations in the ambient air. Thus, hydrocarbon standards do not guarantee attainment of oxidant control. Statutory Authority: CAA 108, 109 / 42 USC 7408, 7409 CFR: 40 CFR 50.10 Small Entity: Unlikely</p>	<p>Michael H. Jones EPA (MD-12) Research Triangle Park NC 27711 FTS: 8-629-5531 COMM: 919-541-5531</p>	<p>NPRM: 46FR25655 (05/08/81) FR: 04/00/82</p>
<p><i>NAAQS: Certified Reference Amendment</i> SAR No. 1819 Docket No. A-81-35</p>	<p>Description: EPA regulations require pollution concentration standards used to calibrate and audit air monitoring instruments be traceable to Standard Reference Materials (SRM). To alleviate the demand caused by insufficient availability of SRMs, EPA has proposed to allow gas manufacturers to produce and sell high quality gas standards called Certified Reference Materials (CRM) that are equivalent to SRMs. Statutory Authority: CAA 108 / 42 USC 7408 CFR: 40 CFR 50.58 Small Entity: Unlikely</p>	<p>Darryl von Lehmden EPA (MD-77) Research Triangle Park NC 27711 FTS: 8-629-2415 COMM: 919-541-2415</p>	<p>NPRM: 47FR2127 (01/14/82) FR: 06/00/82</p>
<p><i>NAAQS: Revisions to Appendices A, B, and C</i> SAR No. 1818 Docket No. A-81-34</p>	<p>Description: Appendices A, B, and C set forth reference methods for measuring sulfur dioxide, totally suspended particulates and carbon monoxide. The proposed revisions would clarify certain provisions and incorporate technical improvements. Statutory Authority: CAA 108 / 42 USC 7408 CFR: 40 CFR 50 Small Entity: Unlikely</p>	<p>Larry J. Purdue EPA (CM-77) Research Triangle Park NC 27711 FTS: 8-629-2665 COMM: 919-541-2665</p>	<p>NPRM: 47FR2341 (01/15/82) FR: 06/00/82</p>
<p><i>New Source Review</i> SAR No. 1845</p>	<p>Description: This action would revise EPA's new source requirements for new major stationary sources in PSD and Nonattainment areas. EPA is taking this action to implement a settlement agreement with CMA and other parties who challenged the regulation amendments promulgated on August 7, 1980. Statutory Authority: CAA 110 / 42 USC 6910 CFR: 40 CFR 51.52 Small Entity: Unlikely</p>	<p>Kirt Cox EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5591 COMM: 919-541-5591</p>	<p>NPRM: 09/00/82 FR: 07/00/83</p>
<p><i>Continuous Monitoring</i> SAR No. 1613 Docket No. OAQPS-79-4 A-80-57</p>	<p>Description: This regulation revises performance specifications for continuous monitors applied to air pollution sources; including monitors for opacity, sulfur dioxide, and nitrogen oxide. The revised performance specifications will reduce costs for industry and will be easier to administer. Statutory Authority: CAA 110(a) / 42 USC 7410(a) CFR: 40 CFR 60 Small Entity: Likely</p>	<p>Roger Shigehara EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-2237 COMM: 919-541-2237</p>	<p>NPRM: 44FR58602 (10/10/79) NPRM: 46FR37287 (07/20/81) FR: Undetermined</p>
<p><i>Restructure CFR Parts 51, 52</i> SAR No. 1503 Docket No. A-80-11</p>	<p>Description: This rule will update Part 51 in three phases: Phase I will delete obsolete provisions, reduce reporting requirements, and revise portions to improve their clarity. Existing references to Part 51 within Part 52 will be revised. Phases II and III will restructure the PSD regulations and incorporate other changes enacted by Congress. Statutory Authority: CAA 110 / 42 USC 7410 CFR: 40 CFR 51, 52 Small Entity: Unlikely</p>	<p>Darryl Tyler EPA (MD-15) Research Triangle Park NC 27711 FTS: 8-629-5551 COMM: 919-541-5551</p>	<p>NPRM: 10/00/82 FR: 10/00/83</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<u>Emissions Trading Policy</u> SAR No. 1605	Description: EPA is developing emissions trading policy guidance governing the use of the bubble, emission offsets netting, and emission reduction banking. This policy guidance and accompanying Technical Issues Document will provide states with a framework for incorporating emissions trading activities into their state implementation plans. Through the use of emissions trading, industry can substitute more controls where costs are low for less control where costs are high. This policy statement contains simplified administrative procedures and significantly expands opportunities for state and industry to use emissions trading. It takes the place of the previously announced banking regulation and incorporates EPA's recently proposed changes to its Bubble Policy. Statutory Authority: CAA 110, 173 / 42 USC 7503 CFR: Not applicable Small Entity: Unlikely	Ivan Tether EPA (PM-223) Washington, DC 20460 FTS 8-382-2765 COMM 202-382-2765	Policy: 04/00/82
<u>NSPS: Basic Oxygen Furnace</u> SAR No. 1671 Docket No. A-79-06	Description: This action revises the existing NSPS which controls particulate emissions during air blowing in basic oxygen process furnaces in steel mills. The revision will extend coverage to charging and tapping cycles. This revision will ensure better control of particulate emissions from secondary sources and will remove some ambiguities in the existing standards for primary sources. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 N Analysis: EIS Small Entity: Unlikely	Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS 8-629-5624 COMM 919-541-5624	NPRM: 06/00/82 FR: 06/00/83
<u>NSPS: Glass Manufacturing Plants</u> SAR No. 1007	Description: EPA is revising the NSPS for glass manufacturing following a petition by manufacturers. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 CC Small Entity: Unlikely	Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS 8-629-5578 COMM 919-541-5578	NPRM: Undetermined
<u>NSPS: Lime Manufacturing Plants</u> SAR No. 1836 Docket No. A-80-53	Description: This action would revise the numerical emission limits in the existing regulation. The new limits would apply to all affected facilities constructed, reconstructed, or modified after the date of publication of the proposed revision. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 HH Small Entity: Unlikely	Bob Ajax EPA (MD-13) Research Triangle Park NC 27711 FTS 8-629-5578 COMM 919-541-5578	NPRM: 06/00/82
<u>Revision to NSPS for Automotive Paint Shops</u> SAR No. 1831	Description: EPA is revising the NSPS for auto body painting which was promulgated in December 1980, to consider the economic effects of increased use of clear coat. The Agency is granting waivers to manufacturers for innovative technology in order to allow them time to develop new coating systems to meet the standard. Statutory Authority: CAA 111 / 42 USC 7411 CFR: 40 CFR 60 Small Entity: Not yet determined	Fred L. Porter EPA (MD-13) Research Triangle Park NC 27711 FTS 8-629-5624 COMM 919-541-5624	NPRM: 06/00/82 FR: 07/00/83
<u>Revised Standards of Performance for Four Categories of Sources in the Phosphate Fertilizer Industry</u> SAR No. 1804	Description: These four actions will amend existing regulations for fluoride emissions in wet-process phosphoric acid plants, superphosphoric acid plants, diammonium phosphate plants, and triple superphosphate plants which can process more than 15 tons of equivalent P2O5 feed per day. Statutory Authority: CAA 111, 114, 301(a) / 42 USC 7411 CFR: 40 CFR 60 Small Entity: Unlikely	Bob Ajax EPA (MD-13) Research Triangle Park NC 27711 FTS 8-629-5578 COMM 919-541-5578	NPRM: 06/00/82 FR: 08/00/83
<u>Amendments to NESHAPS General Provisions</u> SAR No. 1681 Docket No. A-130	Description: This action proposes amendments to the General Provisions of the National Emission Standards for Hazardous Air Pollutants. It will eliminate repetition in the subparts, and add procedures and criteria for determining if proposed source changes constitute modification or reconstruction, also whether equipment and/or a procedure meets the relevant standard. These amendments relate to emission testing, monitoring, and recordkeeping. Statutory Authority: CAA 112 / 42 USC 7412 CFR: 40 CFR 61 A Small Entity: Likely	Susan Wyatt EPA (MD-13) Research Triangle Park NC 27711 FTS 8-629-5578 COMM 919-541-5578	NPRM: 07/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<i>NESHAPS: Asbestos</i> SAR No. 1714	Description: This rulemaking will reinstate the asbestos design, equipment, work practice, and operational standards which EPA promulgated on April 6, 1973 at 38FR8826 and subsequently amended. Section 112(e)(1) of the 1977 amendments to the Clean Air Act grants EPA the authority to develop design or equipment standards. This regulation will apply to asbestos emissions from asbestos mills, surfacing of roadways with asbestos tailings, manufacturing operations, fabricating operations, the use of molded insulating materials, waste disposal operations, and waste disposal sites. Statutory Authority: CAA 112 / 42 USC 7412 CFR: 40 CFR 61 B Analysis: RFA Small Entity: Likely	Gene Smith EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5624 COMM: 919-541-5624	NPRM: 04/00/83
<i>Second Round Nonferrous Smelter Order Regulations</i> SAR No. 1799	Description: These rules establish the minimum required contents of primary nonferrous smelter orders (NSOs) and the criteria and procedures EPA will use in issuing NSOs and in evaluating NSOs issued by the states. NSOs allow eligible smelters until January 1, 1988 to come into compliance with their State Implementation Plans for sulfur dioxide. These rules could affect approximately six out of the twenty-six copper, lead and smelters in the United States. Statutory Authority: CAA 119 / 42 USC 7419 CFR: 40 CFR 57 Small Entity: Unlikely	Ray Rathbun EPA (EN-341) Washington, DC 20460 FTS: 8-382-2887 COMM: 202-382-2887	NPRM: Undetermined
<i>Averaging of Particulate Emissions for 1985 and Later Model Year Light-Duty Diesels</i> SAR No. 1717 Docket No. A-81-31	Description: EPA has proposed a diesel particulate averaging scheme to replace the individual-vehicle standards currently in place for 1985, 0.20 grams per mile for light-duty vehicles and 0.26 grams per mile for light-duty trucks. Averaging should allow manufacturers to employ the most cost-effective control technology strategies for their diesel models, while assuming that total particulate levels will not significantly increase beyond those allowable under the current regulations. These would be an upper limit of 0.40 grams per mile, which no light-duty truck or vehicle could exceed, regardless of compensating low emission engines. Statutory Authority: CAA 202(a)(3)(A) / 42 USC 7521(a)(3)(A) CFR: 40 CFR 86 Small Entity: Unlikely	Peter Hutchins EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS: 8-374-8340 COMM: 313-668-4340	NPRM: 46FR62608 (12/24/81) FR: 06/00/82
<i>Revised Gaseous Emission Regulations for 1984 and Later Model Year Heavy-Duty Engines and Light-Duty Trucks</i> SAR No. 1719 Docket No. A-81-11	Description: EPA is reviewing the hydrocarbon and carbon monoxide emission standards for heavy-duty engines which were promulgated in January 1980 at 45FR4136. The Clean Air Act permits EPA to revise emission standards if it finds that compliance with the standards cannot be achieved without unreasonable cost burden. This rulemaking will reevaluate certain aspects of the 1984 final rule with the aim of reducing short term compliance costs without significant losses in environmental benefits. The major objective will be to determine if hydrocarbon and carbon monoxide standards may be set at a level which will not require the use of catalytic converters. Statutory Authority: CAA 202(a)(3)(A), (B), and (C) / 42 USC 7521(a) CFR: 40 CFR 86 A, K, N Small Entity: Unlikely	Glenn Passavant EPA Ann Arbor, MI 48105 FTS: 8-374-8408 COMM: 313-668-4408	NPRM: 47FR1642 (01/13/82) FR: 10/00/82
<i>Non-Methane Hydrocarbon Standards</i> SAR No. 1728 Docket No. A-81-24	Description: EPA has proposed to adopt a non-methane hydrocarbon (NMHC) standard for compliance requirements for hydrocarbon exhaust emissions for 1983 and later model year vehicles. The existing regulation uses total hydrocarbon (THC) to determine the emission standards necessary to comply with the Clean Air Act's requirement that EPA control photochemical smog. Statutory Authority: CAA 202(b) / 42 USC 7521(b) CFR: 40 CFR 86 Small Entity: Unlikely	Peter Hutchins EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS: 8-374-8340 COMM: 313-668-4340	NPRM: 46FR62366 (12/23/81) FR: 04/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable	
CLEAN AIR ACT				
<i>Revised Short Term Motor Vehicle Emissions Control Program</i> SAR No. 1715A Docket No. A-81-27	Description: The purpose of this action is to replace less cost-effective requirements in the current motor vehicle emissions compliance programs with measures that can be quickly implemented and thus are based on the current structure of manufacturer and Agency efforts and resources. These changes could save the industry between 5 and 30 million dollars per year, with a reduction of the reporting burden by as much as 35,000 person hours per year. No adverse environmental impacts are anticipated. Statutory Authority: CAA 206 / 42 USC 7525 CFR:40 CFR 86 Small Entity:Unlikely	Tom Ball EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS:8-374-8280 COMM:313-688-4280	IFR: 46FR50464 (10/13/81) FR: 08/00/82	
<i>Revised Long Term Motor Vehicle Emissions Control Program</i> SAR No. 1715B Docket No. A-81-17	Description: This rulemaking will consider long term alternatives to the certification selective enforcement auditing and recall programs which would focus on in-use vehicle performance, give manufacturers greater flexibility and incentives for meeting emission standards in the most economical ways, reduce overall compliance costs, and ensure that air quality is fully and appropriately protected. Statutory Authority: CAA 206 / 42 USC 7525 CFR:40 CFR 86 Small Entity:Unlikely	Robert Larson EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS:8-374-8277 COMM:313-688-4277	NPRM: 06/00/83	
<i>Amendments to Selective Enforcement Auditing Procedures for Light-Duty Vehicles (LDVs), Light-Duty Trucks (LDTs) and Heavy-Duty Engines (HDEs)</i> SAR No. 1570	Description: These amendments will make several revisions to the Selective Enforcement Auditing procedures for LDVs, LDTs, and HDEs for the purpose of making the programs more efficient (with cost savings to EPA and the affected industries), clarifying various provisions of the regulations, and amending the existing entry and access inspection provisions. The first proposal will deal with trucks; the second will deal with light-duty vehicles. Statutory Authority: CAA 206(b), 208(b), 301(a) / 42 USC 7525(b), 7542(b), 7601(a) CFR:40 CFR 86 G, K Analysis: IIA Small Entity:Unlikely	Timothy Fields, Jr. EPA (EN-340) Washington, DC 20460 FTS:8-382-2503 COMM:202-382-2503	NPRM: 47FR1642 (01/13/82) FR: 10/00/82	
<i>Amendment to the Emission Control Warranty Short Tests</i> SAR No. 1731 Docket No. A-81-40	Description: This action would approve an alternative short test procedure for warranting emissions performance. It also proposes to approve the 2500 rpm/Idle Test, which is a variation of an existing short test. Statutory Authority: CAA 207(b) / 42 USC 7541(b) CFR:40 CFR 85 Small Entity:Unlikely	Philip Lorang EPA 2565 Plymouth Road Ann Arbor, MI 48105 FTS:8-374-8419 COMM:313-688-4419	NPRM: 06/00/82	
<i>Fuel and Fuel Additives: Lead Phasedown Revision</i> SAR No. 1830 Docket No. A-81-36	Description: Existing EPA regulations require all refineries except small refineries to meet a 0.5 gram per gallon (gpg) standard for average lead content in gasoline. Because of turnover in the vehicle fleet, the proportion of vehicles using leaded gasoline is steadily decreasing, so EPA is reevaluating the need for standards at these levels. EPA is reconsidering the general requirement as well as proposing to suspend the compliance date (October 1, 1982) for small refineries. Statutory Authority: CAA 211 / 42 USC 7545 CFR:40 CFR 80 Small Entity:Unlikely	Richard Kozlowski EPA (EN-397) Washington, DC 20460 FTS:8-382-2633 COMM:202-382-2633	NPRM: 47FR7812 (02/22/82) FR: 06/00/82	
<i>Changing Designation</i> SAR No. 1724	Octane	Description: This amendment will make the octane designation portion of EPA's unleaded gasoline regulations consistent with the Petroleum Marketing Practices Act. Gasoline distributors and dealers will not have to obtain separate, and different octane values in order to comply with FTC and EPA regulations. Statutory Authority: CAA 211(c) / 42 USC 7545 CFR:40 CFR 80 Small Entity:Unlikely	Robert Gelman EPA Washington, DC 20460 FTS:8-382-2635 COMM:202-382-2635	NPRM: 46FR44477 (09/04/81) FR: 05/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
CLEAN AIR ACT			
<i>Turbine Aircraft Gaseous Emissions Retrofit and Modification of 1973 Standards</i> SAR No. 1330 Docket No. OMSAPC-78-1	Description: This regulation proposes revisions in emission standards for commercial aircraft to reduce hydrocarbons, carbon monoxide and nitrogen oxide. It will eliminate some unnecessary standards and relax others to reduce unnecessary costs. Statutory Authority: CAA 231 / 42 USC 7571 CFR: 40 CFR 87 Small Entity: Unlikely	George Kittredge EPA (ANR-455) Washington, DC 20460 FTS: 8-426-2514 COMM: 202-426-2514	NPRM: 43FR12615 (03/24/78) FR: Undetermined
<i>Requirements for Preparation, Adoption, and Submittal of Implementation Plans</i> SAR No. 1783	Description: EPA is proposing to amend its regulations relating to the construction of new stationary sources of air pollution and modifications to existing sources. In particular these amendments would 1) delete the current requirement that certain emissions from marine vessels are to be included in determinations of whether a proposed stationary source or modification would emit a particular pollutant in "major" or "significant" amounts, and 2) expressly bar EPA or a State from including vessel emissions in any such determination. Statutory Authority: CAA 307(b) / 42 USC 7607(b) CFR: 40 CFR 51.24, 52.21, 52.18(j), 52.24 Small Entity: Unlikely	Michael Trutna EPA (MD-13) Research Triangle Park NC 27711 FTS: 8-629-5591 COMM: 919-541-5591	NPRM: 46FR61613 (12/17/81) FR: Undetermined
<i>Fuel Economy Labeling and Data Base Revisions</i> SAR No. 1629 Docket No. A-80-32	Description: This action revises Part 600 to incorporate several provisions intended to (1) create more logical means to aggregate test data to account for untested vehicle designs, (2) make labels more specific to differentiate designs that affect fuel economy, (3) require label changes during the model year if design changes reduce fuel economy by one mile per gallon or more, (4) require a label value that reflects fuel economy performance for highway-type driving, and (5) adjust fuel economy label values for the average differences between the fuel economy measure in the laboratory and actual in-use experience as warranted and justified by in-use data. In addition, other amendments will be included to improve the representativeness of the data used to calculate fuel economy values. Statutory Authority: EPCA 503 / 15 USC 2003 CFR: 40 CFR 600 Small Entity: Unlikely	Kevin Tuckey EPA 2625 Plymouth Road Ann Arbor, MI 48105 FTS: 8-374-8292 COMM: 313-668-4292	ANPRM: 45FR64540 (09/29/80) NPRM: 06/00/82 FR: 12/00/82

SUPERFUND

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, more popularly known as "Superfund," authorizes the federal government to respond to multi-media (e.g. air, water) releases of hazardous materials and other pollutants from hazardous waste sites and other facilities. It sets up a Hazardous Waste Response Fund to pay for clean up of releases and to respond to claims for natural resource damages. It also provides for liability of persons responsible for releases of hazardous substances. By Executive Order, EPA has been assigned responsibility to develop the following regulations. For information on EPA's implementation of CERCLA, call the toll free Superfund Hotline at (800) 424-9346.

NEW REGULATIONS

<i>Designation of Hazardous Substances</i> SAR No. 1642A	Description: Section 102 of the Act requires EPA to designate hazardous substances which may present substantial danger to the public health or welfare or the environment if released into the environment. EPA is developing this regulation to supplement the lists of hazardous substances already developed under CWA 307, 311, RCRA 3001, CAA 112, and TSCA 7 Statutory Authority: CERCLA 102 / 42 USC 9602 CFR: 40 CFR 302 Small Entity: Unlikely	Jack Kooyoomjian EPA (WH-548) Washington, D.C. 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000	ANPRM: 06/00/82 NPRM: 03/00/83 FR: 10/00/83
<i>Notification of Episodic Release of Hazardous Substances and Determination of Reportable Quantities</i> SAR No. 1642B	Description: Section 103(a) requires that persons notify the National Response Center of releases of hazardous substances. EPA is developing reportable quantities for hazardous substances under Section 102 that will trigger the requirements in Section 103. Statutory Authority: CERCLA 102 / 42 USC 9602 CFR: 40 CFR 303 Small Entity: Unlikely	Jack Kooyoomjian EPA (WH-548) Washington, D.C. 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000	NPRM: 08/00/82 FR: 02/00/83

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
SUPERFUND			
<u>Notification of Continuous Release of Hazardous Substances</u> SAR No. 1642C	Description: Section 103(a) requires that persons notify the National Response Center of releases of hazardous substances. Section 103(f) provides an exemption to these reporting requirements. EPA is developing regulations that will clarify Agency policy regarding notification of continuous releases of designated hazardous substances. Statutory Authority: CERCLA 102, 103 / 42 USC 9602, 9603 CFR: 40 CFR 304 Small Entity: Unlikely	Jack Kooyoomjian EPA (WH-548) Washington, DC 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000	ANPRM: 06/00/82 NPRM: 03/00/83 FR: 10/00/83
<u>Claims Procedures</u> SAR No. 1642D	Description: This action prescribes the procedures and circumstances under which claims may be presented to the fund to recover costs of cleanup. Allowable claims are necessary response costs incurred by a party other than the government in carrying out the National Contingency Plan and for injury to or destruction or loss of natural resources. Statutory Authority: CERCLA 111, 112 / 42 USC 9611 CFR: 40 CFR 306 Small Entity: Unlikely	William Ross EPA (WH-548D) Washington, D.C. 20460 FTS: 8-382-2184 COMM: 202-382-2184	NPRM: 08/00/82 FR: 02/00/83
<u>Revisions to National Contingency Plan</u> SAR No. 1642F	Description: This action will amend the National Contingency Plan (NCP) to establish procedures and policies for responding to hazardous waste sites and spills of hazardous substances under Superfund. Responsibility for promulgating the revised Plan has been transferred from CEQ to EPA by Executive Order 12316 (46FR44237, 8/20/81). Statutory Authority: CERCLA 105 / 42 USC 9605 CFR: 40 CFR 300 - MAJOR Analysis: RIA Small Entity: Unlikely	Sylvia Lowrance EPA (WH-548) Washington, DC 20460 RCRA/Superfund Hotline 800-424-9346 FTS: 8-382-3000	NPRM: 47FR10972 (03/12/82) FR: 07/00/82
GENERAL			
NEW REGULATIONS			
<u>Historic Preservation Regulations</u> SAR No. 1566	Description: On January 30, 1979, the Advisory Council on Historic Preservation promulgated regulations that direct Federal agencies to establish procedures for implementing historic preservation requirements. EPA will comply by adding a new subpart to the NEPA regulations. Statutory Authority: NHPA 6 CFR: 40 CFR 6 K Small Entity: Unlikely	Judith Troast EPA (A-104) Washington, DC 20460 FTS: 8-755-0780 COMM: 202-755-0780	ANPRM: 45FR67396 (10/10/80) NPRM: Undetermined
<u>Regulations for the Federal Claims Collection Act</u> SAR No. 1825	Description: These regulations will set standards for EPA's debt collection actions under the Federal Claims Collection Act. Statutory Authority: 31 USC 951-953 CFR: 40 CFR 13 Small Entity: Unlikely	Ray Spears EPA (A-134) Washington, DC 20460 FTS: 8-382-2268 COMM: 202-382-2268	FR: 05/00/82
<u>Implementing the Equal Access to Justice Act</u> SAR No. 1737	Description: The Equal Access to Justice Act provides for award of attorney fees and other expenses to parties who prevail over the Federal government in certain administrative and court proceedings. This regulation will implement the Act for EPA. Statutory Authority: 5 USC 504 CFR: 40 CFR 17 Small Entity: Unlikely	James Clark EPA (A-133) Washington, DC 20460 FTS: 8-755-0796 COMM: 202-755-0796	IFR: 04/00/82 FR: 09/00/82
<u>Debarments and Suspensions Under EPA Assistance Programs</u> SAR No. 1716	Description: These proposed procedures would supplement existing inadequate regulations in 40 CFR Part 30. They would provide minimum due process protection and government-wide delisting procedures for grantees and their contractors when EPA wishes to disqualify them from receiving grant awards or contracts under grants. Statutory Authority: / 5 USC 301, 33 USC 1361 CFR: 40 CFR 32 Small Entity: Unlikely	Stephen Sorett EPA (A-134) Washington, DC 20460 FTS: 8-755-8108 COMM: 202-755-8108	NPRM: 47FR7194 (02/17/82) FR: 08/00/82

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
GENERAL			
REVISED REGULATIONS			
<p><i>Simplifying Implementation of the National Environmental Policy Act (NEPA)</i> SAR No. 1729</p>	<p>Description: This action will include a new section on categorical exclusion from NEPA involving EPA wastewater treatment construction grant recipients where the funded activity is without significant environmental effects. It will also revise the CEQ role in approving segmentation requests under 40 CFR 6.503. These changes will reduce administrative and economic burdens on grantees without affecting environmental benefits provided by NEPA. Statutory Authority: NEPA 102, 103 / 42 USC 4321 CFR: 40 CFR 6 Small Entity: Unlikely</p>	<p>Richard Otis EPA (A-104) Washington, DC 20460 FTS: 8-755-8835 COMM: 202-755-8835</p>	<p>IFR: 47FR9827 (03/08/82) FR: Undetermined</p>
<p><i>Amending NEPA Procedures Relating to Wastewater Construction Grants</i> SAR No. 1835</p>	<p>Description: This action will update NEPA implementation procedures relating to wastewater treatment construction grants. It will make them consistent with the amendments for simplifying the construction grants regulations (see SAR No. 1722) and the 1981 Municipal Wastewater Treatment Construction Grant Amendments (P.L. No. 97-117). Statutory Authority: NEPA 102, 103 / 42 USC 4321 CFR: 40 CFR 6 E Small Entity: Unlikely</p>	<p>John Gustafson EPA (A-104) Washington, DC 20460 FTS: 8-755-8835 COMM: 202-755-8835</p>	<p>IFR 04/00/82 FR: 06/00/82</p>
<p><i>Regulations for Real Property Acquisition and Relocation Assistance</i> SAR No. 1641 Docket No. G-80-2</p>	<p>Description: EPA is rewriting 40 CFR Part 4 regulations to: (1) incorporate legally necessary changes; (2) make them clearer; (3) clarify areas needing improvement; e.g., definitions, payment computation methods; and (5) reduce regulatory burdens per Executive Order 12291. Statutory Authority: / 42 USC 4601 CFR: 40 CFR 4 Small Entity: Unlikely</p>	<p>Marshall Schy EPA (PM-216) Washington, DC 20460 FTS: 8-755-2830 COMM: 202-755-2830</p>	<p>ANPRM: 45FR60929 (09/15/80) NPRM: 04/00/82 FR: 07/00/82</p>
<p><i>Public Information and Confidentiality Regulations</i> SAR No. 1791</p>	<p>Description: This action would make changes in EPA's procedures for handling requests under the Freedom of Information Act. It also adds a new section on procedures for treating confidential information under CERCLA. EPA will also modify its existing procedures for handling confidential information under FIFRA and RCRA. Statutory Authority: / 5 USC 552, 7 USC 136, 42 USC 9604 CFR: 40 CFR 2 Small Entity: Unlikely</p>	<p>Charles Breece EPA (A-134) Washington, DC 20460 FTS: 8-426-9450 COMM: 202-426-9450</p>	<p>NPRM: 05/00/82 FR: 10/00/82</p>
<p><i>Revisions to EPA's Policy and Regulation for Public Participation</i> SAR No. 1794</p>	<p>Description: This action will supplant or revise EPA's existing public participation policy published on January 19, 1981 in the Federal Register and codified at 40 CFR 25. The revisions are being proposed to reduce workloads and subsequent time delays caused by inflexible requirements. They remove two-thirds of the bulk of the heavily prescriptive procedural requirements of the regulation. They retain a strong emphasis on EPA's commitment to public participation while leaving to program managers and elected officials the prerogative to choose how the public may best be heard in the circumstances of each program. Statutory Authority: RCRA 7004(b), SDWA 1450(a), CWA 101(e) / 33 USC 1251(e), 42 USC 6974(b) 42 USC 300j9 CFR: 40 CFR 25 Small Entity: Unlikely</p>	<p>Joan Wolfe EPA (A-107) Washington, DC 20460 FTS: 8-382-4367 COMM: 202-382-4367</p>	<p>NPRM: 04/00/82 FR: 09/00/82</p>
<p><i>Financial Assistance to State and Local Governments for Environmental Programs</i> SAR No. 1785</p>	<p>Description: This action replaces Subparts B, F, and G of 40 CFR Part 35. It supplements 40 CFR Part 30 by establishing uniform administrative requirements unique to program support assistance for State and local environmental agencies. We are eliminating unnecessary or duplicative requirements, standardizing as many other requirements as possible, identifying requirements unique to specific programs and rewriting all requirements in clear language. Statutory Authority: / 42 USC 7405, 7601(a), 300j-2, 300j-9, 6912(a), 6931, 6947 6948, 6949, 33 USC 1256, 1285(g), 1285(j), 1288, 1361(a), 7 USC 136b, 136u, 136w(a)j CFR: 40 CFR 35 A Small Entity: Unlikely</p>	<p>George Alapas EPA (PM-216) Washington, DC 20460 FTS: 8-755-0850 COMM: 202-755-0850</p>	<p>NPRM: 05/00/82</p>

EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
GENERAL			
<p><i>Procurement under Assistance Agreements</i> SAR No. 1610 Docket No. G-80-3</p>	<p>Description: The proposed revision will reduce EPA's review of proposed contracts by shifting this function to recipients whenever possible. This revision implements OMB Circulars A-102 and A-110, Attachment O. Statutory Authority: CWA, CAA, FIFRA, SDWA, RCRA, PHS, TSCA / 7 USC 135, 15 USC 2601, 33 USC 1251, 42 USC 241, 300j, 1857, 1891, 6901 CFR:40 CFR 33, 35.936-939 Small Entity:Unlikely</p>	<p>Richard Johnson EPA (PM-216) Washington, DC 20460 FTS:8-755-0860 COMM:202-755-0860</p>	<p>ANPRM: 46FR20567 (04/06/81) 46FR45963 (09/16/81) NPRM: 47FR8960 (03/02/82) FR: 06/00/82</p>
<p><i>General Regulations for Assistance Programs</i> SAR No. 1547 Docket No. G-80-1</p>	<p>Description: EPA is revising the general grant (assistance) regulations and implementing the Federal Grant and Cooperative Agreement Act. At the same time, we will make other changes necessary to implement E.O. 12291. The revision will eliminate duplicative and unnecessarily burdensome requirements of the existing General Grant Regulations and Procedures. This regulation will affect all recipients of EPA assistance by establishing uniform administrative requirements. Statutory Authority: 41 USC 501, 33 USC 1251, 42 USC 7401, 6901, 300f, 9601, 7 USC 136, 15 USC 2601 CFR:40 CFR 30 Small Entity:Unlikely</p>	<p>John Davey EPA (PM-216) Washington, DC 20460 FTS:8-755-0860 COMM:202-755-0860</p>	<p>ANPRM: 45FR23706 (04/08/80) NPRM: 04/00/82 FR: 08/00/82</p>
<p><i>Consolidated Permits: "Common Issues"</i> SAR No. 1840</p>	<p>Description: This action would implement the "Common Issues" in the settlement agreement signed on November 16, 1981 in NRDC v. EPA. The "common issues" involve requirements for permits issued under all programs, i.e. RCRA, CWA, SDWA, and CAA. It also deals with the NPDES definition of "new discharger" and its relation to mobile drilling regulations. Other parts of the settlement agreement are being implemented in amendments to RCRA portions of the Consolidated Permits (see the section entitled "Resource Conservation and Recovery Act"). EPA is also revising the Consolidated Permit Program at the request of the President's Task Force on Regulatory Relief (see SAR 1753). Statutory Authority: CWA 402, 404, RCRA 3005, CAA 165, SDWA 1421 CFR:40 CFR 122, 123, 124 Small Entity:Unlikely</p>	<p>Karen Wardzinski EPA (EN-336) Washington, DC 20460 FTS:8-755-0750 COMM:202-755-0750</p>	<p>NPRM: 04/00/82 FR: 09/00/82</p>
<p><i>Revision to Consolidated Permits Regulation</i> SAR No. 1753</p>	<p>Description: EPA is revising the Consolidated Permit Regulations to streamline permitting procedures, reduce paperwork, and eliminate unnecessary reporting requirements. EPA is also reviewing state program requirements. Statutory Authority: CWA 402, 404, RCRA 3005, SDWA 1421, CAA 165 / 33 USC 1342, 1344, 42 USC 6925, 42 USC 300(h), 42 USC 7475 CFR:40 CFR 122-124 - MAJOR Small Entity:Unlikely</p>	<p>Georgia Callahan EPA (EN-336) Washington, DC 20460 FTS:8-426-4793 COMM:202-426-4793</p>	<p>NPRM: 08/00/82</p>

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAR(#)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
<i>Pesticide Registration Guidelines. Introduction to the Guidelines</i> SAR No. 1141	FIFRA 3/40 CFR 163A	Consolidated into SAR 1837	
<i>Applicability of Data Requirements</i> SAR No. 1619	FIFRA 3/40 CFR 163 B	Consolidated into SAR 1837	
<i>Chemistry Requirements. Product Chemistry</i> SAR No. 1143	FIFRA 3/40 CFR 163 D	Cancelled — EPA will issue guidance on test protocols available through the National Technical Information Service	
<i>Hazard Evaluation. Wild-life and Aquatic Organisms</i> SAR No. 1144	FIFRA 3/40 CFR 163 E	Same as SAR 1143	
<i>Hazard Evaluation. Humans and Domestic Animals</i> SAR No. 1145	FIFRA 3/40 CFR 163 F	Same as SAR 1143	
<i>Product Performance</i> SAR No. 1146	FIFRA 3/40 CFR 163 G	Same as SAR 1143	
<i>Labeling Requirements for Pesticides and Devices</i> SAR No. 1147	FIFRA 3/40 CFR 163 H	Same as SAR 1143	
<i>Experimental Use Permits</i> SAR No. 1142	FIFRA 3/40 CFR 163 I	Same as SAR 1143	
<i>Hazard Evaluation. Non-Target Plants and Micro-Organisms</i> SAR No. 1148	FIFRA 3/40 CFR 163 J	Same as SAR 1143	
<i>Exposure Data Requirements. Re-Entry Protection</i> SAR No. 1620	FIFRA 3/40 CFR 163 K	Same as SAR 1143	
<i>Hazard Evaluation Nontarget Insects</i> SAR No. 1621	FIFRA 3/40 CFR 163 L	Same as SAR 1143	
<i>Data Requirements for Bi-Orational Pesticides</i> SAR No. 1622	FIFRA 3/40 CFR 163 M	Same as SAR 1143	
<i>Chemistry Requirements Environmental Fate</i> SAR No. 1623	FIFRA 3/40 CFR 163 N	Same as SAR 1143	
<i>Chemistry Requirements Residue Chemistry</i> SAR No. 1701	FFDCA 408(d)(11) 40 CFR 163 O	Same as SAR 1143	
<i>Data to Support Disposal Instructions</i> SAR No. 1702	FIFRA 3. 19(a) /40 CFR 163 P	Same as SAR 1143	
<i>Good Laboratory Practice</i> SAR No. 1703	FIFRA 3 40 CFR 163 Q	Combined with SAR 1740 under TSCA	
<i>Test Rules - General Provisions for Test Rules and Modifications of Test Standards</i> SAR No. 1130	TSCA 4(a) /40 CFR 790	Cancelled — will be covered in specific test rules	
<i>Decision on Test Rule for Cresols</i> SAR No. 1668B	TSCA 4(a) 40 CFR 799	Combined with SAR 1668A	

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAR(#)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
<i>Announcements of Decisions Not to Require Testing</i> SAR No. 1668C	TSCA 4(a) / 40 CFR 799	EPA will continue to issue notice in the Federal Register of announcements not to require testing. EPA is dropping this entry from the Agenda because it is not a regulatory action.	
<i>Fully Halogenated Chloro-fluoroalkanes. Essential Use Exemption for Spinnerette Release Agents</i> SAR No. 1754	TSCA 6 / 40 CFR 762	Completed — effective date 1/5/82	FR 47FR149 (01/05/82)
<i>EDC (1, 2-dichloroethane) Dispersive Uses Reporting Rule</i> SAR No. 1675	TSCA 8(a) / 40 CFR 704	Cancelled	
<i>NPDES Special Permit Program for Coal Mines</i> SAR No. 1643	CWA 101, 103(a), 104(h) / 122 40 CFR	Postponed until Memorandum of Understanding completed with Interior	
<i>Effluent Guidelines for Plastics and Synthetics</i> SAR No. 1418	CWA 301, 304, 306, 307, 501 / 40 CFR 416	Combined with SAR 1415	
<i>Effluent Guidelines for Alcohol Fuels</i> SAR No. 1659	CWA 301, 304, 306, 307, 501 / 40 CFR 472	Cancelled	
<i>State and Local Assistance, State Public Water System Supervision Implementation and Program Grants</i> SAR No. 1548 and 1549	SDWA 1413-1416, 1445, and 1450 / 40 CFR 142, 35	Cancelled — these regulations are being revised under SAR No. 1785 in the "General" section	
<i>Amendments to Underground Injection Control Program - Criteria and Standards</i> SAR No. 1758	SDWA 1421(a) / 40 CFR 122, 146	Completed — effective date 3/5/82	FR 47FR4992 (02/03/82)
<i>90-Day Accumulation Provision for Hazardous Waste Generators</i> SAR No. 1766	RCRA 3002 / 40 CFR 123, 262, 34	Completed — effective date 1/11/82	FR 47FR1248 (01/11/82)
<i>Standards for Owners/Operators of Waste Facilities Container and Waste Piles</i> SAR No. 1774 Docket No. 3004	RCRA 3004 / 40 CFR 264, 122 B	EPA will complete this action after it finishes the Regulatory Impact Analyses	FR 45FR55110 (11/06/81)
<i>Interim Status Notification of Closure and Post-Closure</i> SAR No. 1778	RCRA 3004 / 40 CFR 264, 265	Same as SAR 1774	
<i>Requirements for Underground Injection</i> SAR No. 1194B	RCRA 3004 40 CFR 265	Postponed — See SAR 1194 in "RCRA" section	
<i>Standards for Owners/Operators of Waste Facilities Storage of Ignitable and Reactive Waste</i> SAR No. 1775	RCRA 3004 42 USC 6924	Same as SAR 1774	
<i>Finalize Requirements for Obtaining Interim Status</i> SAR No. 1776	RCRA 3005 / 40 CFR 122 22, 122 23	Same as SAR 1774	

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAR(#)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
<i>Finalize Definition of Existing Facility</i> SAR No. 1777	RCRA 3006 /40 CFR 122.22, 122.23, 260.10	Same as SAR 1774	
<i>Guidelines for Federal Procurement of Lime-Fly Ash Aggregate (LFA) Used as a Roadbase/Subbase Construction Material</i> SAR No. 1800	RCRA 6002	Postponed	
<i>Guidelines for Federal Procurement for Recycled Paper Products</i> SAR No. 1200A	RCRA 6002(e)	Postponed	
<i>Revision of Priority List of New Source Performance Standards</i> SAR No. 1678	CAA 111(f) /40 CFR 60.16	Completed — effective date 1/8/82	FR 47FR950 (01/08/82)
<i>Policy and Procedures for Airborne Carcinogens</i> SAR No. 1596	CAA 112 /40 CFR 61	Under interagency task force review	
<i>Stack Height Regulations</i> SAR No. 1303	CAA 123 /40 CFR 51	Completed — effective date 3/10/82	FR 47FR5864 (02/08/82)
<i>Confidentiality of Business Records</i> SAR No. 1642E	CERCLA 104 /40 CFR 2	Combined with SAR No. 1791 in the "General" section	

EXISTING REGULATIONS UNDER REVIEW

Title, CFR No., and statutory authority	Description	Review authority	Contact	Timetable
NAAQS: Lead. 40 CFR 50, CAA 108, 109/42 U.S.C. 7408, 7409.	EPA is reassessing the health and welfare information that has become available since the last revision of the standard.	12291	Bruce Jordan, EPA (MD-12), Research Triangle Park, NC 27711, FTS 629-5655, COMM 919 541-5655.	
NAAQS: Ozone. 40 CFR 50, CAA 108, 109/42 U.S.C. 7408, 7409.	EPA is reassessing the health and welfare information that has become available since the last revision of the standard.	12291	Bruce Jordan, EPA (MD-12), Research Triangle Park, NC 27711, FTS 629-5655, COMM 919 541-5655.	
NSPS: Kraft Pulp Mills. 40 CFR 60, Subpart BB, CAA 111/42 U.S.C. 7411.	EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of pulping systems and control systems as well as economic and technological development in the industry. EPA will issue a notice in the FEDERAL REGISTER announcing the results of its review.	CAA 111, 12291, PRA.	Ken Durkee, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5525, COMM 919 541-5525.	12/82
NSPS: Claus Sulfur Recovery Plants. 40 CFR 60, Subpart J, CAA 111/42 U.S.C. 7411.	EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of control systems and economic and technological developments in the industry. The existing rule exempts plants that produce 20 long tons or less of sulfur a day. EPA will issue a notice in the FEDERAL REGISTER announcing the results of its review.	CAA 111, 12291, PRA.	Ken Durkee, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5525, COMM 919 541-5525.	12/82
NSPS: Grain Elevators. 40 CFR 60, Subpart DD, CAA 111/42 U.S.C. 7411.	EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of control systems as well as economic and technological developments in the industry. The existing regulation exempts grain terminals that have a storage capacity of 2.5 million tons or less and grain storage facilities that store 1.0 million tons or less. EPA will issue a notice in the FEDERAL REGISTER announcing the results of its review.	CAA 111, 12291, PRA, RFA.	Gilbert Wood, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5595, COMM 919 541-5595.	11/82
NSPS: Primary Zinc and Lead Smelters. 40 CFR 60, CAA 111/42 U.S.C. 7411.	EPA is completing a review of the standards of performance for primary zinc and lead smelters. EPA will publish a notice in the FEDERAL REGISTER announcing its decision not to revise these regulations.	CAA 111	James Crowder, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5601, COMM 919 541-5601.	6/82
NSPS: Copper Smelters. 40 CFR 60, CAA 111/42 U.S.C. 7411.	EPA has completed an initial review of the standards of performance for primary copper smelters and will issue a FEDERAL REGISTER notice announcing possible revisions under consideration.	CAA 111	James Crowder, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5601, COMM 919 541-5601.	6/82
NESHAPS: Vinyl Chloride. 40 CFR 61, CAA 112/42 U.S.C. 7412.	EPA is reviewing the technological basis and the administrative aspects of the national emission standard for vinyl chloride. EPA is in the process of developing a schedule for revising the regulation.	12291	Robert Rosensteel, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5564, COMM 919 541-5564.	
NESHAPS: Beryllium. 40 CFR 61, CAA 112/42 U.S.C. 7412.	EPA is reviewing the technological basis and administrative aspects of the national emission standard for beryllium. EPA will issue a notice in the FEDERAL REGISTER announcing possible revisions under consideration.	12291	Gilbert Wood, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5595, COMM 919 541-5595.	10/82
NESHAPS: Mercury. 40 CFR 61, CAA 112/42 U.S.C. 7412.	EPA is reviewing the technological basis and administrative aspects of the national emission standard for mercury. EPA will issue a notice in the FEDERAL REGISTER announcing possible revisions under consideration.	12291	James Crowder, EPA (MD-13), Research Triangle Park, NC 27711, FTS 629-5601, COMM 919 541-5601.	10/82
Visibility Protection for Federal Class I Areas. 40 CFR 51, CAA 169/42 U.S.C. 7479.	In response to a petition, EPA is reviewing the visibility protection regulations promulgated on December 2, 1980 (45 FR 80084). EPA will issue an ANPRM that will request comments on many points raised by petitioners. These include the concept of "integral vistas," the role of the Federal Land Managers, and new source review requirements.	12291	Johnnie Pearson, EPA (MD-15), Research Triangle Park, NC 27711, FTS 629-5540, COMM 919 541-5540.	
Lead Phasedown Review. 40 CFR 80, CAA 211/42 U.S.C. 7545.	EPA has completed its initial review of the Lead Phasedown regulation and has issued proposed revisions in the FEDERAL REGISTER. See SAR 1830 in the "Clean Air Act" section in the first part of the Agenda.	12291, RFA	Richard Kozlowski, EPA (EN-397), Washington, DC 20460, FTS 382-2633, COMM 202 382-2633.	Completed
Review of the 1985 Light-Duty Diesel Particulate Standard. 40 CFR 86, CAA 202(a)/42 U.S.C. 7521(a).	EPA is reviewing the feasibility and appropriateness of the 0.2 grams per mile particulate standard for light-duty diesels. EPA requested comments on this review on June 17, 1981, in the FEDERAL REGISTER (46 FR 31677).	12291	John Anderson, EPA, 2565 Plymouth Rd., Ann Arbor, MI 48105, FTS 374-8496, COMM 313 668-4496.	6/82
Study of the 1984 Heavy-Duty Engine Testing Requirements. 40 CFR 86, CAA 202(a)/42 U.S.C. 7521(a).	As part of the President's program to provide regulatory relief to the motor vehicle industry, EPA will propose regulatory modifications to the 1984 heavy-duty engine regulations (SAR 1719). EPA has also committed to a study of the need for further revisions to the 1984 heavy-duty engine requirements. EPA requested comments on this review on June 17, 1981, in the FEDERAL REGISTER (46 FR 31677).	12291	John Anderson, EPA, 2565 Plymouth Rd., Ann Arbor, MI 48105, FTS 374-8496, COMM 313 668-4496.	6/82
Study of the Full Useful Life Provision for Heavy-Duty Engines and Light-Duty Trucks. 40 CFR 86, CAA 202(a)/42 U.S.C. 7521(a).	EPA is reviewing whether the full-life useful life requirement for heavy-duty engines should be reduced to a half-life or otherwise modified. EPA requested comments on this review on June 17, 1981, in the FEDERAL REGISTER (46 FR 31677).	12291	John Anderson, EPA, 2565 Plymouth Rd., Ann Arbor, MI 48105, FTS 374-8496, COMM 313 668-4496.	6/82
General Pretreatment Regulations. 40 CFR 125, 403, CWA 307/33 U.S.C. 1317.	These rules control the discharge from industrial sources of toxic pollutants into publicly owned treatment works (POTWs). This review includes those sections of the general pretreatment regulations that implement categorical standards for industries which discharge toxic wastewater into municipal collection systems. EPA is preparing a Regulatory Impact Analysis on these regulations and has announced the availability of the draft technical document for public comment (46 FR 62098, 12/22/81). EPA is using the draft report to make initial recommendations to Congress on legislative changes to the Clean Water Act. Except for the sections dealing with the definitions of "pass through" and "interference", the combined wastestream formula and removal credits, the January 1981 amendments became effective on January 31, 1982 (46 FR 50502, 10/31/81 and 47 FR 4518, 2/1/82). EPA is in the process of preparing a proposal for removal credits which it will issue in August 1982 with the effluent guidelines for metal finishing (see SAR 1428 in the section entitled "Clean Water Act").	12291, RFA	William Diamond, EPA (EN-336), 401 M St. SW, Washington, DC 20460, FTS 426-4793, COMM 202 426-4793.	
Effluent Guidelines and Standards for Timber Products Processing. 40 CFR 429 Subparts E, N, CWA 306, 307/33 U.S.C. 1316, 1317.	EPA will revise the BCT limitations for the Wet Process Hardboard and Insulation Board Segments at the same time it revises the BCT methodology. The schedule for the BCT revision (SAR 1752) appears in the first part of the Agenda under the Clean Water Act.	12291	Richard W. Williams, EPA (WH-552), Washington, DC 20460, 426-2554, COMM 202 426-2554.	5/82
Discharge Monitoring Reports in the NPDES Program. 40 CFR 122, CWA 401/33 U.S.C. 1342.	Under existing NPDES permits, industrial and municipal wastewater dischargers are responsible for self-monitoring of conventional pollutants and, in some cases, heavy metals. Dischargers report these data to EPA or delegated States in the form of Discharge Monitoring Reports (DMRs). EPA is evaluating the burden on the public generated by the DMRs and studying ways to increase the utility and cost-effectiveness of the program.	PRA	Harvey Karch, EPA (PM-223), Washington, DC 20460, FTS 382-2738, COMM 202 382-2738.	9/82
Marine Sanitation Devices. 40 CFR 140, CWA 312/33 U.S.C. 1322.	EPA and the Coast Guard have initiated a review of the Marine Sanitation Device program. Both agencies issued a FEDERAL REGISTER notice announcing this review on December 24, 1981 (46 FR 62479).	12291, RFA	Jonathan Amson, EPA (WH-585), Washington, DC 20460, FTS 472-3401, COMM 202 472-3401.	

EXISTING REGULATIONS UNDER REVIEW—Continued

Title, CFR No., and statutory authority	Description	Review authority	Contact	Timetable
Review of Implementation of the Safe Drinking Water Act, 42 U.S.C. 300.	EPA has prepared a report analyzing the existing program and evaluating alternatives. The review will be completed after any legislative changes are made. At a price of \$4.30, the report may be obtained from the following address: Marine Safety Council (G-CMC), Room 4402, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593.	12291	Marian Mlay, EPA (WH-550), Washington, DC 20460, FTS 426-8847, COMM 202 426-8847.	
Paperwork Reduction under RCRA Subtitle C, 40 CFR 262, 264-265, RCRA Subtitle C/42 U.S.C. 6921-6926.	The Safe Drinking Water Act expires on September 30, 1982. EPA is seeking comments on the implementation of the Act to be used to help develop proposed amendments to the Act or to modify regulations. A FEDERAL REGISTER notice requesting public comment was published on January 6, 1982 (47 FR 670). EPA has already begun to revise several regulations in the drinking water area. They are identified in the first part of the Agenda under "Safe Drinking Water Act".	12291, PRA RFA	Christina Stone, EPA (WH-562) Washington, DC 20460, FTS 382-4484, COMM 202-382-4484.	Completed
Groundwater Monitoring 40 CFR 265, RCRA Subtitle C, 42 U.S.C. 6921 et seq.	EPA issued a notice announcing its review of seven major segments of the paperwork requirements under RCRA on July 31, 1981 (46 FR 39426). After completing the reviews, EPA has initiated three regulatory revisions described in the first part of the Agenda under "Resource Conservation and Recover Act." They are the Uniform National Manifest (SAR 1768), the Annual Report (including groundwater monitoring—SAR 1824) and Satellite Accumulation (SAR 1765). In two other areas, EPA has decided not to make changes to the Operating Record requirements for hazardous waste facilities and to further examine paperwork requirements for permitting hazardous waste storage facilities in the context of the Storage RIA (described below). In the final area on financial responsibility paperwork requirements, EPA has not determined if changes are necessary. EPA submitted the results of its reviews to OMB in October 1981.	PRA, 12291	Kathleen Kohl, EPA (WH-562), Washington, DC 20460, FTS 382-4486, COMM 202 382-4486. Harvey Karch, EPA (PM-223), Washington, DC 20460, FTS 382-2738, COMM 202 382-2738.	7/83
Standards for Owners/Operators of Waste Facilities: Land Treatment, 40 CFR 264, RCRA 3004/42 U.S.C. 6924.	EPA is reviewing all land treatment requirements for hazardous waste storage, treatment and disposal facilities. EPA will complete its RIA on alternatives, environmental benefits, costs, and impacts before promulgating final regulations.	12291, RFA	Cliff Rothestein, EPA (WH-565), Washington, DC 20460, FTS 755-9190, COMM 202 755-9190.	7/83
Standards for Owners/Operators of Waste Facilities: Landfills, 40 CFR 264, RCRA 3004/42 U.S.C. 6924.	EPA is reviewing all landfill requirements for hazardous waste storage, treatment and disposal facilities. EPA will complete a RIA of alternatives, environmental benefits, costs and impacts before promulgating final land disposal regulations.	12291, RFA	Margaret Podolak, EPA (WH-565), Washington, DC 20460, FTS 755-9190, COMM 202 755-9190.	7/83
Standards for Owners/Operators of Waste Facilities: Storage, 40 CFR 264 Subparts I, J, L, RCRA 3004/42 U.S.C. 6924.	EPA is reviewing all regulatory requirements for storage of hazardous wastes in containers, tanks, and waste piles. EPA is preparing a RIA to consider alternatives, environmental benefits, costs, and impacts.	12291, RFA	John Heffelfinger, EPA (WH-564), Washington, DC 20460, FTS 755-9206, COMM 202 755-9206.	6/83
Standards for Owners/Operators of Waste Facilities: Surface Impoundments, 40 CFR 264, RCRA 3004/42 U.S.C. 6924.	EPA is reviewing all storage and and disposal surface impoundments requirements for hazardous waste storage, treatment and disposal facilities. EPA will complete its RIA on alternatives, environmental benefits, costs, and impacts before promulgating final storage and disposal surface impoundments regulations.	12291, RFA	Arthur Koines, EPA (WH-565), Washington, DC 20460, FTS 755-9190, COMM 202 755-9190.	7/83
Standards for Owners/Operators of Waste Facilities: Incinerators, 40 CFR 264, Subpart O, RCRA 3004/42 U.S.C. 6924.	EPA is reviewing all incineration requirements for hazardous waste storage, treatment and disposal facilities. EPA will complete a RIA on alternatives, environmental benefits, costs and impacts before promulgating final regulations.	12291, RFA	Frank Smith, EPA (WH-563), Washington, DC 20460, FTS 382-4484, COMM 202 382-4484.	7/83
Standards for Owners/Operators of Waste Facilities: Financial Responsibility, 40 CFR 264, Subpart H, RCRA 3004/42 U.S.C. 6924.	EPA is reviewing all financial requirements for hazardous waste storage, treatment and disposal facilities. EPA will complete a RIA on alternatives, environmental benefits, costs and impacts before promulgating final regulations.	12291, RFA	Lawrence C. Buc, EPA (WH-565), Washington, DC 20460, FTS 755-9190, Comm 202 755-9190.	6/83
Standards for Owners/Operators of Waste Facilities: Location, 40 CFR 122, 264-265, RCRA 3004/42 U.S.C. 6924.	EPA is reviewing all Location standards for hazardous waste storage, treatment and disposal facilities found in 100-year flood plains or seismically-active areas. EPA will complete its RIA on alternatives, environmental benefits, costs and impacts before promulgating final regulations for general facility location.	12291, RFA	Peter Guerrero, EPA (WH-562), Washington, DC 20460, FTS 382-4486, Comm 202 382-4486.	7/83
Exemption for Federal and State Agencies to Use Pesticides Under Emergency Considerations, 40 CFR 166, FIFRA 25/7 U.S.C. 136(w).	EPA will review the procedures for Federal and State agencies to request the emergency use of a pesticide which is not routinely available because it is not Federally-registered.	12291	Ferial Bishop, EPA (TS-767), Washington, DC 20460, FTS 557-7700, COMM 703 557-7700.	8/82
Rules of Practice Governing Hearings, 40 CFR 164, FIFRA 25/7 U.S.C. 136(w).	Whenever it appears that the risks of using a pesticide outweigh the benefits of its use, FIFRA allows the Agency to refuse to register the pesticide or to remove it from the market through formal adjudicatory hearings. Such hearings examine the risks and the benefits of a pesticide's use, and the outcome can have significant effects on pesticide producers, users, and the public health. EPA will review the rule describing the procedures by which such hearings are conducted.	12291	Ed Gray, EPA (A-122), Washington, DC 20460, FTS 755-0638, COMM 202 755-0638.	9/82
Tetrachlorodibenzo-P-Dioxin—Prohibition of Disposal, 40 CFR 775, TSCA 6(a)/15 U.S.C. 2605(a), Docket No: OPTS 62007A.	EPA has issued an NAPRM announcing its intent to review the regulation prohibition Vertac chemical Company from disposing dioxin-containing wastes in Jacksonville, Arizona. The notice was published on January 5, 1982 (47 FR 193).	12291	Lynn M. Bradley, EPA (TS-794), Washington, DC 20460, FTS 382-3957, COMM 202 382-3957.	8/832
Financial Assistance to State and Local Governments, 40 CFR 35 Subpart B, CAA 105, 301(b), CWA 106, 501, SDWA 1443, 1450, RCRA 3011, 4007, 4008, 4009.	EPA has begun to revise this regulation. It appears in the first part of the Agenda under "General," SAR 1785.	12291	George Alapas, EPA (PM-216), Washington, DC 20460, FTS 755-0860, COMM 202 755-0860.	Completed
Public Participation Policy and regulations, 40 CFR 25, CWA 101, RCRA.	EPA has completed its review of the public participation regulation and policy. A schedule for revising them appears in the "General" section of the first part of the Agenda.	12291	Thomas Kelly, EPA (PM-222), Washington, DC 20460, FTS 755-0306, COMM 202 755-0306.	Completed

Register Federal Register

Monday
April 12, 1982

Part III

**Department of
Housing and Urban
Development**

Office of the Secretary

**Environmental Review Procedures for
Title I Community Development Block
Grant Programs**

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

Office of the Secretary

24 CFR Part 58

[Docket No. R-82-969]

**Environmental Review Procedures for
Title I Community Development Block
Grant Programs**

AGENCY: Office of the Secretary, HUD.

ACTION: Interim rule.

SUMMARY: This interim rule is designed to replace the regulations issued by HUD on August 2, 1979. The new rule sets forth the environmental regulations applicable to the Title I block grant programs of the Department as authorized and amended under the Housing and Community Development (HCD) Amendments of 1979 and 1981. The purpose of Part 58 is to implement the procedure reauthorized by the 1981 Amendments and redesignated as section 104(f), Title I, of the HCD Act of 1974, as amended, under which block grant recipients and States may assume the environmental responsibilities of the Secretary. The new interim rule would:

- (1) Constitute the Department's compliance with the National Environmental Policy Act of 1969 and the implementing regulations of the Council on Environmental Quality.
- (2) Provide the means by which Title I block grant projects would be carried out in accordance with NEPA and other provisions of Federal law specified by the Secretary.

The new interim rule is further designed to meet the deregulatory objectives of the Department in conformance with Executive Order 12291.

DATES: *Effective date:* Upon expiration of first period of 30 calendar days of continuous sessions 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: June 11, 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 Seventh 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: Richard H. Broun, Director, Office of Environment and Energy, Room 5136, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, D.C. 20410. Telephone: 202/755-7894. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The new interim rule provides the means by which the NEPA regulations of the Council on Environmental Quality are made applicable to all eligible activities and projects under the Title I programs of HUD. The uniform procedures, terminology and requirements prescribed to all Federal agencies in 40 CFR Parts 1500 through 1508 are incorporated by reference in the interim rule.

The interim rule implements the provisions of section 104(f) of Title I of the HCD Act of 1974 (as amended in 1979 and 1981). This section of Title I authorizes a procedure for the assumption by grant recipients of all the responsibilities of the Secretary for environmental review, decisionmaking and actions not only under NEPA, but also under other provisions of law which further the purposes of NEPA. The regulations specify the related laws and authorities applicable to Title I projects. The revised interim rule also contains numerous changes in terminology, particularly "applicant" to "recipient". The revised rule provides, in addition, the regulatory material for the devolution of environmental responsibilities upon States which are administering the nonentitlement small cities CDBG program. These latter changes are required by the 1981 legislative amendments.

**Interim Rule Actions To Reduce
Regulatory Burden**

The amendments developed for this interim rule have taken into account the deregulation objectives of the Department to reduce the burden of the current interim regulations on block grant recipients by:

1. Substantially reducing the text of the 1979 interim regulations through: (a) The deletion of hortatory provisions and operational guidelines such as those contained in § 58.14 of the 1979 rule; (b) deletion of the **Federal Register** EIS notice requirements; (c) elimination of regulatory material quoted from the CEQ Regulations or otherwise contained in the program regulations under 24 CFR Part 570 (e.g. the urban renewal closeout provisions of former §58.20).

2. Limiting the regulations to those requirements needed to supplement and adapt the procedural provisions of the NEPA regulations to the special circumstances of block grant projects and to ensure that the environmental responsibilities of the Secretary under NEPA and related laws are fully met.

3. Clarifying those specific regulations required by law and simplifying supplementary technical guidance originally contained in the interim rule.

4. Emphasizing the mechanisms and procedures designed in the NEPA regulations to reduce paper work, eliminate duplication and otherwise simplify the environmental review process (e.g. adoption and re-use of prior environmental impact statements, aggregation of functionally or geographically related activities into one environmental review document).

5. Revising thresholds for Environmental Impact Statements to provide a single uniform threshold of 2,500 dwelling units (or equivalent), thereby eliminating this threshold requirement for most cities. Greater reliance is placed on the simpler environmental assessment process.

6. Reclassifying eight groups of activities categorically excluded under the 1979 regulations and exempting them from the environmental requirements of NEPA and of related Federal laws.

Public comment and suggestions are invited on these measures for consideration in the preparation of the final rule.

Applicability to Title I Programs

The environmental review procedures contained in the interim rule apply to grants, loans, loan guarantees and other forms of HUD assistance in connection with eligible activities and projects under all Title I programs as follows:

1. Basic CDBG entitlement grants program;
2. Single purpose and comprehensive grants within the Small Cities program funded by HUD;
3. Grants to States which elect to administer CDBG nonentitlement funds for small cities;
4. The Urban Development Action Grants;
5. Categorical program settlement grants;
6. Grants under the Secretary's discretionary CDBG fund (unless the activities to be so funded are exempt by law), including the basic and comprehensive block grants for Indian Tribes; and
7. Section 108 Guarantee of Loans.

HUD Actions on Public Comments

Following the publication of the interim rule of 1979, nine respondents including one Federal agency and a HUD program office, four local agencies involved in CDBG programs and a County organization submitted comments which related mainly to the organization and integration of the new NEPA Regulation requirements. The Federal agency recommended the addition of the NEPA Regulation's uniform terminology for "significant" actions. All definitions of the NEPA Regulations have been adopted by reference in new § 58.20. Four CDBG agencies and a membership organization of counties strongly recommended the further consolidation of environmental assessment requirements and the EIS procedures. Taking these suggestions into account, the new interim rule has consolidated the steps for environmental assessment into the new Subparts F and G while those for the EIS process are incorporated in Subparts H and I. Wherever practicable and desirable, brief descriptions of the NEPA requirements cited have been provided, bearing in mind the need to reduce the bulk of regulatory material. The balance of comments received were requests for further clarifying the technical provisions of the regulations. These changes are further discussed in what follows:

New Interim Rule Actions Since the 1979 Regulations

In response to the statutory amendments and to comments received, including requests for further clarification and explanation of the procedures established in the 1979 regulations and, based on informal expressions of need for additional guidance as a result of the experience of the past two years, the following actions have been taken and are reflected in the new interim rule:

1. Adoption in the rule of a new option which allows a recipient to combine into one notice the contents of two public notices: the notice of finding of no significant impact and the public notice of intent to request release of funds. This was requested by a substantial number of comments addressed to the 1979 regulations. Timing requirements and conditions relative to the exercise of these options are further defined to make it clear that the public comment period prescribed for the finding of no significant impact must have elapsed before the actual request for release of funds and the recipient's certification can be submitted to HUD (new § 58.45).

2. Addition of new provisions to the environmental assessment clearance requirements with respect to exceptional circumstances which may require the extension of minimum time requirements for public comment (new § 58.46), or which allow the posting of public notices in U.S. post offices for localities not regularly served by local newspapers (new § 58.43). Also added to this section (new § 58.43) are the publication and dissemination requirements for a grant recipient's public notices.

3. Reorganization and consolidation of the environmental impact statement procedure into two subparts (Subparts H and I) as suggested by a majority of the comments received. Similarly, the Environmental Assessment requirements have been consolidated into Subpart F with Subpart G providing for their coordination with related Federal laws and authorities.

4. Additional guidance for the preparation of Environmental Impact Statements (EIS's). The NEPA Regulations (40 CFR Part 1502) are adopted by reference and made a part of this interim rule.

5. Clarification of the conditions under which the requirements for environmental impact statements may be extended or reduced (§ 58.63). Also provided is a procedure to be followed by recipients in emergency situation for actions which, under normal circumstances, could require the preparation of EIS's (§ 58.33).

6. Adoption of a procedure for the preparation of Supplemental EIS's (§ 58.64). The new interim rule consolidates this procedure with the other EIS requirements under Subpart I.

7. Incorporation of the CEQ Regulation provisions for a "record of decision" (§ 58.65).

8. Clarification of the circumstances under which prior EIS's may be re-used (§ 58.33); new procedures to be followed where environmental assessments have to be amended (§ 58.47); and provisions pursuant to the NEPA regulations for the adoption by Title I recipients of EIS's prepared by Federal agencies and other Title I recipients, thus avoiding duplication (§ 58.52).

9. Adoption in the rule of the classification of Title I activities which are exempt (§ 58.34) or are listed as categorical exclusions (§ 58.35).

10. Addition of a new Subpart C concerning the environmental responsibilities of States which elect to administer the CDBG program for nonentitlement cities under the HCD Amendments of 1981 (Sections 106(d) and 104(f) of Title I).

11. Amendments which substitute a single threshold of 2,500 dwelling units for the sliding scale numerical threshold contained in the 1979 interim rule. The built-in environmental safeguards of the former sliding scale can be realized by a recipient's prior determination, based on available environmental information, of the level of clearance which would be appropriate for a particular project. This simplification can further reduce the unnecessary burden of preparing an EIS just because the numerical threshold is exceeded. For such projects where the Title I recipient determines that significant environmental impacts are unlikely, Part 58 provides that this determination must be verified by preparing an environmental assessment (EA) instead of an EIS.

On August 12, 1981, the Presidential Task Force on Regulatory Relief designated HUD regulations governing environmental procedures for review pursuant to section 3(i) of Executive Order 12291. This interim rule revising Part 58 is part of the Department's ongoing effort, under that review, to make the environmental regulations more flexible and less burdensome.

This rule is a critical element in the Department's implementation of those portions of the Housing and Community Development Amendments of 1981 which provide for State operation of the Small Cities program. Because the existing interim rule does not provide for the assumption of environmental review responsibilities by local recipients receiving grant funds from States, or for the performance by States of responsibilities currently vested in the Secretary, it is essential that these environmental procedures become effective as soon as possible. Accordingly, the Department finds that prior notice and public comment are impracticable and contrary to the public interest and that good cause exists for making this rule effective without a prior comment period. However, the Department is providing a 60-day period for public comment following publication. All relevant comments and suggestions will be considered in the development of a final rule on this subject.

Accordingly, this regulation is being published as an interim rule to become effective at the earliest date permitted by law. The Secretary has determined that, for the reasons stated above, good cause exists for exempting the interim rule from the 30-day delay in effectiveness provided in 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 Chairmen 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 the appropriate 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 of disapproval or 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.

Under any circumstances, further notice of the effective date of this interim rule will be published in the **Federal Register**.

A Finding of No Significant Impact with respect to the environment has been made in accordance with 24 CFR Part 50 which implements 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, 5 U.S.C. 601 et seq., the Undersigned hereby certifies that this rule would not have a significant economic impact on a substantial number of small entities. The cost for carrying out the environmental responsibilities specified by this Rule is an eligible cost funded by Title I block grant programs under 24 CFR Parts 570 and 571 (§ 570.206(h) and § 571.206(h)). Financial assistance for environmental reviews is further confirmed in § 58.23 of this rule.

This rule was listed as Item C)18.CPD-21-81 and D)2.CPD-23-81 under the Office of Community Planning and Development in the Department's Semiannual Agenda of Regulations published on August 17, 1981 (46 FR 41728) pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

The programs affected by this rule and their program number in the Catalog

of Federal Domestic Assistance are as follows:

- CDBG Entitlement, 14.218;
- HUD-administered Nonentitlement Cities, 14.219;
- UDAG, 14.221;
- Indian Tribes, 14.223;
- Territories, 14.225;
- Special Projects, 14.226;
- Technical Assistance, 14.227; and
- State-administered program for Nonentitlement Cities, 14.228.

List of Subjects in 24 CFR Part 58

Community development block grants, Environmental impact statements.

Accordingly, this rule revises 24 CFR Part 58 to read as follows:

PART 58—ENVIRONMENTAL REVIEW PROCEDURES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Subpart A—Purpose, Legal Authority, Federal Laws and Authorities

Sec.

- 58.1 Purpose and applicability.
- 58.2 Terms, abbreviations and definitions.
- 58.3 Environmental policy authority—basic law.
- 58.4 HUD legal authority.
- 58.5 Federal laws and authorities.
- 58.6—58.9 [Reserved]

Subpart B—General Policy: Responsibilities of Grant Recipients

- 58.10 Basic environmental responsibility.
- 58.11 Legal capacity.
- 58.12 Technical and administrative capacity.
- 58.13 Responsibilities of the certifying officer.
- 58.14 Interaction with States and non-Federal entities.
- 58.15 Responsibilities for environmental review for activities related to urban renewal closeouts.
- 58.16—17 [Reserved]

Subpart C—General Policy: Responsibilities of States Administering Small Cities CDBG Program

- 58.18 Responsibilities.
- 58.19 [Reserved]

Subpart D—General Policy: Environmental Review Procedures

- 58.20 Incorporation of NEPA regulations by reference.
- 58.21 Time periods.
- 58.22 Limitations on activities pending clearance.
- 58.23 Financial assistance for environmental review.
- 58.24—58.29 [Reserved]

Subpart E—Environmental Review Process: Documentation, Range of Activities, Project Aggregation and Classification

- 58.30 Environmental review record.
- 58.31 Environmental review actions for annual range of activities.
- 58.32 Project aggregation.
- 58.33 Emergencies.

Sec.

- 58.34 Exempt activities.
- 58.35 Categorically excluded activities.
- 58.36 Environmental assessments.
- 58.37 Cases when environmental impact statements are required.
- 58.38—58.39 [Reserved]

Subpart F—Environmental Review Process: Environmental Assessments (EAs)

- 58.40 Preparing the environmental assessments.
- 58.41 Environmental assessment finding.
- 58.42 Notice requirements for a finding of no significant impact (FONSI).
- 58.43 Publication and dissemination of the finding of no significant impact.
- 58.44 Simultaneous publication of the finding of no significant impact notice and the notice of intent to request release of funds.
- 58.45 Public comment periods.
- 58.46 Time delays for exceptional circumstances.
- 58.47 Re-evaluation of assessment findings.
- 58.48—58.49 [Reserved]

Subpart G—Environmental Assessments: Coordination Under Federal Laws and Authorities

- 58.50 EA requirements other than NEPA.
- 58.51 [Reserved]

Subpart H—Environmental Review Process: Environmental Impact Statement Determinations

- 58.52 Adoption of other Agencies' EIS's.
- 58.53 Use of prior environmental impact statements.
- 58.54 [Reserved]

Subpart I—Environmental Review Process: Procedure for Draft, Final and Supplemental Environmental Impact Statements

- 58.55 Notice of intent to prepare an EIS.
- 58.56 Scoping process.
- 58.57 Lead agency designation.
- 58.58 Cooperating agencies.
- 58.59 Public hearings and meetings.
- 58.60 Draft environmental impact statements (DEIS).
- 58.61 Filing of draft environmental impact statement.
- 58.62 Final environmental impact statements (FEIS).
- 58.63 Waivers from time requirements.
- 58.64 Supplemental environmental impact statements.
- 58.65 Record of decision (ROD).
- 58.66 Coordination under Federal laws and authorities.
- 58.67—58.69 [Reserved]

Subpart J—Release of Funds for Particular Projects

- 58.70 Notice of intent to request release of funds.
- 58.71 Request for release of funds and certification.
- 58.72 [Reserved]
- 58.73 Objections to release of funds.
- 58.74 Time for objecting.
- 58.75 Permissible bases for objections.
- 58.76 Procedure for objections.
- 58.77 Effect of approval of certification.
- 58.78—58.79 [Reserved]

Authority—Section 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)); Section 104(f) of Title I, Housing and Community Development Act of 1974 (42 U.S.C. 5304(f)) as amended; Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) as amended; Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970, as amended by Executive Order 11991, May 24, 1977.

Subpart A—Purpose, Legal Authority, Federal Laws and Authorities

§ 58.1 Purpose and applicability.

(a) *Purpose.* These regulations implement the requirements of section 104(f) of the Housing and Community Development Act of 1974, as amended, supplement the National Environmental Policy Act Regulations (40 CFR Parts 1500–1508) of the Council on Environmental Quality, and provide for the compliance of Title I projects with related Federal laws and authorities.

(b) *Applicability.* This Part applies to activities and projects funded by HUD assistance under all Title I Community Development Block Grant programs.

§ 58.2 Terms, abbreviations and definitions.

(a) For the purposes of this Part, the following definitions shall supplement the uniform terminology provided in 40 CFR Part 1508:

(1) *Activity.* The term "activity" means both those actions funded or authorized to be funded with Title I assistance and those related actions which are not so funded or not authorized but which a recipient puts forth as part of its block grant project. It is not the source of funds for an activity, but the nature of the activity and its relationship to other activities, which is relevant. Where the term "eligible activity" is used in this Part, it means an activity which is eligible for Title I assistance pursuant to 24 CFR Parts 570 and 571.

(2) *Recipient or grant recipient.* The term "recipient" or "grant recipient" means State or unit of general local government and other eligible entitlement, nonentitlement (including UDAG) recipients of Title I grants, loans or loan guarantees under the CDBG program. In instances where units of general local government receive nonentitlement grants from States pursuant to section 106(d) of Title I, the term "recipient" or "grant recipient" means the recipient unit of general local government. One or more public agencies, including existing local public agencies, may be designated by the chief executive officer of a State, unit of

general local government or Indian tribe to undertake a community development program in whole or in part.

(3) *Project.* The term "project" means an activity, or a group of integrally related activities, designed by the grant recipient to accomplish, in whole or in part, a specific goal.

(4) *State.* With no modifying word or designation, the term "State" refers to the State agency administering the Small Cities program under section 106(d) of the Act.

(5) *Urban renewal project.* The term "urban renewal project" means a project as defined in section 110(c) of the Housing Act of 1949, as amended, or a neighborhood development program as defined in section 131(b) of the Housing Act of 1949, as amended.

(b) In addition, the following abbreviations are used throughout the Part:

HUD—Department of Housing and Urban Development

CDBG—Title I of the Housing and Community Development Act of 1974 as amended

NEPA—National Environmental Policy Act

CEQ—Council on Environmental Quality

EA—Environmental Assessment

EIS—Environmental Impact Statement

FONSI—Finding of No Significant Impact

ERR—Environmental Review Record

NOI/EIS—Notice of Intent to Prepare an EIS

ROD—Record of Decision

ROF—Release of Funds

RROF—Request for Release of Funds

NOI/RROF—Notice of Intent to Request Release of Funds

SOA—Statement of Activities

UDAG—Urban Development Action Grants

§ 58.3 Environmental policy authority—basic law.

NEPA (Pub. L. 91–190, 42 U.S.C. 4321 *et seq.*) establishes national policy, goals, and procedures for protecting, restoring and enhancing environmental quality. NEPA is implemented by Executive Order 11514 of March 5, 1970, as amended by Executive Order 11991 of May 24, 1977, and by CEQ's NEPA Regulations, 40 CFR Parts 1500–1508 (43 FR 55978–56007, November 29, 1978).

§ 58.4 HUD legal authority.

(a) *Statutory basis.* These regulations are issued pursuant to section 104(f), Title I, of the *Housing and Community Development Act of 1974* (42 U.S.C. 5301 *et seq.*; hereinafter "the Act" or "Title I"), as amended by section 103(g) of the *Housing and Community Development Amendments of 1979* (Pub. L. 96–153) and as amended by section 302(e) of the *Housing and Community Development Amendments of 1981* (Pub. L. 97–35).

(b) *Assumption authority for entitlement and non-entitlement grant recipients: general.* Except as otherwise

provided by paragraph (c) of this section, grant recipients are authorized to assume, for particular CDBG projects, the responsibilities for environmental review, decision-making, and other action which would otherwise apply to the Secretary, under NEPA and other provisions of law which further the purposes of NEPA, in accordance with section 104(f) of Title I. Grant recipients, other than units of general local government receiving nonentitlement grants from any State, assume such responsibilities by execution of their grant agreement with HUD. Under the States' Program, the States shall provide for appropriate procedures by which grant recipients under such program will evidence their assumption of such responsibilities.

(c) *State-administered Small Cities Program: special provisions.* (1) *Assumption authority for units of general local government*—Units of general local government receiving nonentitlement grants from any State administering the Small Cities program pursuant to section 106(d) of Title I are authorized to assume the responsibilities set forth in paragraph (b) of this section.

(2) *Responsibilities of the States.* States which elect to administer the Small Cities program pursuant to section 106(d) of Title I, shall perform the actions set forth in Subpart J with respect to approval of requests for release of funds and certifications required under this Part from the Small Cities units of general local government that they have satisfied the environmental requirements of this Part. By execution of its grant agreement with HUD, the State agrees to discharge its responsibilities under section 104(f)(2) of the Act in accordance with the requirements of this Part (including, in particular, Subpart J). The State's approval of this certification is deemed to satisfy the Secretary's responsibilities under NEPA and other provisions of law specified in § 58.5 of this Part.

§ 58.5 Federal laws and authorities.

Pursuant to section 104(f), a grant recipient's assumption of the responsibility for environmental review, decisionmaking and action includes such responsibilities under the provisions of law listed below. The responsibility which the recipient assumes under Title I is in addition to whatever other responsibilities the recipient may have to comply with local, State and Federal environmental laws or authorities. Before committing any Title I funds (other than for activities exempt under § 58.34), the recipient must certify

that it has complied with the requirements and obligations which would apply to HUD under the following laws and authorities; furthermore, in undertaking its environmental review, decisionmaking and action pursuant to NEPA, the recipient must take into account, where applicable, the criteria, standards, policies and regulations of such laws and authorities:

(a) *Historic properties.* (1) The National Historic Preservation Act of 1966 (16 U.S.C. 470 *et seq.*) as amended; particularly section 106 (16 U.S.C. 470f).

(2) Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921 *et seq.*); particularly section 2(c).

(3) The Reservoir Salvage Act of 1960 (16 U.S.C. 469 *et seq.*); particularly section 3 (16 U.S.C. 469a-1); as amended by the Archeological and Historic Preservation Act of 1974.

(b) *Floodplain management and wetland protection.* (1) Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 *et seq.*) as amended; particularly sections 102(a) and 202(a) (42 U.S.C. 4012a(a) and 4106(a)).

(2) Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951 *et seq.*); particularly section 2(a).

(3) Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961 *et seq.*); particularly sections 2 and 5.

(c) *Coastal Zone Management.* The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 *et seq.*) as amended; particularly section 307 (c) and (d) (16 U.S.C. 1456 (c) and (d)).

(d) *Sole source aquifers.* The Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300(f) *et seq.*, and 21 U.S.C. 349) as amended; particularly section 1424(e) (42 U.S.C. 300h-303(e)).

(e) *Endangered species.* The Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) as amended; particularly Section 7 (16 U.S.C. 1536).

(f) *Wild and scenic rivers.* The Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 *et seq.*) as amended; particularly section 7 (b) and (c) (16 U.S.C. 1278 (b) and (c)).

(g) *Air quality.* The Clean Air Act (42 U.S.C. 7401 *et seq.*) as amended; particularly section 176 (c) and (d) (42 U.S.C. 7506 (c) and (d)).

(h) *HUD environmental standards* (24 CFR Part 51, Environmental Criteria and Standards (44 FR 40860-40866, July 12, 1979).

§ 58.6-58.9 [Reserved]

Subpart B—General Policy: Responsibilities of Grant Recipients

§ 58.10 Basic environmental responsibility.

In accordance with section 104(f) of Title I, the grant recipient must assume the responsibility for carrying out all its Title I projects in accordance with the procedural provisions of NEPA and the CEQ regulations (40 CFR Parts 1500-1508), as well as the procedures set forth in this Part. In addition, the recipient must make sure that projects are in compliance with the applicable provisions and requirements of the Federal laws and authorities specified in § 58.5.

§ 58.11 Legal capacity.

A recipient which believes that it does not have the legal capacity to carry out the environmental responsibilities required by this Part, should contact the appropriate HUD Area Office or the State for further instructions. Determinations of legal capacity will be made on a case by case basis.

§ 58.12 Technical and administrative capacity.

The recipient must develop the technical and administrative capability necessary to comply with 40 CFR Parts 1500-1508 and the procedures of this Part.

§ 58.13 Responsibilities of the certifying officer.

Under the terms of the certification required pursuant to § 58.71, a grant recipient's Certifying Officer is the "responsible Federal official" as that term is used in section 102 of NEPA and section 104(f) of Title I. The Certifying Officer is therefore responsible for all the requirements of those sections and related sections in 40 CFR Part 1500-1508. The Certifying Officer must also:

(a) Represent the recipient and be subject to the jurisdiction of the Federal courts pursuant to section 104(f) of Title I. The Certifying Officer will not be represented by the Department of Justice in court. Reasonable defense costs, including the fees of attorneys and experts incurred in litigation relative to the recipient's compliance with this Part, may be eligible administrative costs under Title I.

(b) The Certifying Officer must make sure that the recipient review and comment on all EIS's prepared for Federal projects which may have an impact on the recipient's community development program.

(c) Perform all the coordination functions required under this Part and

generally prescribed in 40 CFR Parts 1500-1508 and the other provisions of law and authorities cited in § 58.5.

§ 58.14 Interaction with States and non-Federal entities.

A grant recipient must involve environmental agencies, State and local government entities and the public in the preparation of environmental reviews (see 40 CFR 1501.4(b)). The recipient must also cooperate with State agencies to reduce duplication between NEPA and comparable environmental review requirements of the State (see 40 CFR 1506.2 (b) and (c)). The recipient must prepare its EIS's for Title I projects so that they comply with the environmental review requirements of both Federal and State laws unless otherwise specified or provided by law. State agencies may participate or act in a joint lead or cooperating agency capacity in the preparation of joint environmental reviews (see 40 CFR 1501.5(b) and 1501.6).

§ 58.15 Responsibilities for environmental review for activities related to urban renewal closeouts

Activities financially associated with or physically part of an urban renewal project may require a recipient to prepare an EA. This requirement applies only to activities which would be subject to EA under this Part and does not apply to activities which are exempt or categorically excluded under §§ 58.34 and 58.35. The grant recipient must prepare an EA or an EIS when:

(a) Activities within an active urban renewal project are to be funded by Title I.

(b) Activities financed with capital grant funds are reprogrammed from financially settled urban renewal projects into CDBG activities.

(c) Activities previously included in the urban renewal plan are being cancelled and are the types of activities subject to EAs under this Part.

The grant recipient should treat the use of a surplus resulting from a financial settlement as an activity for ROF as specified in Subpart J.

§ 58.16-58.17 [Reserved]

Subpart C—General Policy: Responsibilities of States Administering the Small Cities CDBG Program

§ 58.18 Responsibilities.

States which elect to administer the Small Cities program under section 106(d) of Title I shall make sure the nonentitlement grant recipient complies

with the provisions of NEPA and related Federal laws. The State must:

(a) Designate the State agency or agencies which will be responsible for carrying out the requirements and administrative responsibilities set forth in Subpart J and which will:

(1) Develop a monitoring and enforcement program for post-review actions on environmental reviews prepared by grant recipients and monitor compliance with any environmental conditions included in the grant award agreement under section 104(d)(2) of Title I.

(2) Receive public notices, RROFs and certifications from grant recipients pursuant to §§ 58.70 and 58.71; accept objections from the public and from other agencies (§ 58.73); and perform the related actions for the release of environmental grant conditions.

(b) Fulfill the State role in Subpart J relative to the time period set for the receipt and disposition of comments, objections and appeals (if any) on particular projects.

§ 58.19 [Reserved]

Subpart D—General Policy: Environmental Review Procedures

§ 58.20 Incorporation of NEPA regulations by reference.

The principles, procedures, terminology and requirements contained in 40 CFR Parts 1500-1508 are hereby made a part of the implementing regulations under this Part.

§ 58.21 Time periods.

All time periods in this Part shall be counted in calendar days. The first day of a time period begins at 12:01 a.m. local time on the day following the publication date of the notice which initiates the time period.

§ 58.22 Limitations on activities pending clearance.

A grant recipient may not spend any Title I funds on an activity until HUD or, if appropriate, the State has approved the recipient's RROF and related certification. Nor may a recipient, except for activities reimbursable under 24 CFR 570.301(e), incur costs prior to the approval of the RROF. If an activity is exempt under § 58.34, no RROF is required and therefore the above two statements would not apply and a recipient may undertake the activity immediately; for projects undertaken pursuant to Section 119 of the Act, however, release of grant funds is conditioned upon the recipient meeting each condition set forth in the grant agreement, including submission of evidentiary materials acceptable to

HUD. Relocation costs under 24 CFR 570.602 may be incurred prior to the approval of the RROF and related certification for the project provided that:

(a) The payment of relocation costs is required by 24 CFR Part 42.

(b) The costs were incurred after a recipient submitted its final SOA and certifications but before it submitted the certifications for the specific project. The SOA must have included the relocation activities in the recipient's projected range of activities and in the projected use of funds.

§ 58.23 Financial assistance for environmental review.

The costs of environmental reviews, including costs incurred in complying with any of the authorities mentioned at § 58.5, are eligible costs in accordance with 24 CFR Parts 570 and 571.

§ 58.25-58.29 [Reserved]

Subpart E—Environmental Review Process: Documentation, Range of Activities, Project Aggregation and Classification

§ 58.30 Environmental review record.

A recipient must maintain a written record of the environmental review undertaken pursuant to this Part for each project. This document shall be designated the "Environmental Review Record" (ERR), and shall be available for public review. A recipient may use the formats contained in HUD-399-CPD, *Environmental Reviews at the Community Level*, or develop equivalent formats. The ERR shall provide a description of the project and of the activities from the recipient's Final SOA that the recipient has determined to be part of that project (see §§ 58.31 and 58.32). The ERR shall contain all the relevant documents, public notices, and written determinations required by this Part and any other information or evidence of action pertaining to the environmental review of the recipient's project.

§ 58.31 Environmental review actions for annual range of activities.

The environmental review process should begin as soon as a recipient determines the projected use of the Title I funds, the range of activities that will be included in the recipient's annual program and how the activities will be combined into projects for environmental review purposes.

§ 58.32 Project aggregation.

(a) A recipient must group together and evaluate as a single project all individual activities which are related

either geographically or functionally, or are logical parts of a composite of contemplated actions. The environmental review of a multi-year project shall encompass the entire multi-year scope of activities. This applies even if some of the activities are to be funded by other than Title I funds or carried out by someone else.

(b) The environmental review of a multi-year project should take into account the relationship among component activities and the cumulative environmental impacts of the entire multi-year scope of activities. The RROF pursuant to a recipient's certification and completion of the environmental clearance procedure under Subpart J of these regulations will be for the funding of all the annual increments of the entire multi-year project.

§ 58.33 Emergencies.

In cases of emergency, disaster or imminent threat to health and safety which warrant the taking of an action with significant environmental impact, the provisions of 40 CFR 1506.11 shall apply.

§ 58.34 Exempt activities.

(a) A recipient does not have to comply with the environmental requirements of this Part or undertake any environmental review, consultation or other action under NEPA and the other provisions of law or authorities cited in § 58.5 for the activities exempt by this section or projects consisting solely of the following exempt activities:

(1) Environmental studies excepted by section 104(f)(2) of Title I and eligible under 24 CFR 570.206(h) and 571.206(h).

(2) Activities authorized by section 105(a)(12) of Title I and listed in 24 CFR 570.205 and 571.205.

(3) Administrative costs as provided by 24 CFR 570.206 and 571.206.

(4) The payment of principal and interest on outstanding urban renewal project loans under Subpart N of 24 CFR Part 570 as long as the payment is not covered by § 58.15 of this Part and the payment is not associated with a change in the related urban renewal project.

(5) The payment pursuant to section 108(c) of Title I and 24 CFR 570.701(c) and 570.703(c) of principal and interest due on notes or other obligations guaranteed under section 108 of Title I; and the application of grants pledged by the recipient pursuant to section 108(d)(2) to any repayments due the Federal government under section 108(e) of Title I as a result of such guarantees.

(6) The payment or reimbursement authorized under 24 CFR Part 570 of reasonable project engineering and

design costs incurred for a proposed activity eligible under 24 CFR 570.201 through 570.204.

(7) Activities pursuant to technical assistance awards authorized by section 107(b)(4) of Title I to prospective grant recipients under 24 CFR 570.402.

(8) Interim assistance activities eligible under 24 CFR 570.201(f)(1), and activities eligible under 24 CFR 570.201(f)(2), 570.432, and 571.308 for imminent threats to health and safety, if the assisted activities do not alter environmental conditions and are for temporary or permanent improvements limited to protection, repair, or restoration actions necessary only to control or arrest the effects of imminent threats or physical deterioration.

(9) Public service grants authorized under section 105(a)(8) of Title I and eligible under 24 CFR 570.201(e) but only under the following circumstances:

(i) The grant is for the continuation of previous Title I assistance to supplement eligible public services being maintained by the recipient with only minimal change by the recipient as to the level and type of services provided.

(ii) The services affect only the social or economic environment.

(iii) The services would not result in development of service facilities or physical improvements regardless of source of funds.

(10) Any of the categorical exclusions listed in § 58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in § 58.5.

(b) A recipient does not have to submit an RROF and certification, and no further approval from HUD or the State will be needed by the recipient, for the drawdown of Title I funds to carry out the exempt activities and projects proposed in the recipient's final SOA. However, the recipient must document in writing its determination that each activity or project is exempt and meets the conditions specified for such exemption under this section.

§ 58.35 Categorically excluded activities

(a) *Categorical exclusions from NEPA requirements.* Activities and projects which consist solely of the following kinds of activities are categorically excluded from the NEPA requirements of this Part (see definition in 40 CFR 1508.4):

(1) Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements eligible under 24 CFR 570.201(c) and 571.201(c) including these activities carried out as part of an economic development project in

conjunction with the special economic development activities eligible under 24 CFR 570.203. Such activities are categorically excluded from the NEPA requirements only in the following circumstances:

(i) The facilities and improvements, acquired for continued use, are in place and will be retained in the same use that existed at the time of acquisition, without change in size, capacity or character.

(ii) The facilities or improvements replace or upgrade existing facilities or improvements with only a minimal change in use, size, capacity, or location (e.g., replacement of railroad spurs, water or sewer lines, reconstruction of curbs and sidewalks, repaving streets).

(iii) The facilities and improvements are consistent with the use of that site and the action will not change the use, size, capacity, or character of the site (e.g., landscaping, street furniture, play equipment for established parks and playgrounds).

(iv) The facilities and improvements are not activities eligible under 24 CFR 570.201 (c)(1) and (c)(2). However, activities involving fire protection equipment are categorically excluded under this section.

(2) Special projects directed to the removal of material and architectural barriers as authorized by section 105(a)(5) of Title I and 24 CFR 570.201(k).

(3) Public service grants which:

(i) Are for eligible public services not exempt under § 58.34(a)(9); are provided for a new or increased level of service not previously supported by Title I provided by the recipient in accordance with Section 105(a) of Title I and 24 CFR 570.201(e)(1).

(ii) Affect only the social or economic environment and will not result in the development of service facilities or physical improvements regardless of source of funds.

(iii) Are part of community development and housing projects funded in part or in whole under Title I and consisting solely of activities categorically excluded under this Section or exempt under § 58.34.

(4) Rehabilitation of buildings and improvements as set forth in 24 CFR 570.202 and 571.202, except paragraph (e); but only when all of the following conditions are met:

(i) Unit density is not increased more than 20 percent.

(ii) The project does not involve changes in land use from residential to nonresidential or from nonresidential to residential, or from one class of residential to another (for example, from single family attached dwellings to high-rise multiple dwelling units).

(iii) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.

(5) Combinations of the above activities.

(b) *Environmental requirements other than NEPA.* Even though a project is categorically excluded from NEPA requirements, a recipient must still comply with the environmental requirements of the other related laws and authorities cited at § 58.56. The recipient must document its compliance with these other requirements in the ERR. The recipient must still submit for HUD (or State) approval, the certification and the RROF. The recipient must also publish the NOI/RROF required in § 58.70.

(c) *Circumstances requiring NEPA review.* If a recipient determines that an activity or project identified in paragraph (a) of this section, because of specific circumstances and conditions which exist at the location of the activity or project, may have a significant environmental effect, it shall comply with the NEPA requirements of this part.

§ 58.36 Environmental assessments.

If a project is not exempt or categorically excluded under §§ 58.34 and 58.35, the recipient must prepare an EA in accordance with Subpart F. If it is evident without preparing an EA that an EIS is required pursuant to the requirements of § 58.37, the recipient should proceed directly to an EIS.

§ 58.37 Cases when environmental impact statements are required.

(a) An EIS is required under any of the following circumstances:

(1) The project is determined to have a potentially significant impact on the human environment under NEPA.

(2) The project may result in a recipient's violation of the authorities cited in § 58.5. The effect of violations should be used to determine whether an EIS is warranted in accordance with 40 CFR 1508.27.

(3) The project will affect the environmental concerns of the Federal laws and authorities cited in § 58.5 and no alternate means of procedural resolution is feasible.

(4) The project would provide a site or sites for hospitals and nursing homes containing a total of 2,500 or more beds.

(5) The project would remove, demolish, convert, or substantially rehabilitate 2,500 or more existing housing units (but not including rehabilitation projects categorically excluded under § 58.35), or would result

in the construction or installation of 2,500 or more housing units, or would provide sites for 2,500 or more housing units.

(6) The project would provide enough additional water and sewer capacity to support 2,500 or more additional housing units. The project does not have to be specifically intended for residential use nor does it have to be totally new construction. If the project is intended to serve nonresidential uses, either instead of or in addition to residential uses, the recipient must determine how many residential units could be served if all the capacity were to be used for housing. If the number is 2,500 or more, the threshold has been exceeded. If the project is designed to provide upgraded service to existing development as well as to serve new development, only that portion of the increased capacity which is intended to serve new development should be counted.

(b) Projects exceeding the thresholds specified in paragraphs (a)(4), (5) and (6) of this section will normally require the preparation of an EIS. If, on the basis of an EA, a recipient determines that these thresholds are the sole reason for the EIS, the recipient may prepare a FONSI pursuant to 40 CFR 1501.4. In such cases, the FONSI must be made available for public review for at least 30 days before the recipient makes the final determination whether to prepare an EIS (see § 58.46).

§ 58.38-58.39 [Reserved]

Subpart F—Environmental Review Process: Environmental Assessments (EA's)

§ 58.40 Preparing the environmental assessments.

It is up to the recipient to decide how to prepare the EA. However, the recipient must describe the process it followed, using either Format I in HUD-399-CPD, *Environmental Reviews at the Community Level*, or the equivalent.

§ 58.41 Environmental assessment finding.

When the EA is completed, the recipient must make either:

(a) A finding of no significant impact (FONSI) in which the recipient determines that the request for release of funds for the project is not an action which may or will significantly affect the quality of human environment; or

(b) A finding of significant impact in which the request for release of funds for the project is deemed to be an action which may significantly affect the quality of the human environment. The recipient must then proceed with its

environmental review under Subparts H or I.

§ 58.42 Notice requirements for a finding of no significant impact (FONSI).

If the recipient makes a finding of no significant impact it must prepare a FONSI notice, using format VI of HUD-399-CPD, *Environmental Reviews at the Community Level*, as revised, or the equivalent.

§ 58.43 Publication and dissemination of the finding of no significant impact.

As a minimum the recipient must send the FONSI to the local news media, to individuals and groups known to be interested in its activities; to appropriate local, State, and Federal agencies; to the Headquarters and appropriate Regional Office of the Environmental Protection Agency, and to the HUD Area Office (or the State, where applicable). The FONSI notice shall be published at least once in a newspaper of general circulation in the affected community. In cases where a recipient's jurisdiction is not served by regularly published local or area-wide newspapers, it must arrange to have the notice prominently displayed at the local post office and its substations. The notice should also be prominently displayed in other public buildings.

§ 58.44 Simultaneous publication of the finding of no significant impact notice and the notice of intent to request release of funds.

The recipient may wish to publish the NOI/RROF at the same time it publishes the FONSI notice. It may publish the two notices as:

(a) Concurrent but separate notices, published and disseminated at the same time and in the manner prescribed in § 58.43; or

(b) A combined Notice consisting of a single document containing the FONSI and the NOI/RROF. This combined notice shall:

(1) Clearly indicate that the combined notice is intended to meet two separate procedural requirements; and

(2) Advise the public to specify in their comments which "notice" their comments address.

The recipient must take into account the comments received in response to the above notices before proceeding with a RROF and certification.

§ 58.45 Public comment periods.

Prior to taking further action pursuant to the following notices, the public must be given the following minimum time periods for comments on such notices:

(a) Notice of finding of no significant impact: 15 days;

(b) Notice of intent to request release of funds: 7 days; and

(c) Concurrent or combined notices: 15 days.

§ 58.46 Time delays for exceptional circumstances.

Under the circumstances described below, the recipient must make the FONSI available for public comments for 30 days before it files the RROF. These circumstances are:

(a) When there is considerable interest or controversy concerning the project;

(b) When the proposed project is similar to other Title I projects which normally require the preparation of an EIS; or

(c) When the project is unique and without precedent.

§ 58.47 Re-evaluation of assessment findings.

A recipient must re-evaluate the EA findings when:

(a) It makes substantial changes in the nature, magnitude or extent of the project including adding new activities not anticipated in the original scope of the project and its cost estimate;

(b) There are new circumstances and environmental conditions which may affect the project or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation of the project or activity which is proposed to be continued; or

(c) The recipient selects an alternative not considered in the original EA.

The purpose of a recipient's re-evaluation of the EA is to determine if the FONSI is still valid. If the FONSI is still valid but the data or conditions upon which it was based have changed, it must amend the original assessment and update its ERR by including this re-evaluation and its determination based on its findings. If the recipient determines that the FONSI is no longer valid, it must prepare an EA or an EIS if its evaluation indicates potentially significant impacts.

§ 58.48-58.49 [Reserved]

Subpart G—Environmental Assessments: Coordination Under Federal Laws and Authorities

§ 58.50 EA requirements other than NEPA.

Early in the environmental assessment of a project, a recipient must initiate coordination and consultation with the concerned Federal agency or agencies, or with the designated State agencies responsible for administering State programs. It must complete all procedures and take other actions required under the provisions of law

specified in § 58.5 that are applicable to its project. Any such actions which have been taken shall be integrated into the EA and documented in the recipient's project ERR.

§ 58.51 [Reserved]

Subpart H—Environmental Review Process: Environmental Impact Statement Determinations

§ 58.52 Adoption of other agencies' EIS's.

A recipient may adopt a draft or final EIS prepared by another agency provided that the EIS was prepared in accordance with 40 CFR Parts 1500–1508. If it adopts an EIS prepared by another Title I recipient or a Federal agency, the procedure in 40 CFR 1506.3 shall be followed. An adopted EIS may have to be revised and modified to adapt it to the particular environmental conditions and circumstances of the Title I project if these are different from the project reviewed in the EIS. In such cases a recipient must prepare, circulate and file a supplemental draft EIS in the manner prescribed in § 58.64 and otherwise comply with the clearance and time requirements of the EIS process, except that scoping requirements under 40 CFR 1501.7 shall not apply. The agency which prepared the original EIS should be informed that it intends to amend and adopt the EIS. A recipient may adopt an EIS when it acts as a cooperating agency in its preparation pursuant to 40 CFR 1506.3. The recipient is not required to re-circulate or file the EIS but must complete the clearance process for the RROF. The decision to adopt a prior EIS shall be made a part of the project ERR.

§ 58.53 Use of prior environmental impact statements.

Where any final EIS has been listed in the Federal Register for a project pursuant to this Part or under preceding categorical programs of HUD, or where an areawide or similar broad scale final EIS has been issued and the EIS anticipated a subsequent project requiring an environmental clearance, then no new EIS is required for the subsequent project if all the conditions set forth below are met:

(a) The ERR contains a decision based on a finding pursuant to § 58.41 that the proposed project is not a new major Federal action significantly affecting the quality of the human environment. The decision shall include:

- (1) References to the prior EIS and its evaluation of the environmental factors affecting the proposed subsequent action subject to NEPA;
- (2) An evaluation of any environmental factors which may not

have been previously assessed, or which may have significantly changed;

(3) An analysis showing that the proposed project is consistent with the location, use, and density assumptions for the site and with the timing and capacity of the circulation, utility, and other supporting infrastructure assumptions in the prior EIS;

(4) Documentation showing that where the previous EIS called for mitigating measures or other corrective action, these are completed to the extent reasonable given the current state of development.

(b) The prior final EIS has been filed within five (5) years, and updated as follows:

(1) The EIS has been updated to reflect any significant revisions made to the assumptions under which the original EIS was prepared;

(2) The EIS has been updated to reflect new environmental issues and data or legislation and implementing regulations which may have significant environmental impact on the project area covered by the prior EIS.

(c) There is no litigation pending in connection with the prior EIS, and no final judicial finding of inadequacy of the prior EIS has been made.

§ 58.54 [Reserved]

Subpart I—Environmental Review Process: Procedure for Draft, Final and Supplemental Environmental Impact Statements

§ 58.55 Notice of intent to prepare an EIS.

As soon as practicable after a recipient decides to prepare an EIS, it must publish a NOI/EIS, using HUD format V of HUD-399-CPD, *Environmental Reviews at the Community Level*, or other equivalent format. The recipient must publish and disseminate the NOI/EIS in the same manner as the FONSI under § 58.43, and it may proceed immediately with the preparation of the Draft EIS.

§ 58.56 Scoping process.

For all projects or other actions which require an EIS, a recipient must follow the scoping process described in 40 CFR Part 1501.7. The determination on whether or not to hold a scoping meeting will depend on the same circumstances and factors as for the holding of public hearings under § 58.59. The recipient must wait at least 15 days after publishing the NOI/EIS before holding a scoping meeting.

§ 58.57 Lead agency designation.

The determination of who will act as a lead agency must be made according to the procedures and requirements in 40

CFR 1501.5. If there are several agencies ready to assume the role, the recipient must make its decision based on the criteria in 40 CFR 1501.5(c). If the recipient and a Federal agency are unable to reach agreement, then the recipient must notify HUD (or the State, where applicable). HUD (or the State) will assist in obtaining a determination based on the procedure set forth in 40 CFR 1501.5(e).

§ 58.58 Cooperating agencies.

The responsibilities of lead agencies and cooperating agencies are prescribed by 40 CFR 1501.5 and 1501.6.

§ 58.59 Public hearings and meetings.

The requirements for public hearings and meetings are prescribed in 40 CFR 1506.6.

(a) *Factors to consider.* In determining whether or not to hold public hearings, the recipient must consider the following factors:

(1) The magnitude of the project in terms of economic costs, the geographic area involved, and the uniqueness or size of commitment of resources involved.

(2) The degree of interest in or controversy concerning the project.

(3) The complexity of the issues and the likelihood that information will be presented at the hearing which will be of assistance to the recipient.

(4) The extent to which public involvement has been achieved through other means.

(b) *Procedure.* All public hearings must be preceded by a notice of public hearing, which must be published and disseminated in the same manner as the FONSI Notice. The public hearing notice must be published at least 15 days before the hearing date. The Notice must:

(1) State the date, time, place, and purpose of the hearing or meeting.

(2) Describe the project, its estimated costs, and the project area.

(3) State that persons desiring to be heard on environmental issues will be afforded the opportunity to be heard.

(4) State the recipient's name and address and the name and address of its Certifying Officer.

(5) State what documents are available, where they can be obtained, and any charges that may apply.

§ 58.60 Draft environmental impact statements (DEIS).

The uniform procedures on the preparation, format and content of EIS's under 40 CFR Part 1502 are incorporated by reference and made a part of the provisions of this Subpart. A recipient

must prepare the DEIS using the formats in HUD-399-CPD, *Environmental Reviews at the Community Level*, or their equivalent.

§ 58.61 Filing of draft environmental impact statement.

A recipient must comply with the preparation, timing, filing, circulation and review requirements of 40 CFR 1502.5 and 1502.19. In addition to filing five copies with EPA Headquarters pursuant to 40 CFR 1506.9, the recipient must send five copies to the applicable Regional Office of the U.S. Environmental Protection Agency. Copies shall also be made available to the public at the recipient's offices and at public libraries. Copies or summaries of the draft EIS must be made available to persons who request them.

§ 58.62 Final environmental impact statements (FEIS).

A recipient must prepare the final EIS in accordance with 40 CFR Part 1502 and the format provided in HUD-399-CPD, *Environmental Reviews at the Community Level*, or their equivalent. The recipient must file and distribute the final EIS in the same manner as prescribed in § 58.61. In addition the recipient must send one copy of the final EIS to the State (if applicable), one copy each to the appropriate HUD Area Office and Regional Office and one copy to HUD's Headquarters Library, Eighth Floor, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, D.C. 20410. Copies or summaries of the final EIS must be made available to persons who request them.

§ 58.63 Waivers from time requirements.

A recipient may extend prescribed periods where unusual circumstances warrant. The recipient may request waivers from the time requirements specified for the draft and final EIS from the Environmental Protection Agency as prescribed in 40 CFR 1506.10.

§ 58.64 Supplemental environmental impact statements.

A supplement to the DEIS or FEIS must be prepared when a recipient makes substantial changes in the proposed project or when significant new circumstances or information become available during the environmental review process. Supplements may be used to modify or update EIS's which the recipient has determined to be valid and are being adopted for use. Supplemental EIS's are subject to the requirements set forth in 40 CFR 1502.9.

§ 58.65 Record of decision (ROD).

The recipient must prepare a "Record of Decision" which shall contain the information prescribed in 40 CFR 1505.2 and must summarize the monitoring and enforcement program for the mitigation measures called for in the EIS. The ROD must be signed and dated by the recipient's Certifying Officer and shall be made a part of the project's ERR.

§ 58.66 Coordination under Federal laws and authority.

The recipient must coordinate and integrate its EIS with other environmental review, analyses, surveys and related actions undertaken pursuant to the related laws and authorities cited in § 58.5. Pursuant to 40 CFR 1502.25, the environmental review documents of a Title I project will be used to document the recipient's compliance with the requirements of the related laws and authorities that are applicable to the project. The recipient should use whatever formats are required or recommended by the agencies which have a formal review procedure. The actions taken and the documents prepared under these related laws and authorities can also be incorporated by reference into the recipient's EIS (see 40 CFR 1502.21).

§ 58.67—§ 58.69 [Reserved]

Subpart J—Release of Funds for Particular Projects

§ 58.70 Notice of intent to request release of funds.

At least seven calendar days before submitting its RROF and certification, the recipient must publish and disseminate a NOI/RROF the same way as a FONSI, using Format VII of HUD-399-CPD, *Environmental Reviews at the Community Level*, or an equivalent format. The recipient may publish this notice at the same time as, or combined with, that required by § 58.42.

§ 58.71 Request for release of funds and certification.

The RROF and certification shall be sent to the appropriate HUD Area Office (or the State if applicable). This request shall be executed by the recipient's Certifying Officer. The request shall describe the specific project and activities covered by the request and contain the certification required by section 104(f)(2) of Title I. The RROF and certification must be as specified in the most current edition of Form HUD-7015.15.

§ 58.72 [Reserved]

§ 58.73 Objections to release of funds.

HUD (or the State) will not approve the RROF for any project before 15 calendar days have elapsed from the time of receipt of the RROF and the certification or from the time specified in the notice published pursuant to § 58.70, whichever is later. Any person or agency may object to a recipient's RROF and the related certification. However, the objections must meet the conditions and procedures set forth in this Subpart. HUD (or the State) can refuse the RROF and certification on any grounds set forth in § 58.75. All decisions by HUD (or the State) regarding the RROF and the certification shall be final.

§ 58.74 Time for objecting.

All objections must be received by HUD (or the State) within 15 days from the time HUD (or the State) receives a recipient's RROF and the related certification, or within the time period specified in the notice, whichever is later.

§ 58.75 Permissible bases for objections.

HUD, (or the State), will consider objections claiming a recipient's non-compliance with this Part based on any of the grounds listed below:

(a) The certification was not in fact executed by the recipient's Certifying Officer.

(b) The recipient has failed to make one of the two findings pursuant to § 58.41 or to make the written determination decision required by §§ 58.47, 58.53 or 58.64 for the project, as applicable.

(c) The recipient has omitted one or more of the steps set forth at Subparts F and G for the preparation and completion of an EA.

(d) The recipient has omitted one or more of the steps set forth at Subparts H and I for the conduct, preparation and completion of an EIS.

(e) No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed on the *National Register of Historic Places*, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 CFR Part 800 (and 36 CFR Part 801 for UDAG projects).

(f) With respect to a UDAG project, the recipient has not performed environmental review actions in compliance with the historic preservation procedures and

requirements prescribed in sections 119(c)(4) and 121 of Title I.

(g) With respect to a project for which a recipient has decided that §§ 58.47, 58.53 or 58.64 apply, the recipient has failed to include in the ERR the written decision required, or its decision is not supported by facts specified by the objecting party.

(h) Another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

The only bases upon which HUD or the State will disapprove the RROF and certification are set forth above.

§ 58.76 Procedure for objections.

A person or agency objecting to a recipient's request for the release of funds and the related certification shall:

(a) Submit objections in writing to HUD (or the State).

(b) Include the name, address and telephone number of the person or agency submitting the objection, and be signed by the person or authorized

official of an agency.

(c) Be dated when signed.

(d) Describe the basis for objection and the facts or legal authority supporting the objection.

(e) State when a copy of the objections was mailed or delivered to the recipient's Certifying Officer.

§ 58.77 Effect of approval of certification.

(a) *Responsibilities of HUD and States.* HUD's (or, where applicable, the State's), approval of the certification shall be deemed to satisfy the responsibilities of the Secretary under NEPA and related provisions of law cited at § 58.5 insofar as those responsibilities relate to the release of funds under Title I.

(b) *Public and agency redress.* Persons and agencies seeking redress in relation to environmental reviews covered by an approved certification shall deal with the recipient and not with HUD. It shall be HUD's policy to refer all inquiries and complaints to the recipient and its Certifying Officer. Similarly, the State (where applicable) may direct persons and agencies seeking

redress in relation to environmental reviews covered by an approved certification to deal with the recipient, and not the State, and may refer inquiries and complaints to the recipients and its Certifying Officer. Remedies for non-compliance are set forth at §§ 570.910 to 570.913, 571.706 and 571.707 of this title.

(c) *Implementation of environmental review decisions.* Projects of a recipient will require post-review monitoring and other inspection and enforcement actions by the recipient and the State or HUD (using such of the procedures provided for in Subparts J and O, Part 570 and Subparts F and H of Part 571 of this title) to assure that decisions adopted through the environmental review process are carried out during project development and implementation.

§ 58.78-58.79 [Reserved]

Dated: March 18, 1982.

Stephen Bollinger,

Assistant Secretary for Community Planning and Development.

[FR Doc. 82-9820 Filed 4-9-82; 8:45 am]

BILLING CODE 4210-01-M

Reader Aids

Federal Register

Vol. 47, No. 70

Monday, April 12, 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, APRIL

13757-14130.....	1
14131-14474.....	2
14475-14666.....	5
14667-14884.....	6
14885-15090.....	7
15091-15308.....	8
15309-15556.....	9
15557-15760.....	12

CFR PARTS AFFECTED DURING APRIL

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.

3 CFR

Proclamations:	
4916.....	14475
4917.....	14477
4918.....	14667
4919.....	14669
4920.....	14670
4921.....	14673
4922.....	14885
4923.....	14887
4924.....	14889
4925.....	15091

Executive orders:

July 2, 1910	
(Revoked in part	
by PLO 6230).....	14157
May 14, 1920	
(Revoked in part	
by PLO 6320).....	14157
11896 (Amended by	
E.O. 12357).....	15093
12065 (Revoked by	
EO 12356,	
effective	
August 1, 1982).....	14874
12336 (Amended by	
E.O. 12355).....	14479
12355.....	14479
12356.....	14874
12356 (correction).....	15557
12357.....	15093

5 CFR

1201.....	15309
-----------	-------

7 CFR

1.....	15559
2.....	15559
210.....	14131, 14134
215.....	14131, 14134
220.....	14131, 14134
225.....	15309
230.....	14134
235.....	14134
245.....	14134
253.....	14135
331.....	14891
418.....	14675
600.....	14683
890.....	14868
907.....	13757, 15095
908.....	15095
910.....	14137, 15310
925.....	15095
1093.....	13757
1423.....	15310
1468.....	15096
1900.....	13758
2003.....	15560

Proposed Rules:

210.....	15342
210.....	15342
246.....	15348
272.....	14160
273.....	14160
274.....	14160
284.....	15346
331.....	14915
413.....	14915
426.....	13826
1007.....	14919
1822.....	15589
1944.....	15589

9 CFR

92.....	15097
---------	-------

Proposed Rules:

78.....	13827
319.....	14168
381.....	14168

10 CFR

Ch. II.....	13767
50.....	15569
60.....	13774
72.....	13774
81.....	13774
500.....	15311
501.....	15311
503.....	15311

Proposed Rules:

430.....	14424
795.....	14490

11 CFR

110.....	15098
----------	-------

12 CFR

29.....	13775
204.....	14481
208.....	14684
217.....	14483
225.....	14684
526.....	13776
544.....	13776
545.....	13776
555.....	13776
561.....	13776
563.....	13776
564.....	13776
1204.....	14690, 15098

Proposed Rules:

Ch. II.....	13827
210.....	15349
618.....	13834

13 CFR

305.....	15101
----------	-------

14 CFR					
39.....	13784-13788, 15102, 15569-15576				
71.....	13789, 13790, 15103-15106, 15577-15579				
97.....	14485				
399.....	14892				
1204.....	14893				
Proposed Rules:					
Ch. I.....	14014				
Ch. V.....	14923				
39.....	15600				
45.....	14128				
71.....	13834, 13835, 15601				
75.....	15143				
217.....	15350				
221.....	15144				
241.....	15350				
296.....	15144				
297.....	15144				
15 CFR					
359.....	14692				
368.....	15006				
369.....	15006				
370.....	15006				
371.....	14695, 15006				
372.....	14695, 15006				
373.....	15006				
374.....	15006				
375.....	15006				
376.....	15006				
377.....	15006				
379.....	15006				
385.....	15006				
386.....	15006				
387.....	15006				
388.....	15006				
389.....	15006				
390.....	15006				
806.....	14138, 15579				
16 CFR					
d15353-	15356				
290.....	13836				
19 CFR					
Proposed Rules:					
134.....	14493				
201.....	13791				
210.....	13791				
20 CFR					
Ch. VI.....	14696				
404.....	13792, 14894				
416.....	13792, 15319				
Proposed Rules:					
404.....	15602				
416.....	15602				
21 CFR					
74.....	14138				
81.....	14137, 14138				
82.....	14138				
176.....	14697				
177.....	14697, 14697				
178.....	14700				
193.....	14894, 14895				
452.....	15326				
510.....	14148, 14700, 15327				
520.....	14148, 14149, 14701, 15327, 15328				
522.....	14148, 14149, 14702, 14703, 15327, 15328				
540.....	14148, 14150				
558.....	14148, 14149, 14151, 14700, 14703, 14704				
561.....	14896-14898				
640.....	15329				
884.....	14705				
Proposed Rules:					
Ch. I.....	14464				
168.....	15357				
23 CFR					
625.....	13794				
626.....	13794				
1205.....	15116				
1252.....	15116				
Proposed Rules:					
Ch. I.....	14014				
Ch. II.....	14014				
24 CFR					
58.....	15750				
200.....	14487				
570.....	15290				
Proposed Rules:					
201.....	14712				
203.....	14495, 14713				
204.....	14713				
213.....	14713				
220.....	14713				
221.....	14713				
222.....	14713				
226.....	14713				
227.....	14713				
233.....	14713				
234.....	14713				
235.....	14713				
237.....	14713				
240.....	14713				
26 CFR					
1.....	15122				
5cL15330					
29 CFR					
Subtitle A.....	14696, 14706				
Ch. XVII.....	14696, 14706				
2645.....	14899				
Proposed Rules:					
1910.....	14169, 14716, 15358				
1918a.....	14716				
30 CFR					
Ch. I.....	14696, 14706				
936.....	14152				
Proposed Rules:					
716.....	15605				
785.....	15605				
917.....	15605				
920.....	13836				
936.....	14170				
938.....	15368				
943.....	14170				
32 CFR					
56.....	15122				
213.....	14899				
Proposed Rules:					
505.....	14925				
33 CFR					
3.....	13796				
81.....	13798				
84.....	15135				
85.....	15135				
86.....	15135				
89.....	13800				
117.....	15136				
165.....	13802				
402.....	13803				
403.....	13803				
Proposed Rules:					
Ch. I.....	14014				
Ch. IV.....	14014				
100.....	15144				
110.....	15145				
117.....	13838, 15146				
175.....	15606				
181.....	15606				
401.....	13838				
34 CFR					
630.....	15582				
730.....	15582				
655.....	14112				
656.....	14112				
657.....	14112				
658.....	14112				
660.....	14112				
36 CFR					
72.....	15137				
38 CFR					
36.....	15137				
Proposed Rules:					
36.....	14172				
39 CFR					
Proposed Rules:					
10.....	14862				
111.....	14862				
233.....	14862				
40 CFR					
52.....	14707, 15140, 15579-15587				
86.....	14904				
122.....	15304				
123.....	15307				
124.....	15304				
201.....	14709				
180.....	14905-14910				
256.....	14910-14912				
264.....	15032				
265.....	15032				
Proposed Rules:					
Ch. I.....	15702				
52.....	15147, 15368, 15609				
65.....	14177				
122.....	15147, 15368, 15369				
123.....	14925, 14926, 15147, 15369, 15609				
124.....	15147, 15369				
146.....	15147, 15369				
41 CFR					
Ch. 7.....	14914				
Ch. 60.....	14696				
Ch. 101.....	15141				
8-1.....	15332				
8-3.....	15332				
8-95.....	15333				
Proposed Rules:					
Ch. 12.....	14014				
42 CFR					
Proposed Rules:					
421.....	15370				
43 CFR					
1820.....	14487				
Public Land Orders:					
6153.....	14157				
6230.....	14157				
6231.....	14158				
Proposed Rules:					
44 CFR					
Proposed Rules:					
67.....	15373				
2800.....	15284				
2880.....	15286				
64.....	13806				
302A.....	14500				
45 CFR					
Proposed Rules:					
Ch. XI.....	14734				
5.....	15610				
46 CFR					
31.....	15210				
32.....	15210				
33.....	15210				
35.....	15210				
37.....	15210				
38.....	15210				
63.....	15210				
71.....	15210				
75.....	15210				
76.....	15210				
77.....	15210				
78.....	15210				
79.....	15210				
92.....	15210				
94.....	15210				
96.....	15210				
97.....	15210				
99.....	15210				
110.....	15210				
111.....	15210				
112.....	15210				
113.....	15210				
161.....	15210				
190.....	15210				
192.....	15210				
196.....	15210				
401.....	13808				
530.....	14709				
Proposed Rules:					
Ch. I.....	14014, 15147				
Ch. III.....	14014				
56.....	13838				
58.....	13838				
502.....	14734				
47 CFR					
0.....					

73.....	13839-13844, 14177, 15376-15379
95.....	14178
97.....	14197

49 CFR

171.....	13816
173.....	13816
178.....	13816
192.....	13818
630.....	13825
1005.....	14710
1008.....	14710
1015.....	14710
1047.....	15142

Proposed Rules:

Subtitle A.....	14014
Ch. I.....	14014
Ch. II.....	14014
Ch. III.....	14014
Ch. IV.....	14014
Ch. V.....	14014
Ch. VI.....	14014
525.....	14501
531.....	14501
533.....	14501
537.....	14501
555.....	14501
556.....	14501
569.....	14501
571.....	14501, 15612
573.....	14501
574.....	14501
575.....	14501
576.....	14501
577.....	14501
580.....	14501
581.....	14501
571.....	13845

50 CFR

611.....	15341
640.....	15588
651.....	14158
652.....	14158
656.....	15341
657.....	15341

Proposed Rules:

20.....	15614
23.....	14472, 14664
83.....	14739
285.....	14501

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. Comments on this program are still invited.

Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing April 9, 1982

