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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.

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Presidential Documents

Title 3—

The President

Proclamation 4927 of April 12, 1982

Asian/Pacific American Heritage Week, 1982

By the President of the United States of America

A Proclamation

The spirit of America lies in the richness of our diverse cultural heritage, with ties forged through the struggle of all of our people in the quest for freedom and opportunity.

Asian and Pacific Americans have long shared the dreams common to all Americans and borne the heartaches and triumphs of the American experience. In spite of years of struggle and toil, in spite of exclusion and incarceration and discrimination, peoples whose roots lie in Asia and the Pacific Islands have brought forth myriad contributions to this country—in the arts and literature, science, industry, commerce, government, and agriculture.

America owes a profound debt to its Asian and Pacific immigrants, who came to these shores to escape poverty and oppression. They brought to America a spirit which renews the hopes and ideals of the American Republic in forming a more perfect Union.

As we celebrate the accomplishments of Asian and Pacific Americans, we dedicate ourselves to overcoming the legacy of the past, knowing that the tasks in the struggle for full participation and equal opportunity remain incomplete. We are grateful to Asian and Pacific Americans for their presence and for their enduring belief in the unalienable right to life, liberty, and the pursuit of happiness.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, declare the seven-day period beginning May 7, 1982, as Asian/Pacific American Heritage Week. I call upon the people of the United States to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of April, in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

Ronald Reagan

[FR Doc. 82-10347
Filed 4-12-82; 3:34 pm]
Billing code 3195-01-M

Presidential Documents

Proclamation 4928 of April 12, 1982

Dutch-American Friendship Day, 1982

By the President of the United States of America

A Proclamation

April 19, 1982 marks the two hundredth anniversary of the establishment of diplomatic relations between the Netherlands and the United States of America. This is the United States' longest unbroken, peaceful relationship with any foreign country.

From the very beginning, Americans and Dutch were drawn together by mutual ideals. The Pilgrims resided in the Netherlands for ten years before they set sail for the New World. During the Revolutionary War, the Dutch people demonstrated their widespread sympathy for the American struggle for freedom.

On the Dutch island of St. Eustatius in the Caribbean, the first foreign salute to the American flag took place on November 16, 1776; John Paul Jones was received as a hero in Amsterdam in 1779 when he landed with two captured British ships; and the Dutch Government entered into secret negotiations with the Continental Congress, starting in 1778, on the draft of a Treaty of Amity and Commerce.

But, most important, on April 19, 1782, John Adams was admitted by the States General of the Dutch Republic as Minister of the United States of America, thus obtaining the second diplomatic recognition of the United States as an independent nation. Adams also succeeded, on October 8, 1782, in signing the first Treaty of Amity and Commerce between the two countries. This recognition of the United States as an independent nation can be regarded as a key step in our country's efforts to take its rightful place in the world community of nations as a sovereign state.

During the dark days of World War II, America was able to return this early support for our nationhood. Thousands of our young men are buried on Dutch soil, having given their lives in the liberation of the Netherlands.

Today, the United States and the Netherlands share a joint commitment to our common security and the defense of freedom and our shared democratic values through our mutual membership in the North Atlantic Alliance. Our close economic ties reinforce our common philosophic and political goals, and the Netherlands is now the top foreign investor in the United States.

While the particular expression of our policies and actions has not always been identical, this recognition of common interests and shared ideals has been a hallmark of the continuously peaceful and productive relationship between the United States and the Netherlands for two hundred years.

In recognition of this long and fruitful relationship between our two countries and peoples, I do hereby designate April 19, 1982 as Dutch-American Friendship Day and call on all Americans to observe such day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of April, in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and sixth.

Ronald Reagan

[FR Doc. 82-10411
Filed 4-13-82; 10:59 am]
Billing code 3195-01-M

Rules and Regulations

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 905

[Orange, Grapefruit, Tangerine and Tangelo Regulation 6, Amdt. 8]

Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Amendment of Grade and Size Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Amendment to final rule.

SUMMARY: This action lowers the minimum diameter requirement for domestic shipments of Florida white seedless grapefruit and imports of white seedless grapefruit from 3 9/16 inches to 3 5/16 inches from April 12, 1982, through August 22, 1982. On and after August 23, 1982, the minimum diameter would remain unchanged at 3 9/16 inches. This change recognizes the current and prospective demand for white seedless grapefruit and is consistent with the remaining crop in the interest of growers and consumers.

EFFECTIVE DATE: April 12, 1982.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202–447–5975.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under Secretary's Memorandum 1512–1 and Executive Order 12291 and has been designated a "non-major" rule. William T. Manley, Acting Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of shall entities because it would not measurably affect costs for the directly regulated handlers. The regulation with respect to Florida white seedless grapefruit is issued under the marketing agreement and Order No. 905 (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines and tangelos grown in Florida.

The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendation and information submitted by the Citrus Administrative Committee, and upon other available information.

The minimum size requirements specified herein reflect the Committee's and the Department's appraisal of the need to revise the size requirements applicable to Florida white seedless grapefruit in recognition of the diminishing available supplies of such grapefruit. The committee reports an increased market demand for the remaining white seedless grapefruit supply. Specification of these requirements assures that the available supply of marketable fruit reaches the consumer.

Under Section 8e of the Act (7 U.S.C. 608e–1), whenever specified commodities, including grapefruit, are regulated under a Federal marketing order, imports of that commodity must meet the same or comparable grade, size, quality or maturity requirements as those in effect for the domestically produced commodity. Thus, the size requirements for imported white seedless grapefruit will also change to conform to the size requirements for domestic shipments of Florida white seedless grapefruit. It is hereby found that this regulation will tend to effectuate the declared policy of the act.

It is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553). It is necessary to effectuate the declared purposes of the act to make this regulatory provision effective as specified. This amendment relieves restrictions on shipments of Florida white seedless grapefruit and imports of white seedless grapefruit.

List of Subjects in 7 CFR Part 905

Marketing Agreements and Orders, Florida, Grapefruit, Oranges, Tangelos, Tangerines.

Accordingly, it is found that the provisions of § 905.306 Orange, Grapefruit, Tangerine and Tangelo Regulation 6 (46 FR 60170; 60411; 61441; 47 FR 589; 5192; 5699; 6248; 7203) should be and are amended by revising Table I paragraph (a), applicable to domestic shipments, to read as follows:

§ 905.306 Orange, grapefruit, tangerine and tangelo regulation 6.

(a) * * *

TABLE I

Variety (1)	Regulation period (2)	Minimum grade (3)	Minimum diameter (inch) (4)
*	* *	*	*
Grapefruit: Seedless, except pink.	4/12/82–8/22/82.	Improved No. 2 (External).	.....
	.....	U.S. No. 1 (Internal).	3 9/16
	On and after 8/23/82.	Improved No. 2.	3 9/16
*	* *	*	*

* * * * *

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

Dated: April 9, 1982.

D. S. Kuryloski,

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

[FR Doc. 82–10258 Filed 4–13–82; 8:45 am]
BILLING CODE 3410–02–M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 2

General Statement of Policy and Procedure for Enforcement Actions; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Revised general statement of policy; correction.

SUMMARY: This document corrects a revised general statement of policy on enforcement action published in the **Federal Register** of Tuesday, March 9, 1982, (47 FR 9987). The action is necessary to correct two statements and make other changes in column headings and footnotes.

FOR FURTHER INFORMATION CONTACT: James Lieberman, Acting Director, Enforcement Staff, Office of Inspection

and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, (301) 492-4909.

SUPPLEMENTARY INFORMATION: The revised general statement of policy published in the **Federal Register** on March 9, 1982, (47 FR 9987) is corrected as follows:

1. On page 9989, middle column, the statement, "(2) provision that severity level III violations be considered for civil penalties, rather than normally assessing civil penalties for them;" is changed to read, "(2) provision that severity level III violations be considered for civil penalties but not necessarily imposed in every instance of a severity level III violation;".

2. On page 9989, third column, second paragraph under "**I. Introduction and Purpose,**" the sentence, "It is the Commission's intent that noncompliance should be more expensive than compliance." should be inserted to appear immediately following the first sentence which begins, "Consistent with * * *".

3. On page 9992, "Table 1A.—Base Civil Penalties," first column of Table, "openings" is corrected to read "operations".

4. On page 9992, "Table 1A.—Base Civil Penalties," Footnotes 2 and 3, insert the word "Also" immediately before "Type" in each footnote.

5. On page 9994, first column, fourth line down, "B. Severity I" is corrected to read "B. Severity II".

Dated at Washington, DC, this 8th day of April, 1982.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 82-10241 Filed 4-13-82; 8:45 am]

BILLING CODE 7590-01-M

CIVIL AERONAUTICS BOARD

14 CFR Part 373

[Reg. SPR-186; Amdt. No. 1 to Part 373; Docket No. 40120]

Implementation of the Equal Access to Justice Act

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: The CAB is adopting a final rule implementing the Equal Access to Justice Act (EAJA). The EAJA, which took effect October 1, 1981, provides for the award of attorney's fees and other expenses to parties who prevail over the Federal government in certain administrative and court proceedings. This final rule, which replaces an interim rule adopted by the CAB, is required by the EAJA.

DATES: Adopted: April 1, 1982. Effective: May 14, 1982.

FOR FURTHER INFORMATION CONTACT: Joanne Petrie, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428; 202-673-5442.

SUPPLEMENTARY INFORMATION: The Equal Access to Justice Act, Pub. L. 96-481, 94 Stat. 2325, authorizes the award of attorney's fees and other expenses to certain private litigants who prevail against the United States in adversary adjudications (proceedings under section 554 of the Administrative Procedure Act, 5 U.S.C. 554) conducted by Federal agencies and in civil court proceedings other than tort actions. Eligible prevailing parties are entitled to awards of fees and expenses, unless the presiding officer or judge finds that the position of the United States was substantailly justified or that special circumstances make an award unjust. Eligible parties include individuals with a net worth of not more than $1 million; sole owners of unincorporated businesses, partnerships, corporations, associations or organizations with a net worth of not more than $5 million and not more than 500 employees; and tax-exempt charitable, educational or religious organizations and agricultural cooperative associations with not more than 500 employees, regardless of net worth. The Act applies to any proceedings pending between October 1, 1981 and September 30, 1984.

The Board issued an interim rule, SPR-177, 46 FR 51375, October 20, 1981, approximately on the effective date of the Act. In addition, the Board adopted a notice of proposed rulemaking, SPDR-85, 46 FR 58501, December 2, 1981, in order to give interested persons an opportunity to comment on how the Board could best effectuate the purposes of the Act. SPDR-85 was based on the model regulations issued by the Administrative Conference (46 FR 15895, March 10, 1981, and 46 FR 32900, June 25, 1981), the rules issued by the Department of Justice (46 FR 48921, October 5, 1981), and recommendations of the Office of Management and Budget.

The notice of proposed rulemaking differed from the interim rule in several respects. Section 374.4, *Proceedings covered,* was changed to make it clear that the Act only applies to proceedings required by statute to be conducted as adversary adjudications. Section 373.9, *Awards against other agencies,* was removed because the statutory language of the Act does not provide for an award to be made by one agency against another. Confidential treatment of net worth statements was eliminated in § 373.11, *Net worth exhibits,* because the provision duplicated other parts of our rules. A number of other minor editorial corrections were made.

Comments were filed by the U.S. Small Business Administration and the Administrative Conference of the United States. Although the Administrative Conference's comments were received after the closing date, the Board grants its motion to file late comments.

Both comments generally supported the Board's proposed rules. They both noted, however, their concern that the wording of § 373.6(a) is potentially misleading. That section states that no presumption arises that the agency's position was not substantially justified simply because the agency did not prevail. According to the Administrative conference, the Board's provision suggests that applicants have the burden of proving that the agency's position was not substantially justified, even though the legislative history indicates that the agency must carry the burden on this point. Because the word "presumption" raises troublesome questions of interpretation, it is deleted in this final rule.

The Administrative Conference also urged the Board to reconsider its tentative conclusion that the Act does not provide for awards against other agencies. The Board's interpretation is supported by the language of the ordering section of the Act, 5 U.S.C. 504, which provides only for awards against the agency that is conducting the adversary adjudication. Because the Administrative Conference has presented no specific reason why that view is incorrect, no change is made in the final rule. Similarly, the Board declines to change its requirement in § 373.11, *Net worth exhibits,* that requires the applicants to report certain transfers of assets. The Board finds that report is a useful way to screen applicants that are not covered by the Act.

The final rule incorporates a number of changes suggested by the Administrative Conference to make the rule clearer. Section 373.7, *Allowable fees and expenses,* has been changed to make necessary or reasonable expenses incurred, a separate item that can be recovered, rather than merely a criterion for judging the reasonableness of the attorney's or expert's fee. The Board finds that this change better effectuates the intention of the Act. The definition of "adversary adjudication" in § 373.4, *Proceeding covered,* was eliminated and

the definition of "proceeding" in § 373.2, *Definitions*, was removed because it was duplicative and potentially confusing. In § 373.4(a), acquisition proceedings have been added to the type of proceedings covered for clarity. The cross-reference to confidential treatment for net worth information in § 373.20, *Filing and service of documents*, was removed because the provision had previously been eliminated from § 373.11.

List of Subjects in 14 CFR Part 373

Administrative practice and procedure, Claims, Lawyers, Equal Access to Justice.

Regulatory Flexibility Act

In accordance with 5 U.S.C. 605(b), as added by the Regulatory Flexibility Act, Pub. L. 96–345, the Board certifies that these rules will not have a significant economic impact on a substantial number of small entities. While the Equal Access to Justice Act itself may have such an impact, the rules merely implement the Act's provisions and do not themselves impose significant economic burden or benefits.

Accordingly, the Civil Aeronautics Board amends Part 373, *Implementation of the Equal Access to Justice Act*, as follows:

PART 373—IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT

Subpart A—General Provisions

Authority: Sec 203(a)(1), Pub. L. 96–481, 94 Stat. 2325 (5 U.S.C. 504(c)(1)); Secs. 204 and 1002 of Pub. L. 85–726, as amended, 72 Stat. 743, 788; 49 U.S.C. 1324, 1482.

Subpart A—General Provisions

§ 373.1 Purpose.

The Equal Access to Justice Act, 5 U.S.C. 504, provides for the award of attorney fees and other expenses to eligible individuals and entities that are parties to certain administrative proceedings (called "adversary adjudications") before the Civil Aeronautics Board. An eligible party may receive an award when it prevails over a respondent bureau unless the respondent bureau's position in the proceeding was substantially justified or special circumstances make an award unjust. The rules in this part describe the parties eligible for awards, and the proceedings that are covered. They also explain how to apply for awards, and the procedures and standards that the Board will use to make them.

§ 373.2 Definitions.

As used in this Part:

(a) "The Act" means section 504 of title 5, United States Code, as amended by section 203(a)(1) of the Equal Access to Justice Act, Pub. L. No. 96–481.

(b) "Adversary adjudication" means an adjudication before the Civil Aeronautics Board under 5 U.S.C. 554 in which the position of any component of the Board is represented by counsel or other representative who enters an appearance and participates in the proceeding.

(c) "Respondent bureau" means the unit of the Board that participates in a proceeding covered under this part in which the applicant prevails and that is alleged by the applicant to have taken a "substantially unjustified" position in that proceeding.

§ 373.3 When the Act applies.

The Act applies to any adversary adjudication pending before the Board at any time between October 1, 1981 and September 30, 1984, or the date of final Board sunset, whichever is earlier. This includes proceedings begun before that date, and proceedings pending on September 30, 1984, regardless of when they were initiated or when final Board action occurs.

§ 373.4 Proceedings covered.

(a) The Act applies to proceedings of the Civil Aeronautics Board that are required by statute to be conducted as adversary adjudications. Any proceeding in which the Board may prescribe a lawful present or future rate is not covered by the Act. Proceedings to grant or renew licenses are also excluded, but proceedings to modify, suspend, or revoke licenses are covered if they are otherwise "adversary adjudications." For the Civil Aeronautics Board, the types of proceedings generally covered include:

(1) Enforcement proceedings;

(2) Merger and acquisition proceedings;

(3) Alterations, amendments, modifications, suspensions or revocations of a certificate to engage in foreign air transportation where the holder of such certificate requests an oral evidentiary hearing.

(b) The Board may also designate a proceeding not listed in paragraph (a) as an adversary adjudication for purposes of the Act by so stating in an order initiating the proceeding or designating the matter for hearing. The Board's failure to designate a proceeding as an adversary adjudication shall not preclude the filing of an application by a party who believes the proceeding is covered by the Act; whether the proceeding is covered will then be an issue to be resolved in disposing of the application.

(c) If a proceeding includes both matters covered by the Act and matters specifically excluded from coverage, any award made will include only fees and expenses related to covered issues.

§ 373.5 Eligibility of applicants.

(a) To be eligible for an award of attorney fees and other expenses under the Act, the applicant must be a party to the adversary adjudication for which it seeks an award. The term "party" is defined in 5 U.S.C. 551(3). The applicant must show that it meets all conditions of eligibility set out in this subpart and in subpart B.

(b) The types of eligible applicants are as follows:

(1) An individual with a net worth of not more than $1 million;

(2) The sole owner of an unincorporated business who has a net worth of not more than $5 million, including both personal and business interests, and not more than 500 employees;

(3) A charitable or other tax-exempt organization described in section 501(c)(3) of the Internal Revenue Code (26 U.S.C. 501(c)(3)) with not more than 500 employees;

(4) A cooperative association as defined in section 15(a) of the Agricultural Marketing Act (12 U.S.C. 1141j(a)) with not more than 500 employees; and

(5) Any other partnership, corporation, association, or public or private organization with a net worth of not

more than $5 million and not more than 500 employees.

(c) For the purpose of eligibility, the net worth and number of employees of an applicant shall be determined as of the date the proceeding was initiated.

(d) An applicant who owns an unincorporated business will be considered as an "individual" rather than a "sole owner of an unincorporated business" if the issues on which the applicant prevails are related primarily to personal interests rather than to business interests.

(e) The employees of an applicant include all persons who regularly perform services for remuneration for the applicant, under the applicant's direction and control. Part-time employees shall be included on a proportional basis.

(f) The net worth and number of employees of the applicant and all of its affiliates shall be aggregated to determine eligibility. Any individual, corporation, or other entity that directly or indirectly controls or owns a majority of the voting shares or other interest of the applicant, or any corporation or other entity of which the applicant directly or indirectly owns or controls a majority of the voting shares or other interest, will be considered an affiliate for purposes of this part unless the adjudicative officer determines that such treatment would be unjust and contrary to the purposes of the Act in light of the actual relationship between the affiliated entities. In addition, the administrative law judge or the Board may determine that financial relationships of the applicant other than those described in this paragraph consititute special circumstances that would make an award unjust.

(g) An applicant that participates in a proceeding primarily on behalf of one or more other persons or entities that would be ineligible is not itself eligible for an award.

§ 373.6 Standards for awards.

(a) A prevailing applicant may receive an award for fees and expenses incurred in connection with a proceeding, or in a significant and discrete substantive portion of the proceeding, unless the position of the respondent bureau over which the applicant has prevailed was substantially justified.

(b) An award will be reduced or denied if the applicant has unduly or unreasonably protracted the proceeding or if special circumstances make the award sought unjust.

§ 373.7 Allowable fees and expenses.

(a) The following fees and other expenses are allowable under the Act:

(1) Reasonable expenses of expert witnesses;

(2) Reasonable cost of any study, analysis, engineering report, test, or project which the Board finds necessary for the preparation of the party's case;

(3) Reasonable attorney or agent fees;

(4) Any necessary or reasonable expenses incurred.

(b) The amount of fees awarded will be based upon the prevailing market rates for the kind and quality of services furnished, even if they were made available without charge or at a reduced rate to the applicant, except that:

(1) Compensation for an expert witness will not exceed $28.12 per hour; and

(2) Attorney or agent fees will not be in excess of $75 per hour.

(c) In determining the reasonableness of the fee sought for an attorney, agent, or expert witness, the administrative law judge or Board shall consider the following:

(1) If the attorney, agent or witness is in private practice, his or her customary fee for similar services, or, if an employee of the applicant, the fully allocated cost of the services;

(2) The prevailing rate for similar services in the community in which the attorney, agent or witness ordinarily performs services;

(3) The time actually spent in the representation of the applicant;

(4) The time reasonably spent in light of the difficulty or complexity of the issues in the proceeding;

(5) Such other factors as may bear on the value of the services provided.

§ 373.8 Rulemaking on maximum rates for attorney fees.

(a) If warranted by an increase in the cost of living or by special circumstances (such as limited availability of attorneys qualified to handle certain types of proceedings), the Board may adopt additional regulations providing that attorney fees may be awarded at a rate higher than $75 per hour in some or all of the types of proceedings covered by this part. The Board will conduct any rulemaking proceedings for this purpose under the informal rulemaking procedures of the Administrative Procedure Act.

(b) Any person may file with the Board a petition for rulemaking to increase the maximum rate for attorney fees, in accordance with 14 CFR 302.38. The petition should identify the rate the petitioner believes the Board should establish and types of proceedings in which the rate should be used. It should also explain fully the reasons why the higher rate is warranted. The Board will respond to the petition within 120 days after it is filed, by initiating a rulemaking proceeding, denying the petition, or taking other appropriate action.

Subpart B—Information Required From Applicants

§ 373.10 Contents of application.

(a) An application for an award of fees and expenses under the Act shall be filed in the Docket Section under a new docket number and shall identify the applicant and the proceeding for which an award is sought. The application shall show that the applicant has prevailed and identify the position of the respondent bureau or agencies in the proceeding that the applicant alleges was not substantially justified.

(b) The application shall also include a statement that the applicant's net worth does not exceed $1 million (if an individual) or $5 million (for all other applicants, including their affiliates). However, an applicant may omit this statement if:

(1) It attaches a copy of a ruling of the Internal Revenue Service that it qualifies as an organization described in section 501(c)(3) of the Internal Revenue Code (26 U.S. 501(c)(3)) or, in the case of a tax-exempt organization not required to obtain a ruling from the Internal Revenue Service on its exempt status, a statement that describes the basis for the applicant's belief that it qualifies under such section; or

(2) It states that it is a cooperative association as defined in section 15(a) of the Agricultural Marketing Act (12 U.S.C. 1141j(a)).

(c) If the applicant is a partnership, corporation, association, organization, or a sole owner of an incorporated business, the application shall state that it did not have more than 500 employees at the time the proceeding was initiated, giving the number of its employees and describing briefly the type and purpose of its organization or business.

(d) The application shall itemize the amount of fees and expenses for which an award is sought.

(e) The applicant may also include any other matters that the applicant wishes the Board to consider in determining whether and in what amount an award should be made.

(f) The application shall be signed by the applicant or an authorized officer with respect to the eligibility of the applicant and by the attorney of the applicant with respect to fees and expenses sought. The application shall contain or be accompanied by a written verification under oath or under penalty of perjury that the information provided

in the application is true and complete to the best of the signer's information and belief.

§ 353.11 Net worth exhibits.

(a) Each applicant other than a qualified tax-exempt organization or cooperative association must submit with its application a detailed exhibit showing the net worth of the applicant and any affiliates (as defined in § 373.5(f) when the proceeding was initiated. The exhibit may be in any form convenient to the applicant that provides full disclosure of the applicant's and its affiliates' assets and liabilities and is sufficient to determine whether the applicant qualifies under the standards in this part. The administrative law judge or Board may require an applicant to file additional information to determine its eligibility for an award.

(b) The net worth exhibit shall describe any transfers of assets from, or obligations incurred by, the applicant or any affiliate, occurring 1 year prior to the date on which the proceeding was initiated, that reduced the net worth of the applicant and its affiliates below the applicable net worth ceiling. If there were no such transactions, the applicant shall so state.

(c) Ordinarily, the net worth exhibit will be included in the public record of the proceeding.

§ 373.12 Documentation of fees and expenses.

The application shall be accompanied by full documentation of the fees and expenses, including the cost of any study, analysis, engineering report, test, project or similar matter for which an award is sought. A separate itemized statement shall be submitted by each professional firm or individual whose services are covered by the application, showing the hours spent in connection with the proceeding by each individual, a description of the specific services performed, the rate at which each fee has been computed, any expenses for which reimbursement is sought, the total amount claimed, and the total amount paid or payable by the applicant or by any other person or entity for the services provided. The administrative law judge or Board may require the applicant to provide vouchers, receipts, or other substantiation for any expenses claimed.

§ 373.13 When an application may be filed.

(a) An application may be filed whenever the applicant has prevailed in the proceeding or in a significant and discrete substantive portion of the proceeding, but in no case later than 30 days after the Board's final disposition of the proceeding.

(b) If review or reconsideration is sought or taken of a decision as to which an applicant believes it has prevailed, proceedings for the award of fees shall be stayed pending final disposition of the underlying controversy.

(c) For purposes of this part, final disposition means the later of (1) the date on which an initial decision or other recommended disposition of the merits of the proceeding by an administrative law judge becomes administratively final; (2) issuance of an order disposing of any petitions for reconsideration of the Board's final order in the proceeding; (3) if no petition for reconsideration is filed, the last date on which such a petition could have been filed; or (4) issuance of a final order or any other final resolution of a proceeding, such as a settlement or voluntary dismissal, which is not subject to a petition for reconsideration.

Subpart C—Procedures for Considering Applications

§ 373.20 Filing and service of documents.

Any application for an award or other pleading or document related to an application shall be filed and served on all parties in accordance with 14 CFR Part 302.

§ 373.21 Answer to application.

(a) Any answer of the respondent bureau shall be filed within 30 days after service of an application.

(b) If the respondent bureau and the applicant believe that they can reach a settlement concerning the award, they may jointly file a statement of their intent to negotiate a settlement. The filing of this statement shall extend the time for filing an answer for an additional 30 days, and further extensions may be granted by the administrative law judge or Board upon request by the respondent bureau and the applicant.

(c) The answer shall explain in detail any objections to the award requested and identify the facts relied on to support the objection. If the answer is based on any alleged facts not already in the record of the proceeding, the respondent bureau shall include with the answer either supporting affidavits or a request for further proceedings under § 373.25.

§ 373.22 Reply.

Within 15 days after service of an answer, the applicant may file a reply. If the reply is based on any alleged facts not already in the record of the proceeding, the applicant shall include with the reply either supporting affidavits or a request for further proceedings under § 373.25.

§ 373.23 Comments by other parties.

Any party to a proceeding other than the applicant and respondent bureau may file comments on an application within 30 days after it is served or on an answer within 15 days after it is served. A commenting party may not participate further in proceedings on the application unless the administrative law judge or Board determines that the public interest requires such participation in order to permit full exploration of matters raised in the comments.

§ 373.24 Settlement.

The applicant and the respondent bureau may agree on a proposed settlement of the award before final action on the application, either in connection with a settlement of the underlying proceeding, or after the underlying proceeding has been concluded, in accordance with the Board's settlement procedure. If a prevailing party and the respondent bureau agree on a proposed settlement of an award before an application has been filed, the application shall be filed with the proposed settlement.

§ 373.25 Further proceedings.

(a) Ordinarily, the determination of an award will be made on the basis of the written record. Further proceedings shall be held, however, when necessary for full and fair resolution of the issues arising from the application, and shall be conducted as promptly as possible.

(b) A request that the administrative law judge or Board order further proceedings under this section shall specifically identify the information sought or the disputed issues and shall explain why the additional proceedings are necessary to resolve the issues.

§ 373.26 Decisions.

The administrative law judge or Board shall issue an initial or tentative decision on the application within 30 days after completion of proceedings on the application. The decision shall include written findings and conclusions on the applicant's eligibility and status as a prevailing party, and an explanation of the reasons for any difference between the amount requested and the amount awarded. The decision shall also include, if at issue, findings on whether the respondent bureau's position was substantially justified, whether the applicant unduly protracted the proceedings, or whether

special circumstances make an award unjust.

§ 373.27 Board review.

Either the applicant or respondent bureau may seek review of the initial decision on the fee application, or the Board may decide to review the decision on its own initiative. If neither the applicant nor the respondent bureau seeks review and the Board does not take review on its own initiative, the initial decision on the application shall become a final decision of the agency 30 days after it is issued. Whether to review a decision is a matter within the discretion of the Board. If review is taken, the Board will issue a final decision on the application or remand the application to the administrative law judge for final proceedings.

§ 373.28 Judicial review.

Judicial review of final Board decisions on awards may be sought as provided in 5 U.S.C. 504(c)(2).

§ 373.29 Payment of award.

An applicant seeking payment of an award shall submit to the Board's Comptroller a copy of the Board's final decision granting the award, accompanied by a statement that the applicant will not seek review of the decision in the United States courts. The documents should be sent to the Comptroller, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. The Board will pay the amount awarded to the applicant within 60 days, unless judicial review of the award or of the underlying decision of the adversary adjudication has been sought by the respondent bureau or any other party to the proceeding.

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 82-10218 Filed 4-13-82; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

21 CFR Part 5

Reservation of Rulemaking Authority of the Food and Drug Administration in Matters Involving Significant Public Policy; Revision

AGENCY: Office of the Secretary, HHS.

ACTION: Rule.

SUMMARY: The Secretary is amending the reservation of authority concerning the rulemaking authority of the Food and Drug Administration (FDA) to provide that the Secretary may approve or be notified of regulations that are subject to formal rulemaking procedures and that either are general procedural rules or present highly significant public issues.

EFFECTIVE DATE: April 7, 1982.

FOR FURTHER INFORMATION CONTACT: Robert Brady, Executive Assistant to the Commissioner, Office of the Commissioner (HF-9), Food and Drug Administration, 5600 Fishers Lane, Room 14-82, Rockville, MD 20857, 301-443-4124.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 11, 1981 (46 FR 26052), the Secretary published a rule amending previous delegations of authority to issue FDA regulations by providing that the Secretary reserves the authority vested in him by applicable statutes to approve regulations which establish general procedural rules or which present highly significant public issues concerning particular FDA-regulated products. The reservation of authority did not extend to those regulations to which the formal rulemaking procedures of the Administrative Procedure Act (5 U.S.C. 556 and 557) apply.

This document amends the previous reservation of authority to provide that nothing in the reservation of authority precludes the Secretary's approval of a regulation that is subject to formal rulemaking procedures (5 U.S.C. 556 and 557) and that meets one of the two criteria specified in the present reservation of authority for Secretarial approval of regulations subject to informal rulemaking. These criteria are that the regulation (1) establishes procedural rules applicable to a general class of foods, drugs, cosmetics, medical devices, or other subjects of regulation; or (2) presents highly significant public issues involving the quality, availability, marketability, or cost of one or more foods, drugs, cosmetics, medical devices, or other subjects of regulation. The amendment would also clarify that the Secretary may be notified in advance of an action (formal rulemaking or formal adjudication) subject to 5 U.S.C. 556 and 557 that meets one of these criteria. This change is being made to enable the Commissioner of Food and Drugs to obtain the Secretary's approval of regulations that are subject to formal rulemaking requirements. The amendment does not affect present clearance procedures for regulations subject to formal rulemaking procedures in cases where the Commissioner does not obtain the Secretary's approval. Hence, the amendment will not affect the issuance of the vast majority of such regulations that do not warrant Secretarial approval.

List of Subjects in 21 CFR Part 5

Authority delegations, Organization and functions (Government Agencies).

This amendment to the reservation of authority, set forth below, is effective April 7, 1982.

Dated: April 7, 1982.

Richard S. Schweiker,

Secretary.

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

Section 5.11 of Title 21 of the Code of Federal Regulations is revised to read as follows:

§ 5.11 Reservation of authority.

(a) Notwithstanding provisions of § 5.10 or any previous delegations of authority to the contrary, the Secretary reserves the authority to approve regulations of the Food and Drug Administration, except regulations to which sections 556 and 557 of Title 5 of the United States Code apply, which:

(1) Establish procedural rules applicable to a general class of foods, drugs, cosmetics, medical devices, or other subjects of regulation; or

(2) Present highly significant public issues involving the quality, availability, marketability, or cost of one or more foods, drugs, cosmetics, medical devices, or other subjects of regulation.

(b) Nothing in this section precludes the Secretary from approving a regulation, or being notified in advance of an action, to which sections 556 and 557 of Title 5 of the United States Code apply, which meets one of the criteria in paragraph (a) of this section.

(c) This reservation of authority is intended only to improve the internal management of the Department of Health and Human Services, and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, the Department of Health and Human Services, the Food and Drug Administration, any agency, officer, or employee of the United States, or any person. Regulations issued by the Food and Drug Administration without the approval of the Secretary are to be conclusively viewed as falling outside the scope of this reservation of authority.

[FR Doc. 82-10253 Filed 4-13-82; 8:45 am]

BILLING CODE 4150-04-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 561

[FAP 9H5205/T88; PH-FRL-2096-2]

Tolerances for Pesticides in Animal Feeds; Chlorpyrifos

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule extends a feed additive regulation to permit the combined residues of the insecticide chlorpyrifos and its metabolite in dried citrus pulp in connection with an experimental use permit involving the application of the insecticide in the growing of oranges and lemons. This regulation to permit the marketing of dried citrus pulp while further data are being collected on the insecticide was requested by Dow Chemical Co.

EFFECTIVE DATE: Effective on April 14, 1982.

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

FOR FURTHER INFORMATION CONTACT: Jay Ellenberger, Product Manager (PM) 12, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 202, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2368).

SUPPLEMENTARY INFORMATION: EPA issued a regulation in the **Federal Register** of June 17, 1981 (46 FR 31637) which announced that Dow Chemical Co., PO Box 1706, Midland, MI 48640, had requested an extension of a feed additive regulation permitting the combined residues of the insecticide chlorpyrifos (*O,O*-diethyl-*O*-(3,5,6-trichloro-2-pyridyl)phospohorothioate) and its metabolite 3,5,6-trichloro-2-pyridinol in or on dried citrus pulp at 15 parts per million (ppm) in connection with an experimental use permit involving the application of the insecticide in the growing of lemons and oranges.

This feed additive regulation is being extended to permit the continued testing, obtain additional data, and permit the marketing of the food commodity.

The scientific data reported and other relevant material have been evaluated and it has been determined that the pesticide may be safely used in accordance with the provisions of the experimental use permit (464-EUP-56) that is being extended under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The insecticide is considered useful for the purpose for which the regulation is sought, and it is concluded that the insecticide may be safely used in accordance with the prescribed manner when such use is in accordance with the label and labeling registered pursuant to FIFRA as amended, (86 Stat. 973, 89 Stat. 751, U.S.C. 135(a) *et seq.*). Therefore, the regulation is extended as set forth below.

Any person adversely affected by this regulation may, on or before May 14, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new food or feed additive levels, or conditions for safe use of additives, or raising such food or feed additive levels do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24945).

Effective on: April 14, 1982.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 346(c)(1)))

List of Subjects in 21 CFR Part 561

Feed additives, Pesticides and pests.

Dated: March 31, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Therefore, 21 CFR 561.98(b) is revised to read as follows:

§ 561.98 Chlorpyrifos.

* * * * *

(b) A tolerance is estabished for the combined residues of the insecticide chlorpyrifos (*O,O*-diethyl-*O*-(3,5,6-trichloro-2-pyridyl)phospohorothioate) and its metabolite 3,5,6-trichloro-2-pyridinol in or on citrus pulp, intended for animal feed at 15 parts per million resulting from the application of the insecticide in the growing of lemons and oranges in accordance with the provisions of an experimental use permit. This regulation expires June 30, 1983.

* * * * *

[FR Doc. 82-9720 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

21 CFR Part 561

[FAP 2H5325/T87; PH-FRL-2096-7]

Tolerances for Pesticides in Animal Feeds; Thiodicarb

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a feed additive regulation related to the experimental use of the insecticide thiodicarb in or on cottonseed hulls and soybean hulls. This regulation to permit the marketing of these commodities was requested by Union Carbide Corp.

EFFECTIVE DATE: Effective on April 14, 1982.

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

FOR FURTHER INFORMATION CONTACT: Jay Ellenberger, Product Manager (PM) 12, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 202, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2386).

SUPPLEMENTARY INFORMATION: EPA issued a notice in the **Federal Register** of December 16, 1981 (46 FR 61331), that Union Carbide Corp., P.O. Box 12014, T.W. Alexander Dr., Research Triangle Park, NC 27709, had filed a feed additive petition (FAP 2H5325) with the EPA. This petition proposed that 21 CFR Part 561 be amended by establishing a regulation permitting residues of the insecticide thiodicarb (dimethyl *N, N'*-(thiobis((methylimino)carbonyloxy))bis-(ethanimidothioate), and its metabolite methomyl, *N*-((methylcarbamoyl)oxy) thioacetimidate in or on cottonseed hulls and soybean hulls resulting from application of thiodicarb to growing cotton and soybeans in a proposed experimental program with a tolerance

limitation in or on cottonseed hulls at 0.8 part per million (ppm) and soybean hulls at 0.4 ppm.

No comments were received in response to this notice of filing.

This feed additive regulation is being established to permit the testing, obtain additional data, and permit the marketing of the food commodities.

The scientific data reported and other relevant material have been evaluated and it has been determined that the pesticide may be safely used in accordance with the provisions of the experimental use permits (264–EUP–60 and 264–EUP–61) that are being established under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The data submitted in support of the petition and other relevant material have been evaluated. The toxicological data considered in support of the regulation included a 6-month dog feeding study with a cholinergic and systemic no-observed-effect level (NOEL) of 15.0 milligrams (mg)/kilogram (kg)/day; a 90-day rat feeding study with a NOEL of 10.0 mg/kg/day and 3.0 mg/kg/day for cholinergic and systemic effects, respectively; a rat teratology study which was negative at up to 100 mg/kg/day and had a NOEL of 3.0 mg/kg/day for fetotoxicity; a mouse teratology study which was negative for teratogenic and fetotoxic effects at up to 200 mg/kg/day; and an acute delayed neurotoxicity study which was negative at up to 660 mg/kg. Based on the 90-day rat feeding study with a systemic NOEL of 3.0 mg/kg/day and using a 2,000 fold safety factor the acceptable daily intake for humans is 0.0015 mg/kg/day.

The metabolism of thiodicarb is adequately understood for this use, and an adequate analytical method is available for enforcement purposes. No actions are currently pending against registration of thiodicarb, nor are there any other relevant considerations involved in establishing the regulation.

The insecticide is considered useful for the purpose for which the regulation is sought, and it is concluded that the insecticide may be safely used in accordance with the prescribed manner when such uses are in accordance with the label and labeling registered pursuant to FIFRA as amended, (86 Stat. 973, 89 Stat. 751, U.S.C. 135(a) *et seq.*). Therefore, the regulation is established as set forth below.

Any person adversely affected by this regulation may, on or before May 14, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–534, 94 Stat. 1164, 5 U.S.C. 601–612), the Administrator has determined that regulations establishing new food or feed additive levels, or conditions for safe use of additives, or raising such food or feed additive levels do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (45 FR 24945). Effective on: April 14, 1982.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 346(c)(1))).

List of Subjects in 21 CFR Part 561

Animal feeds, Pesticides and pests.

Dated: March 31, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Therefore, 21 CFR Part 561 is amended by adding a new § 561.386 to read as follows:

§ 561.386 Thiodicarb.

A regulation is established permitting the combined residues of the insecticide thiodicarb [dimethyl *N,N'*,-(thiobis((methylimino)carbonyloxy))bis (ethanimidothioate), and its metabolite methomyl, *N*-((methylcarbamoyl)oxy)thioacetimidate in or on cottonseed hulls at 0.8 part per million (ppm) and in or on soybean hulls at 0.4 ppm resulting from application of thiodicarb to cottonseed and soybeans under an experimental program. This regulation expires February 23, 1983.

[FR Doc. 82-9724 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 916

Removal of the Conditions of Approval of the Kansas Permanent Program Under the Surface Mining Control and Reclamation Act of 1977

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Final rule.

SUMMARY: The document amends 30 CFR Part 916 by removing the conditions of approval of the Kansas permanent regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Kansas has submitted provisions to the Office of Surface Mining (OSM) which satisfy all the conditions of the Secretary's approval of January 21, 1981 (46 FR 5892–5899).

EFFECTIVE DATE: April 14, 1982.

FOR FURTHER INFORMATION CONTACT: Richard Rieke, Director, Kansas State Office, Office of Surface Mining, Scarritt Building, 818 Grand Avenue, Kansas City, Missouri 64106, Telephone: (816) 274–3920.

SUPPLEMENTARY INFORMATION:

Background on the Kansas Program Submission

On February 26, 1980, OSM received a proposed regulatory program from the State of Kansas. On September 4, 1980, following a review of the proposed program as outlined in 30 CFR Part 732, the Secretary approved in part and disapproved in part, the proposed program (45 FR 58569–59576). The State resubmitted its proposed program and after a subsequent review, the Secretary approved the program subject to the correction of six minor deficiencies. The approval was effective upon publication of the notice of conditional approval in the January 21, 1981 **Federal Register** (46 FR 5892–5899).

Information pertinent to the general background, revisions, modifications and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments, and explanation of the conditions of approval of the Kansas program can be found in the January 21, 1981 **Federal Register.**

Background on the Secretary's Conditional Approval

The Secretary determined that the Kansas program met all the criteria for

approval with the exception of six minor deficiencies:

1. Sections 49–411 and 49–412 of the Mined Land Conservation and Reclamation Act (MLCRA) allow the State regulatory authority to authorize deferred planting and delayed reclamation. These provisions are capable of implementation in a manner inconsistent with section 515(b)(10) of SMCRA which requires reclamation as contemporaneously as practicable with mining.

2. Sections 49–413 and 49–414 of the MLCRA allow the State regulatory authority to authorize bond release upon a determination that a satisfactory vegetative cover has been established. These sections are inconsistent with sections 515(b)(20) and 519(c) of SMCRA which require an operator to assume a five year minimum period of responsibility for successful revegetation.

3. Section 49–421 of the MLCRA limits mandatory civil penalties for cessation orders to $250. This provision is inconsistent with and less stringent than section 518(a) of SMCRA which authorizes mandatory penalties of up to $5,000. The Kansas MLCRA also contains a provision (section 49–405c) that establishes a maximum penalty of $5,000. Apparently, Kansas inadvertently failed to repeal section 49–421 when section 49–405a was enacted. Kansas State law (section 49–405c) and regulations provide for penalties consistent with Federal law and regulations.

4. Section 49–416 of the MLCRA is inconsistent in part with section 521 of SMCRA (and section 49–405(m) of the MLCRA) because it allows for discretionary permit revocation as distinguished from the mandatory cessation orders required under section 521 for violations creating imminent danger to public health or safety or causing imminent environmental harm.

5. The Kansas program contains no counterpart to section 704 of SMCRA concerning protection of employees of the Kansas Mined Land Conservation and Reclamation Board equivalent to the protection afforded Federal employees under section 704.

6. Sections 49–422 and 49–422a of the MLCRA are inconsistent with each other (the retention of section 49–422 may have been inadvertent) and neither section states whether judicial review of an administrative action will be *de novo* or on the record made before the Mined Land Conservation and Reclamation Board. To the extent that the Kansas program provides for trial *de novo* review of an administrative action such review must incorporate procedures adequately addressing the seven criteria enumerated in finding 4(p) of the **Federal Register** notice announcing the initial decision on the Kansas program (45 FR 58573, September 4, 1980).

In accepting the Secretary's conditional approval, Kansas agreed to correct the deficiencies by June 1, 1981.

Submission of Revisions

By a letter dated May 20, 1981 (see Kansas Administrative Record No. KS–234), Kansas submitted a copy of Kansas House Bill 2182, signed into law by Governor John Carlin on May 14, 1980. House Bill 2182, amending the MLCRA, was submitted to satisfy the six conditions of approval. These statutory revisions were made available for public review and comment when a notice of receipt was published in the **Federal Register** on August 25, 1981 (46 FR 42874–42875).

In addition to submitting provisions to satisfy the conditions of approval, Kansas also submitted additional amendments to the MLCRA. Although notice of receipt of these additional amendments was also published in the August 25, 1981 **Federal Register**, public comment was not specifically invited and no comments were received on these amendments. The Director has determined that these additional amendments should be considered under the procedures for program amendment in 30 CFR 732.17. Accordingly, a separate **Federal Register** notice will announce receipt of these amendments and solicit public comment. Only those amendments submitted to satisfy conditions of approval are being considered in this notice.

Secretary's Findings

The Secretary finds that the amendments submitted by Kansas on May 20, 1981, correct the deficiencies in the Kansas program as follows:

1. Section 49–411 of the MLCRA has been amended to remove the discretion to allow deferred planting and section 49–412 of the MLCRA which allowed the State regulatory authority to authorize delayed reclamation has been repealed. The MLCRA is not consistent with section 515(b)(16) of SMCRA which requires reclamation as contemporaneously as practicable with mining.

2. Sections 49–413 and 49–414 which were inconsistent with SMCRA in that these sections allowed the State regulatory authority to authorize bond release upon a determination that a satisfactory vegetative cover had been established, have been repealed. The MLCRA is now consistent with section 515(b)(20) and 519(c) of SMCRA which require an operator to assume a five year minimum responsibility for successful revegetation.

3. Section 49–421 of the MLCRA which limited mandatory civil penalties for cessation orders to $250 has been repealed. This section was inconsistent with and less stringent than section 518(a) of SMCRA which authorizes mandatory penalties of $5,000. The Kansas MLCRA also contains a provision in section 49–405c that establishes a maximum penalty of $5,000 which is consistent with section 518(a) of SMCRA.

4. Section 49–416 of the MLCRA which was inconsistent with section 521 of SMCRA in that it allowed for discretionary permit revocation as distinguished from the mandatory cessation orders required under section 521 for violations creating imminent danger to public health or safety or causing imminent environmental harm, has been repealed.

5. Kansas has enacted a provision at section 49–430 to provide for the protection of employees of the Kansas Mined Land Conservation and Reclamation Board equivalent to the protection afforded Federal employees under section 704 of SMCRA.

6. Section 49–422 has been repealed and section 49–422a of the MLCRA has been amended to include a provision that judicial review will be on the record made before the Mined Land Conservation and Reclamation Board. Section 49–422a of the MLCRA is now consistent with the requirements for judicial review of administrative actions contained in section 526(b) of SMCRA.

Disposition of Public Comments

No public comments were received on these proposed amendments to the Kansas program.

Approval Without Condition

Accordingly, the Kansas program is hereby fully approved. 30 CFR 916.10 is amended to indicate approval of the May 20, 1981, program amendments. 30 CFR 916.11 which established the conditions of approval is hereby removed.

Additional Determinations

Pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), this rule is not a major Federal action and therefore preparation of an environmental impact statement, FONSI or environmental assessment is not required.

On November 13, 1981, the Administrator of the Environmental Protection Agency transmitted her

written concurrence on those aspects of the amendments approved in this document relating to air or water quality standards under the authority of the Clean Water Act, as amended (33 U.S.C. 1151 *et seq.*), and the Clean Air Act, as amended (42 U.S.C. 1857 *et seq.*).

On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from sections 3, 4, 6 and 8 of Executive Order 12291 for all actions taken to approve or conditionally approve State regulatory programs, actions or amendments. Therefore, this program amendment is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, the Department of the Interior has determined that this rule will not have a significant economic effect on a substantial number of small entities.

List of Subjects in 30 CFR Part 916

Coal mining, Surface mining, Intergovernmental relations, Underground mining.

For the reasons stated in the preamble above, Part 916 of Chapter VII, Title 30 is amended as set forth herein.

Dated: April 8, 1982.

Daniel N. Miller, Jr.,

Assistant Secretary, Energy and Minerals.

PART 916—KANSAS

1. 30 CFR 916.10 is revised to read:

§ 916.10 State regulatory program approval.

The Kansas State program submitted on February 26, 1980, as amended on October 31, 1980, and as further amended on May 20, 1981, is approved effective April 14, 1982. Copies of the approved program, as amended, are available for review at:

(a) Office of Surface Mining, Kansas State Office, Scarritt Building, 818 Grand Avenue, Kansas City, Missouri 64106. Telephone: (816) 374-3920.

(b) Mined Land Office, 107 West 11th Street, Pittsburg, Kansas 66762. Telephone: (316) 231-8540.

(c) Kansas Corporation Commission, Legal Office, 4th Floor, State Office Building, 915 Harrison, Topeka, Kansas 66612. Telephone: (913) 296-3361.

(d) Office of Surface Mining, Administrative Record, Room 5315, 1100 "L" Street, N.W., Washington, D.C. 20240. Telephone: (202) 343-7896.

§ 916.11 [Removed]

2. Part 916 is amended by removing § 916.11.

[FR Doc. 82-10259 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DoD Reg. 6010.8-R, Amdt. No. 12]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Amendment on Claims Filing Deadline Exceptions

AGENCY: Office of the Secretary, Defense (DOD).

ACTION: Amendment of final rule.

SUMMARY: This amends the CHAMPUS Regulation by: (a) Removing a restriction which prohibits the Director, OCHAMPUS, from granting an exception to the claims filing deadline date when the late claims involve services provided by governmental institutions or agencies (local, state or federal), (b) adding another provision for exceptions to the claims filing deadline when a claim is filed late due to delays by other health insurance companies, and (c) changing the procedure so that the requests for exceptions can be submitted to the appropriate CHAMPUS fiscal intermediary instead of the Director, OCHAMPUS. These changes will permit consideration of those cases where the fault does not lie directly with the beneficiary. The end result will be a more rational and equitable administration of exceptions to the claims filing deadline. Submission of requests directly to the fiscal intermediary will permit more timely processing of claims and will result in improved services to CHAMPUS beneficiaries.

EFFECTIVE DATE: April 9, 1982.

FOR FURTHER INFORMATION CONTACT: Charles M. Gallegos, Chief, Policy Branch, OCHAMPUS, Aurora, CO 80045, (303) 361-8608.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-7834, appearing in the **Federal Register** on April 4, 1977 (42 FR 17972), the Office of the Secretary of Defense published DoD 6010.8-R, "The Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)," as Part 199 of this title.

Sections 199.13(d) (1) and (2) outline the claims filing deadline requirements and the circumstances under which the Director, OCHAMPUS, may grant an exception. These circumstances include four categories: Retroactive eligibility determinations; administrative error by OCHAMPUS; mental incompetency of the beneficiary or guardian; and direct billings by participating providers. These exceptions represent factors which are usually beyond the effective control of the beneficiary.

This above section stipulates that an exception may not be granted for late claims involving services and supplies provided by governmental institutions or agencies (local, state or federal). The intent of this stipulation was to encourage governmental institutions to file claims in a timely manner. However, a number of situations have been brought to the attention of OCHAMPUS in which the governmental institution was attempting to recoup funds from the CHAMPUS beneficiary in spite of the facility's admission of culpability in its failure to file a timely CHAMPUS claim.

Because this provision is thrusting a financial obligation on the CHAMPUS beneficiary through factors beyond the beneficiary's control, CHAMPUS is removing the restriction on governmental institutions. This would permit consideration of all claims under the claims filing deadline exceptions. Further, in double coverage situations, numerous cases have been noticed where late claims are filed due to delays in adjudication by other health insurance companies. Under the current language, exception in such a circumstance cannot easily be granted. Since this circumstance represents factors which are usually beyond the effective control of the beneficiary, CHAMPUS is adding a fifth category to provide for such an exception. These changes will result in a more rational and equitable administration of exceptions to the claims filing deadline.

Section 199.13(d)(2)(ii) prescribes that requests for exception to the claims filing deadline be submitted to the Director, OCHAMPUS, Denver, Colorado. Since claims are processed by CHAMPUS fiscal intermediaries, the procedure should be revised to require CHAMPUS fiscal intermediaries to process requests for exceptions to the claims filing deadline. Submission of requests directly to a fiscal intermediary having the claims jurisdiction will permit more timely processing of claims and will result in improved services to CHAMPUS beneficiaries When this amendment is approved, affected beneficiaries may request exception to the claims filing deadline from the CHAMPUS fiscal intermediary having

jurisdiction over the location in which the service was rendered.

Since this amendment involves administrative matters, no public comment period was necessary and no proposed rule was published.

List of Subjects in 32 CFR Part 199

Handicapped, Health insurance, Military personnel.

PART 199—IMPLEMENTATION OF THE CIVILIAN AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES

Accordingly, 32 CFR, Chapter I, is amended reading as follows:

Section 199.13 is amended to read as follows:

By removing the phrase in paragraph (d)(2) which prohibits an exception from being granted for late claims involving services provided by governmental institutions, as set forth below.

By adding a new paragraph (d)(2)(i)(*e*) as set forth below.

By revising paragraph (d)(2)(ii) as set forth below.

§ 199.13 Claims submission, review and payment.

* * * * *

(d) * * *

(2) *Exception to claims filing deadline.* The Director, OCHAMPUS (or a designee), may grant exceptions to the claims filing deadline requirements, such as the following:

(i) *Types of exception.* (*a*) * * *

(*e*) *Delays by other health insurance.* When not attributable to the beneficiary, delays in adjudication by other health insurance companies when double coverage coordination is required prior to the CHAMPUS benefit determination.

(ii) *Requests for exception to claims filing deadline.* Beneficiaries who wish to request an exception to the claims filing deadline may submit such a request to the CHAMPUS Fiscal Intermediary having jurisdiction over the location in which the service was rendered, or as otherwise designated by the Director, OCHAMPUS.

* * * * *

(10 U.S.C. 1086, 5 U.S.C. 301)

M. S. Healy,

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

April 9, 1982.

[FR Doc. 82-10228 Filed 4-13-82; 8:45 am]

BILLING CODE 3810-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-6-FRL 2078-7]

Approval and Promulgation of Revisions to Louisiana State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: The purpose of this rule is to approve certain elements of the State Implementation Plan and Air Quality Regulations for Louisiana which were submitted to EPA by the Governor of the State in four packages on January 12, 1981, June 3, 1981, (two submittals), and on August 17, 1981. The regulations approved by this rule contain administrative changes, exemptions for storage tanks which store certain types of organic compounds from certain controls, exemptions for certain non-reactive organic compounds from state control requirements, and a revision which requires that annual updates of emissions from sources be submitted to the State. The revised set section were submitted by the State for the purpose of meeting the requirements of Part D of the Clean Air Act (CAA), and to assist the State in the attainment and maintenance of the National Ambient Air Quality Standards throughout Louisiana. This rule also amends 40 CFR 52.970.

EFFECTIVE DATE: This rulemaking will be effective on June 14, 1982, unless notice is received by May 14, 1982 that someone wishes to submit adverse or critical comments.

ADDRESSES: Copies of the materials submitted by Louisiana and EPA's Evaluation Report may be examined during normal business hours at the following locations:

EPA, Region 6, Library, 1201 Elm Street, Dallas, Tx 75270

EPA, Public Information Reference Unit, Library Systems Branch, 401 M St., SW, Washington, D.C. 20460

The Office of the Federal Register, Room 8401, 1100 L St., N.W., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: J. Ken Greer, Jr., State Implementation Plan Section, Air and Waste Management Division, Environmental Protection Agency, Region 6, 1201 Elm Street, Dallas, Texas 75270, (214) 767-2742, (FTS) 729-2742.

SUPPLEMENTARY INFORMATION:

I. Background

The Governor of Louisiana submitted to EPA revisions to the State's Air Quality Regulations 8.5.1, 22.3.1.1, 22.3.1.2, 22.3.2, 22.9.3(a), 22.9.3(d) and 22.10 on January 12, June 3, and August 17, 1981.

Public hearings were held for the revised Sections by the Louisiana Environmental Control Commission on December 11, 1980, April 23, 1981, May 28, 1981, and on July 23, 1981. The revisions submitted include: (1) Administrative changes which do not alter the intent of the revised sections, (2) provisions which exempt storage tanks storing certain types of organic compounds from certain types of control, (3) exemptions which exempt certain non-reactive organic compounds from the State's control requirements, and (4) a revision which requires that annual updates of emissions from sources be submitted to the State if significant changes have occurred in the source's emissions. Brief descriptions of each revised Section and EPA's actions are outlined below.

II. Description of the Revised Sections

Revised Section 8.5.1 provides that all owners or operators of stationary sources in Louisiana shall maintain records and annually report to the Department of Natural Resources (DNR) data on emissions and other information needed to determine compliance with the Louisiana Regulations. The revised Section was submitted to EPA on June 3, 1981.

A revision to Sections 22.3.1.1 and 22.3.1.2 adds the statement to each section that if the organic compounds in a storage tank have a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions then the required control equipment shall not be permitted. The revision to both Sections was submitted to EPA on June 3, 1981.

A revision to Section 22.3.2 adds the statement that the requirements of 22.3, Storage of Volatile Organic Compounds in large tanks do not apply to horizontal, underground tanks that store JP-4 jet fuel. The revision was submitted to EPA on August 17, 1981.

A revision to Section 22.9.3(a) deletes the last sentence in the existing section which is an example of an emission limitation. The revision was submitted to EPA on June 3, 1981.

A revision to Section 22.9(d) makes an administrative change to the numbering system mentioned in the section. The revision was submitted to EPA on January 12, 1981.

A revision to Section 22.10 adds certain volatile organic compounds (VOCs) to the State's list for exemption from control. The compounds trichlorofluoromethane, dichlorodifluoromethane, chlorodifluoromethane, trifluoromethane, dichlorotetrafluoroethane, and chloropentafluoroethane are added to the exempt list. The revision was submitted to EPA on June 3, 1981.

The above described revised Sections have been reviewed by EPA and found to agree with EPA guidance as fully explained in the Evaluation Report which is available for public review at the places listed in the **ADDRESSES** section of this notice. The revised Sections will allow DNR to continue to attain and maintain the National Ambient Air Quality Standards throughout the State of Louisiana.

EPA's Actions

EPA approves the SIP revisions as submitted by the Governor of Louisiana which revise Sections 8.5.1, 22.3.1.1, 22.3.1.2, 22.3.2, 22.9.2(a), 22.9.3(d), and 22.10 of the Louisiana SIP and Air Quality Regulations.

The public should be advised that this action will be effective June 14, 1982. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and a subsequent notice published before the effective date. The subsequent notice will withdraw the final action and will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

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 on or before June 14, 1982. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

Under 5 U.S.C. 605(b), the Administrator has certified that SIP approvals do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

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 SIP for the State of Louisiana was approved by the Director of the Office 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, Hydrocarbon.

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

Dated: April 6, 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 T—Louisiana

1. In § 52.970, paragraph (c) is amended by adding new subparagraphs (28)–(31) as follows:

§ 52.970 Identification of plan.

* * * * *

(c) * * *

(28) A revision to the Air Control Regulations 22.9.3(d) as adopted by the Louisiana Air Control Commission on December 11, 1980, was submitted by the Governor on January 12, 1981.

(29) Revisions to the Air Control Regulations 8.5.1, 22.3.1.1, 22.3.1.2, and 22.10, as adopted by the Louisiana Air Control Commission on April 23, 1981, were submitted by the Governor on June 3, 1981.

(30) A revision to the Air Control Regulation 22.9.3(a), as adopted by the Louisiana Air Control Commission on May 28, 1981, was submitted by the Governor on June 3, 1981.

(31) A revision to the Air Control Regulation 22.3.2, as adopted by the Louisiana Air Control Commission on July 23, 1981, was submitted by the Governor on August 17, 1981.

[FR Doc. 82-10265 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 52

[A-6-FRL 2071-6]

Approval and Promulgation of Revisions to Louisiana State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: The purpose of this rule is to approve revised Air Pollution control regulations as revisions to the Louisiana State Implementation Plan and the Air Quality Regulations. The revisions were submitted to EPA by the Governor on April 30, 1979 and October 23, 1980. The revisions include administrative changes, a requirement for more specific information from sources requesting certain emission limitations and a revised rule concerning exemption of certain facilities from obtaining new source permits if the source will not have significant emissions. The revised sections were submitted by the State for the purpose of meeting the requirements of Part D of the Clean Air Act (CAA), and to assist the State in the continued maintenance of the National Ambient Air Quality Standards throughout Louisiana. This rule also amends 40 CFR 52.970.

EFFECTIVE DATE: This rulemaking will be effective on June 14, 1982, unless notice is received by May 14, 1982, that someone wishes to submit adverse or critical comments.

ADDRESSES: Copies of the materials submitted by Louisiana, and EPA's Evaluation Report may be examined during normal business hours at the following locations:

EPA, Region 6, Library, 1201 Elm Street, Dallas, TX 75270

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

The Office of the Federal Register, Room 8401, 1100 L Street NW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: J. Ken Greer, Jr., State Implementation Plan Section, Air & Waste Management Division, EPA, Region VI, 1201 Elm Street, Dallas, Texas 75270, (214) 767-2742, FTS 729-2742.

SUPPLEMENTARY INFORMATION:

I. Background

The Governor of Louisiana submitted to EPA revisions to the State's SIP for air pollution control on April 30, 1979 and October 23, 1980. The submittals revised Sections 6.1.1, 18.2, 18.4, 18.6.3, 19.5.1, 24.6.1,, 24.7.4, 24.9.1, 24.9.2, 26.3.1, 26.3.2 and 51.11 of the SIP and the State's Air Quality Regulations. The revisions submitted include: (1) Minor and/or administrative changes requested by EPA and agreed to by the State, (2) revised regulations requiring that more specific information be submitted by sources which request exemptions from emission limitations during start-up or shutdown operations, and (3) a revised regulation which allows the head of the Louisiana Department of Natural Resources to exempt certain facilities in the State from obtaining new source permits if the source will not have significant emissions. Public hearings were held by the Louisiana Environmental Control Commission for the revised Sections on March 27, 1979 and on September 25,

1980. Brief descriptions of the revised Sections and EPA's actions are outlined below.

II. Description of the Revised Sections

Revised Section 6.1.1 provides that the Louisiana Department of Natural Resources (DNR) may exempt new sources from the need to submit a permit request and pay permit fees if the facility will not make a significant contribution of air contaminants to the atmosphere. Agreement of the Louisiana Environmental Control Commission must be obtained by the DNR concerning any exemptions for new sources. Louisiana's definition of significant contribution of air contaminants is that the emissions must be less than 100 tons per year for particulate matter, sulfur dioxide, nitrogen dioxide, carbon monoxide or volatile organic compound emissions, and less than 5 tons per year for lead emissions.

Revised Section 18.2, Control of Smoke, stipulates that smoke emissions shall be controlled so that the emissions are not darker than 20% opacity when measured by EPA Method 9, as referenced in Table 4, "Emissions—Methods of Contaminant Measurement," of the State's Air Quality Regulations.

Revised Section 18.4 provides that exemptions from the requirement of controlling smoke from flares during start-up and shutdown periods may be granted by the DNR, if the flaring was not the result of failure to maintain or repair equipment. A written report which explains the excess emission situation is required to be submitted by the company to DNR within seven days of the occurrence. The section also requires that no ambient air quality standard can be jeopardized.

Revised Section 18.6.3 provides that exceedances of opacity limitations for an emission point are exempt if the exceedances are only due to the presence of uncombined waters.

Revised Section 19.5.1 provides that average opacity of 20% may not be exceeded by any source of particulate matter except for emissions from incinerator-waste heat boilers controlling new or existing fluid catalytic cracking units. Emissions from the incinerator-waste heat boilers may not exceed 30% opacity. This section does not apply when the presence of uncombined water is the cause of exceedances.

Revised Section 24.6.1 is amended to include wording that methods listed in Table 4 of the Louisiana Air Quality Regulations should be used to measure sulfuric acid mist concentrations in stacks. The methods of measurement for Sulfuric Acid Mist are incorporated into Table 4 and the methods are the same as those currently in the SIP for measuring sulfur dioxide concentrations.

Revised Section 24.7.4 is amended to delete the previous fence-line concentration limitations for certain sulfur compounds, and added to the previous second sentence a requirement that no source shall discharge gases which contain concentrations of sulfur dioxide which exceed 2000 ppm by volume.

Sections 24.9.1 and 26.3.1 are revised so that the last sentence in the first paragraph of both Sections is amended to require that a written report be submitted to the DNR within seven days of the occurrence of excess emissions due to a start-up. The report should explain the conditions and duration of the start-up and should list the steps necessary to remedy, prevent and limit the excess emissions.

Sections 24.9.2 and 26.3.2 are revised so that the last sentence in the first paragraph of both Sections 24.9.2 and 26.3.2 is amended to require that a written report be submitted to the DNR within seven days of the occurrence of excess emissions due to an upset. The report should explain the conditions and duration of the upset and should list the steps necessary to remedy, prevent and limit the excess emissions.

Section 51.11, Legal Authority, of the Louisiana SIP is revised to reflect the current status of the Louisiana Statutes by deleting reference to and the text of R.S. 40: 2201 et seq. and adding reference to and the text of the new Environmental Control Law, R.S. 30L 1051 through R.S. 30: 1147, both inclusive.

The above described revised Sections have been reviewed by EPA and found to agree with EPA guidance as fully explained in the Evaluation Report which is available for public review at the places listed in the **ADDRESSES** section of this notice. The revised Sections will allow DNR to continue to attain and maintain the National Ambient Air Quality Standards throughout the State of Louisiana.

EPA's Actions

EPA approves the SIP revisions as submitted by the Governor of Louisiana which revise Sections 6.1.1, 18.2, 18.4, 18.6.3, 19.5.1, 24.6.1, 24.7.4, 24.9.1, 24.9.2, 26.3.1, 26.3.2 and 51.11 of the Louisiana SIP and Air Quality Regulations.

The public should be advised that this action will be effective 60 days from the date of publication. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and a subsequent notice published before the effective date. The subsequent notice will withdraw the final action and will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

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 the date of publication. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2)).

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. (See 46 FR 8709.)

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 SIP for the State of Louisiana was approved by the Director of the Office of the Federal Register on July 1, 1981.

List of Subjects in 40 CFR Part 52

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

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

Dated: April 6, 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 T—Louisiana

1. In § 52.970, paragraph (c) is amended by adding new subparagraphs (23) and (26) as follows:

§ 52.970 Identification of Plan.

* * * * *

(c) * * *

(23) Revisions to the Air Control Regulations 24.6.1 and 24.7.4, as adopted by the Louisiana Environmental Control Commission on March 27, 1979, were submitted by the Governor on April 30, 1979.

* * * * *

(26) Revisions to the Air Control Regulations 6.1.1, 18.2, 18.4, 18.6.3, 19.5.1,

24.9.1, 24.9.2, 26.3.1, 26.3.2 and 51.11, as adopted by the Louisiana Environmental Control Commission on September 25, 1980, were submitted by the Governor on October 23, 1980.

[FR Doc. 82-10264 Filed 4-13-82; 8:45 am]
BILLING CODE 6560-50-M

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40 CFR Part 52

[A-10-FRL 2062-2]

Approval and Promulgation of Implementation Plan Revisions: Washington

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The purpose of this Notice is to indicate final action on the regulations submitted by the Washington Department of Ecology for the control of volatile organic compounds (VOC) emitted from industrial sources covered by EPA's Group II Control Techniques Guidelines (CTG). These additional controls are required as part of the ozone nonattainment area control strategies developed to meet the requirements of Part D of the Federal Clean Air Act (hereafter referred to as the Act).

EFFECTIVE DATE: April 14, 1982.

ADDRESSES: Copies of the materials submitted to EPA may be examined during normal business hours at:

Central Docket Section (10A-80-9), 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

State of Washington, Department of Ecology, 4224 Sixth Avenue SE., Rowe Six, Building 4, Lacey, Washington 98504

The Office of Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Richard F. White, Air Programs Branch, M/S 532, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, Telephone (206) 442-1275, (FTS) 399-1275

SUPPLEMENTARY INFORMATION: On June 29, 1981 (46 FR 3336) EPA proposed to approve certain Group II VOC regulations submitted by the State and conditionally approve others. For those proposed for conditional approval the Department of Ecology (DOE) has submitted the following information to correct the deficiencies described in the proposal:

D. WAC 173-490-203: Perchloroethyene Dry Cleaning Systems

Deficiency: The regulation exempts facilities which average less than 25 gallons per month of VOC emissions from the absorber.

Correction: Based on the current VOC emission inventory information the exemption affects 61 sources, but accounts for only one percent of the uncontrolled emissions for the category. EPA considers this level of control consistent with the CTG.

EPA Action: Approval.

E. WAC 173-490-204: Graphic Arts Systems

Deficiency: The regulation does not cover specialty printing operations.

Correction: DOE has assured EPA that those operations are considered in the same category as Graphic Arts Systems and will be administered as such until the regulation is revised for submission with the 1982 Ozone SIP.

EPA Action: Approval.

F. WAC 173-490-205—Surface Coating of Miscellaneous Metal Parts and Products

Deficiency: Paragraph (1)(d) of this section exempts coatings whose properties are controlled by Federal requirements.

Comment: This deficiency was noted in the proposed rulemaking (46 FR 33336) published June 29, 1981. EPA conditionally approved this provision based on a demonstration that the resulting level of control of this source category was not significantly different than that described in the CTG.

Since no showing was made, EPA can not approve the regulation at this time. However, because of the State's intention to revise this regulation as part of the July 1982 Ozone SIP submittal to eliminate the "across the board" exemption. EPA will take no action at this time. Further, EPA will review the proposed revisions as part of the Ozone SIP and take final action in conjunction with the SIP approval action.

EPA Action: No Action.

J. WAC 173-490-040: Requirements (for Source Compliance)

Deficiency: The VOC regulations neither contain nor refer to methods for compliance determination.

Correction: On June 29, 1981 the State incorporated the EPA VOC compliance determination methods into the SIP as part of the DOE source Test Manual.

EPA Action: Approval.

EPA finds that good cause exists for making the action taken in this notice immediately effective for the following reasons: (1) Implementation plan revisions are already in effect under State law and EPA approval poses no additional regulatory burden, and (2) EPA has a responsibility under the Clean Air Act to take final action on the portion of the SIP which addresses Part D regulations by July 1, 1979 or as soon thereafter as possible.

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

Pursuant to the provisions of 5 U.S.C. 604(b), the Administrator has certified that SIP approvals under 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities (46 FR 8709, January 27, 1981). This action constitutes a SIP approval under Section 110 and 172 within the terms of the January 27, 1981 certification.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement for regulatory impact analysis. This regulation is not major because EPA is approving an action taken by the State and, therefore, not establishing new requirements.

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

This notice of final rulemaking is issued under the authority of sections 110 and 172 of the Clean Air Act as amended (42 U.S.C. 7410(a) and 7502).

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

WW—Washington

1. In § 52.2470 paragraph (c)(23) is revised and paragraphs (c)(30) and (c)(31) are added as follows:

§ 52.2470 Identification of plan.

* * * * *

(c) * * *

(23) Revise to add the parenthetical phrase "(Groups I and II)" in the line identified as "2." so that it reads "WAC 173-490 (Groups I and II): January 8, 1981."

* * * * *

(30) On June 29, 1981 the State Department of Ecology submitted revisions to their source test and compliance determination methods for Groups I and II Volatile Organic Compounds (VOC) sources. On (date of publication) EPA approved the foregoing material as satisfying the final conditions of approval published June 5, 1980 and the proposed condition of approval published June 29, 1981.

(31) On November 13, 1981 the State Department of Ecology submitted clarifying information to satisfy the three proposed conditions of approved published by EPA on June 29, 1981. On (date of publication) EPA approved the submitted material as satisfying the conditions for perchloroethylene dry cleaners and graphic arts systems but took no action on the correction to the regulation for metal surface coating, with the understanding that the "across the board" exemption would be eliminated as part of the July 1982 Ozone SIP.

2. In § 52.2479 revise Table 52.2479 by adding "(Groups I and II)" after the title of WAC 173-400-490. Also add paragraph (a)(1) as follows:

§ 52.2479 Rules and regulations.

(a) Part D—Approval. (1) WAC 173-490-205 is approved with the exception of paragraph (d) on which no action is taken.

* * * * *

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

Dated: April 6, 1982.

Anne M. Gorsuch,

Administrator.

[FR Doc. 82-10073 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 180

[PH-FRL-2102-2; PP 7E1949/R429]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for the combined residues of the insecticide dimethoate and its oxygen analog in or on cherries. This regulation to establish a maximum permissible level for residues of dimethoate in or on cherries was requested by the Interregional Research Project No. 4 (IR-4).

EFFECTIVE DATE: Effective on April 14, 1982.

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

FOR FURTHER INFORMATION CONTACT: Donald R. Stubbs, Emergency Response Section, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 716B, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7700).

SUPPLEMENTARY INFORMATION: EPA issued a notice in the Federal Register of March 11, 1982 (47 FR 10596) which announced that the Oregon State University Agricultural Experiment Station, Corvallis, OR 97331 had originally submitted pesticide petition number 7E1949 to EPA. Later the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick, NJ 08903, has assumed responsibility for this petition on behalf of the Agricultural Experiment Station of Oregon and the IR-4 Technical Committee. The petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, amend 40 CFR 180.204 by establishing a tolerance for the combined residues of the insecticide dimethoate and its oxygen analog in or on the raw agricultural commodity cherries at 2.0 parts per million (ppm). Residue data to support the use on cherries are from tests conducted in Oregon.

No comments were received in response to this notice of proposed rulemaking.

The data submitted in the petition and all other relevant material have been evaluated and discussed in the notice of proposed rulemaking (47 FR 10596, March 11, 1982). It is concluded that establishment of this tolerance will protect the public health. Therefore, 40 CFR 180.204 is amended as set forth below.

Any person adversely affected by this regulation may, on or before May 14, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291. Effective on: April 14, 1982.

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

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: April 5, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

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

Therefore, 40 CFR 180.204 is revised to read as follows:

§ 180.204 Dimethoate including its oxygen analog; tolerances for residues.

Tolerances are established for total residues of the insecticide dimethoate (*O, O*-dimethyl *S*-(*N*-methylcarbamoylmethyl) phosphorodithioate) including its oxygen analog (*O, O*-dimethyl *S*-(*N*-methylcarbamoylmethyl) phosphorothioate) in or on the following raw agricultural commodities:

Commodities	Parts per million
Alfalfa	2
Apples	2
Beans, dry	2
Beans, lima	2
Beans, snap	2
Broccoli	2
Cabbage	2
Cattle, fat	0.02(N)
Cattle, mbyp	0.02(N)
Cattle, meat	0.02(N)
Cauliflower	2
Celery	2
Cherries	2
Collards	2
Corn, fodder	1
Corn, forage	1
Corn, grain	0.1(N)
Cottonseed	0.1
Eggs	0.02(N)
Endive (escarole)	2
Goats, fat	0.02(N)
Goats, mbyp	0.02(N)
Goats, meat	0.02(N)
Grapefruit	2
Grapes	1
Hogs, fat	0.02(N)
Hogs, mbyp	0.02(N)
Hogs, meat	0.02(N)
Horses, fat	0.02(N)
Horses, mbyp	0.02(N)
Horses, meat	0.02(N)
Kale	2
Lemons	2
Lettuce	2
Melons	1
Milk	0.002(N)
Mustard greens	2
Oranges	2
Pears	2
Peas	2
Pecans	0.1
Peppers	2
Potatoes	0.2
Poultry, fat	0.02(N)
Poultry, mbyp	0.02(N)
Poultry, meat	0.02(N)

Commodities	Parts per million
Safflower seed	0.1
Sheep, fat	0.02(N)
Sheep, mbyp	0.02(N)
Sheep, meat	0.02(N)
Sorghum, forage	0.2
Sorghum, grain	0.1
Soybeans	0.05(N)
Soybeans, forage	2
Soybeans, hay	2
Spinach	2
Swiss chard	2
Tangerines	2
Tomatoes	2
Turnips, roots	2
Turnips, tops	2
Wheat, grain	0.04(N)
Wheat, green fodder	2
Wheat, straw	2

[FR Doc. 82-10232 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 162

[OPP 250033; PH-FRL-2096-1]

Notification to Secretary of Agriculture of Designation of Certain Antimicrobial Pesticide Ingredients as Inert Rather Than Active

AGENCY: Environmental Protection Agency (EPA).

ACTION: Rule related notice.

SUMMARY: Notice is given that the Administrator of EPA has forwarded to the Secretary of the U.S. Department of Agriculture a final regulation regarding the classification of ingredients used in antimicrobial pesticides as inert rather than as active ingredients. Several pesticide companies and trade associations had requested that certain chemical compounds be treated as inert rather than as active ingredients. Because of this interest by pesticide producers and because the particular chemicals listed in this rule, when used in antimicrobial pesticides, generally do not have any pesticidal activity and in fact are inert, EPA is issuing the rule reclassifying these ingredients. By reclassifying these ingredients, certain data compensation responsibilities imposed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c)(1)(D) on producers will be removed. In addition, this classification will reduce the number of data requirements on producers of pesticides containing the listed ingredients.

FOR FURTHER INFORMATION CONTACT: Reto Engler, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 307-A, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7161).

SUPPLEMENTARY INFORMATION: Section 25(a)(2)(B) of FIFRA provides that the Administrator shall provide the Secretary of Agriculture with a copy of any final regulation at least 30 days prior to signing it for publication in the **Federal Register.** If the Secretary comments in writing regarding the regulation within 15 days after receiving it, the Administrator shall publish in the **Federal Register**, with the final regulation, the comments of the Secretary, if requested by the Secretary, and the response of the Administrator. If the Secretary does not comment in writing within 15 days after receiving the final regulation, the Administrator may sign the regulations for publication in the **Federal Register** any time after the 15-day period.

Pursuant to FIFRA section 25(a)(3), a copy of this regulation has also been forwarded to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(Sec. 25, as amended, Pub. L. 92-516, 86 Stat. 973; Pub. L. 94-140, 89 Stat. 753 (7 U.S.C. 136 et. seq.))

List of Subjects in 40 CFR Part 162

Intergovernmental relations, Labeling, Packaging and containers, Pesticides and pests, Administrative practice and procedure.

Dated: March 19, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

[FR Doc. 82-9719 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP 5E1648/R320A; PH-FRL-2096-3]

Tolerances and Exemptions for Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Diquat; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; Correction.

SUMMARY: This notice corrects a final rule to establish tolerances for residues of the herbicide diquat in or on certain raw agricultural commodities issued in the **Federal Register** of February 24, 1982 (47 FR 8013).

FOR FURTHER INFORMATION CONTACT: John A. Richards, Chief, Federal Register Staff (TS-788), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-130, 401 M St., SW., Washington, DC 20460, (202-382-3637).

SUPPLEMENTARY INFORMATION: EPA issued a final rule in the **Federal Register** of February 24, 1982 (47 FR 8013) which announced that the Department of the Army had submitted a pesticide petition 5E1648 to the EPA requesting establishment of tolerances for residues of the herbicide diquat in or on certain raw agricultural commodities.

In the FR Doc. 82-4725 of February 24, 1982 appearing at page 8013, the list of commodities under the heading "§ 180.226 *Diquat; tolerances for residues.*" on page 8014, second column, is corrected by inserting in the alphabetical list the commodity "Fruits, small * * * 0.02".

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: March 31, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

[FR Doc. 82-9721 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP OE2387/R426; PH-FRL-2096-4]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for the combined residues of the insecticide chlorpyrifos and its metabolite in or on the raw agricultural commodity onions (dry bulb). The regulation to establish a maximum permissible level for residues of the insecticide in or on the commodity was requested by the Interregional Research Project No. 4 (IR-4).

EFFECTIVE DATE: Effective on April 14, 1982.

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

FOR FURTHER INFORMATION CONTACT: Donald Stubbs, Emergency Response Section, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 716B, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7700).

SUPPLEMENTARY INFORMATION: EPA issued a notice of proposed rulemaking in the **Federal Register** of March 10, 1982 (47 FR 10244) that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted

pesticide petition number OE2387 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Michigan, New York, Oregon, Washington, and Wisconsin.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of a tolerance for residues of the insecticide chlorpyrifos (*O,O,*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate) and its metabolite 3,5,6-trichloro-2-pyridinol in or on the agricultural commodity onions (dry bulb) at 0.5 part per million (ppm).

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

The data submitted in the petition and all other relevant material have been evaluated and discussed in the notice of proposed rulemaking (47 FR 10244). The pesticide is considered useful for the purpose for which the tolerance is sought.

Based on the information considered by the Agency, it is concluded that the tolerance established by amending 40 CFR Part 180 will protect the public health. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, on or before May 14, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Effective on: April 14, 1982.

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

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: March 31, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

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

Therefore, 40 CFR 180.342 is amended by adding and alphabetically inserting the commodity onions (dry bulb) to read as follows:

§ 180.342 Chlorpyrifos; tolerances for residues.

* * * * *

Commodities	Parts per million
* * * * *	
Onions (dry bulb)	0.5
* * * * *	

[FR Doc. 82-9723 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 180

[PH-FRL-2101-6; PP 1F2501/R428]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Aqueous Extract of Seaweed Meal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes an exemption from the requirement of a tolerance for residues of the plant growth regulator aqueous extract of seaweed meal derived from *Laminaria digitata, Laminaria hyperborea, Fucus serratus,* and *Ascophyllum nodosum* in or on cotton. This regulation to eliminate the need to establish a maximum permissible level for residues of the plant growth regulator in or on cotton was requested by Atlantic and Pacific Research Corp.

EFFECTIVE DATE: Effective on April 14, 1982.

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

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor, Product Manager (PM) 25, Registration Division (Ts-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 245, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-1800).

SUPPLEMENTARY INFORMATION: EPA issued a notice in the **Federal Register** of July 20, 1981 (46 FR 37323) that Atlantic and Pacific Research Inc., PO Box 14545, North Palm Beach, FL 33408, had submitted a pesticide petition (PP 1F2501) to the EPA proposing that an exemption from the requirement of a tolerance be established for residues of the plant growth regulator aqueous extract of seaweed meal derived from *Laminaria digitata, Laminaria hyperborea, Fucus serratus,* and *Ascophyllum nodosum* in or on the raw agricultural commodity cotton.

No comments were received in response to this notice of filing.

The data submitted in the petition and all other relevant material have been evaluated. The toxicological data considered in support of the exemption from the requirement of tolerance included an acute oral lethal dose (LD_{50}) study in albino rats with an LD_{50} greater than 15,380 milligrams (mg)/kilogram (kg) and an eye irritation study. All other toxicology studies and requirements, including long and short-term feeding studies and a 3-generation reproduction study, were waived in accordance with the provisions of 40 CFR 162.45(c). The requirement of an adequate analytical method for enforcement purposes was also waived. These requirements were waived because aqueous extract of seaweed meal is a derivative of a human food. The marine algae species *Laminaria digitata, Laminaria hyperborea, Fucus serratus,* and *Ascophyllum nodosum* from which the product is derived are identical, or closely related, to species used for human consumption and as livestock and poultry feeds. The product, which is derived from these species, would not appear to present an unacceptable hazard to humans (and fish and wildlife) since the algae are used as a normal dietary item. It is reasonable to assume that there will be no adverse effects from an extract of a nontoxic plant material containing only natural materials of a nature common to members of the plant kingdom and subject to the usual known routes of natural degradative processes.

An exemption from the requirement of a tolerance has previously been established for residues of the extract when used on oranges, potatoes, sugar beets, tomatoes, apples, carrots, celery, corn, grapes, peaches, peanuts, peppers, strawberries, rice, wheat, and soybeans. No regulatory actions are pending against continued registration of the product nor are there any other considerations involved in establishing

this exemption from the requirement of a tolerance.

Any person adversely affected by this regulation may, on or before May 14, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

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

Effective on: April 14, 1982.

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

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, agricultural commodities, pesticides and pests.

Dated: March 31, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

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

Therefore, 40 CFR 180.1042 is revised to read as follows:

§ 180.1042 Aqueous extract of seaweed meal; exemption from the requirement of a tolerance.

Aqueous extract of seaweed meal derived from *Laminaria digitata, Laminaria hyperborea, Fucus serratus, Ascophyllum nodosum* is exempted from the requirement of a tolerance when used as a plant growth regulator in or on the following raw agricultural commodities:

Commodities

Apples
Beets, sugar
Carrots
Celery
Corn
Cotton
Grapes
Peaches
Peanuts
Peppers
Potatoes
Soybeans
Strawberries
Tomatoes
Wheat

[FR Doc. 82-10236 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 180

[PH-FRL-2102-3; OPP-300057A]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; 2-Amino-4, 5-Dihydro-6-Methyl-4-Propyl-S-Triazolo(1, 5 Alpha) Pyrimidin-5-One

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes an exemption from the requirement of a tolerance for 2-amino-4, 5-dihydro-6-methyl-4-propyl-*s*-triazolo(1, 5 alpha) pyrimidin-5-one when used as an emetic at not more than 0.1 percent in formulations of paraquat dichloride.

EFFECTIVE DATE: Effective on April 14, 1982.

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

FOR FURTHER INFORMATION CONTACT: Peter Gray, Process Coordination Branch, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 716D, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-7700).

SUPPLEMENTARY INFORMATION: EPA issued a notice of proposed rulemaking in the **Federal Register** of November 12, 1981 (46 FR 55725) that at the request of Chevron Chemical Co., 940 Hensley St., Richmond, CA 94804, the Administrator proposed to amend 40 CFR Part 180 by establishing an exemption from the requirement of a tolerance for 2-amino-4, 5-dihydro-6-methyl-4-propyl-*s*-triazolo(1, 5-alpha) pyrimidin-5-one when used as an emetic at not more than 0.1 percent in formulations of paraquat dichloride.

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

The data submitted in the petition and all other relevant material were evaluated and discussed in the notice of proposed rulemaking (46 FR 55725, November 12, 1982). It is concluded that establishment of exemption from the requirement of a tolerance will protect the public health. Therefore, the regulation is established as set forth below.

Any person adversely affected by this regulation may, on or before May 14, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Effective on: April 14, 1982.

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

List of Subjects in 40 CFR Part 180

Administrative procedure and practice, Agricultural commodities, Pesticides and pests.

Dated: April 5, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

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

Therefore, 40 CFR Part 180 is amended by establishing a new § 180.1065 to read as follows:

§ 180.1065 2-Amino-4,5-dihydro-6-methyl-4-propyl-s-triazolo(1,5-alpha)pyrimidin-5-one; exemption from the requirement of a tolerance.

The inert ingredient, 2-amino-4,5-dihydro-6-methyl-4-propyl-*s*-triazolo(1,5-alpha)pyrimidin-5-one is exempted from the requirement of a tolerance when used as an emetic at not more than 0.1 percent in formulations of paraquat dichloride. Further restrictions on this exemption are that this ingredient may not be advertised as an emetic and the paraquat product may not be promoted in any way because of the inclusion of this inert ingredient.

[FR Doc. 82-10235 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6270]

Suspension of Community Eligibility Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended effective the dates listed within this rule because of noncompliance with the flood plain management requirements of the program.

EFFECTIVE DATES: The third date ("Susp.") listed in the fifth column.

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

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022) prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001–4128) unless an appropriate public body shall have adopted adequate flood plain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR Part 59 et seq.). Accordingly, the communities are suspended on the effective date in the fifth column, so that as of that date flood insurance is no longer available in the community.

In addition, the Director of Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the sixth column of the table. Section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), as amended, provides that no direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP, with respect to which a year has elapsed since identification of the community as having flood prone areas, as shown on the Federal Emergency Management Agency's initial flood insurance map of the community. This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

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

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

Pursuant to the provision of 5 U.S.C. 605(b), the Associate Director of State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. As stated in section 2 of the Flood Disaster Protection Act of 1973, the establishment of local flood plain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate flood plain management, thus placing itself in non-compliance of the Federal standards required for community participation.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

In each entry, a complete chronology of effective dates appears for each listed community.

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date certain Federal assistance no longer available in special flood hazard area
Colorado: Mesa	Collbran, town of	080116B	Aug. 12, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Aug. 30, 1974 and Dec. 26, 1975.	Apr. 15, 1982.
Illinois:					
Dupage	Unincorporated areas	170197B	May 2, 1973, emergency; Apr. 15, 1982, regular; Apr. 15, 1982 suspended.	May 13, 1977	Do.
Madison	do	170436B	Aug. 6, 1973, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Jan. 31, 1975 and Oct. 1, 1976.	Do.
Morgan	Meredosia, village of	170517C	Mar. 13, 1974, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Jan. 9, 1974, Apr. 30, 1976 and Aug. 17, 1979.	Do.
Will	Unincorporated areas	170695B	Apr. 22, 1974, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 22, 1977	Do.
Kansas: Lyon	Americus, city of	200202A	July 8, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 16, 1976	Do.
Maine:					
Washington	Baileyville, town of	230304B	June 15, 1978, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Jan. 24, 1974	Do.
Cumberland	Harrison, town of	230049B	May 1, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	June 21, 1974 and Nov. 12, 1976.	Do.
Michigan:					
Kalamazoo	Charleston, township of	260426A	Dec. 20, 1976, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	July 25, 1975	Do.
Ingham	Williamstown, township of	260095A	Jan. 27, 1977, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Aug. 27, 1976	Do.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified	Date certain Federal assistance no longer available in special flood hazard area
Minnesota:					
Rice	Dundas, city of	270403A	Sept. 29, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Oct. 25, 1974	Do.
Hennepin	Medicine Lake, city of	270690A	Dec. 21, 1978, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Dec. 17, 1976	Do.
Winona	St. Charles, city of	270531B	June 4, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	May 24, 1974 and Apr. 4, 1975.	Do.
Missouri: Cass	Unincorporated areas	290783B	Apr. 21, 1982, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Mar. 14, 1978	Do.
Nebraska: Dakota	Unincorporated areas	310429B	Aug. 18, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	June 28, 1977	Do.
New Hampshire:					
Rockingham	Epping, town of	330129B	July 2, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	July 19, 1974 and Nov. 15, 1977.	Do.
Do	Hampton Falls, town of	330133B	Oct. 31, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Dec. 6, 1974 and June 11, 1976.	Do.
Do	Raymond, town of	330140B	Oct. 15, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Aug. 9, 1974 and July 2, 1976.	Do.
New Jersey:					
Burlington	Bordentown, township of	340088B	Aug. 8, 1975, emergency; Aug. 15, 1982, regular; Aug. 15, 1982, suspended.	June 28, 1974 and Mar. 19, 1976.	Do.
Bergen	Saddle Brook, township of	340074B	June 10, 1974, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Mar. 8, 1974 and July 30, 1976.	Do.
Hunterdon	Tewksbury, township of	340516B	Jan. 16, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	June 28, 1974 and June 11, 1976.	Do.
Monmouth	Tinton Falls, borough of	340318C	Apr. 17, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 12, 1974, Apr. 23, 1976 and Dec. 31, 1976.	Do.
Hunterdon	Union, township of	340242B	July 29, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	May 11, 1973 and Aug. 1, 1978.	Do.
New York:					
Oswego	Fulton, city of	360649B	Nov. 20, 1974, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Oct. 18, 1974 and Nov. 28, 1975.	Do.
Ontario	Geneva, city of	360599B	Feb. 18, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	May 17, 1974 and Sept. 10, 1976.	Do.
Monroe	Mendon, town of	360423B	Apr. 14, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 12, 1974 and Nov. 26, 1976.	Do.
Ulster	New Paltz, village of	361544B	Mar. 9, 1976, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Jan. 24, 1975	Do.
Rockland	Pomona, village of	360688B	Dec. 13, 1974, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Mar. 15, 1974 and July 30, 1976.	Do.
Orange	Tuxedo, town of	360631B	June 2, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 12, 1974	Do.
Oswego	Volney, town of	361266B	Nov. 20, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Nov. 1, 1974 and June 11, 1976.	Do.
Ohio: Wood	Portage, village of	390754A	May 6, 1976, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 18, 1975	Do.
Oklahoma:					
Sequoyah	Gans, town of	400194A	July 26, 1976, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Nov. 29, 1974	Do.
Le Flore	Howe, town of	400091A	Oct. 21, 1976, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	July 2, 1976	Do.
Cherokee	Hulbert, town of	400036B	Sept. 29, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 12, 1974 and Aug. 20, 1976.	Do.
Sequoyah	Moffett, town of	400196A	Sept. 2, 1976, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	July 16, 1976	Do.
Do	Muldrow, town of	400197B	July 31, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	June 28, 1974 and Sept. 17, 1976.	Do.
Pennsylvania: Fayette	Perry, township of	421634A	Jan. 10, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Dec. 13, 1974	Do.
Vermont: Washington	Waterbury, village of	500123B	May 2, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	May 10, 1974 and Mar. 26, 1976.	Do.
Virginia	Bristol, city of	510022B	Feb. 12, 1976, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Mar. 8, 1974 and June 25, 1976.	Do.
Washington: Kittitas	Kittitas, town of	530098B	May 22, 1974, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	June 14, 1974 and Apr. 16, 1976.	Do.
West Virginia:					
Kanawha	Belle, town of	540071C	July 16, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Mar. 1, 1974, Apr. 25, 1975 and Oct. 31, 1975.	Do.
Do	Marmet, town of	540079B	June 12, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Apr. 12, 1974 and June 11, 1976.	Do.
Putnam and Kanawha	Nitro, city of	540081B	Apr. 21, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Mar. 15, 1974 and Oct. 17, 1975.	Do.
Wisconsin: Rock	Edgerton, city of	550365B	June 17, 1975, emergency; Apr. 15, 1982, regular; Apr. 15, 1982, suspended.	Dec. 17, 1973 and June 4, 1976.	Do.
Alabama: Tuscaloosa	Tuscaloosa, city of	010203A	Apr. 5, 1973, emergency; Feb. 1, 1979, regular; Jan. 6, 1982, suspended; Feb. 8, 1982, reinstated; Apr. 28, 1982, suspended.	Oct. 24, 1975	Apr. 28, 1982.

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

Issued: March 25, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-10178 Filed 4-13-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

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

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

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

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

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

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

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

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

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

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

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

List of Subjects in 44 CFR Part 64.

Flood insurance, Floodplains.

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

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Idaho: Kootenai	Spirit Lake, city of	160084	Mar. 1, 1982, suspension withdrawn	
Illinois:				
Cook and Kane	Elgin, city of	170087C	do	May 3, 1974, Oct. 31, 1975 and June 23, 1978.
Kane	Unincorporated areas	170896A	do	May 14, 1976.
Louisiana: Vermillion Parish	Kaplan, city of	220226A	do	Nov. 2, 1973.
Michigan:				
Gratiot	Alma, city of	260083B	do	May 10, 1974 and June 25, 1976.
Jackson	Concord, village of	260423A	do	July 11, 1975.
Wayne	Livonia, city of	260233B	do	Nov. 4, 1981.
Ingam	Locke, township of	260671C	do	Feb. 17, 1978 and Aug. 10, 1979.
Shiawassee	Owosso, city of	260596A	do	Sept. 26, 1975.
New Jersey:				
Burlington	Florence, township of	340098B	do	June 28, 1974 and Mar. 5, 1976.
Camden	Haddon, township of	340134B	do	Nov. 22, 1974 and June 4, 1976.
Atlantic	Mullica, township of	340517C	do	Nov. 1, 1974, July 30, 1976 and May 5, 1978.
New York: Erie	Williamsville, village of	360263B	do	May 31, 1974 and Aug. 6, 1976.
Oregon:				
Yamhill	Dundee, city of	410253B	do	June 28, 1974 and Dec. 17, 1976.
Do	Newberg, city of	410256B	do	June 14, 1974 and Nov. 28, 1975.
Linn	Sweet Home, city of	410146B	do	Jan. 23, 1974 and Jan. 16, 1976.
Washington	Tigard, city of	410276B	do	Feb. 14, 1978.
Yamhill	Yamhill, city of	410259C	do	Nov. 30, 1973, Apr. 16, 1976 and Nov. 29, 1977.
Pennsylvania:				
Fayette	Luzerne, township of	421631A	do	Dec. 27, 1974.
Montgomery	Skippack, township of	421149B	do	July 26, 1974 and Sept. 17, 1976.
Utah:				
Davis	Centerville, city of	490040B	do	June 28, 1974 and Mar. 19, 1976.
Do	Unincorporated areas	490038B	do	Feb. 7, 1978.
Do	Kaysville, city of	490046B	do	June 28, 1974 and Sept. 3, 1976.
Texas:				
Fort Bend and Harris	Stafford, city of	480233A	do	June 28, 1974.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Williamson	Taylor, city of	480670B	do	Mar. 29, 1974 and Jan. 30, 1976.
Vermont: Chittenden	Colchester, town of	500033B	do	Aug. 23, 1974 and Oct. 8, 1976.
Wisconsin: Milwaukee and Washington.	Milwaukee, city of	550278B	do	June 28, 1974 and Oct. 15, 1976.
Arizona: Mohave	Unincorporated areas	040058B	Mar. 15, 1982, suspension withdrawn	Feb. 6, 1979.
Arkansas:				
Sebastian	Hackett, town of	050199B	do	Oct. 18, 1974 and Dec. 5, 1975.
Do	do	050200B	do	Mar. 8, 1974.
Franklin	Ozark, city of	050358A	do	Sept. 26, 1975.
Florida: St. Lucie	Port St. Lucie, city of	120287B	do	Dec. 13, 1974 and Apr. 9, 1976.
Illinois:				
Jackson	Makanda, village of	170301C	do	Aug. 23, 1974, Dec. 26, 1975 and Mar. 23, 1979.
Cook	Westhaven, village of	170172B	do	Apr. 15, 1974 and June 4, 1976.
Indiana:				
Bartholomew	Unincorporated areas	180006B	do	Sept. 20, 1974 and July 30, 1976.
Lake	Cedar Lake, town of	180127B	do	Dec. 28, 1973 and Mar. 26, 1976.
Kentucky: Greenup	Raceland, city of	210089B	do	Feb. 8, 1974 and Apr. 9, 1976.
Maine: Washington	Baring Plantation	230468	do	Jan. 31, 1975.
Massachusetts: Worcester	Southbridge, town of	250334B	do	Mar. 22, 1974 and Oct. 29, 1976.
Michigan:				
Kalamazoo	Augusta, village of	260312B	do	Mar. 8, 1974 and Feb. 7, 1975.
Do	Ross, township of	260624A	do	
Minnesota: Houston	Hokah, city of	270192B	do	Mar. 8, 1974 and June 4, 1976.
Montana: Gallatin	Bozeman, city of	300028B	do	Feb. 15, 1974 and Feb. 13, 1976.
New Jersey: Morris	Harding, township of	340344B	do	Apr. 12, 1974 and Feb. 20, 1976.
New York: Westchester	Harrison, town of	360912A	do	Mar. 5, 1976.
Oregon:				
Washingon	Forest Grove, city of	410241B	do	Mar. 1, 1974 and Apr. 16, 1976.
Yamhill	Willamina, city of	410258B	do	Dec. 28, 1973 and Dec. 26, 1975.
Pennsylvania:				
Allegheny	Collier, township of	421058B	do	July 19, 1974 and Apr. 30, 1976.
Berks	Exeter, township of	421063B	do	Aug. 13, 1974 and July 30, 1976.
Montgomery	Franconia, township of	422494A	do	Dec. 6, 1974.
Washington: Jefferson	Port Townsend, city of	530070B	do	June 14, 1974 and Jan. 9, 1976.
Texas: Harris	Jersey Village, city of	480300B	do	Apr. 5, 1974 and June 27, 1975.
New York: Oswego	New Haven, town of	360655B	do	July 19, 1974.
Rhode Island: Kent	Warwick, city of	445409C	do	Apr. 6, 1973 and June 18, 1976.
Massachusetts: Plymouth	Marion, city of	255213B	do	Jan. 2, 1976.
Pennsylvania: Adams	Latimore, township of	421162B	Apr. 26, 1974, emergency; Feb. 17, 1982, regular; Feb. 17, 1982, suspended; Mar. 1, 1982, reinstated.	Dec. 20, 1974 and June 1, 1979.
Indiana: Lake	Lake Station, city of	180131B	Mar. 27, 1975, emergency; Sept. 5, 1979, regular; Sept. 5, 1979, suspended; Mar. 11, 1982, reinstated.	June 21, 1974 and July 2, 1976.
Michigan:				
Arenac	Deep River, township of	260350A	Mar. 10, 1982, emergency	June 24, 1977.
Livingston	Green Oak, township of	260440A	do	May 27, 1977.
Newaygo and Ocean	Hesperia, Village of	260485	do	July 11, 1975.
Osceola	Marion, village of	260328	do	Apr. 25, 1975.
Lapeer	Mayfield, township of	260436	do	May 19, 1978.
Newaygo	Newaygo, city of	260340	do	Sept. 12, 1975.
New York:				
Allegany	Angelica, town of	361095	do	Sept. 10, 1976.
Hamilton	Indian Lake, town of	361113A	do	Dec. 10, 1976.
Pennsylvania: Beaver	Eastvale, borough of	422314A	Mar. 16, 1982, emergency; Mar. 16, 1982, regular.	Jan. 31, 1975 and Apr. 15, 1981.
Minnesota: Olmsted	Dover, city of	270566A	Mar. 15, 1982 emergency	Nov. 1, 1974 and Oct. 17, 1975.
New York: Hamilton	Wells, town of	361112	do	Nov. 29, 1974.
Pennsylvania: Fayette	Brownsville, township of	421621A	July 9, 1975, emergency; Feb. 17, 1982, regular; Feb. 17, 1982, suspended; Mar. 12, 1982 reinstated.	Dec. 20, 1974.

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

Issued: March 22, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-10179 Filed 4-13-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6268]

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

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule, correction.

SUMMARY: This document makes corrections to final rules on a list of communities eligible for the sale of flood insurance under the National Flood Insurance Program published March 12, 1982, 47 CFR 10826 and 10829. This corrects the entry date for the City of Wilmot, Ashley County, Arkansas, and the footnote for the Township of Burlington, Ward County, North Dakota.

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

SUPPLEMENTARY INFORMATION: Appearing in the **Federal Register**, Vol. 47 No. 49, Docket No. FEMA 6260, at page 10828 in the issue of Friday, March 12, 1982, please correct the footnote concerning the Township of Burlington, North Dakota as follows:

The Township of Burlington, North Dakota has adopted the Ward County, N.D. FIRM for insurance and flood plain management purposes. (Ward County's FIRM date: March 17, 1970, Community No. 385370 and Current Map Oct. 15, 1976.)

At page 10829, Docket No. FEMA 6258, correct the emergency entry date for the City of Wilmot, Ashley County, Arkansas to January 14, 1975. The entry date was inadvertently listed as January 14, 1985.

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

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Issued: March 23, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-10180 Filed 4-13-82; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Child Support Enforcement

45 CFR Parts 302 and 303

Child Support Enforcement Program; Requests for Full Collection Services by the Secretary of the Treasury

AGENCY: Office of Child Support Enforcement (OCSE), HHS.

ACTION: Final rule.

SUMMARY: These regulations implement section 402 of Pub. L. 96-265, the Social Security Disability Amendments of 1980. Section 402 provides authority to State child support agencies to use the Internal Revenue Service (IRS) full collection process to collect child support for families not receiving Aid to Families with Dependent Children (AFDC). In addition, we are incorporating a technical change required by section 2332(b)(2)(B) of Pub. L. 97-35, the Omnibus Budget Reconciliation Act of 1981. This technical change authorizes use of the full IRS collection process for debts established by administrative order, effective October 1, 1981. Previously, only court ordered amounts could be referred for IRS collection. We are also making several changes to the regulations to improve the IRS collection process and to remove the State plan requirement. Finally, we are revising the regulations to make them clearer and easier to understand.

DATES: Effective April 14, 1982.

FOR FURTHER INFORMATION CONTACT: Eileen Brooks—(301) 443-5350.

SUPPLEMENTARY INFORMATION: Previous regulations at 45 CFR 302.71 specified the requirements that IV-D agencies had to meet in requesting OCSE to certify a case to the Secretary of the Treasury for collection of child support. Under those regulations, the IRS could be used only for collecting assigned, court-ordered support payments on behalf of families receiving AFDC.

This document redesignates 45 CFR 302.71 as 45 CFR 303.71 and implements section 402 of Pub. L. 96-265, which authorizes the use of the IRS collection mechanism for families not receiving AFDC, subject to the same requirements applicable to families receiving AFDC. This document also extends IRS collection services to support obligations set by administrative process, as specified in Pub. L. 97-35, effective October 1, 1981. We are taking this opportunity to make other changes to the regulations to improve the procedures for requesting IRS collection and to remove the State plan requirement. These changes are discussed below along with the public comments we received on the proposed regulations and our responses to those comments.

Proposed Regulations

On January 6, 1981 we published a notice of proposed rulemaking (NPRM) in the **Federal Register** at 46 FR 1321. The NPRM contained provisions for requesting the full range of IRS collection services for court-ordered child support debts in both AFDC and non-AFDC cases. We received comments from 12 State and local agencies. Below we summarize the major provisions of the final regulations as well as respond to the comments on the NPRM.

Prior Collection Action by the Client or Client's Representative

45 CFR 302.71 previously required a case to meet certain criteria before it could be referred to the Secretary of the Treasury for collection of support. One of the criteria was that the IV-D agency must have made diligent and reasonable efforts to collect support through the State's own collection mechanisms. In the case of AFDC families, normally only the IV-D agency would have attempted collection. In the case of non-AFDC families, the client or client's representative may have tried to secure support before requesting the IV-D agency to take action.

To avoid duplication of effort in cases in which the client or client's representative has already attempted collection, the revised regulations at 45 CFR 303.71(c)(4) specify that the IV-D agency shall compare the prior actions taken with the collection mechanisms that the State IV-D agency would use to

collect the support. If the agency finds the prior actions to be comparable, the agency need not repeat them. In describing the collection actions taken and their outcomes as required in the revised 45 CFR 303.71(e)(4), the agency must assure that reasonable efforts have been made by the agency itself, the client, or the client's representative to collect the support via the State's collection mechanisms or mechanisms that are comparable.

No unfavorable comments were received on this provision and we have retained it in this final rule as proposed in the NPRM.

Minimum Dollar Limit on Cases Referred to IRS

When 45 CFR 302.71 was adopted on June 26, 1975, we could not anticipate the volume of requests for IRS collection or the average amounts of support owed. Because of our lack of data, we set a low figure of $75 as the minimum amount that could be referred to IRS for collection. As noted in the NPRM, it has since become apparent through discussions with IRS that the current minimum of $75 is unreasonably low, given the time and effort required of the IRS to take collection action on a child support claim. In the NPRM we presented an analysis which showed that 87 percent of the cases active with IRS involved child support debts of over $2,000, 8 percent involved debts between $1,000 and $2,000, and 5 percent involved debts under $1,000. Based on these figures, we proposed raising to $2,000 the minimum debt that could be referred to IRS for collection.

Nine of the commenters objected to the proposed $2,000 minimum debt, and suggested lower minimums ranging from $200 to $1,000. Most frequently suggested were limits approximating $500 and $1,000. One commenter suggested an exception to the $2,000 limit for cases in which the arrearage equals one year's support obligation. Another commenter suggested setting the minimum debt to equal the average tax refund, which the commenter believed to be $490. One commenter suggested setting a "much lower" limit for cases that are terminated (by which we assume the commenter means inactive because the debts are uncollectible) with arrearages still owed. Another commenter asked that we make allowances for cases in which additional indebtedness arises after the State's mechanisms result in only partial repayment.

The primary justification the commenters gave for requesting that the minimum amount be set lower was that many support orders involve rather low weekly payments of $10 to $20 and the time it takes to build up a $2,000 unpaid debt in these cases is excessive. Early in the period in which the arrearage is being built up, the IV-D agency may have attempted unsuccessfully to collect through it own collection mechanisms. If so, it is possible that no further collection action may be taken for months or even years if the arrearage has to be at least $2,000 before seeking the services of IRS. In addition to posing a hardship for the family involved, commenters believed this delay to be counterproductive. The longer the debt goes uncollected, the more difficult it becomes to collect and the less likely it is that a successful outcome will result.

For the above reasons set forth by the commenters, we have revised the regulations to provide for a $750 minimum debt that may be referred to the IRS for collection. We believe that this amount satisfied the concerns expressed by the majority of the commenters. Even if the weekly support obligation is $10, the $750 amount would be reached in less than a year and a half. According to one commenter this time frame is only slightly longer than the time it takes for a State to attempt collection through all of the collection mechanisms it has available. Because we have lowered the minimum debt substantially from the amount in the NPRM, we consider it unnecessary to include exceptions for cases terminated with arrearages still owed and cases in which additional indebtedness arises after the State's mechanisms have led to only partial repayment.

Verification of Child Support Debtor's Address and Last Place of Employment

The IRS has expressed concern that the child support debtor's last known address and place of employment be as current as possible.

The IRS begins its investigation by referring a case to a local IRS service center based on these addresses. Out of date information can result in a loss of several weeks time while addresses are verified in an attempt to locate an individual. To assure as current an address as possible, we are requiring that requests for IRS collection contain the source of this information and the date it was last verified. The proposed regulations at 45 CFR 303.71(e)(1) also required the IV-D agency to obtain a recent address from the Federal Parent Locator Service, if necessary, before sending forward a request for IRS collection. Two commenters said that the term "if necessary" was unclear and that States are capable of evaluating the acceptability of the last known address without this requirement. We agree with the commenters and have removed the latter provision from the regulations.

One commenter also suggested that we consider a waiver for reporting an individuals last known place of employment if assets or income not from employment are sufficient to warrant IRS action. We have not provided for this waiver, since place of employment information is used by the IRS in the location of the absent parent, as well as in the collection process.

Social Security Number Requirement

Previous regulations at 45 CFR 302.71(a)(6)(i) required that requests for IRS collection contain the debtor's social security number if known. As noted in the NPRM, since these regulations were published, we have learned from IRS that it is extremely difficult for them to locate an individual's records in their master files unless the social security number is available. Not only does this result in slow processing and inefficient use of IRS resources, it also creates problems with accurate case identification for persons with similar or the same names. Therefore, in 45 CFR 303.71(e)(1)(ii), we require that all requests for IRS collection contain the debtor's social security number. In cases in which the social security number is not known, it may be possible to obtain it from the Federal Parent Locator Service.

The two commenters who mentioned this provision were in agreement with the requirement.

Intrastate Requests for IRS Collection

In the preamble to the NPRM, we noted that a State's collection mechanisms should be effective in collecting child support within the State. We said that only unusual circumstances, such as a very large court backlog or an absent parent having assets in States other than the State of residence, should prevent collection within the State through its own mechanisms. In 45 CFR 303.71(e)(4)(iii), we proposed that, in these rare cases in which an intrastate collection is requested, the request must contain a description of the circumstances that prevented effective use of the State's own collection mechanisms.

Two commenters objected to the proposed requirement. One objected because, in the commenter's State, State law prohibits garnishment and sets liberal exemptions from legal attachments, so the commenter considered the IRS mechanism to be a valuable tool in intrastate cases. The second commenter asked that we

liberalize the requirement on intrastate collections since, in a locally administered program, counties may have limited power to influence collections by other counties within a State. In order to accommodate the needs expressed by these commenters, we have deleted this proposed requirement from these final regulations. We agree that States and localities that experience the conditions raised by these commenters should not have special requirements imposed on them in making requests for IRS collections. It should be noted, however, that paragraph (e)(4)(ii) of these final regulations requires a description of the actions taken, why they failed, and why further State action would be unproductive. This applies in both intrastate and interstate cases.

Interstate Cases Involving IRS Collection

We have added a provision to these regulations at § 303.71(c)(5) which provides that, in order for a case to be eligible for certification to the Secretary of the Treasury for collection, the State that has taken the assignment in an AFDC case or the application for child support services in a non-AFDC case must make the request for IRS collection. This provision was not proposed in the NPRM, but was raised with State IV-D agencies in a series of meetings held in July, 1981. The purpose of this provision is to ensure that only one State requests IRS collection services with regard to a particular debt. This protects the State, the individual, and the IRS from becoming involved with duplicate requests necessitating special procedures for resolution. Because this is a technical change arising out of discussions in connection with the NPRM, we find good cause under 5 U.S.C. 553(b)(B) for dispensing with proposed rule making as unnecessary with respect to this provision.

Fees for IRS Collection

One commenter noted that the fee that IRS charges for its collection service provides a disincentive to use the service, since, in non-AFDC cases, States would not get a percentage of the collection or an incentive payment for making the collection. Because section 452(b) of the Act requires that States reimburse the United States for any costs involved in making a collection through the IRS, we cannot free States from having to pay a fee for IRS collection. However, the Federal share of the fee may be advanced to States through the quarterly grant award process, thereby reducing the State outlay by 75 percent.

Obligations Set by Administrative Process

One commenter asked that we permit referral to IRS of obligations set by administrative process, in addition to those set by court order. We have implemented this suggestion, based on the authority of section 2332(b)(2)(B) of Pub. L. 97-35 which revised section 452(b) of the Act to authorize referral to the IRS of obligations set by administrative process, effective on October 1, 1981. Because this statutorily required change is technical in nature and does not involve any Secretarial discretion, we believe that under 5 U.S.C. 553(b)(B) good cause exists for a waiver of NPRM in that the issuance of proposed rules is unnecessary.

Prior Client Action

One commenter wanted us to specify enforcement actions that clients must take before coming to the IV-D agency for IRS certification, such as making their own efforts to collect through the legal remedies peculiar to their State. Because the statute contains no requirement for an individual to take enforcement action on his own before requesting IRS collection services, we are unable to restrict IRS collection services to persons who have done so.

State Showing of Effort/Offset of Federal Tax Refunds

A few commenters said that it is cumbersome to write out the details of the State's collection activity as part of the request for IRS collection as required by paragraph (e) of the regulations. One commenter suggested that the request merely contain a statement attesting that the appropriate State action has been taken as backed up by the case file documentation. Another suggested that "reasonable collection efforts" should be the only criterion specified in the regulations. One commenter noted that a number of States report lists of delinquencies to their State revenue departments so that tax refunds may be intercepted to pay the delinquencies. The commenter suggested that we adopt a similar procedure for offsets of Federal tax refunds.

Because section 452(b) of the Act requires "a showing by the State that such State has made diligent and reasonable efforts to collect * * * amounts using its own collection mechanisms", we are unable to relieve States of the requirement to write out the details of their collection activity as part of their requests for IRS full collection services.

After the NPRM on full collection services was published in the **Federal Register**, Congress enacted Pub. L. 97-35, the Omnibus Budget Reconciliation Act of 1981.

Section 2331 of this Act requires State IV-D agencies to request collection of past-due support by Federal tax refund offset in the manner described by the commenter. Regulations implementing this Federal tax refund offset process have been published in the **Federal Register** both by the IRS and by OCSE (see 47 FR 7425 for OCSE regulations, published on February 19, 1982 and 47 FR 5712 and 5728 for IRS regulations, published on February 8, 1982). Under this new tax refund offset process, States are not required to submit a written "showing" of their prior collection activity.

Collection of Spousal Support

Effective October 1, 1981, section 2332(b) of Pub. L. 97-35 extends IRS collection services to include collection of support for the spouse or former spouse with whom the absent parent's child is living. Under section 2332, spousal support provisions will need to be added to several regulations. We plan to publish a regulation as soon as possible to proceed with implementation of all of the new statutory provisions on collection of spousal support and therefore have not included the provision in this document. In the meantime, we have issued an action transmittal (OCSE-AT-81-25, dated October 19, 1981) containing procedures for States to use if they wish to refer the appropriate spousal support to IRS for full collection services before final regulations are published.

Removal of State Plan Requirement

In addition to the above modifications to the regulations, we are removing the State plan requirement pertaining to requests for collection by the Secretary of the Treasury. We are doing this as part of an overall strategy to remove unnecessary State plan requirements from our regulations. Under the revised regulations, failure to comply with the IRS collection requirements will result in denial of the request for IRS collection, rather than affect the IV-D agency's compliance with its State plan.

We received only one comment on this issue and the commenter favored our approach.

OMB Review

The reporting and recordkeeping requirements in these regulations have

been approved by the Office of Management and Budget under OMB number 0960-0281.

List of Subjects in 45 CFR Parts 302 and 303

Child welfare, Grant programs—social programs.

PART 302—STATE PLAN REQUIREMENTS

PART 303—STANDARDS FOR PROGRAM OPERATIONS

§ 302.71 [Removed]

45 CFR 302.71 is removed and a new 45 CFR 303.71 is added to read as follows:

§ 303.71 Requests for full collection services by the Secretary of the Treasury.

(a) *Definition.* "State collection mechanisms" means a comprehensive set of written procedures developed and used to maximize effective collection action within the State.

(b) *Families eligible.* Subject to the criteria and procedures in this section, the IV-D agency may request the Secretary to certify the amount of a child support obligation to the Secretary of the Treasury for collection under section 6305 of the Internal Revenue Code of 1954. Requests may be made on behalf of families receiving AFDC who make assignments under 45 CFR 232.11, and on behalf of families not receiving AFDC who apply under § 302.33.

(c) *Cases eligible.* For a case to be eligible for certification to the Secretary of the Treasury:

(1) There shall be a court or administrative order for support;

(2) The amount to be collected under the support order shall be at least $750 in arrears;

(3) At least six months shall have elapsed since the last request for referral of the case to the Secretary of the Treasury;

(4) The IV-D agency, the client, or the client's representative shall have made reasonable efforts to collect the support through the State's own collection mechanisms. The agency need not repeat actions taken by the client or client's representative that the agency determines to be comparable to the State's collection mechanisms.

(5) Only the State that has taken an assignment under 45 CFR 232.11 or an application under 45 CFR 302.33 may request IRS collection services on behalf of a given case.

(d) *Procedures for submitting requests.* (1) The IV-D agency shall submit requests for certification to the regional office in the manner and form prescribed by the Office.

(2) The Director of the State IV-D agency (or designee) shall sign requests for collection by the Secretary of the Treasury.

(e) *Criteria for acceptable requests.* The IV-D agency shall ensure that each request contains:

(1) Sufficient information to identify the debtor, including:

(i) The individual's name;

(ii) The individual's social security number;

(iii) The individual's address and place of employment, including the source of this information and the date it was last verified.

(2) A copy of all court or administrative orders for support;

(i) The amount owed under the support orders;

(ii) A statement of whether the amount is in lieu of, or in addition to, amounts previously referred to IRS for collection;

(4)(i) A statement that the agency, the client, or the client's representative has made reasonable efforts to collect the amount owed using the State's own collection mechanisms or mechanisms that are comparable;

(ii) A description of the actions taken, why they failed, and why further State action would be unproductive;

(5) The dates of any previous requests for referral of the case to the Secretary of the Treasury;

(6) A statement that the agency agrees to reimburse the Secretary of the Treasury for the costs of collection; and

(7)(i) A statement that the agency has reason to believe that the debtor has assets that the Secretary of the Treasury might levy to collect the support; and

(ii) A statement of the nature and location of the assets, if known.

(f) *Review of requests by the Office.*

(1) The Regional Representative will review each request to determine whether it meets the requirements of this section.

(2) If a request meets all requirements, the Regional Representative will promptly certify and transmit the request with a copy of all supporting documentation to the Secretary of the Treasury. At the same time, the Regional Representative will notify the IV-D agency in writing of the transmittal.

(3)(i) If a request does not meet all requirements, the Regional Representative will attempt to correct the request in consulation with the IV-D agency.

(ii) If the request cannot be corrected through consultation, the Regional Representative will return it to the agency with an explanation of why the request was not certified.

(g) *Notification of changes in case status.* (1) The IV-D agency shall immediately notify the Regional Representative of the following changes in case status:

(i) A change in the amount due;

(ii) A change in the nature or location of assets;

(iii) A change in the address of the debtor.

(2) The Regional Representative will transmit the revised information to the Secretary of the Treasury.

Note.—The Secretary has determined that this document is not a major rule as described by Executive Order 12291, because it does not meet any of the criteria set forth in Section 1 of the Executive Order. The Secretary certifies that because these regulations apply to States and will not have significant economic impact on a substantial number of small entities, they do not require a regulatory flexibility analysis as provided in Pub. L. 96-354, the Regulatory Flexibility Act of 1980.

(Sec. 1102, Social Security Act (42 U.S.C. 1302); sec. 452(b), Social Security Act (42 U.S.C. 652(b); sec. 2332(b)(2)(B), Pub. L. 97-35)).

(Catalog of Federal Domestic Assistance Program No. 13.679, Child Support Enforcement Program)

Dated: November 18, 1981.

John A. Svahn,

Director, Office of Child Support Enforcement.

Approved: March 30, 1982.

Richard S. Schweiker,

Secretary.

[FR Doc. 82-10254 Filed 4-13-82; 8:45 am]

BILLING CODE 4190-11-M

FEDERAL MARITIME COMMISSION

46 CFR Part 510

[General Order 4, Rev.; Docket No. 80-13]

Licensing of Independent Ocean Freight Forwarders

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

SUMMARY: This action will amend section 510.32(j) of General Order 4 to allow for the waiver or reduction of forwarding fees on shipments of relief agencies and charitable organizations. In effect, the Commission has decided against retaining the prohibition against such waivers/reductions as had been proposed on March 17, 1980 (45 FR 17029) and published as a final rule on May 1, 1981 (46 FR 24565).

DATE: Effective April 14, 1982.

FOR FURTHER INFORMATION CONTACT: Jeremiah D. Hospital, Chief, Office of Freight Forwarders, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573 (202) 523-5843.

SUPPLEMENTARY INFORMATION: The Commission instituted Docket No. 80-13 on March 17, 1980 (45 FR 17029) to revise General Order 4 (46 CFR Part 510), which governs the licensing and operations of independent ocean freight forwarders. One of the proposed changes was the deletion from original § 510.24(b) of the provision which allowed forwarders to provide forwarding services free of charge or at a reduced rate when the shipments involved were being made by recognized relief agencies or charitable organizations. Because designation of such agencies and organizations for purposes of § 510.24(b) was made by ocean carriers on a discretionary basis, the Commission viewed this provision as vulnerable to misuse.

Notice of the proposed revisions to General Order 4 generated numerous comments from all sectors of the maritime industry, and two entities provided the Commission with comments directly addressing the proposed prohibition of reduced forwarding fees embodied in proposed § 510.32(j).[1] The American Council of Voluntary Agencies for Foreign Service, Inc., objected to the proposed change and requested that the rule which existed in § 510.24(b) at the time of the comment period be retained. The National Customs Brokers and Forwarders Association of America, Inc., on the other hand, agreed with the new provision and the Commission's rationale for instituting it.

The Commission published final rules in this proceeding on May 1, 1981, (46 FR 24565) with a scheduled effective date of October 1, 1981. As part of the final rules, the Commission adopted without modification the proposed § 510.32(j) and stated that "in order to avoid discrimination between shippers (the Commission) deleted the exceptions contained in current § 510.24(b), which allowed a forwarder to perform forwarding services for relief or charitable agencies free of charge or at a reduced rate". (46 FR 24567).

Prior to the October 1, 1981 effective date of those rules, the Commission stayed that portion of § 510.32(j) which affected shipments by relief agencies and charitable organizations.

Since the Commission stayed the implementation of its ban on reduced forwarding fees, it has reviewed its original rule allowing exceptions for relief agencies and charitable organizations. In the course of this review, the Commission weighed the potential for misuse of this exception against its humanitarian intent, and by notice published January 5, 1982 (47 FR 216), proposed to revert to its former practice of allowing the waiver or reduction of forwarding fees on relief and charitable shipments.

In response to the Commission's notice of further proposed rulemaking, the Agency for International Development (AID) and the American Council of Voluntary Agencies for Foreign Service, Inc. (American Council), which represents numerous charitable organizations, filed comments supporting the proposed amendment. AID's position is that if the proposal is not adopted the additional costs that would be incurred would significantly undermine its ability to implement the Food for Peace Program. The American Council submits that through the reduction of administrative costs it will be able to provide additional humanitarian and development assistance which would not otherwise be possible.

After thorough consideration of all the issues and comments, it is the Commission's position that, given the noncommercial nature of such shipments and humanitarian intent of the sponsoring organizations, the waiver or reduction of forwarding fees on these types of shipments would not result in unjust or unreasonable discrimination which would undermine the purposes of sections 14, 16 and 17 of the Shipping Act, 1916, or be detrimental to the foreign commerce of the United States. Moreover, the Commission has no specific evidence of past abuses under its old rule. Accordingly, the Commission will amend § 510.32(j) to allow for the waiver or reduction of forwarding fees on shipments of relief agencies and charitable organizations.

Pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Commission certifies that this decision to forgo adoption of the proposed prohibition against the waiver or reduction of forwarding fees on shipments of relief and charitable organizations will not have a significant economic impact on a substantial number of small entities within the meaning of the said Act. This action serves merely to leave in effect the substance of an extant rule. No additional regulatory burden of any kind, therefore, will result from this action.

List of Subjects in 46 CFR Part 510

Freight Forwarders

PART 510—LICENSING OF INDEPENDENT OCEAN FREIGHT FORWARDERS

§ 510.32 [Amended]

Therefore, pursuant to sections 18, 21, 43 and 44 of the Shipping Act, 1916 (46 U.S.C. 817, 820, 841a and 841b), and section 4 of the Administrative Procedure Act (5 U.S.C. 553), § 510.32(j) of General Order 4 (46 CFR Part 510) is revised to read as follows:

* * * * *

(j) *Reduced forwarding fees.* No licensee shall render, or offer to render, any freight forwarding service free of charge or at a reduced fee in consideration of receiving compensation from an oceangoing common carrier or for any other reason. Exception: A licensee may perform freight forwarding services for recognized relief agencies or charitable organizations, which are designated as such in the tariff of the oceangoing common carrier, free of charge or at reduced fees.

By the Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 82-10182 Filed 4-13-82; 8:45 am]

BILLING CODE 6730-01-M

[1] Section 510.32(j) reads:

(j) *Reduced forwarding fees.* Except as otherwise provided in this part, no licensee shall render, or offer to render, any forwarding service free of charge or at a reduced fee in consideration of receiving compensation from oceangoing common carriers on the relevant shipment or for any other reason.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

[FCC 82-138]

Commission Organization; Amendment of Commission's Rules, Delegations of Authority to the General Counsel

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has authorized its General Counsel to act on petitions or requests for approval of settlement agreements among applicants in comparative hearing cases pending before the Commission where the agreement resolving the conflict among the applications is unopposed and where there are no outstanding issues concerning the basic qualifications of the applicant who would receive a construction permit or a license upon

approval of the agreement. This new delegation of authority to the General Counsel will eliminate both the need for consideration of routine settlement agreements by the Commission *en banc* and the delay involved in presenting such matters to the Commission.

EFFECTIVE DATE: April 14, 1982.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, (202) 632-7205.

SUPPLEMENTARY INFORMATION:

Adopted: March 25, 1982.

Released: March 29, 1982.

In the matter of amendment of § 0.251(f) of the Commission's rules and regulations, delegations of authority to the general counsel.

1. The Commission has determined that the General Counsel should be authorized to act on petitions or requests for approval of settlement agreements among applicants in comparative hearing cases pending before the Commission [1] where the agreement resolving the conflict among the applications is unopposed and where there are no outstanding issues concerning the basic qualifications of the applicant who would receive a construction permit or a license upon approval of the agreement. The delegation of this function to the General Counsel will contribute to the proper functioning of the Commission and to the prompt and orderly conduct of its business.

2. Authority for this amendment is contained in sections 4 (i) and (j), 5(d) and 303(r) of the Communications Act of 1934, as amended.[2] Because the amendment relates to matters of procedure and internal organization, the procedural and effective date provisions of section 4 of the Administrative Procedure Act [3] are inapplicable.

3. Accordingly, it is ordered, that on the date that this Order is published in the **Federal Register**, § 0.251(f) of the Commission's rules and regulations is amended as set forth in the Appendix hereto.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

[1] Hearing cases are considered to be pending before the Commission in this context when neither the presiding Administrative Law Judge nor the Review Board has jurisdiotion to act upon any pending matter.

[2] 47 U.S.C. 154(i) and (j), 155(d) and 303(r).

[3] 5 U.S.C. 553.

Appendix

PART 0—COMMISSION ORGANIZATION

In Part 0 of Chapter 1 of Title 47 of the Code of Federal Regulations, § 0.251(f)(11) is added to read as follows:

§ 0.251 Authority delegated.

* * * * *

(f) The General Counsel is delegated authority to act upon the following matters in hearing proceedings which are pending before the Commission en banc:

* * * * *

(11) Petitions or requests for approval of settlement agreements among applicants in comparative hearings where the agreement resolving the conflict among the applications is unopposed and where there are no outstanding issues concerning the basic qualifications of the applicant who would receive a construction permit or a license upon approval of the agreement.

[FR Doc. 82-10174 Filed 4-13-82; 8:45 am]

BILLING CODE 6712-01-M

Proposed Rules

Federal Register
Vol. 47, No. 72
Wednesday, April 14, 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 THE TREASURY

Comptroller of the Currency

Customs Service

Internal Revenue Service

Bureau of Alcohol, Tobacco, and Firearms

Office of Revenue Sharing

12 CFR Ch. I

19 CFR Ch. I

26 CFR Part 1

27 CFR Parts 240, 251, 252, 270, 275, 285, 290, and 295

31 CFR Part 51

Regulatory Flexibility Review Plan

AGENCY: Treasury Department.

ACTION: Review of regulations under the Regulatory Flexibility Act.

SUMMARY: This document presents the Treasury Department's plan for the periodic review of existing regulations pursuant to the requirements of sections 610 (a) and (c) of the Regulatory Fkexibility Act.

The plan is organized into five parts, reflecting the offices and bureaus of the Treasury Department with responsibility for the development and issuance of regulations that may be subject to the periodic review requirement. This includes the Comptroller of the Currency, the U.S. Customs Service, the Internal Revenue Service, the Bureau of Alcohol, Tobacco, and Firearms, and the Office of Revenue Sharing.

ADDRESS: See **"SUPPLEMENTARY INFORMATION"** for particular bureau.

FOR FURTHER INFORMATION CONTACT: For additional information with respect to a particular project, contact the individual identified as the knowledgeable person for that project, office, or bureau. Comments in response to this notice, preferably in triplicate, should be addressed to the attention of the named individuals for each project, office or bureau. ("See **SUPPLEMENTARY INFORMATION**".)

SUPPLEMENTARY INFORMATION: Section 610 of the Regulatory Flexibility Act of 1980 (Pub. L. 96–354) requires Federal agencies to develop and publish a plan for the periodic review of the agency's existing regulations that may have a significant economic impact on a substantial number of "small entities." The term "small entities" includes certain small businesses, nonprofit organizations and units of local government. The purpose of this review is to determine whether, consistent with applicable statutes, Treasury regulations identified as potentially or currently significant for small entities should be revised so as to eliminate or minimize their economic impact on small entities.

In conducting this review, the Treasury is particularly interested in considering public comment pertaining to the nature and extent of the economic impact, if any, of the regulations listed for review, and possible alternative rules that, consistent with applicable underlying statutes, could ameliorate or eliminate the burdens of these existing regulations.

PART 1. THE COMPTROLLER OF THE CURRENCY: 12 CFR CHAPTER I

Section A of the plan, set forth below, presents regulations currently under review or schedules for review within the next 12 months. Section B includes provisions that are not either subject to the requirements of the Regulatory Flexibility Act or that are believed by the Comptroller not to have a significant economic impact on small entities within the meaning of the Act. Section C of the plan lists other regulations, most of which were in existence on January 1, 1981, that will be reviewed prior to 1992. Other final regulations issued after January 1, 1981 will be reviewed within 10 years of the date of issuance.

FOR FURTHER INFORMATION CONTACT: Questions or suggestions with respect to the Comptroller's plan for periodic review should be directed to Roberta W. Boylan, Director, Regulations Analysis Division, Office of the Comptroller of the Currency, 490 L'Enfant Plaza SW., Washington, D.C. 20219; (202) 447–1177, not a toll-free number. For further information about a specific regulation listed below, contact the individual identified in the discussion of that regulation.

Section A: Existing Regulations Under Review

12 CFR Part 1—Investment Securities Regulation

Legal Authority: 12 U.S.C. 24, 93a.

Description: On December 16, 1979, the Comptroller announced that individual rulings under this regulation over the last seventeen years would be reviewed for the purpose of developing a general set of principles defining a national bank's legal right to purchase, deal in, underwrite or hold specific securities (44 FR 76263). The purpose of this project is to decrease the need for individual banks to seek from the Office rulings on individual security offerings. The need for detailed legal research by banks should be reduced and the complexity of investment securities regulation should be simplified for both large and small banks. A notice of proposed rulemaking detailing these principles was issued on February 19, 1981 (46 FR 12978); the comment period expired on April 20, 1981, and comments are now being reviewed.

For Further Information Contact: Radcliffe Park, Assistant Director, or Raija Bettauer, Attorney, Legal Advisory Services Division. Telephone (202) 447–1880.

12 CFR Part 2—Disposition of Credit Life Insurance Income

Legal Authority: 12 U.S.C. 24(7), 60, 73, 92, 93a, 1818(b).

Description: On December 31, 1980, the Federal Financial Institutions Examination Council (FFIEC) published a policy statement on the disposition of credit life insurance income that will require a change in the Office's existing regulation on the subject. The statement and regulation differ in their treatment of the allocation of credit life insurance income among the affiliated units of a bank holding company. Currently, Part 2 allows all such income to be credited to another wholly-owned affiliate of the holding company or to the holding company itself; the FFIEC statement, however, requires that a financial institution be "reasonably compensated" for its role in effecting the sale of the insurance. ("Reasonable compensation" is defined to be at least 20 percent of the income so generated.)

The Office of the Comptroller of the Currency has proposed an amendment to Part 2 that will bring it into conformity with the FFIEC statement, 47 FR 355 (January 26, 1982).

For Further Information Contact: Ford Barrett, Assistant Chief Counsel. Telephone (202) 447-1896.

12 CFR Part 8—Assessment of Fees

Legal Authority: 12 U.S.C. 482.

Description: The bulk of the funding for the Office's activities is provided by assessments paid semiannually by national banks and District of Columbia banks. The Office's current assessment schedule, adopted in 1976, features a declining marginal rate of assessment. Experience has shown, however, that this system produces assessment revenues that lag behind Office expenses in an inflationary environment. Further, recent statutory changes giving the Office greater flexibility in scheduling examinations also call the current schedule into question. As a result, the Office will be revising its existing assessment schedule in the coming months. No adverse effect on small banks is expected.

For Further Information Contact: William A. Longbrake, Deputy Comptroller for Research and Economic Programs. Telephone (202) 447-1920.

12 CFR Part 29—Fiduciary Powers of National Banks and Collective Investment Funds

Legal Authority: 12 U.S.C. 92a.

Description: On October 29, 1980, the Office published a series of proposals to amend its rules governing the exercise of fiduciary powers by national banks (45 FR 71571). The proposed amendments concerned the revocation of a bank's fiduciary powers, the retention of fiduciary records, the valuation of collective investment funds assets, marketability requirements for common trust funds, the valuation of short-term investment funds, the disclosure of policies and practices for commissions paid in effecting securities transactions, and the deposit of funds awaiting investment or distribution. The proposal also asked for public comment on any other section of Part 9 felt to be in need of improvement.

For Further Information Contact: Dean E. Miller, Deputy Comptroller for Specialized Examinations. Telephone (202) 447-1731.

Target Date for Completion of Review: 1982.

12 CFR Part II—Securities Exchange Act Disclosure Rules

Legal Authority: 15 U.S.C. 78.

Description: On January 29, 1981, the Office proposed a series of amendments to its securities disclosure regulation (46 FR 9618). The proposed amendments govern such matters as the form and content of financial statements of national banks, prescribed formats for financial statements and schedules, and requirements prohibiting the falsification of accounting records and misrepresentations by officers and directors of national banks. The proposed amendments are intended to conform the Office's regulations to the corresponding rules of the Securities and Exchange Commission.

For Further Information Contact: Eric Thompson, Assistant Director, Securities Disclosure Division. Telephone (202) 447-1954.

12 CFR Part 17—Required Notification to Nominate Bank Directors

Legal Authority: 12 U.S.C. 93a.

Description: This regulation states that national banks may adopt bylaws or articles of association that require any shareholder proposing to nominate a director, other than a management nominee, to file certain information in advance with the Office and the bank. A proposal to rescind this regulation was published in the **Federal Register** on April 14, 1980 (45 FR 2478). Because of the comments received on this proposal, the Office is now considering retaining this regulation in revised form. A notice of proposed rulemaking to this effect will be issued shortly.

For Further Information Contact: Jerome Edelstein, Attorney, Legal Advisory Services Division. Telephone (202) 447-1880.

12 CFR Part 20—International Operations

Legal Authority: 12 U.S.C. 93a.

Description: This regulation requires prior notification and other reports to be given by national banks relating to their international activities. The Office is exploring alternative means of acquiring this information with a view to abolishing the requirements.

For Further Information Contact: William Ryback, Director, International Examinations Division. Telephone (202) 447-1747.

12 CFR Part 27—Fair Housing Home Loan Data System

Legal Authority: 15 U.S.C. 1691 et seq., 12 U.S.C. 93a, 481, 1818; 42 U.S.C. 3601 et seq., 5 U.S.C. 301.

Description: This regulation requires national banks to record and retain information on the age, race, sex, and marital status of applicants for loans for the purchase, construction, or improvement of residential real property. Its purpose is to gather the data necessary to detect prohibited lending practices. The Office intends to review this regulation to determine whether it is achieving its intended result in view of the reporting and recordkeeping burdens it imposes.

For Further Information Contact: Roland G. Ullrich, Director, Customer Programs. Telephone (202) 287-4265.

Section B: Existing Regulations Not Subject to the Act

12 CFR Part 3—National Bank Loans Secured or Covered by Governmental Guaranties

Legal Authority: 12 U.S.C. 84(10), 93a.

Description: This part deals with the definition of "unconditional" for purposes of 12 U.S.C. 84(10). It determines whether given agreements will be deemed "unconditional" and therefore exempt from the single borrower limit of 12 U.S.C. 84. Because no logical basis exists for distinguishing on the basis of bank size whether an agreement is unconditional, there is no practicable alternative for fulfilling the statutory objective and reducing burden.

12 CFR Part 4—Description of Office, Procedures, Public Information

Legal Authority: 12 U.S.C. 93a.

Description: All of the sections of Part 4 which formerly dealt with the Office's corporate activities have been removed to the new Part 5. (45 FR 68586, October 5, 1980).

The remaining sections deal with rules of agency organization and procedures which are specifically exempted from the Act's coverage.

12 CFR Part 5—Rules, Policies, and Procedures for Corporate Activities

Legal Authority: 12 U.S.C. 93a.

Description: The Office is currently engaged in a comprehensive review of its regulations, policies, and procedures governing corporate activities. The amendments growing out of this review embody general statements of policy and agency procedures which are exempt from the Act's coverage. The revisions that have already been issued cover charters, change in control disclosures, hearings, "interim" banks, branches, CBCT's and relocations. Other amendments still under review concern mergers, appraisal rights, stock plans, and title changes.

For Further Information Contact: Patrick M. Frawley, Deputy Director, Bank Organization and Structure Division. Telephone (202) 447-1184.

12 CFR Part 6—Loans Made by National Banks Secured by Obligations of the United States

Legal Authority: 12 U.S.C. 84(8), 93a.

Description: Part 6 states that when loans to a national bank are fully secured by direct obligations or guarantees of the United States they shall not be subject to any limitation based upon the capital and surplus of the bank. This regulation flows directly from 12 U.S.C. 84(8).

12 CFR Part 7—Interpretive Rulings

Legal Authority: 12 U.S.C. 93a.

Description: Interpretive rulings are specifically excluded from the Act's coverage.

12 CFR Part 19—Rules of Practice and Procedure

Legal Authority: Sections 8 and 10 of the Federal Deposit Insurance Act (12 U.S.C. 1818, 1820); sections 12 (h) and (i), 15 B(c), 21 and 23 of the Securities Exchange Act of 1934 (15 U.S.C. 781 (h) and (i), 78o–4(c), 78u, 78w); Administrative Procedure Act (5 U.S.C. 554–57); Sections 101, 103, 107, and 801 of the Financial Institutions Regulatory and Interest Rate Control Act of 1978 (Pub. L. 95–630); Sections 4 and 13(a) of the International Banking Act of 1978 (Pub. L. 95–369).

Description: This regulation contains the Office's general rules relating to all hearings and rules relating specifically to formal hearings involving cease and desist proceedings, civil money penalty assessments, removal or suspension of bank officers, directors and principal shareholders and disciplinary actions involving bank municipal securities dealers. Since these are rules of agency procedure and practice, they are not covered by the Act.

12 CFR Part 22—Loans in Areas Having Special Flood Hazards

Legal Authority: Sections 102(b), 202(b), 205(b), of the Flood Disaster Protection Act of 1973, Pub. L. 93–234, and Section 703 of the Housing and Community Development Act of 1977, Pub. L. 95–128.

Description: This rule places an insurance requirement upon loans secured by improved real estate or a mobile home when made in areas which have been designated as having special flood hazards and requires notice to borrowers. The regulations are issued by the Office in consultation with the Federal Emergency Management Agency and flow directly from the underlying statutes cited above.

12 CFR Part 28—Federal Branches and Agencies of Foreign Banks

Legal Authority: 12 U.S.C. 1301, et seq.

Description: In 1979, the Comptroller adopted a regulation governing the supervision of foreign banks operating at Federal branches and agencies in the United States, including policy statements on the applicability of national banking laws generally and on the Community Reinvestment Act in particular. The regulation covers applications, limitations based on capital stock and surplus, capital equivalency deposits, reserves, federal deposit insurance, asset maintenance requirements, recordkeeping, service of process, obligations of management and regulation and supervision by the Comptroller. Without addressing the question of whether small foreign banks would be covered under the Act, this Part is excluded from the plan by virtue of the fact that small entities (foreign banks) do not apply for branches and agencies in the U.S.

Section C: Other Existing Regulations To Be Reviewed Prior To January 1, 1992

12 CFR Part 10—Municipal Securities Dealers

Legal Authority: 12 U.S.C. 93a; 15 U.S.C. 78o–4(c)(5), 78q–78w.

Description: These rules set out the uniform application and termination form required for a national bank municipal securities principal or representative associated with a bank municipal securities dealer. These forms are also used by the Federal Reserve Board and the Federal Deposit Insurance Corporation for the banks under their jurisdictions. Since uniformity in dealer reporting is desirable, if the review discloses that there is a significant economic impact upon small entities, the Office will forward any alternative forms which reduce the rule's burden to the Municipal Securities Rulemaking Board which issued the current forms.

Target Date for Completion of Review: January 1, 1992.

12 CFR Part 12—Securities Exchange Act Disclosure Rules

Legal Authority: 12 U.S.C. 24, 92a.

Description: On July 24, 1979, the Comptroller adopted a new regulation requiring national banks to establish minimum procedures and records, and provide confirmations relating to the handling of securities transactions for trust department accounts and for customers, effective January 1, 1980 (44 FR 43252). Additional comment was requested on these requirements as they relate to government and municipal securities. The regulation includes partial exemptions for national banks which have averaged less then 200 transactions per year for customers. Thus, consideration of the economic impact upon small entities was given in the review which occurred before the effective date of the Act.

For Further Information Contact: Dean E. Miller, Deputy Comptroller for Specialized Examinations. Telephone (202) 447–1731.

Target Date for Completion of Review: January 1, 1992.

12 CFR Part 16—Securities Offering Disclosure Circulars

Legal Authority: 12 U.S.C. 93a.

Description: The Office adopted amendments to the securities offering disclosure rules, effective March 21, 1980. Subject to certain exemptions, the disclosure rules generally require a national bank to provide an offering document to offerees when it offers or sells its equity or debt securities. The 1980 amendments were intended to simplify and expedite the process through which national banks offer their securities to the public, while providing the facts needed by investors to make informed decisions. The principal amendments Part 16 concern: (a) A qualified exemption from offering circular requirements where the amount offered exceeds $500,000 in a twelve-month period (The regulation previously provided for an exemption at the $300,000 level.); (b) a requirement permitting use of an abbreviated offering circular where the amount offered does not exceed $2,000,000 in a twelve-month period; and (c) certain technical amendments to the offering circular format (45 FR 11115).

For Further Information Contact: Eric Thompson, Assistant Director, Securities Disclosure Division. Telephone (202) 447–1954.

Target Date for Completion of Review: January 1, 1992.

12 CFR Part 18—Annual Financial Disclosure to Shareholders

Legal Authority: 12 U.S.C. 93a.

Description: This Part was amended in 1980 to eliminate a requirement for distribution of annual reports in a prescribed format and within a prescribed time period with duplicate filings to the Office. The change applies to approximately 2,485 national banks which had less than 500 shareholders and were not wholly-owned by a bank holding company. The regulation now requires that these banks, if they choose not to send annual reports, notify shareholders that certain basic financial information is available without charge. A subsequent survey evaluating this change showed an estimated reduction of 60 percent in cost of annual reporting for affected national banks.

Target Date for Completion of Review: January 1, 1992.

12 CFR Part 23—Annual Reports of National Bank Ownership and Insider Indebtedness to National Bank and its Correspondent Banks

Legal Authority: 12 U.S.C. 1817(k)(3), 1972(2)(F)(vi).

Description: On January 2, 1980, the Comptroller announced the elimination of previously required reports from approximately 62,000 national bank directors and principal officers, and the adoption of the reports required by Titles VIII and IX of the Financial Institutions Regulatory and Interest Rate Control Act of 1978 as implemented by Regulation O of the Board of Governors of the Federal Reserve System. Forms now in use were recommended by the Federal Financial Institutions Examination Council (FFIEC) (45 FR 13; see also 44 FR 67973 of November 2, 1979 for Regulation O). Although the uniformity of reporting provided by the FFIEC is desirable, the Office will review the current forms, and, if it is determined that there is a significant economic impact upon a substantial number of small entities and that there is an alternative which would reduce burdens and satisfy the underlying statute, the office will share its evaluation with FFIEC.

For Further Information Contact: Larry Raz, Attorney, Legal Advisory Services Division. Telephone (202) 447-1880.

Target Date for Completion of Review: January 1, 1992.

12 CFR Part 25—Community Reinvestment Act

Legal Authority: Community Reinvestment Act of 1977 (Title VIII, Pub. L. 95-128, 91 Stat. 1147 (12 U.S.C. 2901 et seq.)); 12 U.S.C. 21, 22, 26, 27, 30, 36, 161, 215, 215a, 481, 1814, 1816, 1828(c).

Description: This regulation, and identical ones of three other federal supervisors of depository institutions, too effect in February 1979. The Office, in association with the other agencies, is evaluating experience with the regulation. That evaluation is wide-ranging and includes consideration of such issues as: (1) Supplementing the previously issued list of questions and answers to clarify issues that do not individually justify amending the regulation; (2) issuing a policy information statement on the agencies' experiences since enactment of CRA operation; (3) discussing alternative definitions for low- and moderate-income neighborhoods; and (4) considering an amendment that adjust regulatory burdens to reflect several factors such as size and location.

For Further Information Contact: Robert Klinzing, Assistant Deputy Comptroller, Customer and Community Program. Telephone (202) 287-4265.

Target Date for Completion of Review: January 1, 1987.

12 CFR Part 26—Management Interlocks

Legal Authority: 12 U.S.C. 3201, et seq.

Description: On April 9, 1980, the Office published final amendments to its regulation implementing the Depository Institution Management Interlocks Act (Title II of the Financial Institutions Regulatory and Interest Rate Control Act of 1978 (Pub. L. 95-630)) in joint action with the Federal Reserve Board, Federal Deposit Insurance Corporation, Federal Home Loan Bank Board, and National Credit Union Administration.

For Further Information Contact: Howard Finkelstein, Attorney, Legal Advisory Services Division. Telephone (202) 447-1880.

Target Date for Completion of Review: June 1, 1983.

12 CFR Part 29—Adjustable Rate Mortgages

Legal Authority: 12 U.S.C. 93a.

Description: On March 27, 1981, the Office issued a new regulation that affirmatively authorized national banks to make residential mortgage loans with interest rates subject to periodic adjustment (46 FR 18932). This rule is intended to help ensure the availability of long-term mortgage funds by allowing lenders more leeway to protect themselves against inflation. The rule also limits the frequency and amount of interest-rate changes and mandates strict disclosure rules for consumers.

For Further Information Contact: Jonathan Fiechter, Director, Banking Research and Economic Programs. Telephone (202) 447-1585.

Target Date for Completion of Review: January 1, 1992.

PART 2—U.S. CUSTOMS SERVICE: 19 CFR CHAPTER I

The following plan for review of Customs regulations is designed to help identify all provisions of the Customs regulations that may have a significant economic impact on small entities within the meaning of the Regulatory Flexibility Act, and to identify possible regulatory alternatives. The Customs Service will not, however, attempt to review provisions of its regulations that implement statutory requirements within the jurisdiction of other Federal agencies. The periodic review schedule set forth below lists the chronological order in which the Customs Service will review the various parts of Title 19, Chapter 1, of the Code of Federal Regulations. For each part, Customs will publish a notice in the **Federal Register** soliciting written comments with respect to that part. Any proposed revisions to the regulations will be published after complete review of the regulation and public comments. The Customs Service does, of course, reserve the right to review any of its regulations at any time, either on its own initiative or in response to public request. Accordingly, the Service will consider public comment even prior to the scheduled comments period for each part.

Review by the Customs Service of Part 22 (Drawback) and Part 113 (Customs Bonds) is already underway.

FOR FURTHER INFORMATION CONTACT: Questions or suggestions with respect to the Customs Service's review plan should be directed to, Marvin Amernick, Chief, Office of Regulations and Rulings, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229; (202) 566-8237.

Part 22

Description: Drawback.

Notice Soliciting Public Comments: April 1, 1983.

Target Date for Completion of Review: April 1, 1984.

Part 113

Description: Customs Bonds.

Notice Soliciting Public Comments: April 1, 1983.

Target Date for Completion of Review: April 1, 1984.

Part 114

Description: Carnets.

Notice Soliciting Public Comments: April 1, 1983.

Target Date for Completion of Review: April 1, 1984.

Part 111

Description: Customhouse Brokers.

Notice Soliciting Public Comments: October 1, 1983.

Target Date for Completion of Review: April 1, 1985.

Part 19

Description: Customs Warehouses, Container Stations, and Control of Merchandise Therein.

Notice Soliciting Public Comments: April 1, 1984.

Target Date for Completion of Review: October 1, 1985.

Part 141

Description: Entry of Merchandise.

Notice Soliciting Public Comments: April 1, 1984.

Target Date for Completion of Review: October 1, 1985.

Part 142

Description: Special Permits for Immediate Delivery prior to Entry.
Notice Soliciting Public Comments: April 1, 1984.
Target Date for Completion of Review: October 1, 1985.

Part 143

Description: Consumption, Appraisement, and Informal Entries.
Notice Soliciting Public Comments: April 1, 1984.
Target Date for Completion of Review: October 1, 1985.

Part 144

Description: Warehouse and Rewarehouse Entries and Withdrawals.
Notice Soliciting Public Comments: April 1, 1984.
Target Date for Completion of Review: October 1, 1985.

Part 4

Description: Vessel in Foreign and Domestic Trade
Notice Soliciting Public Comments: October 1, 1984.
Target Date for Completion of Review: April 1, 1986.

Part 6

Description: Air Commerce Regulations.
Notice Soliciting Public Comments: October 1, 1984.
Target Date for Completion of Review: April 1, 1986.

Part 24

Description: Customs Financial and Accounting Procedure.
Notice Soliciting Public Comments: October 1, 1984.
Target Date for Completion of Review: April 1, 1986.

Part 10

Description: Articles Conditionally Free, Subject to a Reduced Rate, etc.
Notice Soliciting Public Comments: April 1, 1985.
Target Date for Completion of Review: October 1, 1986.

Part 54

Description: Certain Importations Temporarily Free of Duty.
Notice Soliciting Public Comments: April 1, 1985.
Target Date for Completion of Review: October 1, 1986.

Part 158

Description: Relief from Duties on Merchandise Lost, Damaged, Abandoned, or Exported.
Notice Soliciting Public Comments: April 1, 1985.
Target Date for Completion of Review: October 1, 1986.

Part 159

Description: Liquidation of Duties.
Notice Soliciting Public Comments: April 1, 1985.
Target Date for Completion of Review: October 1, 1986.

Part 161

Description: General Enforcement Provisions.
Notice Soliciting Public Comments: October 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 162

Description: Inspection, Search, and Seizure.
Notice Soliciting Public Comments: October 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 171

Description: Fines, Penalties, and Forfeitures.
Notice Soliciting Public Comments: April 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 172

Description: Liquidated Damages.
Notice Soliciting Public Comments: April 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 173

Description: Administrative Review in General.
Notice Soliciting Public Comments: October 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 174

Description: Protests.
Notice Soliciting Public Comments: October 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 175

Description: Petitions by American Manufacturers, Producers, Wholesalers.
Notice Soliciting Public Comments: October 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 177

Description: Administrative Rulings.
Notice Soliciting Public Comments: October 1, 1985.
Target Date for Completion of Review: April 1, 1987.

Part 11

Description: Packing and Stamping; Marking.
Notice Soliciting Public Comments: April 1, 1986.
Target Date for Completion of Review: October 1, 1987.

Part 133

Description: Trademarks, Trade Names, and Copyrights.
Notice Soliciting Public Comments: April 1, 1986.
Target Date for Completion of Review: October 1, 1987.

Part 134

Description: Country of Origin Marking.
Notice Soliciting Public Comments: April 1, 1986.
Target Date for Completion of Review: October 1, 1987.

Part 151

Description: Examination, Sampling, and Testing of Merchandise.
Notice Soliciting Public Comments: April 1, 1986.
Target Date for Completion of Review: October 1, 1987.

Part 152

Description: Classification and Appraisement of Merchandise.
Notice Soliciting Public Comments: April 1, 1986.
Target Date for Completion of Review: October 1, 1987.

Part 12

Description: Special Classes of Merchandise.
Notice Soliciting Public Comments: October 1, 1987.
Target Date for Completion of Review: April 1, 1989.

Part 18

Description: Transportation in Bond and Merchandise in Transit.
Notice Soliciting Public Comments: October 1, 1987.
Target Date for Completion of Review: April 1, 1989.

Part 112

Description: Carriers, Cartmen, and Lightermen.
Notice Soliciting Public Comments: October 1, 1987.
Target Date for Completion of Review: April 1, 1989.

Part 125

Description: Cartage and Lighterage of Merchandise.
Notice Soliciting Public Comments: October 1, 1987.
Target Date for Completion of Review: April 1, 1989.

Part 7

Description: Customs Relations with Insular Possessions and Guantanamo Bay Naval Station.

Notice Soliciting Public Comments: April 1, 1989.
Target Date for Completion of Review: April 1, 1990.

Part 123

Description: Customs Relations with Canada and Mexico.
Notice Soliciting Public Comments: April 1, 1989.
Target Date for Completion of Review: April 1, 1990.

Part 101

Description: General Provisions.
Notice Soliciting Public Comments: April 1, 1990.
Target Date for Completion of Review: April 1, 1991.

Part 127

Description: General Order, Unclaimed, and Abandoned Merchandise.
Notice Soliciting Public Comments: April 1, 1990.
Target Date for Completion of Review: April 1, 1991.

Part 145

Description: Mail Importations.
Notice Soliciting Public Comments: April 1, 1990.
Target Date for Completion of Review: April 1, 1991.

Part 146

Description: Foreign-Trade Zones.
Notice Soliciting Public Comments: April 1, 1990.
Target Date for Completion of Review: April 1, 1991.

Part 147

Description: Trade Fairs.
Notice Soliciting Public Comments: April 1, 1990.
Target Date for Completion of Review: April 1, 1991.

Part 103

Description: Availability of Information.
Notice Soliciting Public Comments: January 1, 1991.
Target Date for Completion of Review: January 1, 1992.

Part 132

Description: Quotas.
Notice Soliciting Public Comments: January 1, 1991.
Target Date for Completion of Review: January 1, 1992.

Part 148

Description: Personal Declarations and Exemptions.
Notice Soliciting Public Comments: January 1, 1991.
Target Date for Completion of Review: January 1, 1992.

Part 176

Description: Proceedings in the Customs Court.
Notice Soliciting Public Comments: January 1, 1991.
Target Date for Completion of Review: January 1, 1992.

PART 3—INTERNAL REVENVE SERVICE: 26 CFR PART 1

The periodic review plan set forth below lists the provisions of Title 26, Chapter 1, of the Code of Federal Regulations expected to be reviewed by the Internal Revenue Service in light of the provisions of the Regulatory Flexibility Act. Although review of some of the provisions listed may not be required by the Act, these provisions have nonetheless been scheduled for review because of their potential interest to small entities. In order to assure full consideration, written comments should be received by the Service prior to the scheduled date for completion of the initial review. Proposed amendments, if necessary, will be published for public comment subsequent to the date on which the initial review will be completed.

FOR FURTHER INFORMATION CONTACT

Questions or comments with respect to regulations listed in the periodic review plan should be addressed to George H. Bradley, Chief, Technical Section Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, Attention: CC:LR:T; (202) 566-3902, not a toll-free number.

Section 1.166-4(c)

Description: Reporting requirements in connection with use of a reserve for bad debts.
Date for completion of initial review: December, 1982.

Sections 1.385-1 Through 1.385-10

Description: Treatment of certain interests in corporations as stock or indebtedness.
Date for completion of initial review: December, 1982.

Section 1.446-1

Description: Methods of accounting—recordkeeping requirements and administrative procedures incident to change of method.
Date for completion of initial review: December, 1982.

Section 1.585-2(a)

Description: Reserves for losses of small business investment companies; rules to establish loss experience for taxpayers not themselves in existence for a sufficient period.
Date for completion of initial review: December, 1982.

Sections 1.1441 Through 1.1441-6, 1.1461-1 Through 1.1461-4

Description: Rules for withholding tax from non-wage income of nonresident alien individuals and foreign corporations.
Date for completion of initial review: December, 1982.

Sections 1.1502-2, 1.1502-3, 1.1502-7, 1.1502-11, 1.1502-21, 1.1502-22, 1.1502-75, 1.1502-78, and 1.1502-79.

Description: Computation of consolidated tax liability; Consolidated investment credit; Tax surcharge (to be repealed); Consolidated taxable income; Consolidated net operating loss deduction; Consolidated net capital gain; Filing of consolidated returns; Tentative carryback adjustments; Separate return years.
Date for completion of initial review: December, 1982.

Section: 1.79-1

Description: Exclusion of group-term life insurance provided to groups of fewer than 10 employees.
Date for completion of initial review: December, 1983.

Section 1.170A-1(a)(2)

Description: Substantiation requirement in support of deduction for gifts to charity, etc.
Date for completion of initial review: December, 1983.

Sections 1.471-1 Through 1.471-8

Description: Inventories—general rules and special rules for taxpayers in certain trades or businesses.
Date for completion of initial review: December, 1983.

Sections 1.1502-1, 1.1502-4, 1.1502-13, 1.1502-19, 1.1502-31, and 1.1502-33

Description: Definitions; Consolidated foreign tax credit; Intercompany transactions; Excess losses; Basis of property; Earnings and profits.
Date for completion of initial review: December, 1983.

Sections 20.2032A-3, 20.2032A-4, and 20.2032A-8

Description: Valuation of certain farm and business real property.
Date for completion of initial review: December, 1983.

Sections 1.6049-1 Through 1.6049-3

Description: Return of information and statements to recipients as to interest paid (including original issue discount).
Date for completion of initial review: December, 1983.

Section 1.472–2

Description: Requirements for adoption and continued use for LIFO inventory method.

Date for completion of initial review: December, 1984.

Sections 1.934–1 and 1.936–1

Description: Special rules for income from U.S. possessions and Puerto Rico.

Date for completion of initial review: December, 1984.

Section 1.1502–45

Description: Limitation on losses to amount at risk.

Date for completion of initial review: December, 1984.

Sections 1.6041–1 Through 1.6041–3

Description: Return of information as to payments of $600 or more.

Date for completion of initial review: December, 1984.

Section 1.274–5(c)

Description: Substantiation requirement for entertainment, travel, and gift expenses.

Date for completion of initial review: December, 1985.

Section 1.472–3

Description: Information required to be submitted with election to adopt LIFO inventory method.

Date for completion of initial review: December, 1985.

Sections 1.482–1 Through 1.482–2

Description: Rules for the allocation of income and deductions among related businesses and provide the methods for allocating certain expenses among related businesses in order to prevent tax evasion and to clearly reflect the income of each business.

Date for completion of initial review: December, 1985.

Section 1.1502–32

Description: Investment adjustments.

Date for completion of initial review: December, 1985.

Sections 48.4061(a)–1 Through 48.4061(a)–5

Description: Tax on trucks.

Date for completion of initial review: December, 1985.

Sections 1.6302–1, 1.6302–2, 31.6302(c)–1, and 31.6302(c)–3

Description: Use of government depositaries to receive taxes imposed by internal revenue laws.

Date for completion of initial review: December, 1985.

Sections 1.408–5 and 1.408–7

Description: Annual reports by trustees or issuers of individual retirement plans; reports on distributions from individual retirement plans.

Date for completion of initial review: December, 1986.

Section 1.472–8

Description: Dollar-value LIFO inventory method computations.

Date for completion of initial review: December, 1986.

Section 1.611–2(g)

Description: Information required to be filed in support of a deduction for depletion or depreciation with respect to each mineral property.

Date for completion of initial review: December, 1986.

Sections 1.861–1 Through 1.861–9, 1.862–1, 1.863–1 Through 1.863–3, and 1.864–1 Through 1.864–7

Description: Rules for determining whether income and expenses are attributable to activities within the United States or activities outside the United States.

Date for completion of initial review: December, 1986.

Sections 1.1502–5, 1.1502–6, 1.1502–12, and 1.1502–14

Description: Estimated tax, Liability for tax, Separate taxable income, stock and bonds and other obligations of members.

Date for completion of initial review: December, 1986.

Section 1.1502–15

Description: Limitations on certain deductions.

Date for completion of initial review: December, 1986.

Sections 1.1502–16, 1.1502–17, and 1.1502–18

Description: Mine exploration expenditures; Methods of accounting; and Inventory adjustment.

Date for completion of initial review: December, 1986.

Sections 31.3402(h)(1)–1 Through 31.3502(h)(4)–1

Description: Alternative methods of computing the amount to be withheld.

Date for completion of initial review: December, 1986.

Sections 48.4061–1 Through 48.4061(b)–3

Description: Tax on truck parts.

Date for completion of initial review: December, 1986.

Section 1.471–11

Description: Full-absorption method for inventories of manufacturers.

Date for completion of initial review: December, 1987.

Section 1.614–3(f)(5)

Description: Information needed in connection with election under section 614(c)(1) and (2) relating to operating mineral interest in mines.

Date for completion of initial review: December, 1987.

Sections 1.901–3, 1.902–1, 1.902–2, 1.904–1 Through 1.904–5, 1.905–1 Through 1.905–5

Description: Determining the amount of foreign taxes that can be credited against U.S. income taxes.

Date for completion of initial review: December, 1987.

Sections 1.1502–23, 1.1502–24, 1.1502–26, 1.1502–27

Description: Consolidated section 1231 net gain or loss; Consolidated charitable contributions deductions; Consolidated dividends received deductions; Consolidated section 247 deduction.

Date for completion of initial review: December, 1987.

Sections 48.4063–1 and 48.4063–2

Description: Tax on trucks and truck parts—certain exemptions.

Date for completion of initial review: December, 1987.

Section 1.761–2(b)(2)

Description: Information needed to elect out of subchapter K.

Date for completion of initial review: December, 1988.

Sections 1.1502–34 and 1.1502–41

Description: Special aggregate stock ownership rules; Determination of consolidated net long-term capital gain and consolidated net short-term capital loss.

Date for completion of initial review: December, 1988.

Sections 48.4071–1, 48.4071–2, and 48.4071–3

Description: Tax on tires and tubes—special rule for manufacturers who sell at retail—determination of weight—exemption for non-highway use.

Date for completion of initial review: December, 1988.

Sections 1.6001–1, 31.6001–1, 53.6001–1, 55.6001–1, 31.6001–5, and 31.6001–6

Description: Recordkeeping requirements.

Date for completion of initial review: December, 1988.

Section 1.408–6

Description: Disclosure statements for individual retirement arrangements.

Sections 1.991–4, 1.992–1 Through 1.992–4, 1.993–1 Through 1.993–7, 1.994–1, 1.994–2, 1.995–1 Through 1.995–5, 1.996–1 Through 1.996–8, 1.997–1

Description: Special rules for certain corporations exporting goods from the United States (Domestic International Sales Corporations).

Date for completion of initial review: December, 1989.

Section 1.1502–44

Description: Percentage depletion for independent producers and royalty owners.

Date for completion of initial review: December, 1989.

Section 1.1502–76

Description: Taxable year of members of group.

Date for completion of initial review: December, 1989.

Section 1.1502–77

Description: Common parent agent for subsidiaries.

Date for completion of initial review: December, 1989.

Sections 31.3402(c)–1 and 31.3402(c)–2

Description: Wage bracket withholding.

Date for completion of initial review: December, 1989.

Sections 48.4083–1 and 48.4083–2

Description: Tax on gasoline—certain exemptions.

Date for completion of initial review: December, 1989.

Sections 31.6011(a)–4 Through 31.6011(b)–2

Description: Return with respect to withholding of wages.

Date for completion of initial review: December, 1989.

Sections 1.103–13 Through 1.103–15

Description: Arbitrage bonds; exceptions to arbitrage bond treatment for temporary investments and reserve funds, and refunding issues; and excess proceeds of a refunding issue.

Date for completion of initial review: December, 1990.

Section 1.483–1

Description: Interest on deferred payments.

Date for completion of initial review: December, 1990.

Section 1.1502–42

Description: Mutual savings banks, etc.

Date for completion of initial review: December, 1990.

Section 48.4221–1 Through 48.4221–10

Description: Certain tax-free sales.

Date for completion of initial review: December, 1990.

Sections 1.453–1 Through 1.453–10

Description: Installment method of reporting.

Date for completion of initial review: December, 1991.

Section 1.1502–100

Description: Corporations exempt from tax.

Date for completion of initial review: December, 1991.

Section 41.4482(b)–1

Description: Definition of taxable gross weight of highway use vehicles.

Date for completion of initial review: December, 1991.

Sections 48.4222(a)–1, 48.4222(b)–1, 48.4222(c)–1, and 48.4222(d)–1

Description: Registration for certain tax-free sales.

Date for completion of initial review: December, 1991.

Section 301.6058–1

Description: Information required in connection with certain plans of deferred compensation.

Date for completion of initial review: December, 1991.

PART 4—BUREAU OF ALCOHOL, TOBACCO AND FIREARMS: 27 CFR

The Bureau of Alcohol, Tobacco and Firearms (ATF) has identified eight parts of Title 27 that may significantly affect a substantial number of small entities. ATF intends to recodify each of these eight parts with a view toward minimizing impact on small entities. On or before the target date for completion of each review, ATF expects to publish a notice of proposed rulemaking in the **Federal Register**, solicit comments from the public, and (if necessary) hold public hearings.

FOR FURTHER INFORMATION CONTACT: Richard A. Mascolo, Chief, Research and Regulations Branch, (202) 566–7626.

Wine—27 CFR Part 240

Description: These regulations require winemakers to register with ATF, file bonds, pay taxes, maintain records, submit reports to ATF and comply with operational requirements.

Last Complete Revision: 19 FR 9633, December 31, 1954.

Legal Authority: 26 U.S.C. 5041–5045, 5351–5392.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1330, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1986.

Importation of Distilled Spirits, Wines, and Beer—27 CFR Part 251

Description: These regulations require importers of alcoholic beverages to pay taxes, maintain records, submit reports and comply with operational requirements.

Last Complete Revision: 20 FR 3561, May 21, 1955.

Legal Authority: 26 U.S.C. Chapter 51.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1313, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1984.

Exportation of Liquors—27 CFR Part 252

Description: These regulations prescribe procedures for filing export drawback claims and require exporters to file bonds in some cases, submit evidence of exportation and comply with operational requirements.

Last Complete Revision: 25 FR 5734, June 23, 1960.

Legal Authority: 26 U.S.C. Chapter 51.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1313, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1984.

Manufacture of Cigars and Cigarettes—27 CFR Part 270

Description: These regulations require manufacturers of cigars and cigarettes to obtain permits, file bonds, pay taxes, maintain records, submit reports and comply with operational requirements

Last Complete Revision: 26 FR 8174, August 31, 1961.

Legal Authority: 26 U.S.C. Chapter 52.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1414, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1985.

Importation of Cigars, Cigarettes, and Cigarette Papers and Tubes—27 CFR Part 275

Description: These regulations require importers to pay taxes on cigars, cigarettes, and cigarette papers and tubes. They also allow manufacturers to withdraw these products from Customs custody without payment of tax.

Last Complete Revision: 26 FR 8190, August 31, 1961.

Legal Authority: 26 U.S.C. Chapter 52.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1414, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1985.

Manufacture of Cigarette Papers and Tubes—27 CFR Part 285

Description: These regulations require manufacturers of cigarette papers and tubes to obtain permits, file bonds, pay taxes, maintain records, submit reports and comply with operational requirements.

Last Complete Revision: 25 FR 7052, July 26, 1960.

Legal Authority: 26 U.S.C. Chapter 52.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1414, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1986.

Exportation of Cigars, Cigarettes, and Cigarette Papers and Tubes, Without Payment of Tax, or With Drawback of Tax—27 CFR Part 290

Description: These regulations require exporters to obtain permits, file bonds, maintain records, submit reports, submit evidence of exportation and comply with operational requirements. They also prescribe procedures for filing export drawback claims.

Last Complete Revision: 25 FR 4713, May 28, 1960.

Legal Authority: 26 U.S.C. Chapter 52.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1414, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1986.

Removal of Cigars, Cigarettes, and Cigarette Papers and Tubes, Without Payment of Tax, for Use of the United States—27 CFR Part 295

Description: These regulations define authorized withdrawals of these products for the use of the United States and require manufacturers to maintain records and comply with operational requirements.

Last Complete Revision: T.D. 6871, 31 FR 57, January 14, 1966.

Legal Authority: 26 U.S.C. 5704.

Last Complete Revision of Authorizing Statute: Pub. L. 85–859, 72 Stat. 1418, effective July 1, 1959.

Target Date for Completion of Review: December 31, 1985.

PART 5—OFFICE OF REVENUE SHARING: 31 CFR PART 51

The regulations issued by the Office of Revenue Sharing are contained in Part 51 of Title 31 of the Code of Federal Regulations. Three of these provisions will be reviewed by the Office of Revenue Sharing, as set forth below.

FOR FURTHER INFORMATION CONTACT: Questions or comments should be addressed to Ms. Jacqueline L. Jackson, Attorney-Advisory, Office of Chief Counsel, Office of Revenue Sharing, U.S. Treasury Department, 15th Floor, Columbia Plaza, 2401 E Street NW., Washington, D.C. 20220; Telephone (202) 634–5183, not a toll-free number.

31 Part 51, Subpart B—Assurances, Reports and Public Participation

Description: These regulations set forth the reporting, publication and public hearing requirements of the Act.

Last Complete Revision: 46 FR 48034, September 30, 1981.

Legal Authority: 31 U.S.C. 1241.

Last Complete Revision of Authorizing Statute: Pub. L. 96–604, effective October 1, 1980.

Target Date for Review: December 31, 1983.

Solication of Public Comment: By notice and request for comment to be published in the **Federal Register** in March of 1983.

31 CFR Part 51, Subpart D, Section 51.42 Wage Rates and Labor Standards

Description: This regulation sets forth the requirement that construction projects funded whole or in part with revenue sharing funds comply with the Davis-Bacon Act requirements for wage rates.

Last Complete Revision: 46 FR 48034, September 30, 1981.

Legal Authority: 31 U.S.C. 1243(a)(6).

Last Complete Revision of Authorizing Statute: Pub. L. 96–604, effective October 1, 1980.

Target Date for Review: December 31, 1984.

31 CFR Part 51, Subpart E—Nondiscrimination by State and Recipient Government Receiving Entitlement Funds

Description: These regulations set forth the prohibitions against discrimination in the expenditure of revenue sharing funds.

Last Complete Revision: 46 FR 48034, September 30, 1981.

Legal Authority: 31 U.S.C. 1242, 1244, 1245.

Last Complete Revision of Authorizing Statute: Pub. L. 96–604, effective October 1, 1980.

Target Date for Review: December 31, 1985.

Dated: April 8, 1982.

David E. Pickford,

Executive Secretary.

[FR Doc. 82-10221 Filed 4-13-82; 8:45 am]

BILLING CODE 4810-25-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1500

Requirements To Address Strangulation Risk Presented by Toy Chests; Advance Notice of Proposed Rulemaking

AGENCY: Consumer Product Safety Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: Based on available data, the Commission preliminarily believes that certain toy chests with hinged lids present a strangulation risk to children. In this notice the Commission discusses the risk and solicits public comments on it. While this notice commences a proceeding to regulate the toy chests, the Commission also discusses alternative ways to address the risk, including by a voluntary standard, and solicits public comments on those alternatives. Finally, the Commission in this notice specifically invited any person to submit (1) an existing standard that addresses the toy chest strangulation risk or (2) a statement of intention to develop such a standard, along with a plan to do so.

DATES: Comments and submissions are due no later than June 14, 1982.

ADDRESS: Comments and submissions should be sent, preferably in five copies, to Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207.

FOR FURTHER INFORMATION CONTACT: Ms. Terri Rogers, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 492–6554.

SUPPLEMENTARY INFORMATION:

A. Statutory framework

Under the Federal Hazardous Substances Act, the Consumer Product Safety Commission (CPSC) has authority to regulate the safety of articles intended for use by children. 15 U.S.C. 1261 *et seq.* Alternatively, if the Commission finds that it is in the public interest to regulate a risk associated with a particular children's article under the Consumer Product Safety Act, it may regulate such article under that statute. 15 U.S.C. 2079(d).

During 1981 Congress amended both acts to require a three-stage proceeding for the regulation of consumer products (including children's articles). Consumer Product Safety Amendments of 1981 (Pub. L. 97–35). The proceeding must begin with an advance notice of proposed rulemaking, and that notice must include information about the product, the risk, any existing voluntary standards and the regulatory alternatives under consideration. 15 U.S.C. 1262(f).

Under the Federal Hazardous Substances Act, the Commission may determine by regulation that "[a]ny toy or other article intended for use by children * * * presents an electrical, mechanical, or thermal hazard." 15 U.S.C. 1261(f)(1)(D). The Commission may conclude that an article presents a mechanical hazard if "in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or

illness * * * from * * * openings or closures, * * * from moving parts, * * * because of instability, or * * * because of any other aspect of the article's design or manufacture." 15 U.S.C. 1261(s). If the Commission makes such a determination about a toy or other children's article, the article is deemed a "hazardous substance" and a "banned hazardous substance," and its introduction or delivery for introduction into interstate commerce is prohibited. 15 U.S.C. 1261(f)(1)(D), 1261(q)(1)(A), and 1263(a).

B. The product

By publication of this document, the Commission is commencing a proceeding to address a risk of injury presented by toy chests. For now, the toy chests are defined as containers with hinged lids that are marketed for storing children's toys. This working definition does not include any minimum or maximum size because it is too early in the regulatory process to do so. If a regulation is proposed, the size range of the regulated toy chests will likely be defined. However, the Commission does note that an existing voluntary standard for toy safety has certain requirements for toy chests with a volume of 1.1 cubic feet or greater. Toy Manufacturers of America, Inc. (TMA) standard PS 72-76 (1)*

The Commission is aware that many products used as toy chests, such as trunks and old packing cartons, are excluded from the working definition. The inclusion of such products in a toy chest regulation would likely make the regulation unworkable and unenforceable because of the many different types of containers that can be and are used as toy chests. In any case, any proposed rule would include a toy chest definition that is more refined than the working definition being used in this advance notice.

The Commission knows of 22 domestic manufacturers and two importers of toy chests (2). Additional firms apparently exist, and not all of the identified firms manufacture or import toy chests that would necessarily be included within the scope of a Commission regulation (2). The Commission estimates that there were more than 600,000 toy chests sold in 1979, with a value of more than $9 million (2). The manufacturers' selling prices ranged from $5.00 to $42.00 per unit, depending on size, shape, decoration, and material (2). Although the total retail value of toy chests is difficult to estimate, it probably exceeds $18 million annually (2).

All of the toy chest manufacturers identified by the Commission produce other products, as well (2). For all of the firms, products other than toy chests account for a major portion of sales (2). Only three of the firms reported to the Commission that toy chest sales accounted for as much as one-third of the value of total sales (2).

C. The risk of injury

The Commission has documented 21 fatalities and one case of permanent brain damage from falling toy chest lids (3). The pattern generally involves a toy chest lid falling on a child while he or she is leaning into the chest (4). If the child's neck is extended across the upper edge of the front of the chest when the lid falls, the child can be caught and strangled (4).

Most of the victims in the documented incidents were between the ages of 10 and 12 months; two victims, one 16 and one 19 months of age, were older (4). The rate of fatality for this hazard appears to be about three per year (3).

The hazard scenario most likely occurs when the toy chest lid is left open or the child is attracted to the toy chest and opens it himself or herself (4). At the age of over half of the victims (10—12 months), children are reasonably mobile and may be walking to some degree, but are basically unsteady on their feet (4). Because of this, the child may push or lean on the toy chest while looking in (4). If this occurs, the lid may fall and strike the child if there is no support device attached to the toy chest (4). If the child is not found immediately, the consequences can be fatal. It is not known, however, whether the initial impact causes death or whether the child ultimately strangles because of the entrapment.

D. Alternatives for addressing risk

1. *Voluntary standards*

At this time the Commission knows of no existing voluntary standard that addresses the toy chest strangulation risk. However, an effort to write such a standard appears to be underway.

The Toy Manufacturers of America, Inc. has issued a voluntary standard for toy safety (1), and it contains provisions applicable to toy chests. The provisions address pinching and laceration injuries and the risk of suffocation from a child crawling into a toy chest and becoming entrapped, but they do not yet address the strangulation risk discussed in section C above. In December 1981 TMA expressed a willingness to coordinate an industry voluntary standard project. The Commission believes that this effort could be successful, as long as a substantial number of the toy chest manufacturers make a sincere commitment to it. The Commission staff has already done extensive background technical work toward developing toy chest requirements that would address the strangulation risk. This work is fully available to any group involved in a voluntary effort, and it even includes a draft set of requirements designed to prevent a toy chest lid from closing on its own (5, 6). The staff's preliminary economic analysis of these requirements indicates that their adoption would not impose burdensome costs on the industry (2).

2. *Other alternatives*

In addition to a mandatory regulation and a voluntary standard, the Commission has been considering another means of addressing the strangulation risk presented by toy chests. That third alternative is an information and education effort to inform consumers and encourage them to protect children from existing toy chests that present the risk. For example, consumers might refrain from purchasing toy chests with hinged lids that can fall suddenly or they might retrofit such chests with hinges or lid supports that prevent lids from falling freely.

One advantage of an information and education effort is that it could address the risk presented by all containers used as toy chests, whether or not they were marketed as such. Specifically, a parent might become aware that an old trunk being used as a toy chest presents a risk to children and then takes steps to reduce the risk. Another advantage is that an information and education program could be undertaken more quickly than a mandatory or even a voluntary standard could be issued. Of course the Commission could decide to pursue an information and education program and to pursue a standard, as well.

E. Solicitation of public input

This advance notice of proposed rulemaking is the first stage in a three-stage rulemaking process. As discussed above, the Commission may decide to terminate the proceeding and pursue other alternatives for addressing the toy chest strangulation risk. Before making any decision, the Commission wants to be as informed as possible about each alternative. Therefore, the Commission is specifically soliciting from all members of the public:

1. Comments on the risk of strangulation presented by toy chests

*The numbers in parentheses refer to documents in the record of this regulatory proceeding. They are listed, by number, at the end of this notice, and are available from the Office of the Secretary.

(including comments that such a risk is minimal or nonexsistent);

2. Comments on alternatives for addressing the risk, including a mandatory standard, voluntary standard, and an information and education effort;

3. Suggestions about any other alternative not discussed in this notice that the Commission might consider to address the risk;

4. Submission of any existing standard or portion of a standard that addresses the strangulation risk of toy chests;

5. Submission of any statements of intention to develop or modify an existing standard that addresses the strangulation risk of toy chests, along with a plan to do so.

Any plan submitted with a statement of intention (item 5) should include, to the extent possible, a description of how interested groups and people will be notified that a voluntary standard project is underway; a description of how the the views of interested groups and people will be incorporated into the project; a detailed discussion of how the project will proceed; a realistic estimate of the length of time that the project will take; a detailed schedule for various stages of the project; a list of the people expected to participate in the project, along with some description of their backgrounds and experience; and a description of any facilities or equipment that will be used during the project.

All comments and submissions should be sent to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207 no later than June 14, 1982.

List of Subjects in 16 CFR Part 1500

Consumer protection, Hazardous materials, Infants and children, Toys

Dated: April 9, 1981.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

List of documents in record

(1) Toy Manufacturers of America, Inc. voluntary standard PS 72-76, developed under procedures of the National Bureau of Standards; effective September 22, 1976.

(2) Toy Chests Preliminary Economic Assessment, by Jacob Handelsman; October 1980.

(3) Memoranda from George Rutherford on injury data for toy chests; September 10, 1980, October 12, 1979, and March 1, 1982.

(4) Memorandum from D. T. Van Houten on toy chests; July 3, 1980.

(5) Proposed test requirement; October 21, 1980.

(6) Draft Federal Register document proposing safety requirement for toy chests.

[FR Doc. 82-10227 Filed 4-13-82; 8:45 am]

BILLING CODE 6355-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 230 and 240

[Release No. 33-6393, 34-18611; File No. S7-926]

Proposed Changes to Rules Containing Dollar Exemptive Limits; Proposed Repeal of Certain Rules

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rulemaking; proposed rescissions.

SUMMARY: As part of its program of re-examining its rules, the Commission is publishing for comment proposals to amend and to rescind certain exemptive rules under the Securities Act of 1933 and the Securities Exchange Act of 1934. The proposed amendments would increase the dollar limits on exemptions from statutory provisions to reflect the effects of inflation. The proposed rescissions concern rules which are obsolete due to Congressional or judicial action or are outdated due to the passage of time. The proposals are part of an ongoing effort to update regulations and to eliminate obsolete or outmoded requirements wherever possible, consistent with investor protection.

DATES: Comments should be submitted on or before May 14, 1982.

ADDRESSES: Send comments in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. All comment letters received will be available for public inspection and copying in the Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. 20549. Comment letters should refer to File No. S7-926.

FOR FURTHER INFORMATION CONTACT: Ann M. Glickman at (202) 272-2573, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION:

I. Background

As part of its program of re-examining its rules, the Commission is publishing for public comment proposals to amend or to rescind certain exemptive rules under the Securities Act of 1933 (15 U.S.C. 77) (the "Securities Act") and the Securities Exchange Act of 1934 (15 U.S.C. 78) (the "Exchange Act") which either contain dollar limitations or provide temporary exemptions. Specifically, the proposals would increase the dollar limits: in paragraphs (a)(2) and (b) of Rule 16a-9 (17 CFR 240.16a-9) from $3,000 to $10,000; in Rule 236 (17 CFR 230.236) from $100,000 to $300,000; and in Rule 237 (17 CFR 230.237) from $50,000 to $100,000. Other than the increase in the dollar amounts for exemptions, these rules are not proposed to be changed. Five rules are proposed to be rescinded because they are either obsolete or outdated. Rule 234 (17 CFR 230.234) and Rule 235 (17 CFR 230.235) have been superseded by Congressional and judicial action, respectively. Rules 12a-1 (17 CFR 240.12a-1), 12a-2 (17 CFR 240.12a-2) and 12a-3 (17 CFR 240.12a-3), which provide temporary exemptions from the provisions of the Exchange Act, have become outdated through the passage of time. In addition, specific comment is requested concerning the continued usefulness of Regulation F under the Securities Act (17 CFR 230.651 through 656) and whether any changes are appropriate or necessary to that regulation.

II. Discussion

A. Amendments to Paragraphs (a)(2) and (b) of Rule 16a-9

Rule 16a-9 permits persons who are required to file reports of securities transactions under section 16(a) of the Exchange Act to defer filing those reports if such transactions are relatively small. Rule 16a-9(a) exempts from the section 16(a) filing requirements any acquisition of securities where the person acquiring the securities does not dispose of securities of the same class, other than by gift, within six months of the acquisition and does not acquire or dispose of securities of the same class having a market value in excess of $3,000 for any six month period during which the acquisition occurs. Rule 16a-9(b) provides an additional exemption for any acquisition or disposition of securities by way of gift where the total amount of such gifts does not exceed $3,000 in market value for any six month period. Rule 16a-9(c) requires any person taking advantage of the exemptions provided by paragraphs (a) and (b) of the rule to include in the first report, otherwise required to be filed after an exempt transaction occurs, a statement of all transactions which have taken place since that person's last section 16(a) filing. Thus, the effect of Rule 16a-9 is to defer reports of the transactions specified in paragraphs (a)

and (b), rather than to exclude such transactions from the reporting requirements entirely.

Since 1953, when Rule 16a–9 was adopted in its present form,[1] inflation as measured by the Consumer Price Index has been almost 250 percent.[2] The Commission is proposing to increase to $10,000 the $3,000 limit now set forth in paragraphs (a)(2) and (b) of Rule 16a–9, in order that the rule will reflect the fact that transactions amounting to $10,000 today have substantially the same economic significance as transactions amounting to $3,000 had twenty-nine years ago. In the Commission's view, a $10,000 limit would reduce the paperwork burden on those who file Section 16(a) reports without adverse effects on the Section 16(a) reporting System as a whole.

B. Proposed Increase in the Dollar Limits of Rules 236 and 237

Rule 236 under the Securities Act exempts from the registration requirements of Section 5 of that Act sales of shares made under certain conditions for the purpose of providing cash for distribution to shareholders in lieu of issung fractional shares, scrip certificates, or order forms in connection with stock splits, stock dividends and similar corporate transactions. Rule 236(b) limits the aggregate gross proceeds from such a sale to $100,000. In light of inflation, [3] the Commission is proposing to amend the rule to increase the $100,000 exemption, which was established in 1962, [4] to $300,000. Because the rule is available only to companies filing periodic reports under the Exchange Act, and is used only in limited situations, the Commission is of the view that such an increase is consistent with its mandate to protect investors.

Rule 237 under the Securities Act exempts from the registration requirements of section 5 of that Act certain resales of securites of issuers that do not furnish information to the public about their activities. Rule 237(b) limits any person's gross proceeds from sales under the rule during any one year period to the lesser of $50,000 or the amount obtained from selling one percent of the outstanding securities of the class being sold. Because of inflation,[5] the rule is proposed to be amended to increase the $50,000 limit, which was established in 1972,[6] to $100,000, Because Rule 237 may be utilized only under narrowly-defined circumstances, an increase in the rule's dollar exemptive limit will not, in the Commission's view, adversely affect the securities markets.

C. Proposed Rescission of Rules 234 and 235 and Specific Inquiry Concerning Regulation F

In connection with the re-examination of exemptive rules containing dollar limits, the Commission also considered whether such rules had become obsolete since their adoption. Rules 234 and 235 under the Securities Act are proposed to be rescinded because of legislation by Congress and a decision by the U.S. Supreme Court subsequent to their adoption. Such actions render the rules outmoded and may cause confusion by persons attempting to comply with their requirements.

Rule 234, adopted in 1961,[7] exempts from the registration requirements of the Securities Act notes secured by a first lien on a single parcel of real estate, provided certain conditions are met. Neither the aggregate unpaid principal amount of the notes secured by the lien nor the aggregate amount at which the notes are offered to the public may exceed $100,000.

In 1975, Congress enacted section 4(5) of the Securities Act (15 U.S.C. 77d(5)), which provides conditions different from those of Rule 234 for the exemption of first lien notes secured by a single parcel of real estate. The terms of section 4(5) effectively restrict purchases of first lien notes and participations therein sold pursuant to that exemption to sophisticated investors with substantial resources. In view of Congressional action in this area, the Commission is not proposing to increase the dollar limit of Rule 234. Moreover, as the Commission believes that the exemption provided by Rule 234 is of minimal use, in light of inflation in real estate values, it is proposing that Rule 234 under the Securities Act be rescinded. The Commission notes that the availability of the private offering and small offering exemptions has increased significantly since the adoption of Rule 234, and that these exemptions will continue to provide relief from the registration requirements of the Act under appropriate circumstances.

Adopted in 1961,[8] Rule 235 under the Securities Act exempts from registration sales of stock representing membership interests in a cooperative housing corporation so long as the aggregate offering price of all securities of the corporation offered pursuant to the rule does not exceed $300,000 during any twelve-month period, and certain other conditions are met. In light of the Supreme Court's decision in *United Housing Foundation* v. *Forman*, 421 U.S. 837 (1975), a number of evidences of membership in a housing cooperative would not be considered "securities" within the meaning of section 2(l) of the Securities Act, and the exemption provided by Rule 235 would no longer be needed with respect to such interests. There appears little purpose to be served by distinguishing offerings of housing cooperative securities falling outside the scope of *Forman* from other securities offerings. Therefore, rather than increasing the dollar limit of Rule 235 to compensate for the effect of inflation, Rule 235 is proposed to be rescinded.

As a part of the re-examination of its rules, the Commission has considered whether to proposed the repeal of, or any changes to, Regulation F, which exempts from the registration requirements of the Securities Act assessments on assessable stock and the offer and sale of assessable stock to realize the amount of an assessment, provided that certain conditions are met. While Regulation F is not widely used, it appears to fill the limited capital needs of certain types of small mining and water companies. The Commission has not received any significant complaints from investors concerning the assessment process, nor have issuers complained about the size of the exemption. Therefore, the Commission proposes to retain the regulation with its $300,000 limit.

The Commission, however, invites specific comment as to the usefulness of Regulation F in its present form and whether any changes in the regulation would be appropriate or necessary.

D. Proposed Rescission of Rules 12a–1, 12a–2, and 12a–3

The Commission has identified three rules providing temporary exemptions from the registration requirements of Section 12(a) of the Exchange Act which have become obsolete. Rule 12a–1

[1] Release No. 34–4801 (March 30, 1953) (18 FR 1131).

[2] Computations of inflation, for which this and other dollar limit increases are intended to compensate, are based upon indices of consumer prices (all items). Bureau of Economic Analysis, Dept. of Commerce, *Business Statistics, 1977 Biennial Supplement* at p. 43, and *Survey of Current Business* (December 1981) at pp. 5–6.

[3] Computed as specified in foontote [2], inflation since 1962 has been a little over 200 percent.

[4] Release No. 33–4470 (March 28, 1962) (27 FR 3289).

[5] Computed as specified in footnote [2], inflation since 1972 has been approximately 120 percent.

[6] Release No. 33–5224 (January 9, 1972) (37 FR 590).

[7] Release No. 33–4305 (December 8, 1960) (25 FR 12912).

[8] Release No. 33–4305 (December 8, 1960) (25 FR 12912).

provides a temporary exemption for certain banks. Rule 12a-2 provides a temporary exemption of certain securities secured by property, or a leasehold interest in property, which is owned by a person not the original issuer of such security. Rule 12a-3 provides a temporary exemption for certain securities of issuers in bankruptcy or receivership or in the process of reorganization. The Commission's analysis and experience indicate that there are no longer any companies relying on these rules for exemption from the requirements of Section 12(a). These rules cannot apply to new issuers because they are predicated upon the condition that the securities involved would have had a prior temporary exemption which expired on June 30, 1935. Therefore, the Commission is proposing their rescission.

III. Specific Inquiry

The Commission also solicits comments as to whether the proposed amendments and rescissions would have an adverse effect on competition or would impose a burden on competition. Comments on this inquiry will be considered by the Commission in complying with its responsibilities under section 23(a)(2) of the Exchange Act.

List of Subjects in 17 CFR Part 230

Accountants; Accounting; Advertising; Investment companies; Securities, Bonds, Business development companies, Government securities, Investment companies, Investments, Stocks.

List of Subjects in 17 CFR Part 240

Brokers; Fraud; Investment companies; Municipal securities dealers; Reporting requirements; Securities, Bonds, Business development companies, Exempt securities, Government securities, Institutional disclosure, Investment companies, Investments, Stocks; Securities associations; Securities exchanges.

Text of Proposals

The Commission hereby proposes to amend 17 CFR Chapter II as follows:

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

§ 230.234 [Removed]

1. Section 230.234 is proposed to be removed.

§ 230.235 [Removed]

2. Section 230.235 is proposed to be removed.

3. Section 230.236 is proposed to be amended by revising paragraph (b) to read as follows:

§ 230.236 Exemption of shares offered in connection with certain transactions.

* * * * *

(b) The aggregate gross proceeds from the sale of all shares offered in connection with the transaction for the purpose of providing such funds does not exceed $300,000.

4. Section 230.237 is proposed to be amended by revising paragraph (b) to read as follows:

§ 230.237 Exemption of certain securities owned for five years.

* * * * *

(b) *Amount of securities exempted.* The gross proceeds from all securities of the issuer, its predecessors, and all of its affiliates, sold under this section by any person during any period of one year shall not exceed the lesser of the gross proceeds from the sale of one percent of the securities of the class outstanding or $100,000 in aggregate gross proceeds. Such amounts shall be reduced by the amount of the gross proceeds from any securities sold during such year pursuant to any other exemption under section 3(b) of the Act and the amount of gross proceeds from securities of the same class sold in reliance upon § 230.144 of this chapter.

* * * * *

Text of Proposals

The Commission hereby proposes to amend 17 CFR Chapter II as follows:

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

§ 240.12a-1 [Removed]

5. Section 240.12a-1 is proposed to be removed.

§ 240.12a-2 [Removed]

6. Section 240.12a-2 is proposed to be removed.

§ 240.12a-3 [Removed]

7. Section 240.12a-3 is proposed to be removed.

8. Section 240.16a-9 is proposed to be amended by revising paragraphs (a)(2) and (b) to read as follows:

§ 240.16a-9 Exemption for small transactions.

(a) * * *

(1) * * *

(2) The person effecting such acquisition does not participate in acquisitions or dispositions of securities of the same class having a total market value in excess of $10,000 for any six months period during which the acquisition occurs.

(b) Any acquisition or disposition of securities by way of gift, where the total amount of such gifts does not exceed $10,000 in market value for any six months period, shall be exempt from Section 16(a) and may be excluded from the computations prescribed in paragraph (a)(2) of this section.

Authority

The amendments and rescissions are being proposed pursuant to the authority in sections 3(b), 4(l) and 19(a) of the Securities Act of 1933 and sections 12(a), 12(h), 12(i), 16(a) and 23(a) of the Securities Exchange Act of 1934.

(Secs. 3(b), 4(l), 19(a), 48 Stat. 75, 77, 85; Secs. 209, 48 Stat. 908; 59 Stat. 167; Sec. 12, 78 Stat. 580; 84 Stat. 1480; Sec. 308(a)(2), 90 Stat. 57; Sec. 18, 92 Stat. 275; Sec. 2, 92 Stat. 962; Sec. 301, 94 Stat. 2291, 2294; Secs. 12(a), 12(h), 12(i), 16(a), 23(a), 48 Stat. 892, 896, 901; Sec. 203a, 49 Stat. 704; Sec. 8, 49 Stat. 1379; Secs. 3, 8, 78 Stat. 565–568, 579; Sec. 1, 82 Stat. 454; Sec. 105(b), 88 Stat. 1503; Sec. 18, 89 Stat. 155; 15 U.S.C. 77c(b), 77d(1), 77s(a), 78*l*(a), 78*l*(h), 78*l*(i), 78p(a), 78w(a))

By the Commission.

George A. Fitzsimmons,

Secretary.

April 1, 1982.

Regulatory Flexibility Act Certification

I, John S. R. Shad, Chairman of the Securities and Exchange Commission, hereby certify pursuant to 5 U.S.C. 605(b) that the proposed amendments to Rules 236 and 237, and rescissions of Rules 234 and 235, under the Securities Act of 1933, and the proposed amendments to Rule 16a-9, and rescissions of Rules 12a-1, 12a-2 and 12a-3 under the Securities Exchange Act of 1934, as set forth in Release No. 33-6393, if adopted, will not have a significant impact on a substantial number of small entities. The proposed amendments to Rule 16a-9 under the Securities Exchange Act of 1934 will affect only the timing of individuals' reports under Section 16(a) of that Act. The proposed amendment to Rule 236 under the Securities Act of 1933, increasing a limitation on the sale of stock to provide funds to be distributed to shareholders in lieu of issuing fractional shares, is not expected to affect small entities and, in any event, its economic impact is not expected to be significant. The amendment to Rule 237 under the Securities Act of 1933 would affect only shareholders' resales of securities. The Commission believes that all rules proposed to be rescinded are not now being utilized to any significant extent.

John S. R. Shad,

Chairman.

April 1, 1982.

[FR Doc. 82-10176 Filed 4-13-82; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 913

Surface Coal Mining and Reclamation Enforcement in Illinois; Review of State Program Submission

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Reopening of public comment period.

SUMMARY: The Office of Surface Mining (OSM) is reopening the period for review and comment on the resubmission by Illinois of its program for the regulation of surface coal mining and reclamation in the State. OSM is reopening the comment period to allow the public sufficient time to consider and comment on additional material in the Administrative Record.

DATE: Written comments, data, or other relevant information relating to the Illinois program submission must be received on or before 4:00 p.m., April 29, 1982, to be considered.

ADDRESS: Comments on the Illinois program submission should be mailed or hand-delivered to: Office of Surface Mining, *Attention:* Illinois Administrative Record, Federal Building and U.S. Court House, Fifth Floor, 46 East Ohio Street, Indianapolis, Indiana 46204.

FOR FURTHER INFORMATION CONTACT: Lanny Moore, State Programs, Office of Surface Mining, Federal Building, Fifth Floor, 46 East Ohio Street, Indianapolis, Indiana 46204, Telephone: (317) 269-2633.

SUPPLEMENTARY INFORMATION: On December 24, 1981, at 46 FR 62477-62478, OSM published notice of the public hearing and the public comment period on the resubmitted Illinois program. On March 18 and 19, 1982, OSM and Illinois regulatory authority officials met in executive session in Washington, D.C. to discuss the resubmitted Illinois program (Administrative Record No. ILL-0443). Subsequent to that meeting, Illinois submitted new material (Administrative No. ILL-0451). Thus, OSM is reopening the public comment period until 4:00 p.m., April 29, 1982, to allow the public time to review and comment on the above meeting notes and additional material submitted by Illinois (Administrative Record Nos. ILL-0443 and ILL-0451).

This announcement is made in keeping with OSM's commitment to public participation as a vital component in fulfilling the purposes of the Surface Mining Control and Reclamation Act of 1977.

List of Subjects in 30 CFR Part 913

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: April 9, 1982.

J. Steven Griles,

Acting Director, Office of Surface Mining.

[FR Doc. 82-10181 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

33 CFR Part 207

Puget Sound Area, Washington

AGENCY: Army Corps of Engineers, DOD.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: The Corps of Engineers proposes to amend the regulations which establish the Carr Inlet Naval Restricted area to reflect changes to warning lights and communications that have taken place and require updating. The size and configuration of the restricted area are not affected by this proposal.

DATE: Written comments must be received on or before May 14, 1982.

ADDRESS: HQDA, DAEN-CWO-N, Washington, D.C. 20314.

FOR FURTHER INFORMATION CONTACT: Mr. Warran Baxter at (206) 764-3495 or Mr. Ralph T. Eppard at (202) 272-0200.

SUPPLEMENTARY INFORMATION: The Commander, Puget Sound Naval Shipyard has requested the regulations in 33 CFR 207.750 (n) be amended. The proposed changes are minor and reflect changes primarily to signal towers, the hydrophone cable connection house and radio contact. The changes are as summarized below:

1. In subparagraph (1) *The Area* delete reference to the Warren Dock and substitute the Fox Island Bridge for restricted area boundary line.

2. Delete references to the hydrophone cable connection house in subparagraph (2)(ii) and in (2)(v)(c).

3. Add subparagraph (2)(iii) *Buoy Testing Area* and renumber the existing (iii) and (iv) to be (iv) and (v) respectively.

4. Revise subparagraphs (2)(iv) and (2)(iv)(b) by deleting the table, changing the operation of the beacon lights and deleting the specific holidays.

5. In subparagraph (2)(v)(d) delete point(3) and replace with 1500 yards east of Wyckoff Shoal and add radio marine band #14, 13, 12 and 6. In this subparagraph and in (e) delete reference to visual flag hoist.

6. In subparagraph (2)(v)(d) and (e) delete references to the range instrument vessel.

7. In subparagraph (2)(V)(3) delete reference to the commandant, Thirteenth Naval District and add "Commander, Naval Base, Seattle," to reflect a recent U.S. Navy reorganization.

List of subjects in 33 CFR Part 207

Navigation (water), Waterways.

Accordingly the regulations in 33 CFR 207.750(n) are amended as set forth below. The entire paragraph (n) is reprinted for clarity.

Note.—This regulation is issued with respect to a military function of the Defense Department and the provisions of Executive Order 12291 do not apply. The Department of the Army has determined that this regulation will not have a significant economic impact on a substantial number of entities and thus does not require preparation of a regulatory flexibility analysis.

Dated: April 1, 1982.

James W. Ray,

Colonel, Corps of Engineers, Executive Director, Engineer Staff.

PART 207—NAVIGATION REGULATIONS

§ 207.750 Puget Sound Area, Washington.

* * * * *

(n) Carr Inlet, Naval Restricted Areas. (1) The Area. The waters of Carr Inlet bounded on the southeast by a line running from Gibson Point on Fox Island to Hyde Point on McNeil Island, on the northwest by a line running from Green Point (at latitude 47°16'54" N, longitude 122°41'33" W) to Penrose Point; plus that portion of Pitt Passage extending from Carr Inlet to Pitt Island, and that portion of Hale Passage extending from Carr Inlet southeasterly to a line drawn perpendicular to the channel 500 yards northwesterly of the Fox Island Bridge.

(2) The Regulations. (i) The area shall be used as an acoustic range for research studies and special noise trials. No explosives shall be used.

(ii) No marine craft of any type shall at anytime approach or remain within one hundred yards of the hydrophone buoys. The hydrophone buoys will be anchored in Carr Inlet on a line perpendicular to the course line opposite Ketner's Point, and about one mile from the Fox Island shore. The course line, or range, will bear 134°38"21" (314°38'21") true, and will be marked by range

beacons erected near the shoreline approximately one mile north-northeast of Steilacoom and approximately two miles north-northeast of Home.

(iii) Buoy Testing Area. No vessel shall, at anytime, anchor or tow a drag of any kind within 1,000 yards of the buoy testing area.

(iv) The remainder of the area shall be open to navigation at all times except when the range is in use or when hydrophones are being calibrated. When the range is in use or hydrophones are being calibrated, quick flashing beacon lights will be displayed on signal towers located at Gibson Point, Green Point, Penrose Point, Pitt Island and Hyde Point. These beacon lights will be either red or green. The beacon lights will show quick flashing every two seconds. The ranging of vessels or calibration of hydrophones requiring restrictions will be conducted 24 hours per day for up to 5 days consecutively, and will total approximately 150 days spread throughout the year. Shutting off of beacon lights will indicate termination of use of the range. Insofar as possible, the schedule of operations giving the days the range will be in use for each forthcoming month will be published in local newspapers and in the local U.S. Coast Guard Notice to Mariners.

(v) When the red beacon lights are displayed, indicating that the range is in use or hydrophones are being calibrated, navigation within the area will be restricted as follows:

(A) As used in this section, the words "operate, power vessel, and non-power vessel" are defined as follows:

(*1*) "Operate": To be physically present in the designated area.

(*2*) "Power vessel": A vessel propelled principally by a mechanical propulsion system (i.e., gasoline, diesel, steam or electric drive to a propeller, pump jet, paddle wheel or other device), and being propelled by that means.

(*3*) "Non-power vessel": A vessel not equipped with a mechanical propulsion system, such as a rowboat, canoe, or sailboat propelled by oars, paddles, or sails, respectively.

(B) Power vessels shall not operate within the area, except that traffic in either direction between Hale Passage and upper Carr Inlet, within 200 yards of the low water mark off Green Point, will be cleared by signal for approximately 15 minutes total time within this area at the termination of individual ranging runs, while the vessel being ranged takes position for the next run. Clearance to traverse the area around Green Point will be indicated by extinguishing the red flashing beacon lights and displaying the green flashing beacon lights on all signal towers.

(C) Non-powered marine craft shall not operate within one mile of the course line bearing 134°38′21″ (314°38′21″) true, and within two miles to the southeast and two miles to the northwest of the hydrophone buoys situated in Carr Inlet opposite Ketner's Point; provided, however, non-powered craft may operate within four hundred yards of the low water mark on the northeast side of McNeil Island, within two hundred yards of the low water mark at Green Point, and within two hundreds yards of the low water mark on the southwest shore of Fox Island.

(D) Towboats shall have free access and egress to designated tow havens within Carr Inlet, as follows: The Navy will establish and maintain suitable mooring buoys for the use of tugs and their tows at the following points: (*1*) approximately 1,500 yards northwest of Gibson Point Light and approximately 400 yards offshore from the low water mark on the Fox Island shore; (*2*) approximately 1,500 yards northwest of Hyde Point, and approximately 400 yards offshore from the low water mark on McNeil Island shore; and (*3*) approximately 1,500 yards east of Wyckoff Shoal. Towboats will signal by radio (Marine Band Channel 14, 13, 12, or 6) or telephone as far in advance as possible of the time they enter the tow haven, such signals to be directed to "Carr Inlet Range Control" at the range instrument laboratory building located on Fox Island. The Navy shall promptly suspend operations when necessary to permit the access and egress of such tow traffic, and Carr Inlet Range Control shall signal the tows when the area is clear.

(E) Through commercial traffic, including tows, to points within Carr Inlet, and through Carr Inlet, Pitt Passage, and Hale Passage to adjacent waters will be permited free access and egress, as follows: Such traffic will signal by radio (Marine Band Channel 14, 13, 12, or 6) or telephone as far in advance as possible of the time they enter the area, such signals to be directed to "Carr Inlet Range Control" at the range instrument laboratory located on Fox Island. The Navy shall promptly suspend operations when necessary to permit the passage of such traffic, and Carr Inlet Range Control shall signal when the area is clear for passage.

(F) The Warden of the McNeil Island penitentiary and his authorized representatives shall be permitted to operate within the area at any time, as may be necessary, for the patrol and search of escaped convicts.

(G) Red or green signal flags will be displayed on the signal towers in case of failure of the red or green beacon lights. The display or the signal flags at the top of the flag masts will have the same significance as the beacon lights.

(3) The regulations in this paragraph shall be enforced by the Commander, Naval Base, Seattle, and such agencies as he/she may designate.

* * * * *

(33 U.S.C. 1)

[FR Doc. 82-10175 Filed 4-13-82; 8:45 am]

BILLING CODE 3710-92-M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Pictured Rocks National Lakeshore; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The proposed regulations set forth below are necessary to designate the locations in Pictured Rocks National Lakeshore where snowmobiles may be used for recreational purposes on designated lakes (where motor boats are permitted during other seasons), on major roads that are unplowed, or on road shoulders of plowed park roads in conformance with State law. Also designated is one woodlands road not open to public use during non-snow periods which is maintained by the park as an emergency access road. It is the objective of this proposed regulation to provide for the preservation and enjoyment of the park in a way that is consistent with both the snowmobile policy of the National Park Service and the off-road policy of the Department of the Interior.

DATES: Written comments, suggestions, or objections will be accepted until May 14, 1982.

ADDRESS: Comments should be directed to: Superintendent, Pictured Rocks National Lakeshore, P.O. Box 40, Munising, Michigan 49862.

FOR FURTHER INFORMATION CONTACT: Deryl B. Stone, Chief of Interpretation & Resource Management, Pictured Rocks National Lakeshore, Telephone: (906) 387-2607.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) issued on February 9, 1972, 37 FR 2877, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria

which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and, in the case of National Parks, not adversely affect scenic, natural, and aesthetic values.

In response to Executive Order 11644, the Secretary of the Interior issued a Departmental memorandum on May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by **Federal Register** notice or special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a Servicewide policy revision which was published in the **Federal Register** on August 13, 1979 (44 FR 47412). This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for visitors to see, sense, and enjoy the special qualities of the park in the winter. The snowmobile use must be consistent with the park's natural, cultural, scenic, and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage any other park resources.

The policy further provides that, where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motor boats during other seasons. Pictured Rocks National Lakeshore's proposed snowmobile routes would conform to the National Park Service management policy, with the exception of one woodlands road not open to the public during non-snow seasons. This route is approximately 2¼ miles long and is maintained by the park as an emergency access road. This route has been used traditionally for access to Lake Superior from the Carmody Road area.

The second exception proposed is the use of road shoulders of plowed park roads in conformance with State law. The purpose of this exception is to permit snowmobilers to use this means as connecting routes from State and county routes to permitted park routes.

This proposed regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in additional recreational opportunities on designated roadways and lakes in Pictured Rocks National Lakeshore when weather conditions are such that the motor road is closed to public automobile travel, or on the road shoulder of plowed park roads in conformance with State law. The designated routes for snowmobiles will be confined to Lake Superior, Grand Sable Lake (where motor boats are permitted during other seasons), on the major Lakeshore visitor use roads, along with one woodlands road not open to the public use during non-snow periods.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding this proposed regulation to the address noted at the beginning of this rulemaking.

Drafting Information

The following persons participated in the writing of this regulation: Deryl B. Stone, Robert A. Lanane, and Frederick H. Young, of Pictured Rocks National Lakeshore.

Compliance with Other Laws

Pursuant to the National Environmental Policy Act 42 U.S.C. 4332, the Service has prepared an Environmental Assessment. Copies of this Assessment are available for public review and comment in the Office of the Park Superintendent.

This rulemaking contains no provisions that would entail the collection of information in such manner as would be subject to the Paperwork Reduction Act, 94 Stat. 2812, 44 U.S.C. 3501 *et seq.*

The Service has determined that this rulemaking is not a "major rule" within the meaning of Executive Order 12291, 46 FR 13193 (February 19, 1981), and that this rulemaking would not have a "significant economic effect on a substantial number of small entities," nor will they require the preparation of a regulatory analysis within the meaning of the Regulatory Flexibility Act, 94 Stat. 1164, 5 U.S.C. 601 *et seq.*

Authority: (Sec. 3 of the Act of August 25, 1916, 39 Stat. 535, as amended (16 U.S.C. 3)).

List of Subjects in 36 CFR Part 7

National parks.

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

In consideration of the foregoing, it is proposed to amend Title 36 Code of Federal Regulations by the addition of a new section as follows:

§ 7.32 Pictured Rocks National Lakeshore.

(a) *Snowmobiles.* (1) Snowmobile use is permitted on designated portions of roadways and lakes in Pictured Rocks National Lakeshore. The designated routes for snowmobiles will be confined to the frozen waters of Lake Superior, Grand Sable Lake, on the major Lakeshore visitor use roads that are unplowed, or on road shoulders of plowed park roads in conformance with State law. The designated snowmobile routes are:

(i) The road shoulder of Sand Point Road from the park boundary to Lake Superior.

(ii) The woodlands road from the park boundary off City Limits Road southwest of Becker Farm and down to Sand Point Road.

(iii) The road to Miner's Falls, Miner's Castle parking area, and the Miner's Beach parking area.

(iv) The road from the park boundary in Section 32, T48N, R17W, to the end of the road at Chapel Falls.

(v) The road from County Road H-58 at the park boundary to the Little Beaver Lake Campground.

(vi) The road from County Road H-58 to Twelvemile Beach Campground.

(vii) The road from County Road H-58 to Hurricane River Campground.

(viii) The road from County Road H-58 to the Log Slide.

(ix) The section of the Michigan Dimension Road from the park boundary to the Log Slide.

(x) The frozen waters of Lake Superior and Grand Sable Lake.

(2) Maps showing designated routes shall be available at park headquarters and at ranger stations.

(3) Snowmobile use outside designated routes is prohibited. The prohibition shall not apply to emergency administrative travel by employees of the National Park Service or law enforcement agencies.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 82-10233 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-70-M

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36 CFR Part 7

Perry's Victory and International Peace Memorial; Snowmobile Regulations

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The proposed regulation set forth below is necessary to designate the location within the boundaries of Perry's Victory and International Peace Memorial where snowmobiles may be

used for recreational purposes. It is the objective of this proposed regulation to provide for the preservation and enjoyment of the Memorial in a way that is consistent with both the snowmobile policy of the National Park Service and the off-road vehicle policy of the Department of the Interior

DATES: Written comments, suggestions, or objections will be accepted until May 14, 1982.

ADDRESS: Comments should be directed to: Superintendent, Perry's Victory and International Peace Memorial, P.O. Box 78, Put-in-Bay, Ohio 43456.

FOR FURTHER INFORMATION, CONTACT: Harry C. Myers, Superintendent, Perry's Victory and International Peace Memorial, Telephone: (419) 285-2184.

SUPPLEMENTARY INFORMATION:

Background

Executive Order 11644 (Use of Off-Road Vehicles on Public Lands) issued on February 9, 1972, 37 FR 2877, directed Federal land managing agencies to develop unified regulations and to designate areas of use for off-road vehicles. Such areas must meet criteria which minimize resource damage, harassment of wildlife, disruption of wildlife habitat, and, in the case of national parks, not adversely affect scenic, natural, and aesthetic values. In response to Executive Order 11644, the Secretary of the Interior issued a Departmental memorandum on May 5, 1972, to assure full compliance with the Order and to provide policies and procedures for its implementation. The National Park Service, as required by the above directive, promulgated 36 CFR 2.34 on April 1, 1974, which closed all National Park System areas to snowmobile use except those specifically designated as open by Federal Register notice or special regulation.

In order to comply with the requirements of Executive Order 11644 and 36 CFR 2.34, the National Park Service developed a Servicewide policy revision which was published in the Federal Register on August 13, 1979 (44 FR 47412). This policy provides for the use of snowmobiles in units of the National Park System as a mode of transportation to provide the opportunity for visitors to see, sense, and enjoy the special qualities of the park in the winter. The snowmobile use must be consistent with the park's natural, cultural, scenic, and aesthetic values; safety considerations; park management objectives; and not disturb the wildlife or damage other park resources.

The policy further provides that, where permitted, snowmobiles shall be confined to properly designated routes and water surfaces which are used by motorized vehicles or motorboats during other seasons. Routes and water surfaces to be designated for snowmobile use shall be promulgated as special regulations in the "Code of Federal Regulations." This proposed regulation is necessary to comply with Servicewide policy. Its promulgation also responds to public interest in additional recreational opportunities along a designated portion of State Route 357 in conformance with State law within boundaries of Perry's Victory and International Peace Memorial. The designated route for snowmobiles will be that portion of the State highway right-of-way situated between State route 357 and the seawall which designates the north boundary of the Memorial. This route will extend from the extreme northeast corner of the boundary to the middle of the intersection of State Route 357 and Toledo Avenue. This proposed use of road shoulders of plowed park roads in conformance with State law, is an exception to the NPS policy. The purpose of this exception is to permit snowmobilers to use this means as connecting routes from State and county roads to permitted park roads.

Public Participation

The policy of the National Park Service is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding this proposed regulation to the address noted at the beginning of this rulemaking.

Drafting Information

The following persons participated in the writing of this regulation: Alford J. Banta, Gerard T. Altoff, Perry's Victory and International Peace Memorial.

Compliance with Other Laws

Pursuant to the National Environmental Policy Act, 42 U.S.C. 4332, the Service has prepared an Environmental Assessment. Copies of this Assessment are available for public review and comment in the office of the park superintendent.

This rulemaking contains no provisions that would entail the collection of information in such manner as would be subject to the Paperwork Reduction Act, 94 Stat. 2812, 44 U.S.C. 3501 *et seq.*

The Service has determined that this rulemaking is not a "major rule" within the meaning of Executive Order 12291, 46 FR 13193 (February 19, 1981), and that this rulemaking would not have a "significant economic effect on a substantial number of small entities," nor will it require the preparation of a regulatory analysis within the meaning of the Regulatory Flexibility Act, 94 Stat. 1164, 5 U.S.C. 601 *et seq.*

Authority

(Sec. 3 of the Act of August 25, 1916, 39 Stat. 535, as amended (16 U.S.C. 3))

List of Subjects in 36 CFR Part 7

National Parks.

In consideration of the foregoing, it is proposed to amend Title 36, Code of Federal Regulations by the addition of a new section as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

§ 7.31 Perry's Victory and International Peace Memorial.

(a) *Snowmobiles.* After consideration of existing situations, i.e. depth of snow, and depending on local weather conditions, the superintendent may permit the use of snowmobiles on that portion of land situated between State Route 357 and the seawall which designates the north boundary of the Memorial. This route will extend from the extreme northeast corner of the boundary to the middle of the intersection of State Route 357 and Toledo Avenue.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 81-10234 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-70-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 122, 123, 124, and 146

[WH-7-FRL-2101-8]

Missouri Department of Natural Resources Underground Injection Control Primacy Application

AGENCY: Environmental Protection Agency.

ACTION: Notice of public comment period and of public hearing.

SUMMARY: The purpose of this notice is to announce that: (1) The Environmental Protection Agency has received a complete application from the Missouri Department of Natural Resources requesting approval of its Underground Injection Control program; (2) the

application is available for inspection and copying; (3) public comments are requested; and (4) a public hearing will be held.

This notice is required by the Safe Drinking Water Act as a part of the response to the States complying with the statuory requirement that there be an Underground Injection Control program in designated States.

The proposed comment period and public hearing will provide EPA the breadth of information and public opinion necessary either to approve, disapprove, or approve in part and disapprove in part the application from the Missouri Department of Natural Resources to regulate Class I, II, III, IV, and V injection wells.

DATES: Requests to present oral testimony should be filed by April 28, 1982; public hearing will be held May 14, 1982, 1:00 p.m. The public comment period closes on May 24, 1982. Comments must be received by that date.

ADDRESSES: Comments and requests to testify may be mailed to Alice C. Fuerst, Ground Water Section, Environmental Protection Agency, Region VII, 324 E. 11th Street, Kansas City, Missouri 64106. Copies of the application and pertinent material are available between 8:30 a.m. and 4:00 p.m., Monday through Friday at the following locations:

Environmental Protection Agency, Region VII, Library 324 E. 11th Street, Kansas City, Missouri 64106 (816) 374–3497;

Missouri Department of Natural Resources, Division of Environmental Quality, 2010 Missouri Boulevard, Jefferson City, Missouri 65101 (314) 751–3241;

Missouri Department of Natural Resources, Division of Geology and Land Survey, Buehler Park, P.O. Box 250, Rolla, Missouri 65401 (314) 364–1752.

The hearing will be held in the Hearing Room, 4th Floor, 324 E. 11th Street, Kansas City, Missouri.

FOR FURTHER INFORMATION CONTACT: Alice C. Fuerst, Ground Water Section, Environmental Protection Agency, Region VII, 324 E. 11th Street, Kansas City, Missouri 64106, (816) 374–6514. Comments should also be sent to this address.

SUPPLEMENTARY INFORMATION: This application from the Missouri Department of Natural Resources is for the regulation of all injection wells in Missouri. The application includes a description of the State Underground Injection Control program, copies of all applicable rules and forms, a statement of legal authority, and a memorandum of agreement between the Missouri Department of Natural Resources and Region VII, Environmental Protection Agency.

Dated: April 7, 1982.

Rebecca W. Hamner,

Acting Assistant Administrator for Water.

[FR Doc. 82–10183 Filed 4–13–82; 8:45 am]

BILLING CODE 6560–50–M

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40 CFR Part 180

[PH–FRL–2101–7; PP 9E2164/1E2465/P224]

Methomyl; Proposed Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that tolerances be established for the insecticide methomyl in or on the raw agricultural commodities green onions and pears. The proposed amendments to establish maximum permissible level for residues of the subject insecticide in or on the named commodities were submitted by the Interregional Research Project No. 4 (IR–4).

DATES: Comments must be received on or before April 29, 1982.

ADDRESS: Written comments to: Donald R. Stubbs, Emergency Response Section, Registration Division (TS–767C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Donald Stubbs (703–557–7700) at the above address.

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR–4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petitions numbers 9E2164 and 1E2465 to EPA on behalf of the IR–4 Technical Committee and the Agricultural Experiment Stations of Arizona, California, and Oregon (9E2164) and New York (1E2465).

These petitions requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of tolerances for residues of the insecticide methomyl (*S*-methyl-*N*-[(methylcarbamoyl)oxy) thioacetimidate] in or on the raw agricultural commodities green onions at 3 parts per million (ppm) (9E2164) and pears at 2 ppm (1E2465). The increase in tolerance over the existing 0.2 ppm tolerance for the crop grouping "root crop vegetables" will allow the pesticide to be applied to green onions closer to harvest than previously. Petition 1E2465 was later revised to propose a tolerance of 4 ppm in or on pears.

The data submitted in the petition and all other relevant material have been evaluated. The pesticide is considered useful for the purposes for which the tolerances are sought. The toxicological data considered in support of the proposed tolerances were a 2-year rat chronic feeding/oncogenicity study with a no-observed-effect level (NOEL) of 100 ppm; a 2-year dog feeding study with a NOEL of 100 ppm; a 3-generation rat reproduction study with a reproductive NOEL of 100 ppm; a 90-day rat feeding study with a NOEL of 125 ppm; a 90-day dog feeding study with a NOEL of 400 ppm; a rat teratology study with no teratogenic potential noted at 400 ppm (highest dose); and a hen neurotoxicity study which was negative for neurotoxic effects at 28 mg/kg. An oncogenicity study in a second species is lacking and needed to reinforce the present findings. Other studies which are lacking but considered desirable are a teratology study in a second species and mutaginicity studies presenting multi-test evidence.

The acceptable daily intake (ADI), based on the 2-year dog feeding study (NOEL of 100 ppm (2.5 mg/kg/day)) and using a 100-fold safety factor, is calculated to be 0.025 mg/kg of body weight (bw)/day. The maximum permitted intake (MPI) for a 60-kg human is calculated to be 1.5 mg/day. The theoretical maximum residue contribution (TMRC) from existing and proposed tolerances for a 1.5 kg daily diet is calculated to be 0.8547 mg/day. Published tolerances presently utilize 51.63 percent of the ADI. The current action on green onions will utilize an additional 2.32 percent of the ADI; the action on pears will utilize 0.51 percent of the ADI.

The metabolism has been adequately delineated and methods are available (microcoulometric gas chromatography, and gas chromatography using a flame photometric detector) to enforce the proposed tolerances. Residue data for green onions are from tests conducted in Arizona, California, and Oregon. Residue data for pears are from tests conducted in New York. Since pears are not normally considered as an animal feed, there will be no secondary residues in meat, milk, poultry, or eggs. There are presently no actions pending against the continued registration of this chemical.

Based on the above information considered by the Agency, the tolerances established by amending 40 CFR 180.253 would protect the public health. It is proposed, therefore, that the

tolerances be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request on or before May 14, 1982, that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on this proposed regulation. As provided for in the Administrative Procedure Act (5 U.S.C. 553(d)(3)), the comment period time is shortened to less than 30 days because of the necessity to expeditiously provide a means for control of beet armyworm on green onions and obliquebanded leafroller and green fruitworm on pears. Comments must bear a notation indicating the document control number, "(PP 9E2164/1E2465/P224)". All written comments filed in response to these petitions will be available in the Emergency Response Section, Registration Division, at the address given above from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

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

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

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

List of Subjects in 40 CFR Part 180

Administrative practice and procedure
Agricultural commodities
Pesticides and pests

Dated: April 5, 1982.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

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

Therefore, it is proposed that 40 CFR 180.253 be amended by adding and alphabetically inserting the raw agricultural commodities green onions and pears to read as follows:

§ 180.253 Methomyl; tolerances for residues.

* * * * *

Commodities	Parts per million
* * * * *	
Onions, green	3
* * * * *	
Pears	4
* * * * *	

[FR Doc. 82-10237 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP 2F2634/P223; PH-FRL-2096-8]

Glyphosate; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that a tolerance be established for the combined residues of the herbicide glyphosate and its metabolite in or on the raw agricultural commodity pineapple. The proposed regulation to establish a maximum permissible level for residues of the herbicide in or on pineapple was submitted by the Pineapple Growers Association of Hawaii.

DATE: Comments must be received on or before May 14, 1982.

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

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor (703-557-1800).

SUPPLEMENTARY INFORMATION: The Pineapple Growers Association of Hawaii, 1902 Financial Plaza of the Pacific, Honolulu, HI 96813, petitioned the Agency to establish a tolerance (PP 2F2624) for the combined residues of the herbicide glyphosate (*N*-(phosphonomethyl)glycine) and its metabolite, aminomethylphosphonic acid in or on the raw agricultural commodity pineapple at 0.1 part per million (ppm).

The toxicology data supporting this proposed tolerance includes: an oral lethal dose (LD_{50}) study in rabbits with an (LD_{50}) of 3.8 milligrams (mg)/kilogram (kg); a 90-day rat feeding study with a no-observed-effect level (NOEL) of 2,000 ppm; a 90-day dog feeding study with a NOEL of 2,000 ppm; a rat teratology study—negative for teratogenic effects at 3,500 mg/kg/day with a fetotoxic NOEL of 1,000 ppm; a rabbit teratology study—negative for teratogenic effects at 350 mg/kg/day with a fetotoxic NOEL of 175 mg/kg/day; a 2-year dog feeding study with a NOEL of 300 ppm; a 3-generation rat reproduction study with a NOEL of 100 ppm; a 2-year rat feeding study with a NOEL of 3.0 mg/kg/day and a negative oncogenic potential; a hen neurotoxicity study—negative at 7.5 mg/kg (highest dose); Ames assay (negative); rec-assay (negative); rec-assay (*B. subtillis*)—not mutagenic up to 2,000 mg test material/disk; reverse mutation (not mutagenic); Ames test (*Salmonella*)—not mutagenic; and a mouse dominant lethal assay—negative at 2,000 mg/kg.

Desirable data that are currently lacking are an oncogenicity study on one species. The company has been notified of the above deficiency and has agreed to perform the above study and to remove the use from the label should the results of the study exceed the risk criteria for chronic toxicity as stated in 40 CFR 162.11 of the regulations.

Tolerances have previously been established on a variety of raw agricultural commodity at levels ranging from 0.1 to 18.0 ppm and food and feed additive regulations at 30 ppm. The tolerance on pineapple will contribute 0.00044 mg/day/1.5 kg to the current theoretical maximal residue contribution (TMRC) or 0.35008 mg/day/1.5 kg or 11.6 percent of the acceptable daily intake (ADI). All other approved tolerances have been published. The ADI is based on a NOEL of 3.0 mg/kg/day (2-year rat feeding study) with a 100-fold safety factor.

There are no regulatory actions pending against the continued registration of the herbicide and no Rebuttable Presumption Against Registration (RPAR) criteria have been exceeded. The nature of the residues in plants and animals is adequately understood. Adequate analytical methods (gas chromatography using a phosphorous-specific-photometric detector and liquid chromatography) are available for enforcement purposes. There is no reasonable expectation of finite residues in meat; milk; fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep; or eggs resulting from this tolerance. The pesticide is considered useful for the purpose for which the tolerance is sought, and it is concluded this tolerance would protect the public health. Therefore, it is proposed that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request on or before May 14, 1982 that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear notation indicating the document control number, "(PP 2F2634/P223)." All written comments filed in response to this petition will be available in the office of Robert J. Taylor at the address given above from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

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

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

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

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: April 1, 1982.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

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

Therefore, it is proposed that 40 CFR 180.364(a) be amended by adding and alphabetically inserting the raw agricultural commodity pineapple to read as follows:

§ 180.364 Glyphosate; tolerances for residues.

(a) * * *

Commodities	Parts per million
* * * * *	
Pineapple	0.1
* * * * *	

[FR Doc. 82-9725 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 81-155; RM-3660, RM-3708, RM-3858, RM-4073, RM-4074]

FM Broadcast Station in Bend, Coos Bay, North Bend [1] and Coquille,[1] Oregon; Order Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; Extension for Filing Reply Comments.

SUMMARY: Action taken herein extends the time for filing reply comments in a proceeding involving proposed channel allocations to Coos Bay, North Bend, and Coquille, Oregon. Additional time is afforded for responding to a revised proposal submitted by the Coos Bay proponent and to the North Bend and Coquille counterproposals.

DATE: Reply comments must be filed on or before April 8, 1982.

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

FOR FURTHER INFORMATION CONTACT: Nancy V. Joyner, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Order Extending Time for Filing Reply Comments

Adopted: March 26, 1982.

Released: March 30, 1982.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Bend, *Coos Bay, North Bend*[1] and *Coquille,*[1] *Oregon.* BC Docket No. 81-155, RM-3660, *RM-4073,* RM-3708, *RM-4074, RM-3858.*

1. On December 14, 1981, the Commission adopted a *Further Notice of Proposed Rule Making and Order to Show Cause,* 46 FR 62878, published December 29, 1981, in the above-captioned proceeding. By *Order* released February 10, 1982, the time for filing comments and reply comments was extended to February 12, 1982 and March 1, 1982, respectively.

2. In the *Order,* we noted that two petitions, in the form of counterproposals, had been filed on January 29, 1982, in response to the *Notice.* The first was filed by Bay Radio Corporation seeking the assignment of Channel 254 or 298 to North Bend, Oregon, and the second, filed by Southwest Broadcasters, Inc., requests the assignment of Channel 298 to Coquille, Oregon. Since neither of these proposals conflicted with the requested Coos Bay assignments under consideration, we indicated they would be treated separately.

3. In respone to the *Further Notice* SGB Broadcasting, Inc. ("SGB"), the Coos Bay proponent, has submitted a revised assignment proposal for that community. As a result of the proposed revision, a conflict now exists with the North Bend and Coquille, Oregon, petitions and we have chosen to consolidate all of these proposals. Therefore, on our own motion, we are extending the time for filing reply comments herein to afford the parties an opportunity to respond to SGB's revised proposal and to the options that are presented by the North Bend and Coquille counterproposals.[2]

4. In view of the above, it is ordered, on the Commission's own motion, that the time for filing reply comments herein is extended to and including April 8, 1982.

5. This action is taken pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and §§ 0.204(b) and 0.281 of the Commission's rules.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-10173 Filed 4-13-82; 8:45 am]

BILLING CODE 6712-01-M

[1] These communities have been added to the caption.

[2] Public Notice of these counterproposals (RMs-4073 and 4074) was given on March 24, 1982.

47 CFR Part 90

[Docket No. 80-183; RM-2365, RM-2750, RM-3047, RM-3068: FCC 82-133]

Amendment To Allocate Spectrum in a Certain MHz Frequency Band and To Establish Other Rules, Policies, and Procedures for One-Way Paging Stations in the Domestic Public and the Private Land Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Further notice of proposed rule making.

SUMMARY: There are currently no private paging systems operating at 900 MHz. Those frequencies available for paging systems below 900 MHz are substantially loaded and the indicated need for paging systems exceeds the capacity now provided. The FCC is seeking to allocate additional frequencies to satisfy the paging requirements of public safety and commercial interests. The FCC has previously proposed rules for the implementation and utilization of 900 MHz spectrum allocated to the Private Land Mobile Services for paging operations. This proposal includes the introduction of private frequency coordinators and the elimination of frequency loading criteria.

DATES: Comments are due by May 7, 1982 and replies by May 24, 1982.

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

FOR FURTHER INFORMATION CONTACT: Charles F. Turner, Private Radio Bureau, (202) 632-6497.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of Parts 2, 22, and 90 of the Commission's rules and regulations to allocate spectrum in the 928-941 MHz Band and to establish other rules, policies, and procedures for One-Way Paging Stations in the Domestic Public and the Private Land Mobile Radio Services, General Docket No. 80-183, RM-2365, RM-2750, RM-3047, RM-3068.

Adopted: March 18, 1982.

Released: March 31, 1982.

1. On January 20, 1978, and February 17, 1978, respectively, the Ad Hoc Private Paging Committee and Telocator Network of America filed petitions with the Commission seeking amendment of its rules and regulations to permit private and common carrier licensees to operate one-way signalling (paging) systems in the 928-941 MHz band. In consideration of these requests, on May 8, 1980, the Commission released a Notice of Proposed Rule Making in this proceeding proposing to make spectrum in this band available for this purpose.[1]

Private Paging Systems

2. With regard to the private services, in our Notice of Proposed Rule Making we stated our intention generally to model the rules for 900 MHz paging systems on the regulatory structure we had adopted for base/mobile operations in the 800-900 MHz band[2] (See Subpart M, Part 90 of the rules[3]), and we stated that relatively little modification of this regulatory approach would be necessary to accommodate the operational patterns and requirements for private paging systems at 900 MHz.

3. More specifically, we proposed to make forty channels between 929-930 MHz available exclusively for private paging systems and subdivide them as follows: Thirty-two of these channels were to be for tone/voice paging operations; six channels were to be for tone only paging operations; and two channels were to be set aside for paging operations using tone with optical readout capability.[4] We also proposed that licensees would not select frequencies, and that the selection and assignment of channels would be accomplished by the Commission staff.[5] Finally, we stated our intention to establish mileage separation and channel loading standards, with frequency exclusivity for licensees who occupied a channel up to at least seventy percent of the established loading criteria.[6]

4. On November 4, 1980, the Commission released a Supplemental Notice of Proposed Rule Making.[7] In this document we suggested some alternative proposals to those contained in the Notice. While we retained the basic megahertz each for private and common carrier users, with one megahertz held in reserve for advanced technology systems, we changed the earlier proposal by placing the private and common carrier bands next to each other. The purpose of this change was to enable each type of user to access the other's spectrum after five years if the one megahertz initially allocated became too congested to meet additional in-class demands.[8] The technical, loading and sharing standards for private radio users remained unaffected.[9]

Comments

5. The comments and reply comments submitted in response to our Notice and Supplemental Notice generally endorsed the allocation of spectrum at 900 MHz to accommodate private paging systems. There was diversity, however, in the comments submitted addressing private systems on several of our proposals. First, many who commented opposed the inclusion of Specialized Mobile Radio Systems (SMRS) in the class of entities eligible for these private radio service paging frequencies. (Telocator Network of America; Ad Hoc Private Paging Committee (AHPPC); Motorola; Manufacturers' Radio Frequency Advisory Committee (MRFAC); and others.) Also, many felt that the rules which we have adopted to govern 800 MHz systems are inappropriate for 900 MHz paging operations. Some also believe that the separation between co-channel station assignments should be dropped or should be considerably less than the 70 miles we proposed (*e.g.*, Motorola, AHPPC, and MRFAC).[10] Exception was also taken to the loading standards contained in our Notice as being lower than necessary to promote the most effective use of these frequencies (Vegas Instant Page, as well as others).

6. In response to our Supplemental Notice, some who had commented supporting our original proposal to make thirty-two channels available for tone/voice, six channels for tone only and two channels for optical readout modified their views and suggested, in the interest of promoting maximum user flexibility, that we should not earmark frequencies for particular modes of operation but instead should allow the market to determine the ultimate demand for various types of systems (*e.g.*, Utilities Telecommunications Council).

7. Lastly, it was argued that the Commission should allow frequency coordinating groups to make their services available to applicants for 900 MHz systems in a manner similar to the provisions of § 90.175(a) of the rules[11] (*ex parte* presentation of the Ad Hoc private Paging Committee).

Proposal

8. The comments we have received with regard to the regulation of private paging systems at 900 MHz raise a number of significant issues. We believe that many of these matters must be explored more carefully in a Further Notice of Proposed Rule Making before final rules can be adopted. Thus, with regard to the specific earmarking of frequencies, we believe there is merit to an allocation approach which maximizes user flexibility in the design and implementation of systems. While

[1] Notice of Proposed Rule Making, General Docket No. 80-183, FCC 80-231, adopted April 24, 1980, released May 8, 1980.

[2] Notice of Proposed Rule Making, General Docket No. 80-183, supra, at paragraph 48, 53.

[3] 47 CFR 90.351-90.397.

[4] Notice of Proposed Rule Making, General Docket No. 80-183, supra, at para. 47.

[5] *Id.* at para. 52.

[6] *Id.* at para. 53.

[7] Supplemental Notice of Proposed Rule Making, General Docket No. 80-183, FCC 80-510, adopted October 21, 1980, released November 4, 1980.

[8] *Id.* at para. 2.

[9] *Id.* at para. 7.

[10] 105 miles on certain mountain peaks in California.

[11] See 47 CFR 90.175.

our earlier proposal to designate frequencies for specific modes of operation was based on recent studies that demonstrated a trend in private paging systems toward the use of voice messages, we feel there is merit to permitting demand to determine various types of usage. In consideration of the comments, therefore, we do not propose to designate frequencies for a particular mode of operation.

9. Similarly, permitting applicants to specify a frequency and to utilize frequency coordinators at 900 MHz would reduce the administrative burden on the staff, and could enable frequency selections and assignments to be made on a more tailored basis, taking into consideration the particular factors present in the applicant's geographic area and such factors as the need for wide area systems. The proposed introduction of a frequency coordinator into the selection process, however, also raises questions as to the need for rules regarding areas of operation; mileage separation for co-channel stations; frequency loading standards; and channel exclusivity. The requirement for such rules could be obviated by the adoption of a frequency recommendation process. With an up-to-date data base, recommendations could be based on the immediate user environment. In the alternative, applicants who did not wish to avail themselves of the services of a frequency coordinator could elect to do a field study which indicated the degree of probable interference to existing co-channel stations. After consideration of this matter we think there is merit to allowing applicants to designate frequencies for which he/she is applying in accordance with § 90.175. Consequently we are proposing rules to permit frequency coordination at 900 MHz, as requested.[12]

10. Concomitantly, we are proposing not to have any channel exclusivity for 900 MHz paging systems but we are proposing a minimum loading standard of 600 paging units per channel. Alternatively, a licensee may use actual on-the-air occupancy statistics to establish the loading of a channel. We solicit comments on this alternative and on what statistics are appropriate. The state-of-the-art in paging is changing so rapidly that it is not possible for us to estimate the maximum loading limits which may be achieved by future systems (although this may be the subject of a future proceeding), and the elimination of fixed geographic separation criteria between stations enhances the ability of systems to operate in a fashion consistent with the particular environment in which they find themselves. This approach will allow maximum flexibility in the frequency selection process and will, in our estimation, promote more efficient spectrum utilization.[13] [14] For purposes of establishing the channel loading, but not for co-channel mileage separation we specifically ask for comments on the appropriate loading zone.

11. We request comments as to whether we should authorize third parties (i.e., "SMRS's") to provide paging service in a portion of this spectrum to private land mobile services' eligibles on a commercial basis in a fashion analogous to what we have authorized at 800 MHz.[15]

Regulatory Flexibility Act Initial Analysis

I. Reason for action:

There are currently no private paging systems operating at 900 MHz. Those frequencies available for paging systems below 900 MHz are substantially loaded and the indicated need for paging systems exceeds the capacity now provided. The FCC is seeking to allocate additional frequencies to satisfy the paging requirements of public safety and commercial interests.

II. The objectives:

The Commission desires to implement rules which minimize administrative burdens on the staff, promote user flexibility and maximize the efficient use of available spectrum.

III. Legal bases:

Action proposed is in furtherance of Sections 303(r) and 4(i) of the Communications Act of 1934, as amended, which empowers the Commission to make such rules and regulations, not inconsistent with law, as may be necessary in the execution of its functions, with the additional view of the public welfare.

IV. Description, potential impact and number of small entities affected:

The impact of this rule making is anticipated to extend to all small entities which require additional paging systems which cannot be accommodated on already allocated frequencies. Since the total number of such entities to a large extent will be determined by whether or not spectrum is available, it is impossible at this time to estimate the specific numbers involved. The rule changes involved would make forty channels available for co-equal sharing among all potential applicants. The rules proposed also seek to satisfy a need which is not now being met. As proposed, the rules would not permit the licensing of SMRS's at 900 MHz. However, there has been no demonstrated need for SMRS's in this spectrum, nor has any entity relied to its detriment on the belief that SMRS's would be permitted to operate at 900 MHz. In sum, no adverse impact on any entity, large and small, is anticipated.

V. Recording, record-keeping and other compliance requirements.

No additional record keeping or compliance requirements will be imposed as a result of this rule making.

VI. Federal rules which overlap, duplicate or conflict with these rules:

None.

VII. Any significant alternatives minimizing impact on small entities and consistent with the stated objective.

None. Alternatives were set forth in the previous Notice and found not to promote the desired objectives and the retention of the status quo denies small entities the additional frequencies necessary to satisfy their paging requirements.

12. Pursuant to procedures set out in § 1.415 of the Commission's rules, 47 CFR 1.415, interested persons may file comments on or before May 7, 1982, and reply comments on or before May 24, 1982. The Commission will consider all relevant and timely comments before taking final action in this proceeding. In reaching its decision, the Commission may take into consideration information and ideas not contained in the comments, provided that such information or a writing indicating the nature and source of such information is placed in the public file, and provided that the fact of the Commission's reliance on such information is noted in the Report and Order.

13. In accordance with the provisions of § 1.419 of the Commission's rules, 47 CFR 1.429, formal participants shall file an original and 5 copies of their comments and other materials. Participants wishing each Commissioner

[12] We also note in this regard that we are now considering a role for frequency coordinating groups at 800 MHz in our proceeding in Docket 79-191. Further Notice of Proposed Rule Making, PR Docket No. 79-191, FCC 81-268, adopted June 16, 1981, released July 14, 1981.

[13] The question of how cross service sharing of frequencies (i.e., common carrier use of private service frequencies or private service use of common carrier frequencies) will be addressed after final rules have been adopted and we have some practical experience with the development of 900 MHz paging systems.

[14] A taxicab system in Canada transmits 3500 bits/second through a 25 kHz channel. See Judith Scott, "Mobile Communications for the Taxi Industry", Telecommunications, pp. 53-56, February 1981.

[15] See Report and Order, Docket No. 18262, 46 FCC 2d 752 (1974); Memorandum Opinion and Order, Docket No. 18262, 51 FCC 2d 945 (1975); Memorandum Opinion and Order, Docket No. 18262, 55 FCC 2d 771 (1975); aff'd sub nom. NARUC v. FCC, 525 F. 2d 630 (1976), *cert. denied*, 425 U.S. 992 (1976).

to have a personal copy of their comments should file an original and eleven copies. Members of the public who wish to express their interest by participating informally may do so by submitting one copy. All comments are given the same consideration, regardless of the number of copies submitted. All documents will be available for public inspection during regular business hours in the Commission's Public Reference Room at its headquarters in Washington, D.C.

14. For purposes of this non-restricted notice and comment rulemaking proceeding, members of the public are advised that *ex parte* contacts are permitted from the time the Commission adopts a Notice of Proposed Rulemaking until the time a Public Notice is issued stating that a substantive disposition of the matter is to be considered at a forthcoming meeting or until a final order disposing of the matter is adopted by the Commission whichever is earlier. In general, an *ex parte* presentation is any written or oral communication (other than formal written comments/pleadings and formal oral arguments) between a person outside the Commission and a Commissioner or a member of the Commission's staff which addresses the merits of the proceeding. Any person who submits a written *ex parte* presentation must serve a copy of that presentation on the Commission's Secretary for inclusion in the public file. Any person who makes an oral *ex parte* presentation addressing matters not fully covered in any previously filed written comments for the proceeding must prepare a written summary of that presentation; on the day of oral presentation, that written summary must be served on the Commission's Secretary for inclusion in the public file, with a copy of the Commission official receiving the oral presentation. Each *ex parte* presentation described above must state on its face that the Secretary has been served, and must also state by docket number the proceeding to which it relates. See generally, § 1.1231 of the Commission's rules, 47 CFR 1.1231.

15. Accordingly, notice is hereby given of rulemaking to amend Part 90 of the Commission's rules, in accordance with the proposal set forth in the attached Appendix below.

16. The proposed amendment to the rules is issued pursuant to authority contained in Section 4(i), 303(g), and 303(r) of the Communications Act, as amended.

17. It is ordered, that the Secretary shall cause a copy of this decision to be published in the **Federal Register.**

18. It is further ordered, that the Secretary shall cause a copy of this Further Notice of Proposed Rule Making to be served upon the Chief, Counsel for Advocacy of the Small Business Administration.

19. For further information concerning this rulemaking contact Charles Turner, Mobile and Fixed Radio Branch, Private Radio Bureau, Federal Communications Commission, Washington, DC 20554, (202) 632-6497.

List of Subjects in 47 CFR Part 90

Radio.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

47 CFR Part 90 is amended as follows:

1. Subpart K is amended by revising § 90.255 to read as follows:

§ 90.255 One-way paging operations in the 928-941 MHz band.

(a) Frequency selection for paging systems shall be in accordance with § 90.175(f). Maximum permissible effective radiated power shall be in accordance with Table 3 in Subpart H.

(b) The following frequencies are available for one-way paging systems.

Frequencies Available for One-Way Paging

Frequencies to be designated upon adoption of Report and Order to allocate three MHz of frequency spectrum of one-way paging.

2. Subpart H is amended to change the following section.

In § 90.175 new paragraph (f) is added for frequencies 928-941 MHz.

§ 90.175 Frequency coordination requirements.

* * * * *

(f) For frequencies 928-941 MHz (1) A report based on a field study indicating the degree of probable interference to all existing co-channel stations with 120 km. (75 mi.) of the proposed stations, together with a statement that all such co-channel licensees have been notified of the applicant's intention to apply.

(2) A statement from a frequency coordinating committee recommending the frequency which, in the opinion of the committee, will result in the least amount of interference to all existing stations operating in the particular area. The Committee's recommendations may appropriately include comments on technical factors such as power, antenna height and gain, terrain, and other factors which may serve to mitigate any contemplated interference. The frequency advisory committee must be so organized that it is representative of all persons who are eligible for radio facilities in the service concerned in the area the committee purports to serve. The functions of such committees are purely advisory in character, and their recommendations cannot be considered as binding upon either the applicant or the Commission, and must not contain statements which would imply that the frequency advisory committees have any authority to grant or deny applications.

3. Subpart I is amended to change the following sections as follows:

Section 90.205 Power, the following section is amended by adding new frequency band 928-941 as follows:

§ 90.205 Power.

Frequency range (megahertz)	Maximum output power	Maximum effective radiated power (watts)
* * * * *		
851 to 866	(7)	(6)
928 to 941	(7)	(6)
1427 to 1435	(2)	
* * * * *		

In § 90.213 *Frequency tolerance,* paragraph (a) is amended by adding 928-941 MHz as follows:

§ 90.213 Frequency tolerance.

(a) * * *

Frequency range	Fixed and base stations		Mobile stations	
	Over 200W output power	200W or less output power	Over 2W output power	2W or less
* * *	*	*	*	*
851 to 866	[10].00015	[10].00015	.00025	.00025
928 to 941	[11].00015	[11].00015	(14)	(14)
1427 to 1435	.03	.03	.03	.03
(14) Mobile units will not be authorized in this band.				
* * *	*	*	*	*

4. Subpart B is amended to add additional frequency bands under Frequencies available.

In § 90.17, paragraph (b) is amended by adding the following frequency [16] and (c)(19) is revised as follows:

§ 90.17 Local government radio service.

* * * * *

(b) * * *

Frequency or band	Class of station	Limitation
* * * * *		
928 to 941	base	19
* * * * *		

(c) * * *

(19) Available for one-way paging systems.

* * * * *

5. Subpart R is amended as follows:

Section 90.555(b) is amended by the addition of following frequency band, 928–941 as follows:

§ 90.555 Combined frequency listing.

* * * * *

(b) * * *

Frequency	Services	Special limitations
928 to 941	All services	IR base only one-way paging.

[16] All appropriate service stations will be amended accordingly when Report and Order is adopted.

[FR Doc. 82-9658 Filed 4-13-82; 8:45 am]
BILLING CODE 6712-01-M

Notices

Federal Register
Vol. 47, No. 72
Wednesday, April 14, 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 AGRICULTURE

Animal and Plant Health Inspection Service

Supplement to the Final Programmatic Environmental Impact Statement; USDA Cooperative 1981 Gypsy Moth Suppression and Regulatory Program

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of a site-specific supplement to the final Programmatic Environmental Impact Statement (PEIS) for the USDA Cooperative Gypsy Moth Suppression and Regulatory Program (USDA FS–FEIS 81–01).

SUMMARY: This gives notice of a document which supplements the final PEIS for the USDA Cooperative Gypsy Moth Regulatory Program to include a site-specific environmental analysis for the Salem, Oregon, proposed treatment area.

ADDRESS: Requests for a copy of this supplement should be addressed to Pest Programs Development Staff, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Federal Building, Room 630, Hyattsville, MD 20782.

FOR FURTHER INFORMATION CONTACT: Gary Moorehead, Staff Officer, Pest Program Development Staff, Plant Protection and Quarantine, APHIS, USDA, Federal Building, Room 630, Hyattsville, MD 20782, (301) 436–8745.

SUPPLEMENTARY INFORMATION: The USDA draft PEIS for the Cooperative Gypsy Moth Suppression and Regulatory Program was submitted to the Environmental Protection Agency (EPA) on November 26, 1980. The public comment period for this document closed January 25, 1981. The final PEIS was filed with the EPA on March 6, 1981, and a notice of availability of this document was published in the **Federal Register** on April 28, 1981. The final PEIS was supplemented by a document published in the **Federal Register** on May 14, 1981 (46 FR 2666–2667). The PEIS discussed the national Gypsy Moth Suppression and Regulatory Program and noted that it would be supplemented with annual site-specific environmental documents. A site-specific environmental analysis for the Salem, Oregon, proposed treatment area has been prepared. The document discusses the environmental effects of the program for approximately 6,400 acres that are to be treated in the State of Oregon. None of the treatment options discussed for possible use in the Salem, Oregon, treatment area pose any significant impact upon the environment of the area. Further, there are no unique characteristics or aspects of or within the proposed treatment area that would place it outside the scope of considerations addressed in the PEIS.

Done at Washington, D.C., this 9th day of April 1982.

William F. Helms,

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

[FR Doc. 82–10243 Filed 4–13–82; 8:45 am]

BILLING CODE 3410–34–M

CIVIL AERONAUTICS BOARD

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q of the Board's Procedural Regulations; Week Ended April 2, 1982

Subpart Q Applications

The due date for answers, conforming application, or motions to modify scope are set forth below for each application. Following the answer period the board may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings. (See, 14 CFR 302.1701 et. seq.)

Date filed	Docket No.	Description
Mar. 30, 1982	40579	Polskie Linie Lotnicze (Lot), c/o Robert Reed Gray, Hale Russell & Gray, 1025 Connecticut Ave., NW., Washington, D.C. 20036. Application of Polskie Linie Lotnicze (Lot) pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations request renewal of its foreign air carrier permit authorizing it to engage in foreign air transportation with respect to persons, property and mail as follows: "Between a point or points in Poland via intermediate points in Denmark, the Netherlands, Belgium, France or the United Kingdom and Montreal, Canada; and the terminal point New York, New York." Answers may be filed on April 28, 1982.
Mar. 30, 1982	40581	Pan American World Airways, Inc., c/o Richard D. Mathias, 1660 L Street, NW., Washington, D.C. 20036. Application of Pan American Airways, Inc., pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations to amend its certificate of public convenience necessity for Route 136 to authorize it to engage in foreign air transportation of persons, property and mail between Houston, Texas and Acapulco, Mexico by adding a new segment to its Certificate for Route 136 as follows: "Between the terminal point Houston, Texas and the terminal point Acapulco, Mexico" Conforming Applications, motions to modify scope, and Answers may be filed by April 27, 1982.
Apr. 2, 1982	40590	Trans North Turbo Air Limited d.b.a. Trans North Air, c/o Robert Reed Gray, Hale, Russell & Gray, Suite 400–1025 Connecticut Avenue NW., Washington, D.C. 20036. Application of Trans North Turbo Air Limited d.b.a. Trans North Air, pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations requests a foreign carrier permit authorizing it to provide scheduled foreign air transportation of persons and property between Whitehorse, Yukon Territory, Canada and, their accompanying baggage, Juneau, Alaska, United States of America. Answers may be filed by April 30, 1982.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 82–10214 Filed 4–13–82; 8:45 am]

BILLING CODE 6320–01–M

DEPARTMENT OF COMMERCE

Bureau of the Census

Estimates of the Voting Age Population for 1981

In accordance with the requirements of the Federal Election Campaign Act Amendments of 1976, 2 U.S.C. 441a(e), notice is hereby given that the estimates of the voting age population for July 1, 1981, for each state, the District of Columbia, the Commonwealth of Puerto Rico, and the Territories of Guam and the Virgin Islands are as shown in the following table.

These estimates have been certified to the Federal Election Commission.

Malcolm Baldrige,

Secretary of Commerce.

ESTIMATES OF THE POPULATION OF VOTING AGE FOR STATES AND SELECTED OUTLYING AREAS: JULY 1, 1981

[In thousands]

Area	Population 18 and over
United States	166,147
Alabama	2,772
Alaska	279
Arizona	1,993
Arkansas	1,634
California	17,784
Colorado	2,153
Connecticut	2,333
Delaware	436
District of Columbia	492
Florida	7,769
Georgia	3,930
Hawaii	703
Idaho	650
Illinois	8,270
Indiana	3,893
Iowa	2,093
Kansas	1,738
Kentucky	2,602
Louisiana	2,965
Maine	818
Maryland	3,121
Massachusetts	4,323
Michigan	6,539
Minnesota	2,949
Mississippi	1,728
Missouri	3,601
Montana	563
Nebraska	1,134
Nevada	622
New Hampshire	680
New Jersey	5,462
New Mexico	910
New York	13,021
North Carolina	4,320
North Dakota	468
Ohio	7,757
Oklahoma	2,235
Oregon	1,933
Pennsylvania	8,822
Rhode Island	716
South Carolina	2,235
South Dakota	484
Tennessee	3,336
Texas	10,356
Utah	954
Vermont	373
Virginia	3,977
Washington	3,074
West Virginia	1,400
Wisconsin	3,408
Wyoming	340
Outlying areas:	
Puerto Rico	2,046
Guam	65
Virgin Islands	58

[FR Doc. 82-10163 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-07-M

Foreign-Trade Zones Board

[Docket No. 10-82]

Foreign-Trade Zone No. 7, Mayaguez, Puerto Rico; Application for Subzone

Notice is hereby given that an application has been submitted to the Foreign-Trade Zones Board (the Board) by the Puerto Rico Industrial Development Company, Inc. (PRIDCO), an agency of the Commonwealth of Puerto Rico and grantee of Foreign-Trade Zone 7, requesting authority to establish a foreign-trade subzone for Commonwealth Oil Refining Company, Inc. near Penuelas, Puerto Rico, adjacent to the Ponce Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on April 2, 1982. The applicant is authorized to make this proposal under Joint Resolution No. 26 of the Commonwealth of Puerto Rico Legislature, approved June 19, 1958.

On June 27, 1960, PRIDCO received authority from the Board to establish a foreign-trade zone project in Mayaguez, Puerto Rico (25 FR 6311, 7-2-60). Covering 42 acres in an industrial park setting, the zone offers over 230,000 square feet in 12 buildings for manufacturing and warehousing activities. Five manufacturing firms employing 400 persons utilized zone facilities in fiscal year 1980.

PRIDCO now requests subzones status for the petroleum refining and petrochemical complex of the Commonwealth Refining Company, Inc. (CORCO) near Penuelas. CORCO is an independent refiner with its headquarters in San Antonio, Texas. The 695-acre Penuelas complex is the firm's only production facility. It includes a 100,000 barrel per day crude oil refinery which produces gasoline and fuel oil, as well as three petrochemical plants which produce intermediate industrial products such as benzene, toluene,and cyclohexane. The facility has been a major supplier of energy and petrochemcial products for Puerto Rico since its start-up in 1956.

Since 1979, CORCO has seen a major reduction in its share of the domestic mainland and Puerto Rican markets, with a resulting severe cut-back in operations at the complex. Employment has dropped from a peak of 1400 to 200 today. In its efforts to revive the facility and to achieve a profitable level of capacity utilization, the company has set its sights on the export market, mainly through processing agreements which would help develop long-term supply relationships. Because it is dependent on foreign suppliers for its feedstocks, CORCO desires subzone status to facilitate the Customs phase of its operations.

Zone procedures will allow CORCO to avoid duty and drawback on its exports. On its domestic sales the company can defer payment of duties and take advantage of lower duty rates available to importers of refined products. It will also utilize subzone status to provide assurances to foreign crude oil suppliers that CORCO will be able to fulfill long-term commitments under processing agreements.

In accorance with the Board's regulations, an examiners committee has been appointed to investigate the application and report to the Board. The committee consists of: Dennis Puccinelli (Chairman), Foreign-Trade Zones Staff, U.S. Department of Commerce, Washington, D.C. 20230; Charles W. Winwood, Director (Inspection and Control), U.S. Customs Service, Region IV, 99 S.E. 5th Street, Miami, Florida 33131; and Colonel Alfred B Devereaux, District Engineer, U.S. Army Engineer District Jacksonville, P.O. Box 4970, Jacksonville, Florida 32232.

Comments concerning the proposed subzone are invited in writing from interested persons and organizations. They should be addressed to the Board's Executive Secretary at the address below and postmarked on or before May 12, 1982.

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

U.S. Dept. of Commerce District Office, Room 659, Federal Building, Avenida Chardon, San Juan, Puerto Rico 00918.

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S.

Department of Commerce, 14th and Constitution Avenue, NW., Room 3721, Washington, D.C. 20230.

Dated: April 8, 1982.

John J. Da Ponte, Jr.,

Executive Secretary, Foreign-Trade Zones Board.

[FR Doc. 82-10154 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-25-M

International Trade Administration

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

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

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 2097 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket Number 81-00289. Applicant: Iowa State University, Purchasing Department, Ames, IA 50011. Article: Mass Spectrometer, MAT 250 with Accessories. Manufacturer: Varian MAT, West Germany. Intended use of article: See Notice on page 57717 in the **Federal Register** of November 25, 1981.

Comments: No comments have been received with respect to this applicaton.

Decision: Application approved. No domestic manufacturer was both willing and able to provide an instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

Reasons: the only domestic manufacturer of comparable instruments did not respond to a timely and valid request for quotation by the applicant. The National Bureau of Standards advises in its memorandum dated March 30, 1982 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic manufacturer willing and able to provide an instrument or appratus of equivalent scientific value to the foreign article at the time the foreign article was ordered (September 25, 1979).

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

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

[FR Doc. 82-10155 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-25-M

Butterworth Hospital, et al.; Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301). (See especially § 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review between 8:30 a.m. and 5:00 p.m. in Room 2097 of the Department of Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Docket No. 82-00050. Applicant: Butterworth Hospital, 100 Michigan NE., Grand Rapids, MI 49503. Article: Electron Microscope, Model EM 109 with Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: See Notice on page 62307 in the **Federal Register** of December 23, 1981. Appliction received by Commissioner of Customs: November 18, 1981.

Docket No. 82-00053. Applicant: Texas Tech University School of Medicine, Department of Anatomy, Texas Tech University Health Sciences Center, Lubbock, TX 79430. Article: Electron Microscope, Model H-600-3 and Accessories. Manufacturer: Hitachi Scientific Instruments, Japan. Intended use of article: See Notice on page 62307 in the **Federal Register** of December 23, 1981. Article ordered: August 31, 1981.

Docket No. 82-00054. Applicant: Northwestern University Medical School, Department of Molecular Biology, 303 East Chicago Avenue—Searle 4-541, Chicago, IL 60611. Article: Electron Microscope, JEM 100S with Accessories. Manufacturer: Jeol Ltd., Japan. Intended use of article: See Notice on page 62307 in the **Federal Register** of December 23, 1981. Article ordered: March 30, 1981.

Docket No. 82-00062. Applicant: University of Florida, Division of Comparative Pathology, College of Veterinary Medicine, Box J-145, JHMHC, Gainesville, FL 32610. Article: Electron Microscope, Model EM 10CA and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: See Notice on page 6680 in the **Federal Register** of February 16, 1982. Application received by Commissioner of Customs: December 11, 1981.

Docket No. 82-00070. Applicant: University of North Carolina, North Carolina Memorial Hospital, Chapel Hill, NC 27514. Article: Electron Microscope, Model EM 109. Manufacturer: Carl Zeiss, West Germany. Intended use of article: See Notice on page 4721 in the **Federal Register** of February 2, 1982. Article ordered: October 29, 1981.

Docket No. 82-00073. Applicant: University of Arizona Health Science Center, Campbell Avenue, Tucson, Arizona 85724. Article: Electron Microscope, Model EM 109. Manufacturer: Carl Zeiss, West Germany. Intended use of article: See Notice on page 4721 in the **Federal Register** of February 2, 1982. Article ordered: October 23, 1981.

Docket No. 82-00074. Applicant: Bridgeport Hospital, 267 Grant Street, Bridgeport, CT 06602. Article: Electron Microscope, Model EM 109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: See Notice on page 4721 in the **Federal Register** of February 2, 1982. Application received by Commissioner of Customs: December 23, 1981.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, was being manufactured in the United States at the time the articles were ordered. Reasons: Each foreign article to which the foregoing applications relate is a conventional transmission electron microscope (CTEM). The description of the intended research and/or educational use of each article establishes the fact that a comparable CTEM is pertinent to the purposes for which each is intended to be used. We know of no CTEM which was being manufactured in the United States either at the time of order of each article described above or at the time of receipt of application by the U.S. Customs Service.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which was being manufactured in the United States either at the time of order or at the time of receipt of application by the U.S. Customs Service.

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

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 82-10245 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-25-M

Prestressed Concrete Steel Wire Strand From South Africa; 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 the Republic of South Africa is providing bounties or grants within the meaning of the countervailing duty law to the only known manufacturer and exporter in South Africa of prestressed concrete steel wire strand. We estimate the total bounty or grant to be 27.1 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 shipments of this merchandise entered, or withdrawn from warehouse, for consumption on or after April 14, 1982, and to require a cash deposit or bond in an amount equal to the estimated bounty or grant.

EFFECTIVE DATE: April 14, 1982.

FOR FURTHER INFORMATION CONTACT: Joseph A. Black, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, (202) 377-1774.

SUPPLEMENTARY INFORMATION:

Case History

On November 9, 1981 we received a petition from counsel for American Spring Wire Corporation, Bethlehem Steel Corporation, Florida Wire & Cable Company and Shinko Wire America Inc. The petition alleged that the government of South Africa provides bounties or grants to its producers and exporters of PC strand through the following programs: preferential railroad rates, reduced harbor rates, reduced ocean freight rates, export credit insurance, pre- and post-shipment financing, export incentive programs, the Iron/Steel Export Incentive Scheme, employee training allowances, beneficiation allowances for base mineral processing, homeland development and other indirect benefits.

After reviewing the petition, we determined that it contained sufficient grounds upon which to initiate a countervailing duty investigation. Therefore, on November 25, 1981 we announced our initiation (46 FR 59283).

We presented a questionnaire concerning the allegations to the government of South Africa. On February 25, 1982 we received a response to the questionnaire which covers the period of calendar years 1980 and 1981. Between March 9 and March 17, we verified this information by a review of government documents and company books and records. We stated in our notice of initiation of the investigation that we expected to issue a preliminary determination by February 2, 1982. However, we postponed the preliminary determination on January 12, 1982 to no later than April 8, 1982 and published a notice in the **Federal Register** (47 FR 2789). The reason for the postponement was that we determined, in accordance with section 703(e)(1)(B) of the Tariff Act of 1930, as amended ("the Act"), that the investigation was extraordinarily complicated.

Scope of Investigation

The merchandise covered by this investigation is prestressed concrete steel wire strand ("PC strand"). PC strand is used to compress concrete to provide active resistance to loads in such items as girders, beams, pilings, and other building products. It is currently classifiable under tariff item number 642.1120 of the *Tariff Schedules of the United States Annotated.*

Haggie Limited is the only known South African manufacturer and exporter of the subject material.

Section 303 of the Act applies to this investigation because South Africa is not a "country under the Agreement" within the meaning of section 701(b) of the Act. In addition, the merchandise covered in the investigation is dutiable. Therefore, an injury determination is not required.

Programs Preliminarily Determined To Be Bounties or Grants to PC Strand Manufacturers, Producers, and Exporters

We preliminarily determine that the government of South Africa is providing bounties or grants to manufacturers, producers, and exporters of PC strand under three export programs:

Railroad Rate Differential

The South African Transport Services ("SATS"), a government-owned corporation, maintains a rate schedule that generally provides preferential railroad rates for shipments destined for export. Haggie ships all its PC strand for export in containers. SATS container rates depend on distance railed and on whether intended for export or domestic destinations.

Based upon the above, we have preliminarily determined that the government of South Africa through preferential railroad rates provides benefits which constitute a bounty or grant. We found that the export rate is 50 percent of the domestic rate. We calculated the bounty or grant to Haggie under this program by dividing the value per ton of the benefit by the average f.o.b. value per ton. We found the bounty or grant to be 2.4 percent *ad valorem.*

The government of South Africa offered an additional "Central Government Rebate" of 20 percent of the railroad charges on PC strand shipped in open railway cars for export. We found that Haggie did not benefit from this program in 1981. The "Central Government Rebate" was terminated on April 1, 1982.

Export Incentive Programs

The South African Department of Industries, Commerce and Tourism, has a four part general export incentive program, three parts of which Haggie used in 1981. These three are described below.

Category B. The response of the government of South Africa indicates that this program consists of a credit against taxes of 10 percent of the value-added component of the exported merchandise if there is a South African import duty on such merchandise. There is an import duty on PC strand. The value-added component is calculated by taking the average f.o.b. sales price per ton, increasing it by the rebate received under the Iron/Steel Export Incentive Scheme (see below), and subtracting the average raw materials costs. This figure is then multiplied by 10 percent to obtain the the amount of the credit. We have preliminarily determined that the government of South Africa through this Category B tax credit program provides a benefit which constitutes a bounty or grant. We have calculated the bounty or grant given to Haggie under Category B to be 2.96 percent *ad valorem.*

Category C (Finance Charges Aid Scheme). The response indicates that this program consists of a rebate of 25 percent of the prevailing rate of interest for financing exports. The prevailing interest rate is the prime bank overdraft rate of the leading commercial banks as published in the Quarterly Bulletin of the South African Reserve Bank and as was applicable in the middle of the period for which benefits are claimed. All claims are calculated for a fixed

period of six months irrespective of the period for which exporters allow credit. Exporters are eligible for this rebate whether or not they actually borrowed to finance exports. Haggie received benefits under this progam in 1981. We have preliminarily determined this program to be a bounty or grant.

However, on March 8, 1982 the South African government announced the discontinuation of the Finance Charges Aid Scheme as of April 1, 1982. Therefore, we are not including the value of this benefit in our calculations. We will verify before our final determination that this program has been terminated.

Category D (Export Marketing Assistance Program). The response indicates that this program consists of a deduction from taxable income of between 175 and 200 percent of export market development expenses. We found that Haggie was eligible for the full deduction of 200 percent. We, therefore, have preliminarily determined that the government of South Africa through this Category D tax deduction program provides a benefit which constitutes a bounty or grant. The bounty or grant for Haggie was calculated by dividing the value of the benefit received in 1981 by the total value of exports of PC strand to the United States for the same period. The result is a benefit of 4.49 percent *ad valorem*.

Iron/Steel Export Promotion Scheme

This "scheme" is a joint effort on the part of the South African government and all South African primary steel producers to encourage exports of products containing steel. It is administered by the South African Iron and Steel Industrial Corporation ("ISCOR"), a government-owned corporation. The government also appoints the director of the scheme. Primary steel producers in South Africa contribute to a special fund based on the amount of steel they individually produce. A direct payment is provided to exporters of fabricated articles containing iron or steel. The current value of that assistance is 16.25 percent of the f.o.b. value of the exported fabricated steel products. We have preliminarily determined that the government of South Africa through the Iron/Steel Export Promotion Scheme provides a benefit which constitutes a bounty or grant. We have found that Haggie takes full advantage of this program on its exports of PC strand.

Other Programs

We preliminarily determine after verification that Haggie does not utilize the following programs:

Pre- and Post-Shipment Financing,
Export Incentive Program-Category A,
Beneficiation Allowances for Base Mineral Processing,
Reduced Harbor Rates, and
Homeland Development

We preliminarily determine that the following programs are not bounties or grants within the meaning of the Act:

Export Credit Insurance. The Credit Guarantee Insurance Company ("CGIC") offers export credit insurance to qualifying export companies. No other insurance company is known to provide similar coverage. According to its annual reports, CGIC has made a profit every year for the past 5 years. Since there is no evidence that CGIC rates are preferential and as the company makes a profit, we have preliminarily determined that the program does not constitute a bounty or grant.

Employee Training Programs. The South African Department of Manpower certifies training programs to the taxing authority which allows businesses to deduct 200 percent of qualified training expenses. The Department of Manpower has demonstrated that all qualified training programs are available to all companies and industries and that they are neither restricted to certain sectors of the economy nor preferential to exporters. Therefore, the training programs are preliminarily determined not to be bounties or grants.

Reduced Ocean Freight Rates. The petition alleged that South African shippers benefitted from reduced ocean freight rates. We could find no evidence of such a program. We did find evidence of rate negotiation between shippers and carriers; however, this does not constitute a bounty or grant under the Act.

Indirect Benefits. One of the allegations raised by the petitioner is that manufacturers of PC strand received indirect benefits through the purchase of wire rod from subsidized South African steelmakers. The Department has verified that Haggie purchased steel wire rod for their strand production from unrelated domestic and international suppliers. Our verification indicates that all of these purchases were arm's-length transactions. We, therefore, have preliminarily determined that Haggie is not receiving benefits which constitute bounties or grants as a result of its transactions with unrelated steel rod suppliers.

No other programs alleged in the petition were found to constitute bounties or grants.

Verification

In accordance with section 776(a) of the Act, we verified all the information relied upon in this determination. We used normal verification procedures to verify the government response. This included the inspection of government documents, discussions with government officials and on-site inspection of Haggie's operations and records.

Preliminary Determination

As a result of our investigation, we preliminarily determine that the government of South Africa provides its manufacturers, producers, and exporters of prestressed concrete steel wire strand with bounties or grants through the programs cited above. We estimate the total bounty or grant to be 27.1 percent of the f.o.b. value of the imported merchandise.

Haggie is currently the only known manufacturer/exporter of the subject merchandise in South Africa. However, should any other South African exporter of PC strand ship to the United States market, we will require a cash deposit or bond of 27.1 percent of the f.o.b. value of the imported merchandise.

In accordance with Section 703(d) of the Act (19 U.S.C. 1671b(d)) Customs officers will be directed to suspend liquidation of all entries, or withdrawals from warehouse, for consumption of the subject merchandise on or after April 14, 1982, and to require a cash deposit or bond in an amount equal to the estimated bounty or grant.

Haggie and the Department of Commerce have initialled a proposed suspension agreement, as provided for under section 704 of the Act. We will notify the petitioner and the other interested parties in accordance with section 704(e) of the Act. Under the proposed agreement, Haggie voluntarily renounces the receipt of all the benefits described above as bounties or grants.

In accordance with § 355.35 of the Commerce Regulations, we will hold a public hearing, if requested, on May 14, 1982 at 10:00 a.m. in Room 5611 of the Commerce 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, Room 3099B, U.S. Department of Commerce, 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 by May 7, 1982. Oral presentations will be limited to the issues raised in the briefs. Any written views must be submitted within 30 days of the publication of this notice (May 14, 1982).

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 8, 1982.

[FR Doc. 10215 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-25-M

Minority Business Development Agency

Financial Assistance Application Announcement; Washington Region's City Minority Business Program

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a Grant under the Washington Region's City Minority Business Program to assist minority businesses in the selected city for a 12-month period beginning August 1, 1982. The cost of the project is estimated to be $180,000. The maximum federal participation amount is $150,000. The minimum amount required for non-federal participation is $30,000. The project number is 03-20-82011-01.

Applicant shall be required to contribute at least 20% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, or in-kind contributions.

CLOSING DATE: May 14, 1982.

Applications should be submitted in triplicate and mailed to the following address: Washington Regional Office, Minority Business Development Agency, 1730 K Street NW., Suite 420, Washington, D.C. 20006, phone (202) 634-7883.

For further information and/or an application kit contact the Regional Office at (202) 634-7883.

This grant is opened to all incorporated cities with populations of 100,000 or more and located in the Washington Region (Delaware, Maryland, Pennsylvania, Virginia, West Virginia and the District of Columbia).

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorized MBDA "to promote the mobilization of activities and resources of State and local governments * * *." The Washington Region's City Minority Business Program is designed to secure city contracting opportunities, including participation in large public and commercial, for minority businesses. The program provides for local conditions by encouraging innovative approaches.

B. Eligible Applicants

Awards shall be open to all incorporated cities with populations of 100,000 or more located in MBDA's Washington Region (Delaware, Maryland, Pennsylvania, West Virginia and Washington, D.C.).

C. Evaluation Process

Proposals received will be evaluated by a Regional review panel.

D. Evaluation Criteria for the Washington Region's City Minority Business Program

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the City Minority Business Program.

MBDA reserves the right to reject any or all applications, including the applications receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interests of the Government.

Evaluation of proposals will employ the following criteria:

I. *Techniques and Methods:* A detailed discussion of how the applicant will increase the purchase of minority goods and services by city agencies and involve minority businesses in large scale public and commercial developments. In this area the applicant should clearly describe the level of all city purchases and how procurements are tracked. Any other activities which substantially benefit minority businesses can be suggested under this program. Applicants are encouraged to suggest innovative approaches to benefit minority businesses in the city. To the extent possible, those approaches should contain quantifiable goals.

II. *Staff:* Describe the staff to be used. Provide detailed resumes including salary history for the last five years. Position descriptions and qualification standards for all positions must be included. Identify the proposed use of any contractors.

III. *City Contributions:* Discuss what resources the city will contribute to the proposed effort. These may be in-kind or cash. How the value of these contributions are calculated must be explained. Contributions above the $30,000 minimum will be rated more highly. Proposed contributions should not be of a contingent nature.

IV. *Cost:* Cost-benefit analysis: Support of proposed costs against projected quantitative results. Detailed explanations and justifications of all budgetary items must be provided.

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 the program should be included in Part One. Part One will be known as the applicant's plan of operation and will be incorporated in the Grant award.

A detailed justification of all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered non-responsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information, 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.

G. Preapplication Conference

A Preapplication conference to assist all interested applicants will be held at the following address on Thursday, April 22, 1982 at 10:00 a.m.:

U.S. Department of Commerce, Constitution Ave., NW., Room 3708, Washington, D.C. 20230

Dated: April 9, 1982.

Roy Chavez,

Acting Regional Director.

[FR Doc. 82-10220 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-21-M

Office of the Secretary

National Voluntary Laboratory Accreditation Program (NVLAP) Quarterly Report (January 1–March 31, 1982)

AGENCY: Assistant Secretary for Productivity, Technology and Innovation, Commerce.

ACTION: Publication of the NVLAP quarterly report.

SUMMARY: The Department of Commerce announces accreditation actions for the first quarter of 1982. In addition, the status of all NVLAP laboratory accreditation programs (LAPs) is summarized.

FOR FURTHER INFORMATION CONTACT: Mr. John W. Locke, Manager, Laboratory Accreditation, National Bureau of Standards, TECH B06, Washington, DC 20234, (301) 921–2368. Those interested in using the services of a NVLAP accredited laboratory may obtain the latest copy of the list of test methods for which it is accredited either from the individual laboratory itself or from the Manager, Laboratory Accreditation. Also available from the Manager, Laboratory Accreditation is a complete listing of NVLAP accredited laboratories with a corresponding list of the test methods for which they are accredited.

SUPPLEMENTARY INFORMATION:

Background

This report has been prepared in accordance with §§7a.17(a), 7b.17(a), and 7c.17(a) of the National Voluntary Laboratory Accreditation Program (NVLAP) Procedures (15 CFR Parts 7a, 7b, and 7c). In addition, to fulfill NVLAP requirements for monthly reporting of accreditation actions, notice of such actions taken under NVLAP for the month of March is included in this report.

NVLAP accreditation does not relieve the laboratories from the necessity of observing and complying with existing Federal, State, and local statutes, ordinances, and regulations that may be applicable to their operations, including consumer protection and antitrust laws.

Accreditation is granted for a period of one year. All laboratories will have one of four anniversary dates, January 1, April 1, July 1, or October 1. All accreditation actions will be made during the month preceding each anniversary date. However, before it expires, accreditation may be terminated at the request of the laboratory or may be revoked due to violation of the accreditation criteria or other conditions of the laboratory's accreditation. The criteria, are described in §§ 7a.19–7a.30 of the NVLAP Procedures (46 FR 37034–37036, dated July 17, 1981).

DOC updated its announcement of January 23, 1980, on the availability of laboratory accreditation programs (LAPs) for thermal insulation materials (the "Insulation LAP"), freshly mixed field concrete (the "Concrete LAP"), and carpet (the "Carpet LAP") and the revised fees for these three LAPs in two March 5, 1982, **Federal Register** notices (47 FR 9492–9498).

New Accreditations Granted

Three laboratories were newly accredited during March 1982. The name and address of each laboratory and the test methods for which accreditation was granted (for one year beginning April 1, 1982) are listed below:

Associated Testing Laboratories, Attn: George J. Murphy, 23 Vincent Street, Wayne, NJ 07470, Phone: (201) 628–1363

Designation and Short Title

AATCC 134/CRI 102—Electrostatic Propensity of Carpets

Note.—Accreditation is granted on 4/1/82 and expires on 3/31/83.

Walter H. Flood and Company, Inc., Attn: Paul E. Flood, 4421 Harrison Street, Hillside, IL 60162, Phone (312) 449–0500

Designation and Short Title

ASTM C31—Making and Curing Concrete Test Specimens in the Field
ASTM C172—Sampling Fresh Concrete
ASTM C143—Slump of Portland Cement Concrete
ASTM C138—Unit Weight, Yield, and Air Content (Gravimetric) of Concrete
ASTM C231—Air Content of Freshly Mixed Concrete by the Pressure Method
ASTM C39—Compressive Strength of Cylindrical Concrete Specimens
ASTM C173—Air Conent of Freshly Mixed Concrete by the Volumetric Method

Note.—Accreditation is granted on 4/1/82 and expires on 3/31/83.

West Virginia Department of Highways, Materials Control, Soil and Testing Division, Attn: Thomas M. Dugan, 312 Michigan Avenue, Charleston, WV 25311, Phone: (304) 348–3160

Designation and Short Title

ASTM C31—Making and Curing Concrete Test Specimens in the Field
ASTM C172—Sampling Fresh Concrete
ASTM C143—Slump of Portland Cement Concrete
ASTM C138—Unit Weight, Yield, and Air Content (Gravimetric) of Concrete
ASTM C231—Air Content of Freshly Mixed Concrete by the Pressure Method
ASTM C39—Compressive Strength of Cylindrical Concrete Specimens
ASTM C173—Air Content of Freshly Mixed Concrete by the Volumetric Method

Note.—Accreditation is granted on 4/1/82 and expires on 3/31/83.

Accreditations for Additional Test Methods.

Two previously accredited laboratories added test method *ASTM D2126, Response to thermal and humid aging (proc. C); Rigid cellular plastics,* to their list of accredited test methods. They are:

Dow Chemical USA, Granville Research Center
Insta-Foam Products, Inc.

Expired Accreditation

Accreditation under the Concrete LAP for Standard Concrete Material, Inc., of Santa Ana, California, expired on March 22, 1982. Evaluation for renewal of its accreditation was in progress at the end of March.

List of Laboratories Whose Accreditations Were Either Renewed or Newly Granted During the First Quarter of 1982

The following laboratories were accredited during the first quarter of 1982, for one or more test methods available under NVLAP. Each laboratory received a certificate of accreditation and a corresponding list of test methods for which each is accredited. Anyone who wishes to know which test methods each laboratory is accredited for should contact the laboratory directly or the Manager, Laboratory Accreditation.

American Testing Laboratories, Inc.
Arizona Sand and Rock Company
Associated Testing Laboratories
Atlantic Testing Laboratories, Ltd., Cicero Division
Soil Testing Services of Carolina, Inc.
Walter H. Flood and Company, Inc.
West Virginia Department of Highways, Materials Control, Soil and Testing Division

Insulation LAP Status

The LAP for thermal insulation materials has 57 test methods for which accreditation may be granted. Forty-two laboratories are currently accredited to perform one or more of these test methods.

Concrete LAP Status

The LAP for freshly mixed field concrete has two groups of test methods and one optional test method for which accreditation can be granted. Forty-seven laboratories are currently accredited under the Concrete LAP.

Carpet LAP Status

The LAP for carpet has 12 test methods for which accreditation may be granted. Twenty-four carpet testing

laboratories are currently accredited for one or more of these test methods.

LAPs under Development

Stove LAP—Plans for operating the LAP for solid fuel room heaters (Stove LAP), including proficiency testing requirements and fees, have been completed. The announcement of formal establishment of the LAP and the availability of applications will be made in April.

Dosimetry LAP—Notice of a public workshop to discuss specific benchmarks of technical adequacy in personnel dosimetry processing as related to NVLAP accreditation criteria was published on February 17, 1982 (47 FR 6914–6915). Information gathered from this workshop, which will be held at the National Bureau of Standards on April 12 and 13, 1982, will be used to establish a uniform basis for the determination of each processor's compliance with NVLAP criteria. In response to a request for nominations of individuals with professional credentials in personnel dosimetry processing to serve as NVLAP assessors, over 70 individuals have been nominated. These nomineees will be contacted to ascertain their interest in serving as assessors prior to the formal selection process. Progress continues on a "Request for Proposal" (RFP) to obtain the services of a testing laboratory to conduct the proficiency testing aspect of this LAP. The RFP should be available to offerors in the summer of 1982.

Acoustics LAP—Two workshops for the new acoustics laboratory accreditation program (Acoustics LAP) were held February 23–24, 1982, and March 10–11, 1982. Approximately 35 people attended the February workshop, at which 18 test methods concerning the measurement of the properties of acoustical materials and precision sound power and pressure level measurements were discussed. Approximately 20 people attended the second workshop to discuss 21 test methods which cover the measurement of noise produced by products and engineering measurements of sound power and pressure levels. A summary of the minutes of both workshops is being prepared and should be ready for distribution early in May. Copies of the minutes will be sent to approximately 200 scientists, engineers, laboratories, technical societies, and government agencies for comments and suggestions.

Electromagnetic Calibration Services LAP—A final finding of need for a LAP which will be offered to laboratories who provide electromagnetic calibration services was published on January 14, 1982. A public workshop to discuss the technical requirements for this LAP has been planned for July 1–2, 1982. A notice announcing the formal establishment of this LAP is expected in early 1983.

Windows and Doors LAP—A notice of the request of the Department of Housing and Urban Development (HUD) for a laboratory accreditation program (LAP) for windows and doors, and call for public comment was published on January 21, 1982 (47 FR 3025–3026). Comments on this requested LAP were to be submitted by March 22, 1982. The comments are being analyzed by HUD. If HUD recommends that DOC proceed with this LAP, an announcement of a workshop to develop the technical requirements for this LAP will be published probably before the end of the second quarter of 1982.

Dated: April 9, 1982.

Robert B. Ellert,

Acting Assistant Secretary for Productivity, Technology, and Innovation.

[FR Doc. 82-10216 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-13-M

United States Travel and Tourism Administration

Travel and Tourism Advisory Board; Meeting

On April 8, 1982, notice was given in the **Federal Register** (pg. 15152), that the Travel and Tourism Advisory Board would meet on April 29, 1982. Notice is hereby given that the Travel and Tourism Advisory Board meeting will begin at 10:30 a.m. (instead of 10:00 a.m. as previously announced), in Room 4830 of the Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Established March 19,1982, the Travel and Tourism Advisory Board consists of 15 members, representing the major segments of the travel and tourism industry and state tourism interests, and includes one member of a travel labor organization, a consumer advocate, an academian and a financial expert.

Members advise the Secretary of Commerce on matters pertinent to the Department's responsibilities to accomplish the purpose of the National Tourism Policy Act (Pub. L. 97–63), and provide guidance to the Assistant Secretary for Tourism Marketing in the preparation of annual marketing plans.

Agenda items are as follows:

1. Organization and Administration of Travel and Tourism Advisory Board.
2. Election of Chariman.
3. Marketing Plans.
4. Alternate Funding.
5. Policy Initiatives.
6. Marketing Activities.
7. Research.
8. Miscellaneous.

A limited number of seats will be available to observers from the public and the press. The public will be permitted to file written statements with the Committee before or after the meeting. To the extent time is available, the presentation of oral statements is allowed.

Christine Hathaway, Committee Control Officer, United States Travel and Tourism Administration, Room 1865, U.S. Department of Commerce, Washington, D.C. 20230 (telephone: 202–377–0136) will respond to public requests for information about the meeting.

Peter McCoy,

Under Secretary for Travel and Tourism, Department of Commerce.

[FR Doc. 82-10217 Filed 4-13-82; 8:45 am]

BILLING CODE 3510-11-M

CONSUMER PRODUCT SAFETY COMMISSION

Toxicological Advisory Board; Invitation for Membership Application

AGENCY: Consumer Product Safety Commission.

ACTION: Invitation to apply for advisory committee membership.

SUMMARY: This notice invites applications for membership on the Commission's Toxicological Advisory Board, an advisory committee which Congress authorized to provide scientific and technical advice to the Commission concerning the labeling of hazardous substances. Applicants should have expertise in toxicology, pharmacology, or medicine.

DATE: Applications should be received by May 14, 1982.

ADDRESSES: Send applications to Susan F. Guenette, Committee Management Officer, Directorate for Health Sciences, Consumers Product Safety Commission, 5401 Westbard Avenue, Room 700, Bethesda, Maryland 20207.

FOR FURTHER INFORMATION CONTACT: Susan F. Guenette, Committee Management Officer, 301–492–6984.

SUPPLEMENTARY INFORMATION: Section 20 of the Federal Hazardous Substances Act (FHSA) (15 U.S.C. 1275) requires the Consumer Product Safety Commission to establish and maintain a Toxicological Advisory Board to advise the Commission on precautionary labeling for hazardous substances subject to the FHSA, and on the exemption of certain substances from

the labeling requirements under the FHSA. The Board was established in 1979. In carrying out its advisory functions, the Board reviews labeling requirements issued under the FHSA and develops and submit to the Commission any recommendations the Board considers appropriate for revisions in labeling requirements. It is currently engaged in this activity. In reviewing first-aid instructions and precautionary labels, the Board may consider individual chemicals as well as specific product combinations. The Board also assists the Commission in developing first-aid labeling instructions that are safe, effective and reflect prevailing standards of medical practice. The Board devotes its energies and resources to the labeling of hazardous products which pose the greatest risk of short-term, acute toxicity. Carcinogenic, mutagenic, or other chronic hazards are not within the jurisdiction of the Board. The Board meets at least two times a year and possibly, more, if needed, at Commission headquarters. Expenses of attending meetings are paid by the Commission, plus compensation of $100.00 for each day in travel or attendance. Members are also expected to respond to requests for written comments as necessary.

Section 20 of the Federal Hazardous Substances Act specificies that the Toxicological Advisory Board shall be composed of nine (9) members who are qualified by training and experience in one or more fields applicable to the duties of the board, and at least three of the members shall be members of the American Board of Medical Toxicology. Expertise in toxicology, pharmacology, and medicine are qualifications particularly applicable to the Board's responsibilities.

From those persons qualified by training and experience, the Commission will appoint nine members. It will seek a balanced membership, including individuals representative of consumers, government, and industry. Membership of the Board shall be, insofar as possible, balanced in terms of geographic location, age, sex, and minorities. Members are appointed to a three year term. The current term expires June 30, 1982. Current members may apply for reappointment. The Board will cease to exist at the end of the three year term of the nine members to be appointed. Persons interested in serving on the Board may apply for membership by submitting the information requested at the end of this notice by May 14, 1982. Persons wishing to nominate another individual to serve on the Board should submit the same information concerning the nominee and should include a statement that the person nominated has agreed to serve if selected by the Commission.

Privacy Act Notice

Applications will become part of a system of records (CPSC–2) maintained by the Consumer Product Safety Commission and subject to the Privacy Act of 1974, 5 U.S.C. 552a. Authority for maintaining the system of records is section 20 of the Federal Hazardous Substances Act, 15 U.S.C. 1275, and 15 U.S.C. 2079(a). Records in the system will be used by the Consumer Product Safety Commission to select committee members and to administer committee operations. Submission of application is purely voluntary, but failure to submit an application may preclude an applicant from being selected for membership.

Application Format

(Note.—Submission of the information listed below will constitute an application. There is no separate application form. Resumes may be substituted for the recommended application format so long as they are accompanied by an attachment which completes all of the application format questions.)

1. Please specify application is for the Toxicological Advisory Board.
2. Name of applicant.
3. Home address and telephone number (include area code).
4. Employment affiliation.
a. Current position and description of duties.
b. Employer's name, address, and telephone number (include area code), and type of employing organization, e.g., health care, manufacturing, educational, governmental, public interest, retail, etc., including if self-employed.
c. Do you perform consulting work? If yes, specify kind of consulting work, for whom, and if paid or volunteer.
d. Are you involved in the performance of work under a contract or grant awarded by CPSC? If yes, specify contract title and number and describe your involvement.
5. Experience/Expertise: Specify and describe education, experience, and extra-curricular activities related to the activities of the Toxicological Advisory Board. Check applicable area(s) and provide descriptive comments for each area checked:
—Hazardous substances
—Labeling instructions
—Toxicology
—Pharmacology
—Medicine
—Other relevant experience/expertise.
6. Interest Questions:
a. Why are you interested in serving on the Advisory Board?
b. What contribution do you believe you can make?
c. Would you be able to attend at least two and possibly more two-day sessions annually in Washington, D.C. or another city? (Travel expenses are reimbursable in accoudance with Federal regulations.)
7. Other affiliations: Without restating information given above, specify all affiliations, past and current, either paid or as a volunteer, that bear any relationship to the subject area of product safety or to membership on the Toxicological Advisory Board.
8. Signature of applicant if self-application.
9. Signature of person making nomination if application submitted by other than the applicant. Include statement that nominee has agreed to serve if selected.

Applications should be submitted not later than May 14, 1982 to Susan F. Guenette, Committee Management Officer, Directorate for Health Sciences, Consumer Product Safety Commission, 5401 Westbard Avenue, Room 700, Bethesda, Maryland 20207, 301–492–6984.

Dated: April 9, 1982.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 82–10252 Filed 4–13–82; 8:45 am]
BILLING CODE 6355–01–M

DEPARTMENT OF DEFENSE

Department of the Army

Army Science Board; Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Committee Meeting:

Name of the committee: Army Science Board (ASB)
Date of meeting: Friday, 7 May 1982
Time: 0830–1700 hours (Closed)
Place: Pentagon Room 1E801, Washington, D.C.

Agenda: The Army Science Board Ad Hoc Subgroup on Manning Army Systems will meet to receive briefings and hold discussions relative to the recommendations made by the subgroup. This meeting will be closed to the public in accordance with section 552(c) of Title 5, U.S.C., specifically subparagraph (1) thereof, and Title 5, U.S.C. App. 1, subsection 10(d). The classified and non-classified matters to be discussed are so inextricably interwined so as to preclude opening any portion of the meeting. The ASB Administrative Officer, Helen M. Bowen, may

be contacted for further information at (202) 695-3039 or 697-9703.

Maria P. Galvan,

Acting Administrative Officer.

[FR Doc. 82-10157 Filed 4-13-82; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF EDUCATION

Excellence in Education National Commission; Hearing

AGENCY: National Commission on Excellence in Education, ED.

ACTION: Notice of hearings.

SUMMARY: This notice amends the announcement of the hearings of the National Commission on Excellence in Education published in the **Federal Register** on March 4, 1982 on page 9271.

DATES: April 16, 1982 (8:30 a.m. until 5:30 p.m.); May 12, 1982 (8:30 a.m. until 5:30 p.m.).

Locations: April 16, 1982—Houston School District, Board Auditorium, 3830 Richmond Avenue, Houston, Texas; May 12, 1982—Georgia State University, Urban Life Center Auditorium (Rm. 320), Corner of Piedmont and Decatur Streets, Atlanta, Georgia.

FOR FURTHER INFORMATION CONTACT: Penny S. McDonald, (202) 254-7920 or Cheryl Chase (202) 254-5500, 1200 19th Street NW., Washington, D.C. 20208.

On April 16, 1982, the hearing on Language, Literacy, and Foreign Language Instruction will be chaired by Commission member Jay Sommer, Foreign Language Teacher in New Rochelle, New York and 1981 National Teacher of the year, and co-hosted by Billy R. Reagan, Superintendent, Houston Independent School District and Raymon Bynum, Commissioner of Education, Texas Education Agency.

On May 12, 1982, the hearing on Teaching and Teacher Education will be chaired by Commission member Annette Y. Kirk, parent, civic leader and former high school teacher, and co-hosted by Alonzo Crim, Superintendent, Atlanta Public Schools; Sherman Day, Dean, College of Education, Georgia State University and Barbara R. Hatton, Dean, School of Education, Atlanta University.

At the open public meetings, Commission members will hear invited testimony from key national experts. Following the presentations of testimony, the invited experts will respond to questions from Commission members. After the luncheon recess, local and regional experts will present invited testimony about their experiences and perspectives. Again, the Commission members will post questions to those witnesses. At the end of the day, there will be an opportunity for members of the audience to submit testimony on specific examples of educational excellence. These statements may address either the day's topic or other topics related to the pursuit of educational quality.

In addition to the testimony the Commission receives the day of the hearings, individuals and organizations across the country are invited to submit 2-5 pages of written testimony that will assist the Commission in developing recommendations on these topics. The record will remain open for one month following the hearing.

Three hearings on other topics will be held throughout the United States over the next several months.

Dated: April 9, 1982.

Donald J. Senese,

Assistant Secretary for Educational Research and Improvement.

[FR Doc. 82-10213 Filed 4-13-82; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Bonneville Power Administration

Additional Field Hearing on Proposed 1982 Wholesale Power Rate Adjustment

AGENCY: Bonneville Power Administration (BPA), Department of Energy.

ACTION: Notice of Additional Field Hearing on Proposed 1982 Wholesale Power Rate Adjustment.

SUMMARY: On March 31, 1982, BPA published in the **Federal Register** (47 FR 13710) its "Notice of Proposed Wholesale Power Rate Adjustment, Public Hearings, and Opportunities for Public Review and Comment." In addition to the eight field hearings cited in this previous **Federal Register** Notice, BPA has scheduled a field hearing to be held in Everett, Washington, on Thursday, April 22, 1982. Registration for this field hearing will be at 2 p.m.; the hearing will be from 2:30 to 4:30 p.m. in the San Juan Room, Everett Pacific Hotel, 3105 Pine, Everett, Washington. The conduct and rules of procedure for this hearing will be the same as those cited in the previous **Federal Register** Notice for the eight field hearings originally scheduled.

FOR FURTHER INFORMATION CONTACT: Ms. Donna L. Geiger, Public Involvement Coordinator, P.O. Box 12999, Portland, Oregon 97212, 503-230-4261. Oregon Callers may use the toll-free number 800-452-8429; callers in California, Idaho, Montana, Nevada, Utah, Wyoming, and Washington may use 800-547-6048.

Issued in Portland, Oregon, April 6, 1982.

Peter T. Johnson,

Administrator.

[FR Doc. 82-10158 Filed 4-13-82; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

[Docket No. ERA-FC-82-004; OFC Case Number 55242-3063-01-12]

Publishers Paper Co.; Powerplant and Industrial Fuel Use Act of 1978; Acceptance of Petition For Exemption and Availability of Certification

AGENCY: Economic Regulatory Administration, Energy.

ACTION: Notice of Acceptance of Petition for Exemption by Publishers Paper Company and Availability of Certification.

SUMMARY: On March 10, 1982, Publishers Paper Company (Publishers) filed a petition with the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) seeking a permanent site limitation exemption for a major fuel burning installation (MFBI) from the prohibitions of the Powerplant and Industrial Fuel Use Act of 1978, (42 U.S.C. 8301 *et seq.*) (FUA or the Act). Title II of FUA prohibits the use of petroleum and natural gas as a primary energy source in certain new MFBIs. Final rules setting forth criteria and procedures for petitioning for exemptions from the prohibitions of Title II of FUA are published in the **Federal Register** at 46 FR 59872 (December 7, 1981). The site limitation exemption criteria is contained in 10 CFR 503.33 of the final rules.

Publishers requests a permanent site limitation exemption in order to burn natural gas or petroleum in a new package boiler, identified as "E" boiler to be operated at Publishers' pulp and paper mill located within the city limits of Oregon City, Oregon. A review of the petition is provided in the Supplementary Information section below.

As provided for in section 701(c) and (d) of FUA and 10 CFR 501.31(a) and 501.33(a), interested persons are invited to submit written comments in regard to this petition and any interested person may submit a written request that ERA convene a public hearing.

The public file containing the petition as well as other documents and supporting materials on this proceeding is available at the Department of Energy

Freedom of Information Reading Room, 1000 Independence Avenue SW., Room 1E-190, Washington, D.C. 20585, telephone (202) 252-6020. ERA will issue a final order granting or denying the petition for exemption from the prohibitions of the Act within six months after the end of the period of public comment and hearing, unless ERA extends such period. Notice of any such extension, together with a statement of reasons therefor, would be published in the **Federal Register.**

DATES: Written comments or a request for public hearing on the acceptance of Publishers' petition for exemption are due on or before June 1, 1982.

ADDRESSES: Fifteen copies of written comments or a request for a public hearing shall be submitted to: Case Control Unit, Fuels Conversion Division, Room G-A-093, Forrestal Building, 1000 Independence Avenue SW., Washington, D.C. 20585.

Docket Number ERA-FC-82-004 should be printed on the outside of the envelope and on the document contained therein.

FOR FURTHER INFORMATION CONTRACT:

Edward J. Peters, Jr., Office of Fuels Programs, Economic Regulatory Administration, Forrestal Building, Room G-A-073G, 1000 Independence Avenue SW., Washington, D.C. 20585, Phone (202) 252-8162

Douglas Mitchell, Office of General Counsel, Department of of Energy, Forrestal Building, Room 6B-178, 1000 Independence Avenue SW., Washington, D.C. 20585, Phone (202) 252-2967

Jack Vandeberg, Office of Public Information, Economic Regulatory Administration,Department of Energy, Room 7120, Federal Building, 12th & Pennsylvania Avenue NW., Washington, D.C. 20461, Phone (202) 633-8108

SUPPLEMENTARY INFORMATION: The FBI for which the petition for exemption has been filed is a package boiler to be operated at Publisher's pulp and paper mill complex, Oregon City, Oregon. The new MFBI, identified as "E" boiler by Publishers, has a design heat input rate of approximately 213 million Btu's per hour. The boiler will burn natural gas with residual oil use during gas curtailment and will produce 150,000 pph of high pressure steam.

Publishers has certified that due to the specific physical limitations enumerated below, the criteria for a permanent exemption provided for in 10 CFR 503.33(a) are satisfied. Included in the petition is a description of the physical limitations of the seventeen acre mill site that are relevant to the location and operation of the new facility. An aerial photograph and mill plot plan were furnished to show evidence of the limited space at and around the site for the planned new boiler. The mill site is triangular in shape, bounded by the Willamette River on one side, railroad tracks, highway and rock cliff on another side and a section of downtown Oregon City on the remaining side. The specific physical limitations addressed by the petition are; insufficient space at the mill site to install a coal or wood waste boiler and ancillary equipment of the size needed to meet steam requirements, lack of ground space for fuel handling equipment at the rail siding, lack of sufficient space for the storage of a reasonable supply of coal (approximately 60,000 square feet) or for the storage of wood (approximately 150,000 square feet) and lack of sufficient additional space for the necessary fuel handling equipment.

Publishers certified that:

1. The site limitation criteria contained in 10 CFR 503.33(a) are satisfied by the boiler for which exemption is sought and the mill site where it will be installed;

2. The mixtures use criteria set forth in 10 CFR 503.9(a) are satisfied by the boiler for which the exemption is sought and the site at which it will be installed.

Publishers has furnished copies of the necessary environmental permits required by federal, state and local authorities to install and operate the facility for which the exemption is requested.

Pursuant to 10 CFR 501.3, ERA hereby accepts Publisher's petition for a permanent site limitation exemption for "E" boiler. The acceptance of the petition by ERA does not constitute a determination that Publishers is entitled to the exemption requested. That determination will be based on the entire record of this proceeding, including any comments received during the public comment period provided for in this notice.

Issued in Washington, D.C. on April 7, 1982.

James W. Workman,

Director, Office of Fuels Programs Economic Regulatory Administration.

[FR Doc. 82-10224 Filed 4-13-82; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulation Commission

[Docket No. CP82-257-000]

Arkansas Louisiana Gas Co., a Division of Arkla, Inc.; Application

April 12, 1982.

Take notice that on March 23, 1982, Arkansas Louisiana Gas Company, a division of Arkla, Inc. (Applicant), P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP82-257-000 an application pursuant to section 7 of the Natural Gas Act for permission and approval to abandon an existing town border station serving Pond Creek, Oklahoma, and for a certificate of public convenience and necessity authorizing the construction and operation of a new tap and town border station for Pond Creek, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon the existing town border station serving Pond Creek because a low-rent housing project is being constructed east of Applicant's presently existing town border station. Applicant further proposes the construction and operation of a new tap and town border station on its Line 4-B in Pond Creek one-half mile east of the existing town border station and outside the area to be populated by the low-rent housing projects. Applicant also requests authorization to abandon from interstate service and convert to distribution service the approximately one-half mile of transmission line located between the old town border station and the new town border station.

Applicant asserts that the cost of the proposed construction is approximately $22,900.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in

any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10189 Filed 4-13-82; 8:45 am]

[BILLING CODE 6717-01-M

[Docket No. ER82-429-000]

Connecticut Valley Electric Co., Inc.; Filing

April 8, 1982.

The filing Company submits the following:

Take notice that Connecticut Valley Electric Company, Inc. (CVE) on April 1, 1982, tendered for filing proposed changes in its Transmission Service Agreement with the New Hampshire Electric Cooperative, sales and service by $765 based on the twelve month period preceding the proposed effective date of June 1, 1982.

The filing is made to comply with the provisions of the Transmission Service Agreement (FPC No. 8) which requires that charges shall be revised annually to incorporate the applicable cost data contained in the Company's current FERC Form No. 1.

Copies of the filing were served upon the New Hampshire Electric Cooperative, Inc. and the New Hampshire Public Utilities Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 23, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10190 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CS71-988-001, et al.]

Damson Oil Corp., A and E Pipeline Co., et al.; Applications for "Small Producer" Certificates [1]

April 12, 1982.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7(c) of the National Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before April 26, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No.	Date filed	applicant
CS71-988-001	[1] 3/8/82	Damson Oil Corporation, A and E Pipeline Company, P.O. Box 4391, Houston, Texas 77210.
CS75-511-000	[1] 3/29/82	J. Burns Brown, John O. Brown, Box 784, Tyler, Texas 75710.
CS82-33-000	3/19/82	L & M Gas Company, 518 Washington Street, Pratt, Kansas 67214.
CS82-34-000	3/19/82	G-L-E Corporation, 518 Washington Street, Pratt, Kansas 67214.
CS82-35-000	3/22/82	Pittston Resources, Inc., P.O. Box 4000, Lebanon, Virginia 24266.
CS82-36-000	3/24/82	John L. McCray, 14500 Marsh La #212, Dallas, Texas 75234.
CS82-37-000	3/29/82	Balcones Investments Corporation, P.O. Box 22568, Houston, Texas 77027.
CS82-38-000	3/29/82	Iris T. Goldston, P.O. Box 22568, Houston, Texas 77027.
CS82-39-000	3/29/82	Goldston Oil Corporation, P.O. Box 22568, Houston, Texas 77027.
CS82-40-000	3/29/82	Catahoula Corporation, P.O. Box 22568, Houston, Texas 77027.
CS82-41-000	3/29/82	Mayfield Family Trust, P.O. Box 22568, Houston, Texas 77027.
CS82-42-000	3/29/82	Mitchell Minerals Corporation, 293 Sewanee Park, Conroe, Texas 77302.
CS82-43-000	3/29/82	Nancy Goldston Herpin, P.O. Box 22568, Houston, Texas 77027.
CS82-44-000	3/29/82	Jack H. Mayfield, Jr., P.O. Box 22568, Houston, Texas 77027.
CS82-45-000	3/29/82	Patti Lynn Goldston Mayfield, 1974 Trust, P.O. Box 22568, Houston, Texas 77027.

[1] This notice toes not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Date filed	applicant
CS82-46-000	3/29/82	Susan R. Mayfield, P.O. Box 22568, Houston, Texas 77027.
CS82-47-000	3/29/82	Garland Minerals Corporation, P.O. Box 22568, Houston, Texas 77027.
CS82-48-000	3/29/82	E. E. Gustafson, P.O. Box 22568, Houston, Texas 77027.
CS82-49-000	3/29/82	J. Neal Garland, P.O. Box 22568, Houston, Texas 77027.
CS82-50-000	3/29/82	Arriba Corporation, P.O. Box 22568, Houston, Texas 77027.
CS82-51-000	3/29/82	Nancy Zoe Goldston Herpin 1982 Trust, P.O. Box 22568, Houston, Texas 77027.

[1] Application filed March 8, 1982, as amended April 2, 1982, requesting amendment of small producer certificate issued in Docket No. CS71-988 to include A and E Pipeline Company as certificate holder.

[2] Letter filed requesting amendment of small producer certificate issued in Docket No. CS75-511 to include John O. Brown as certificate holder.

[FR Doc. 82-10191 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-244-000]

El Paso Natural Gas Co.; Application

April 12, 1982.

Take notice that on March 19, 1982, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP82-244-000 an application pursuant to § 284.107(a) of the Natural Gas Policy Act of 1978 and Subpart B of Part 284 of the Commission's Regulations for authorization to transport and deliver certain quantities of natural gas to Texaco Inc.'s (Texaco) Fuller Gasoline Plant located in Scurry County, Texas, for the account of Intratex Gas Company (Intratex), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport natural gas for Intratex on a best-efforts basis. It is stated that the natural gas proposed to be transported would not be used by Intratex for its system supply for resale. Applicant asserts that to obtain a constant and reliable supply of pipeline quality natural gas for use in the operation of Texaco's Fuller Gasoline Plant as well as its field operations, Texaco has arranged to purchase natural gas from Intratex. Applicant explains that to make such quantities of natural gas available at the Texaco Fuller Gasoline Plant, Applicant and Intratex have entered into a gas transportation agreement on April 1, 1981. It is submitted that the proposed transportation would commence with the date of initial deliveries and extend for a primary term of two years. Applicant also avers that Intratex would cause Oasis Pipe Line Company (Oasis) to tender the volumes of natural gas to Applicant at an existing point of interconnection between the facilities of Oasis and Applicant located in Pecos County, Texas. Applicant asserts that upon receipt of deliveries of natural gas from Oasis for Intratex's account Applicant would deliver to Texaco at the Texaco Fuller Gasoline Plant located in Scurry County, Texas, a quantity of natural gas equivalent on a volumetric basis. It is stated that imbalances that may occur from time to time would be eliminated as soon as practicable and before the expiration of the term of the transportation agreement.

Applicant submits that as compensation for the proposed back-haul transportation service Intratex would pay Applicant 1.0 cent for each Mcf of natural gas transported and delivered by Applicant at the Texaco Fuller Gasoline Plant. Applicant states that it is unable to estimate at this time the total or maximum daily quantities of natural gas proposed to be transported and delivered by Applicant for Intratex's account.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10192 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ES82-46-000]

Gulf States Utilities Co.; Application

April 8, 1982.

Take notice that on March 25, 1982 and April 2, 1982, Gulf States Utilities Company (Applicant) filed an application and amendment with the Federal Energy Regulatory Commission seeking authorization to negotiate privately with respect to the issuance of not more than $225,000,000 of Notes to quaranty a like amount of debentures to be issued by Gulf States Overseas Finance N.V. in the Euro-Capital Market in increments over a twelve month period.

Any person desiring to be heard or to make any protest with reference to the said application should on or before April 22, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10193 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER81-175-000, ER81-166-000, ER77-354-000 and ER78-14-000]

Missouri Utilities Co.; Refund Report

April 8, 1982.

Take notice that on March 29, 1982, Missouri Utilities Company filed a refund report in accordance with the Commission's February 16, 1982 letter order.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before April 23, 1982. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10194 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP81-236-002]

Northern Natural Gas Co., Division of InterNorth, Inc.; Petition To Amend

April 12, 1982.

Take notice that on March 23, 1982, Northern Natural Gas Company, Division of InterNorth, Inc. (Petitioner), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP81-236-002 a petition to amend the order issued July 31, 1981, as amended, in Docket No. CP81-236 pursuant to Section 7(c) of the Natural Gas Act so as to authorize an extension of the term of Petitioner's sale

of natural gas to El Paso Natural Gas Company (El Paso), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that by order issued July 31, 1981, as amended, it was authorized to sell an average of 200,000 Mcf of natural gas per day to El Paso for a term expiring on July 31, 1982.

Petitioner proposes herein to continue to sell the subject gas to El Paso for a period ending October 31, 1983. It is asserted that such extension would provide El Paso with the necessary natural gas needed to minimize curtailment projected to occur on its system. It is further asserted that such sale would enable Petitioner to better manage its overall gas supply by reducing exposure of substantial take-or-pay payments.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before April 29, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10195 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER79-616-002]

Northern States Power Company (Minnesota) and Northern States Power Company (Wisconsin); Refund Report

April 8, 1982.

The filing Company submits the following:

Take notice that on March 30, 1982, Northern States Power Company (Minnesota) and Northern States Power Company (Wisconsin) filed a refund report pursuant to the Commission's letter order of February 22, 1982.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before April 23, 1982. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10196 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP79-277-010]

Northwest Pipeline Corp.; Amendment

April 12, 1982.

Take notice that on March 24, 1982, Northwest Pipeline Corporation (Northwest), P.O. Box 1526, Salt Lake City, Utah 84111, filed in Docket No. CP79-277-010 an amendment to its pending application filed April 23, 1981, in the instant docket pursuant to Section 7(c) of the Natural Gas Act so as to reflect a continuation of the present level of winter service through the 1982-83 heating season and to defer until the 1983-84 heating season the expansion of the service previously proposed under Northwest's Rate Schedule WS-1, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

It is stated that on August 6, 1980, Northwest filed to expand its winter service capability available to Colorado Interstate Gas Company (CIG) from 60,000 Mcf per day and 6,000,000 Mcf seasonally to 135,000 Mcf per day and 20,250,000 Mcf seasonally commencing with the 1981-82 heating season.

CIG, it is submitted, requested by letter dated March 19, 1981, that the increased winter service contemplated for the 1981-82 heating season be deferred until the 1982-83 heating season due to lack of adequate pipeline capacity. Northwest proposed such an extension in a filing of April 23, 1981.

Northwest proposes herein to continue the present level of winter service through the 1982-83 heating season and to defer until the 1983-84 heating season the expansion of service previously proposed under Northwest's Rate Schedule WS-1.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before April 29, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10197 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-256-000]

Northwest Pipeline Corp.; Application

April 12, 1982.

Take notice that on March 24, 1982, Northwest Pipeline Corporation (Applicant), P.O. Box 1526, Salt Lake City, Utah 84110, filed in Docket No. CP82-256-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for Southwest Gas Corporation (Southwest), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to a transportation agreement dated August 21, 1981, Applicant proposes to transport up to 50,000 Mcf of natural gas per day on an as available basis for Southwest. It is asserted that Southwest has entered into an agreement dated April 13, 1981, which provides that El Paso Natural Gas Company (El Paso) would make available to Applicant up to 50,000 Mcf of natural gas per day for the account of Southwest at an existing point of interconnection near Ignacio, Colorado. It is further asserted that Applicant would redeliver the gas to Southwest at the Reno sales meter station. It is stated that the transportation service would be provided only during periods of actual curtailment when Applicant is unable to deliver Southwest's contractural entitlements pursuant to Applicant's Rate Schedules ODL-1, SGS-1 and LS-1. Applicant would retain 1.0 percent of the thermal volumes received for fuel and losses.

Applicant proposes to charge a currently effective transportation rate of 1.34 cents per million Btu for each 100-mile increment of transportation which equates to a rate of 12.06 cents per million Btu.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29,

1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10198 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-240-000]

Northwest Pipeline Corp; Application

April 12, 1982.

Take notice that on March 16, 1982, Northwest Pipeline Corporation (Applicant), 315 East 200 South, Salt Lake City, Utah 84111, filed in Docket No. CP82-240-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for the account of Texas Gas Transmission Corporation (Texas Gas), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is submitted that Texas Gas has acquired or may hereafter acquire supplies of natural gas in Garfield and Mesa Counties, Colorado, which it desires to make available to its service areas.

Pursuant to a gas gathering and transportation agreement dated July 17, 1981, Applicant proposes to transport for the account of Texas Gas subject to the availability of sufficient pipeline capacity up to 10,000 Mcf of natural gas per day from Garfield and Mesa Counties, Colorado. It is stated that Applicant would receive for gathering and transportation the volumes of natural gas up to 10,000 Mcf per day tendered by Texas Gas from wells located on acreage covered by Exhibit A to the agreement then gather and transport the subject gas and redeliver thermally equivalent volumes, less applicable fuel deductions, to El Paso Natural Gas Company (El Paso) for the account of Texas Gas at an existing point of interconnection with El Paso near Ignacio, Colorado.

Applicant asserts that in order to provide the described service for some of the supplies anticipated to be received for the account of Texas Gas it would be required to utilize its presently effective Rate Schedule X-33 of its FERC Gas Tariff, Original Volume No. 2 to exchange the subject gas with RMNG Gathering Company.

Applicant states that Texas Gas would reimburse Applicant in kind for the fuel and losses attributable to gathering and transporting its gas hereunder such volumes equalling the sum of Applicant's Piceance Creek Area fuel rate times the volumes gathered for Texas Gas plus Applicant's mainline rate as set forth on Sheet Nos. 2 and 2-B, respectively, of Applicant's FERC Gas Tariff, Original Volume No. 2. Such currently effective fuel reimbursement rates, it is submitted, are 2.69 percent for the Piceance Creek Area, and 1.0 percent for the mainline.

Applicant estimates that the volumes to be gathered and transported would initially be approximately 800 Mcf of gas per day and states that the thermal balancing of volumes redelivered with volumes received less fuel would be achieved as nearly as feasible on a monthly basis.

Applicant further proposes to charge Texas Gas for the volumes gathered and transported hereunder at the applicable Piceance Creek Area gathering rate and mainline transportation rate as set forth from time to time in Sheet Nos. 2 and 2-B of Applicant's FERC Gas Tariff, Original Volume No. 2 which currently effective rates are 64.85 cents per million Btu gathered in the Piceance Creek Area and 1.34 cents per hundred miles of mainline transportation of each million Btu redelivered to Texas Gas. Applicant states that initial volumes transported hereunder would utilize two one-hundred mile units of the mainline and would thus be subject to a total mainline rate of 2.68 cents per million Btu.

Applicant further requests authorization to add wells and acreage in the designated area of interest which request would obviate the need for separate filings when ever the agreement is amended.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by its in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10199 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP82-53-000]

Pacific Interstate Transmission Co.; Proposed Changes in FERC Gas Tariff Pursuant to Purchased Gas Cost Adjustment Provisions (Base Tariff Rate)

April 8, 1982.

Take notice that Pacific Interstate Transmission Company (Pacific Interstate) on March 26, 1982 tendered for filing as part of its FERC Gas Tariff, Original Volume No. 2, the following sheet:

Twentieth Revised Sheet No. 4

Pacific Interstate states that this tariff sheet is issued pursuant to the provisions of the Natural Gas Act and § 154.38(d)(4)(vi)(a) and § 154.63 of the Commission's Regulations which require natural gas pipeline companies with PGA clauses in their tariffs to file a tariff sheet(s) restating its rates to establish a new Base Tariff Rate upon the expiration of 36 months after the effective date of the PGA clause.

Pacific Interstate states that the above tendered tariff sheet reflects no change in rates from the tariff sheets filed on February 26, 1982 for the semi-annual PGA rate adjustment to be effective April 1, 1982. Furthermore, Pacific Interstate requests that the 251.25¢ per decatherm rate filed as the semiannual April 1, 1982 PGA rate be also accepted as the new Base Tariff Rate effective April 2, 1982.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, Washington, D.C. 20426, in accordance §§ 1.8 and 1.10 of the Commission Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 21, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10201 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-258-000]

Panhandle Eastern Pipe Line Co.; Application

April 12, 1982.

Take notice that on March 24, 1982, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP82-258-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a new Borger compressor station in Carson County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to establish the Borger compressor station in Carson County, Texas, which would be equipped with three 730 horsepower compressors. It is explained that the proposed facilities would be used to transport additional and existing gas supplies from the Borger Field gathering area in Carson County. It is asserted that such facilities would allow Applicant to attach new volumes of natural gas to its pipeline system to supplement existing supply sources.

Applicant states that the cost of the proposed facilities is estimated to be $3,224,000 which would be financed from internally generated funds and short term bank borrowing, as necessary.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1982, filed with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10200 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-259-000]

Panhandle Eastern Pipe Line Company; Application

April 12, 1982.

Take notice that on March 24, 1982, Panhandle Eastern Pipe Line Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP82-259-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of additional compression facilities at the Tumbleweed compressor station, Carson County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate two additional compressors of no more than 730 horsepower each at the Tumbleweed compressor station which is currently equipped with 3,650 horsepower of compression. It is asserted that the additional compression would be used to transport existing and additional gas supplies from the Tumbleweed gathering area in Carson County. It is stated that the proposed facilities would assist in securing other sources of new natural gas supply situated in Carson County and other counties in the vicinity of the pipeline.

Applicant estimates the cost of the proposed facilities to be $2,103,000 which would be financed from internally generated funds and short term bank borrowing, as necessary.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules

of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the National Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10202 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-427-000]

Southern California Edison Co.; Filing

April 8, 1982.

The filing Company submits the following:

Take notice that Southern California Edison Company (SCE) on March 31, 1982, tendered for filing proposed changes in its FERC Electric Service Tariffs, time-of-use resale (TOU-R) schedule, effective June 1, 1982, or 60 days after filing, whichever is later. Such tariff changes would initially increase revenues from base rates and fuel adjustment applicable to resale jurisdictional sales and service by an estimated $38.4 million if applicable during the test year (the 12-month period ending August 31, 1983). An additional proposed step increase is also included in the filing, designed to recover costs associated with the addition of a major nuclear generation unit to SCE's system. The step increase would be effective June 2, 1982, or 61 days after filing, whichever is later, and if applicable during the 12-month period ending August 31, 1983, the increase would amount to an additional $22.0 million in revenues for the test year.

The initial increase in charges averages an estimated 15.7 percent and an estimated additional 9.0 percent to recover the costs associated with the addition of the nuclear generating unit (exclusive of fuel savings).

The reason for the proposed increases is the inadequacy of existing rates to cover present and projected levels of operating costs, including a return component commensurate with present and projected cost of capital.

Copies of the filing were served upon the utility's jurisdictional customers, the California Public Utilities Commission, and upon the Arizona Corporation Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 23, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public insepction.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10203 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-255-000]

Transcontinental Gas Pipe Line Corp.; Application

April 12, 1982.

Take notice that on March 24, 1982, Transcontinental Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP82-255-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas on behalf of Southern Natural Gas Company (Southern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to an agreement dated January 28, 1982, between Applicant and Southern, Applicant proposes to transport up to 12,000 dekatherms (dt) equivalent of natural gas per day for Southern. It is asserted that such gas would be made avilable to Applicant at the point of interconnection between the facilies of Applicant and the producer-seller(s) in the West Oakvale Field, Lawrence and Jefferson Davis Counties, Mississippi, and would be redelivered to Southern at a new point of interconnection between Southern and Applicant in Livingston Parish, Louisiana. It is stated that pending completion of such point of interconnection Applicant would transport on an interruptible basis up to the dekatherm equivalent of 15,000 Mcf of gas per day from the West Oakville Field and redeliver such gas to Trunkline Gas Company (Trunkline) for Southern's account at an existing point of interconnection between Trunkline and Applicant near Ragley, Louisiana.

Applicant states that it would charge Southern an initial commodity charge of 3.5 cents per dt equivalent.

The proposed service, it is explained, would help Southern maintain adequate and reliable supplies for its customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 29, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10).. All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion

believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-10204 Filed 4-13-82; 8:45 am]

BILLING CODE 6717-01-M

[Volume 631]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: April 8, 1982.

JD JO	JA AT	FDT NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
ARKANSAS OIL & GAS COMMISSION								
-CHARLES E MCRAY DBA MCRAY AND ASSOC			RECEIVED:	03/24/82	JA: AR			
8224458		0311510121	102-4		WM G BLACKWELL #2-7	MORELAND	150.0	ARKANSAS LOUISIAN
-CRYSTAL OIL COMPANY			RECEIVED:	03/24/82	JA: AR			
8224451		0302710784	102-4		GANTT #1	DORCHEAT MACEDONIA	255.5	ARKANSAS LOUISANA
8224453		0302710801	102-4		LEWIS #1	DORCHEAT-MACEDONIA	73.0	ARKANSAS LOUISANA
8224452		0302710694	102-4		SCOTT "D" #1	DORCHEAT MACEDONIA	186.2	ARKANSAS LOUISANA
-DIAMOND SHAMROCK CORPORATION			RECEIVED:	03/24/82	JA: AR			
8224426		0304710205	102-4		BOLLINGER #1-26	URSLA	102.0	
-EXXON CORPORATION			RECEIVED:	03/24/82	JA: AR			
8224441		0308310068	102-2		CHISMVILLE GAS UNIT #1-C	CHISMVILLE	221.0	
8224442		0308310068	102-2		CHISMVILLE GAS UNIT #1-T	CHISMVILLE	147.0	
-GULF OIL CORPORATION			RECEIVED:	03/24/82	JA: AR			
8224435		0307110195	102-4		VOLA #2-15-T	SPADRA	142.0	ARKANSAS LOUISIAN
-HADSON PETROLEUM CORP			RECEIVED:	03/24/82	JA: AR			
8224443		0308310074	102-4		AHNE 1-9-C	SCRANTON	182.0	ARKANSAS LOUISIAN
8224444		0308310074	102-4		AHNE 1-9-T	SCRANTON	0.0	ARKANSAS LOUISIAN
8224446		0308310066	102-4		CHARLES #1-33-T	NORTHWEST DELAWARE	365.0	ARKANSAS LOUISIAN
8224445		0308310066	102-4		CHARLES #1-33C	NORTHWEST DELAWARE	365.0	ARKANSAS LOUISIAN
8224432		0312710017	102-4		GRAY 1-24-T	MANSFIELD	180.0	ARKANSAS LOUISIAN
8224436		0307110227	103		MOSS 1-35	SPADRA	180.0	ARKANSAS LOUISIAN
-HOUSTON OIL & MINERALS CORPORATION			RECEIVED:	03/24/82	JA: AR			
8224454		0302710884	102-4		CLARENCE P CRUMP #1	WARE CREEK	456.0	ARKANSAS LOUISIAN
8224456		0302710825	102-4		D S SMART TRUSTEE #1	WARE CREEK	165.0	ARKANSAS LOUISIAN
8224455		0302710813	102-4		JOSEPH CAMP #1	WARE CREEK	456.0	ARKANSAS LOUISIAN
-JUSTISS OIL CO INC			RECEIVED:	03/24/82	JA: AR			
8224457		0302710849	102-4		DOLPH CAMP 33-12 #1	WARE CREEK	750.0	ARKANSAS LOUISIAN
-OXLEY PETROLEUM CO			RECEIVED:	03/24/82	JA: AR			
8224437		0307110225	102-4		GEORGE VAN SICKLE #1	COAL HILL	550.0	ARKANSAS WESTERN
8224427		0304710181	103		STENGEL #2-C	AETNA	1912.0	ARKANSAS LOUISIAN
8224428		0304710181	102-4		STENGEL #2-T	AETNA	719.6	ARKANSAS LOUISIAN
-PRITCHARD ENGINEERING & OPER INC			RECEIVED:	03/24/82	JA: AR			
8224431		0309110292	102-4		THRASHER #1	ROCKY MOUND SOUTH	8.0	ARKLA GAS
-REVERE CORP			RECEIVED:	03/24/82	JA: AR			
8224464		0303310079	102-4		JAMES #1-10	DYER	146.0	ARKANSAS LOUISIAN
-SANTA FE ENERGY PRODUCTS CO			RECEIVED:	03/24/82	JA: AR			
8224447		0308310080	102-2		SOUTHMAYD # 1-17 CARPENTER (C)	PARIS	730.0	ARKANSAS LOUISIAN
8224448		0308310080	102-2		SOUTHMAYD #1-17 R EARTON (T)	PARIS	621.0	ARKANSAS LOUISIAN
-SEECO INC			RECEIVED:	03/24/82	JA: AR			
8224438		0307110199	103		B STEELE #2-11	OZONE	0.0	ARKANSAS WESTERN
-STEPHENS PRODUCTION COMPANY			RECEIVED:	03/24/82	JA: AR			
8224449		0308310070	103		BLACK #1-C	AETNA	50.0	

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JOB NO	DOCKET	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8224450		0308310070	102-3		BLACK #1-T	AETNA	35.0	
8224465		0303310083	103		CREIG ESTATE #3-C	HOLLIS LAKE	365.0	ARKANSAS LOUISIAN
8224439		0307110230	102-4		GREEN #1	COAL HILL	182.0	ARKANSAS LOUISIAN
8224467		0303310083	102-4		GREIG ESTATE #3-LT	HOLLIS LAKE	50.0	ARKANSAS LOUISIAN
8224466		0303310083	103		GREIG ESTATE 3-UT	HOLLIS LAKE	100.0	ARKANSAS LOUISIAN
8224433		0313110143	103		H L JOHNSON #1-T	BONANZA	115.0	ARKANSAS OKLAHOMA
-TEXAS OIL & GAS CORP			RECEIVED:		03/24/82 JA: AR			
8224429		0304710172	103		BOND "C" #1-T	CECIL	50.0	ARKANSAS LOUISIAN
8224434		0313110158	102-4		CARNEY #1-T	EWING	600.0	
8224459		0311510078	102-4		JOHNSON "O" #1-C	ROSS	900.0	ARKANSAS LOUISIAN
8224460		0311510078	102-4		JOHNSON "O" #1-T	ROSS	200.0	ARKANSAS LOUISIAN
8224430		0304710198	102-4		YOUNG "K" #1	AETNA	1400.0	
-TOWNER PETROLEUM CO			RECEIVED:		03/24/82 JA: AR			
8224461		0311510130	102-4		MAXINE NORDIN #36-1	KNOXVILLE	0.0	ARKANSAS LOUISIAN
-WESTLAND EXPLORATION CO			RECEIVED:		03/24/82 JA: AR			
8224462		0311510101	102-4		AHRENS UNIT #1	ROSS	651.2	ARKANSAS LOUISIAN
8224440		0307110184	102-4	103	LUCY HERBERT NO 1-C-DUNN "C"	SPADRA	328.5	ARKANSAS LOUISIAN
-WHITMAR EXPLORATION CO			RECEIVED:		03/24/82 JA: AR			
8224463		0311510096	102-4		BIBLER #28-1	OAK GROVE	360.0	ARKANSAS LOUISIAN
KANSAS CORPORATION COMMISSION								
-BERNE FAIRCHILD OIL INC			RECEIVED:		03/22/82 JA: KS			
8224417	K-81-0798	1504720780	102-4		MILLS #1	(UNNAMMED)	182.5	CENTRAL STATES GA
-GULF OIL CORPORATION			RECEIVED:		03/22/82 JA: KS			
8224418	K-81-0699	1500797002	108-SA		AURORA BANK UNIT #1	HARDTNER-CHEROKEE	12.0	CITIES SERVICE GA
KENTUCKY DEPARTMENT OF MINES & MINERALS								
-ASHLAND EXPLORATION INC			RECEIVED:		03/22/82 JA: KY			
8224423	500047	1619500000	108-SA		COLONY COAL & COKE #2 - 003390	EASTERN KENTUCKY GAS	16.0	COLUMBIA GAS TRAN
8224422	500738	1611900000	108-SA		CORNETT SAMUEL #1 - 004770	EASTERN KENTUCKY GAS	18.4	COLUMBIA GAS TRAN
8224421	500737	1611900118	108-SA		CORNETT SAMUEL #2 - 005170	EASTERN KENTUCKY GAS	18.4	COLUMBIA GAS TRAN
8224419	500472	1619500492	108-SA		J W CASSADY #4 - 006900	EASTERN KENTUCKY	20.0	COLUMBIA GAS TRAN
8224425	502056	1611900517	108-SA		MARTIN MILDRED DUKE #2 - 006820	EASTERN KENTUCKY GAS	20.0	COLUMBIA GAS TRAN
8224420	500489	1607100000	108-SA		OSBORNE E B #1 - 002460	EASTERN KENTUCKY GAS	13.9	COLUMBIA GAS TRAN
8224424	502055	1619500261	108-SA		RATLIFF MILLARD #1 - 005590	EASTERN KENTUCKY GAS	20.0	COLUMBIA GAS TRAN
LOUISIANA OFFICE OF CONSERVATION								
-AMOCO PRODUCTION CO			RECEIVED:		03/24/82 JA: LA			
8224482		1709920843	103		ST MARTIN LAND CO #13-D	SECTION 28 DOME	137.0	SOUTHERN NATURAL
-CRYSTAL OIL COMPANY			RECEIVED:		03/24/82 JA: LA			
8224477		1703120876	103		MURRAY #1 HOSS RA SU 23	BETHANY-LONGSTREET	91.2	ARKANSAS LOUISIAN
-EQUITABLE PETROLEUM CORP			RECEIVED:		03/24/82 JA: LA			
8224492		1705120550	103		S L 2453 #16 VUR JEFF SCH LD	LITTLE LAKE FIELD	0.0	SOUTHERN NATURAL
-GETTY OIL COMPANY			RECEIVED:		03/24/82 JA: LA			
8224488		1712700009	108		BISHOP-LEWIS 1-D HCSS SUD	ATHENS	6.4	ARKANSAS LOUISIAN
-IMC EXPLORATION COMPANY			RECEIVED:		03/24/82 JA: LA			
8224485		1707321811	103		ABE ARENT #8	MONROE	18.0	IMC PIPELINE CO I
8224486		1711122156	103		U S GOVERNMENT #2	MONROE	18.0	IMC PIPELINE CO I
-KERR-MCGEE CORPORATION			RECEIVED:		03/24/82 JA: LA			
8224481		1772620223	103		S L 4479 #13-D	BRETON SOUND BLOCK 37	1095.0	SOUTHERN NATURAL

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JO NO	JA KT	API NO	T SEC(1) SEC(2) WELL NAME	FIELD NAME	PROD	PURCHASER
-PHILLIPS PETROLEUM COMPANY			RECEIVED: 03/24/82 JA: LA			
8224484		1713121393	103 MOATS A #1 FOSS SU KK	LOGANSPORT	365.0	SOUTHERN NATURAL
-PRIMOS PRODUCTION CO			RECEIVED: 03/24/82 JA: LA			
8224468		1711123122	103 PETRO LEWIS FROST LUMBER #72	MONROE	10.3	PETRO LEWIS FUNDS
8224487		1711123201	103 PETRO LEWIS H P REARDON #4	MONROE	18.5	PETRO LEWIS FUNDS
8224469		1711123209	103 PETRO LEWIS UNION POWER #28	MONROE	16.4	PETRO LEWIS FUNDS
8224470		1711123211	103 PETRO LEWIS UNION POWER #30	MONROE	10.3	PETRO LEWIS FUNDS
8224471		1711123212	103 PETRO LEWIS UNION POWER #31	MONROE	10.3	PETRO LEWIS FUNDS
8224472		1711123215	103 PETRO LEWIS UNION POWER #32	MONROE	10.3	PETRO LEWIS FUNDS
8224473		1711100000	103 PETRO LEWIS UNION POWER #33	MONROE	20.5	PETRO LEWIS FUNDS
8224474		1711123238	103 PETRO LEWIS UNION POWER #34	MONROE	20.5	PETRO LEWIS FUNDS
8224475		1711123239	103 PETRO LEWIS UNION POWER #35	MONROE	20.5	PETRO LEWIS FUNDS
-TEXACO INC			RECEIVED: 03/24/82 JA: LA			
8224491		1710121172	103 SL 341 WKL U-1 #4 BAL SU	BATEMAN LAKE	807.0	CITY OF MORGAN CI
8224478		1710121119	103 WAX BAYOU CO INC #59 BAL SU	BATEMAN LAKE	3176.0	CITY OF MORGAN CI
8224489		1710121119	103 WAX BAYOU CO INC 59-D BAL SU	BATEMAN LAKE	2515.0	CITY OF MORGAN CI
8224479		1710121169	103 WKL #36 BAL SU	BATEMAN LAKE	1460.0	CITY OF MORGAN CI
8224490		1710121176	103 WKL #45 BAL SU	BATEMAN LAKE	730.0	CITY OF MORGAN CI
-TEXAS GAS EXPLORATION CORP			RECEIVED: 03/24/82 JA: LA			
8224480		1705120570	103 STATE LEASE 7016 #1	SATURDAY ISLAND	438.0	
-UNION OIL COMPANY OF CALIF			RECEIVED: 03/24/82 JA: LA			
8224483		1711321123	103 LA FURS INC C #14	FRESH WATER BAYOU	956.0	TRANSCONTINENTAL
-WICKER OIL CO			RECEIVED: 03/24/82 JA: LA			
8224476		1703121440	103 ROBERT M SANDERS #1	WILDCAT	0.0	TEXAS EASTERN TRA
MONTANA BOARD OF OIL & GAS CONSERVATION						
-BWAB INC			RECEIVED: 03/22/82 JA: MT			
8224387	4-81-65	2508321449	103 ASBECK #35-22	RIDGELAWN	12.0	MONTANA DAKOTA UT
-GEORESOURCES INC			RECEIVED: 03/22/82 JA: MT			
8224389	4-81-67	2501121301	102-4 COCHRAN 1-24	HAMMOND GAS FIELD	10.8	MONTANA-DAKOTA UT
8224390	4-81-68	2501121300	102-4 PILSTER 1-19	HAMMOND GAS FIELD	8.7	MONTANA-DAKOTA UT
8224388	4-81-66	2501121268	102-4 WILLIAMS #1	HAMMOND GAS FIELD	128.5	MONTANA-DAKOTA UT
-MIDLANDS GAS CORPORATION			RECEIVED: 03/22/82 JA: MT			
8224385	4-81-64	2507121536	108 SOENNICHSEN 1-13 1362	WILDCAT	22.0	KANSAS-NEBRASKA N
-SOUTHLAND ROYALTY CO			RECEIVED: 03/22/82 JA: MT			
8224384	5-81-69	2508521182	102-2 CRUSCH #2-3	N BAINVILLE (WILDCAT)	5.0	PHILLIPS PETROLEU
8224386	5-81-69A	2508521181	102-2 RUDOLPH #1-31	N BAINVILLE (WILDCAT)	30.0	PHILLIPS PETROLEU
UTAH DIVISION OF OIL,GAS, & MINING						
-CHEVRON U S A INC			RECEIVED: 03/22/82 JA: UT			
8224395	K-141-2	4301330535	103 GEORGE FISHER 1-19A3	ALTAMONT	110.0	GARY ENERGY CORP
-TXO PRODUCTION CORP			RECEIVED: 03/22/82 JA: UT			
8224396	K-142-1	4304731005	103 SQUIER #1	FENCE CANYON	738.0	NORTHWEST PIPELIN
WEST VIRGINIA DEPARTMENT OF MINES						
-ASHLAND EXPLORATION INC			RECEIVED: 03/23/82 JA: WV			
8224504		4701900447	103 EASTERN GAS & FUEL #71-090371	PAINT CREEK	16.0	COLUMBIA GAS TRAN
8224511		4701900448	103 J F B PEYTON #3 090501	PAINT CREEK	2.5	COLUMBIA GAS TRAN
-BRAXTON OIL AND GAS CORP			RECEIVED: 03/23/82 JA: WV			
8224497		4708300430	103 NO 2 GILLOOLY WELL	ELLAMORE	40.0	COLUMBIA GAS TRAN

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8224512		4708300393		103		NO 3 L L MOSS	ELLAMORE	40.0	COLUMBIA GAS TRAN
-CABOT OIL & GAS CORP				RECEIVED:		03/22/82 JA: WV			
8224559		4703903725		103		BERRY HILLS #4	JEFFERSON	19.0	TENNESSEE GAS PIP
8224538		4703903726		107-DV		BERRY HILLS #6	JEFFERSON	26.0	TENNESSEE GAS PIP
8224560		4703903726		103		BERRY HILLS #6	JEFFERSON	26.0	TENNESSEE GAS PIP
8224561		4703903749		103		ELLIS #2	WASHINGTON	26.0	TENNESSEE GAS PIP
8224562		4707900991		103		J L MCLEAN A-45	UNION	13.0	TENNESSEE GAS PIP
8224556		4703501526		103		J L MCLEAN A-55	RIPLEY	8.0	TENNESSEE GAS PIP
8224552		4708100556		103		J W WORD #1	MARSH FORK	22.0	COLUMBIA GAS TRAN
8224557		4703903625		103		M K MCCORMICK #1	JEFFERSON	39.0	TENNESSEE GAS PIP
8224553		4710900823		103		POCAHONTAS LAND CORP I-15	BARKERS RIDGE	40.0	CONSOLIDATED GAS
8224554		4710900848		103		POCAHONTAS LAND CORP I-18	BARKERS RIDGE	50.0	CONSOLIDATED GAS
8224555		4710900851		103		POCAHONTAS LAND CORP I-27	BARKERS RIDGE	35.0	CONSOLIDATED GAS
8224558		4703903652		103		SILER COAL & LAND A-16	WASHINGTON	30.0	TENNESSEE GAS PIP
-CABOT OIL & GAS CORP				RECEIVED:		03/23/82 JA: WV			
8224502		4707900999		103		J L MCLEAN A-28	UNION	40.0	TENNESSEE GAS PIP
8224503		4707900985		103		J L MCLEAN A-52	UNION	8.0	TENNESSEE GAS PIP
8224501		4707901001		103		J L MCLEAN A-58	UNION	40.0	TENNESSEE GAS PIP
-CHASE PETROLEUM				RECEIVED:		03/23/82 JA: WV			
8224534		4708504957		107-DV		ALLENDER #1	UNION DISTRICT	39.0	
8224524		4708504972		107-DV		COX #1	UNION DISTRICT	38.0	
8224526		4708504958		107-DV		F ZINN #1	UNION DISTRICT	38.0	
8224525		4708505043		107-DV		MIRACLE #1	UNION DISTRICT	38.0	
8224527		4708504801		107-DV		WEEKLEY #1	CLAY DISTRICT	39.0	
8224537		4708504802		107-DV		WEEKLEY #2	CLAY DISTRICT	40.0	
8224535		4708504905		107-DV		ZINN #1	UNION DISTRICT	40.0	
8224536		4708504929		107-DV		ZINN #2	UNION DISTRICT	38.0	
-CITIES SERVICE COMPANY				RECEIVED:		03/23/82 JA: WV			
8224533		4701702758		103		MAXWELL "D" NO 25	SMITHBURG	36.0	CONSOLIDATED GAS
-CONTINENTAL PETROLEUM CO				RECEIVED:		03/23/82 JA: WV			
8224532		4702103688		103		J MESSENGER NO 1-A	GLENVILLE NORTH	50.0	COLUMBIA GAS TRAN
8224500		4702103770		103		ROGERS NO 2-A	GLENVILLE NORTH	50.0	CONSOLIDATED GAS
-D C MALCOLM INC				RECEIVED:		03/23/82 JA: WV			
8224528		4703903724		107-DV		ALDERSON #3	BLUE CREEK	36.0	COLUMBIA GAS TRAN
-DEVON CORPORATION				RECEIVED:		03/23/82 JA: WV			
8224508		4707900969		107-DV		#961 RUSSELL KESSELL	MIDWAY	22.0	ROARING FORK GAS
8224510		4707900970		107-DV		#963 VINTON JONES	MIDWAY	18.0	ROARING FORK GAS
8224509		4707901025		107-DV		#972 FRANK HARDY	MIDWAY	22.0	ROARING FORK GAS
8224506		4707901026		107-DV		#973 FRANK HARDY	MIDWAY	20.0	ROARING FORK GAS
8224507		4707901028		107-DV		#975 FRANK HARDY	MIDWAY	5.5	ROARING FORK GAS
8224505		4707901030		107-DV		#977 BLANCHE FRENCH	MIDWAY	22.0	ROARING FORK GAS
-EASTERN AMERICAN ENERGY CORPORATION				RECEIVED:		03/22/82 JA: WV			
8224540		4702103806		103		FRYATT #1	GLENVILLE DIST	10.0	
8224539		4702103750		103		HARDMAN #2	GLENVILLE NORTH	60.0	CONSOLIDATED GAS
8224542		4704103059		103		MCLAUGHLIN #1	ASPINALL-FINSTER	18.0	
8224541		4704103044		103		RAMSBURG #1	COURTHOUSE DIST	21.0	
-GLENN L HAUGHT & SONS				RECEIVED:		03/23/82 JA: WV			
8224493		4707300929		107-DV		DANNY HIGGINS H-1077	MCKIM DISTRICT	15.0	COLUMBIA GAS TRAN
8224496		4707300881		107-DV		KARLTON SMITH H-1022	MCKIM DISTRICT	15.0	COLUMBIA GAS TRAN
-HAUGHT INC				RECEIVED:		03/23/82 JA: WV			
8224494		4707301157		107-DV		H E GILPIN H-1244 (SAM II)	UNION DISTRICT	15.0	COLUMBIA GAS TRAN
-INDUSTRIAL GAS ASSOCIATES				RECEIVED:		03/22/82 JA: WV			
8224544		4701702497		108		G HURST NO 1 DOD-2497	CENTRAL DISTRICT	6.0	CARNEGIE NATURAL

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JD NO	JA DKT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8224543		4701702498	108		G HURST NO 2 DOD-2498	CENTRAL DISTRICT	6.0	CARNEGIE NATURAL
8224551		4701702361	108		HAMMER NO 2 DOD-2361	CENTRAL DISTRICT	4.0	CARNEGIE NATURAL
8224549		4701702332	108		JAMES NO 1 DOD-2332	CENTRAL DISTRICT	5.0	CARNEGIE NATURAL
8224547		4701702347	108		JAMES NO 2 DOD 2347	CENTRAL DISTRICT	5.0	CARNEGIE NATURAL
8224545		4701702363	108		JAMES NO 3 DOD-2363	CENTRAL DISTRICT	5.0	CARNEGIE NATURAL
8224550		4704102150	108		S AMAN #1 LEW-2150	COURT HOUSE DISTRICT	6.0	CONSOLIDATED GAS
8224546		4701702356	108		SHEPHERD NO 1 DOD-2356	CENTRAL DISTRICT	4.0	CARNEGIE NATURAL
8224548		4701702346	108		THOMPSON NO 1 DOD-2346	CENTRAL DISTRICT	5.0	CARNEGIE NATURAL
-J & J ENTERPRISES INC			RECEIVED:	03/23/82	JA: WV			
8224518		4700100819	108		B-35A	PHILIPPI	0.0	CONSOLIDATED GAS
8224517		4700100772	108		B-36	PLEASANT	0.0	CONSOLIDATED GAS
-L & B OIL CO INC			RECEIVED:	03/23/82	JA: WV			
8224531		4707301207	107-DV		SHINGLETON #1		18.0	COLUMBIA GAS TRAN
8224529		4707301155	107-DV		WETZ #27		13.0	COLUMBIA GAS TRAN
-OLD HICKORY GAS CO			RECEIVED:	03/23/82	JA: WV			
8224499		4704322509	103		R H ADKINS & SLM #2	LAUREL HILL DISTRICT	0.0	COLUMBIA GAS TRAN
-RUSSELL V JOHNSON JR			RECEIVED:	03/23/82	JA: WV			
8224495		4702103740	107-DV		R L DAVIS #1	BIG RUN OF LEADING CR	26.0	COLUMBIA GAS TRAN
-SWIFT ENERGY CO			RECEIVED:	03/23/82	JA: WV			
8224519		4704103098	103		HODGES NO 1	FINSTER-ASPINALL	50.0	
8224523		4702103774	103		LYNCH NO 1	GLENVILLE NORTH	50.0	
8224520		4700101485	103		ROSS NO 1	PHILIPPI	50.0	
8224521		4700101486	103		ROSS NO 2	PHILIPPI	50.0	
8224522		4700101487	103		ROSS NO 3	PHILIPPI	50.0	
-TEXAS INTERNATIONAL PET CORP			RECEIVED:	03/23/82	JA: WV			
8224530		4710900800	108		POCAHONTAS LAND #A-29	ASHLAND CLARK GAP	18.4	CONSOLIDATED GAS
-UNION DRILLING INC			RECEIVED:	03/23/82	JA: WV			
8224513		4709701834	108		BERTHA WAUGH 1452	BANKS DISTRICT	3.0	COLUMBIA GAS TRAN
8224515		4709701526	108		ELLINOR D MANLEY #1 1318	UNION DISTRICT	19.0	COLUMBIA GAS TRAN
8224516		4709701833	108		ERCIE M BENNETT #1 1451	BANKS DISTRICT	2.0	COLUMBIA GAS TRAN
8224514		4708300270	108		WILLIAM R RILEY 1503	ROARING CREEK DISTRIC	14.0	COLUMBIA GAS TRAN
-UNITED OPERATING CO			RECEIVED:	03/23/82	JA: WV			
8224498		4708505150	103		DENZIL ROBINSON 1-A	NORTH FORK OF HUGHES	0.0	CONSOLIDATED GAS

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** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, DENVER,CO

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-ALTA ENERGY CORP			RECEIVED:	03/22/82	JA: CO 1			
8224407	CD 0015-82	0507708408	103		FEDERAL #32-1	SHIRE GULCH	300.0	NORTHWEST PIPELIN
-J & D ASSOCIATES			RECEIVED:	03/22/82	JA: CO 1			
8224405	CD 0018-82	0510308313	103	107-RT	J & D FEDERAL 24-1	CATHEDRAL	59.0	NORTHWEST PIPELIN
-JOSEPH B GOULD			RECEIVED:	03/22/82	JA: CO 1			
8224397	CC 1129-9	0510308214	103		PHILLIPS #35-1	UNDESIGNATED DAKOTA	400.0	MOUNTAIN FUEL RES
-NATOMAS NORTH AMERICA INC			RECEIVED:	03/22/82	JA: CO 1			
8224415	CD 0112-81	0506706337	102-2	107-TF	FEDERAL #1-11	IGNACIO	0.2	NORTHWEST PIPELIN
-TWIN ARROW INC			RECEIVED:	03/22/82	JA: CO 1			
8224410	CD 0007-82	0510308407	107-TF		CONTINENTAL 3-28	CATHEDRAL	0.0	NORTHWEST PIPELIN
-HI GAR PETRO INC			RECEIVED:	03/22/82	JA: KS 1			
8224399	KD 0516-81	1512910583	108		U S A GAS UNIT "D" #1	GREENWOOD (LANSING TO	16.8	COLORADO INTERSTA
-BELCO DEVELOPMENT CORP			RECEIVED:	03/22/82	JA: UT 1			
8224411	UD 0544-81	4304731030	103	107-TF	CHAPITA WELLS UNIT 56-29	CHAPTIA WELLS UNIT	0.0	MOUNTAIN FUEL SUP
-CIG EXPLORATION INC			RECEIVED:	03/19/82	JA: UT 1			
8224392	UD 0317-82	4304730954	103	107-TF	CIGE 75D-8-10-21 P	NATURAL BUTTES	363.0	COLORADO INTERSTA
8224391	UD 0006-82	4304730958	103	107-TF	CIGE 88D-15-10-21P	NATURAL BUTTES	99.0	COLORADO INTERSTA

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-CIG EXPLORATION INC				RECEIVED:	03/22/82	JA: UT 1			
8224402	UD 0009-82	4304730951		103	107-TF	CIGE 68D-35-9-22P	NATURAL BUTTES	192.0	COLORADO INTERSTA
8224403	UD 0014-82	4304730957		103	107-TF	CIGE 84D-12-10-21P	NATURAL BUTTES	53.0	COLORADO INTERSTA
-COASTAL OIL & GAS CORP				RECEIVED:	03/22/82	JA: UT 1			
8224404	UD 0008-82	4304730923		103		COG 1-22-9-20 GR	NATURAL DUCK	8.0	COLORADO INTERSTA
-CONOCO INC				RECEIVED:	03/19/82	JA: UT 1			
8224393	UD 0066-81	4304730749		102-3		CONOCO K SNOW KNIGHT 4 #23	OURAY	165.0	MOUNTAIN FUEL SUP
8224394	UD 0204-81	4304730734		102-3		CONOCO TABBEE 34 #20	OURAY	146.0	MOUNTAIN FUEL SUP
-CONOCO INC				RECEIVED:	03/22/82	JA: UT 1			
8224413	UD 0237-81	4304730805		103		CONOCO ANKERPONT 31 #12	OURAY	150.0	MOUNTAIN FUEL SUP
8224416	UD 0058-80	4304730675		103		CONOCO CESSPOOCH 5 #14	OURAY	100.0	MOUNTAIN FUEL SUP
8224401	UD 0158-81	4304730753		102-3		CONOCO D M ICE FRIDAY 34 #22	OURAY	256.0	MOUNTAIN FUEL SUP
8224400	UD 0097-81	4304730681		103		CONOCO MCCOOK #4	OURAY	182.0	MOUNTAIN FUEL SUP
-GETTY OIL COMPANY				RECEIVED:	03/22/82	JA: UT 1			
8224408	UD 0012-82-B	4300730070		103		PETERS POINT #5-14	PETERS POINT	60.0	UINTA PIPELINE CO
8224409	UD 0012-82-A	4300730070		103		PETERS POINT #5-14	PETERS POINT	90.0	UINTA PIPELINE CO
-J C THOMPSON				RECEIVED:	03/22/82	JA: UT 1			
8224414	UD 0024-80	4301930049		108		HORSE POINT M-7	HORSE POINT	1.9	NORTHWEST PIPELIN
-PAGE PETROLEUM INC				RECEIVED:	03/22/82	JA: UT 1			
8224406	UD 0010-82	4301330534		103		UTE TRIBAL 2-11-C6	ALTAMONT	300.0	KOCH HYDROCARBON
8224412	UD 0011-82	4301300531		103		UTE TRIBAL 2-2-C6	ALTAMONT	0.0	KOCH HYDROCARBON
-TEXACO INC				RECEIVED:	03/22/82	JA: UT 1			
8224398	UD 0531-81	4300705081		108		GOVT PICKRELL #1	NINE MILE CANYON	19.7	MOUNTAIN FUEL SUP

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before April 29, 1982.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,
Secretary.

[FR Doc. 82–10205 Filed 4–13–82; 8:45 am]
BILLING CODE 6717–01–M

[Volume 632]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: April 8, 1982.

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JD NO   JA DKT        API NO      D SEC(1) SEC(2) WELL NAME                                  FIELD NAME            PROD   PURCHASER
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*****************************************************************************************
   TEXAS RAILROAD COMMISSION
*****************************************************************************************
-AEC OIL & GAS                                   RECEIVED:  03/25/82    JA: TX
 8224737  F-78-047255  4242932874  102-2          BALL #1                                    REID-MCLENNAN (MISS)    13.0 PETCO
 8224630  F-78-044412  4242932767  102-2          VESTAL "B" #1                              WILDCAT               5475.0 WARREN PETROLEUM
-AMERICAN PUBLIC ENERGY CO                       RECEIVED:  03/25/82    JA: TX
 8224653  F-7C-045367  4243532574  103    107-TF HULL #5                                     SONORA (CANYON-UPPER)  400.0 EL PASO NATURAL G
-AMERICAN QUASAR PETROLEUM CO                    RECEIVED:  03/25/82    JA: TX
 8224676  F-8A-046204  4244530988  102-4          MITCHELL FLACHE #2-71                      SEC 71 BLK T D&W RR C    0.0
-AMINOIL USA INC                                 RECEIVED:  03/25/82    JA: TX
 8224793  F-08-047873  4200300000  103            UNIVERSITY 28 "A" #6                       ANDREWS SOUTH WOLFCAM  115.0 EL PASO NATURAL G
-AMMEX PETROLEUM INC                             RECEIVED:  03/25/82    JA: TX
 8224689  F-03-046712  4205131992  102-2  103     TED UNIT #1                                BIG A (TAYLOR)        1224.0 CLAJON GAS CO
-AMOCO PRODUCTION CO                             RECEIVED:  03/25/82    JA: TX
 8224724  F-08-047126  4213533647  102-4          DAVID FASKEN BM #1                         FASKEN (PENN 10400)   1825.0 AMOCO PRODUCTION
 8224785  F-08-047842  4213533634  103            NORTH COWDEN UNIT #1091                    COWDEN NORTH             2.6 WESTAR TRANSMISSI
 8224786  F-08-047843  4213533672  103            NORTH COWDEN UNIT #1104                    COWDEN NORTH             1.8 WESTAR TRANSMISSI
 8224728  F-06-047156  4220330843  103    107-TF W E JACKSON GAS UNIT #1                     WOODLAWN/COTTON VALLE  100.0 EAST TEXAS INDUST
-ANDOVER OIL COMPANY                             RECEIVED:  03/25/82    JA: TX
 8224591  F-02-038334  4228531552  103            BORCHERS ESTATE #13                        BORCHERS(3420)         100.0 BAY PIPELINE INC
-ARCO OIL AND GAS COMPANY                        RECEIVED:  03/25/82    JA: TX
 8224640  F-08-045041  4200332816  103            EMMA COWDEN #97                            EMMA                     7.7 EL PASO NATURAL G
-AVIPS PETROLEUM INC                             RECEIVED:  03/25/82    JA: TX
*8224757  F-04-047727  4239931964  102-4          M L WOOD #1 (09151)                        WOODS HOLE (GARDNER)    31.0 B-SYSTEMS INC
-BLOCKER EXPLORATION CO                          RECEIVED:  03/25/82    JA: TX
 8224614  F-05-043754  4229330566  102-4  107-TF BLOCKER - TUFCO #1                                                365.0 TEXAS UTILITIES F
-BLUE JAY EXPLORATION CO                         RECEIVED:  03/25/82    JA: TX
 8224645  F-02-045241  4246900000  102-4          HAUBOLT-WIELAND UNIT #1                    PRIDHAM LAKE (4900)    130.0 VALERO TRANSMISSI
-BORDER EXPLORATION CO                           RECEIVED:  03/25/82    JA: TX
 8224674  F-78-046060  4214330741  103            G WILLIAMS GU #3-P                         X-RAY (MARBLE FALLS)    67.0 VALERO TRANSMISSI
 8224675  F-76-046061  4214330740  103            W C FULBRIGHT G U #3-P                     X-RAY (MARBLE FALLS)    64.0 VALERO TRANSMISSI
-BTA OIL PRODUCERS                               RECEIVED:  03/25/82    JA: TX
 8224699  F-8A-046864  4211531633  103            WELCH S E (SPRABERRY) UNIT #1-8            WELCH S E (SPRABERRY)   16.0 PHILLIPS PETROLEU
 8224734  F-8A-047215  4211531629  103            WELCH SE (SPRABERRY) UNIT #1-9             WELCH SE (SPRABERRY)    20.0 PHILLIPS PETROLEU
-C & K PETROLEUM INC                             RECEIVED:  03/25/82    JA: TX
 8224666  F-08-045740  4233532036  103            MCCABE A #2                                JAMESON N (ELLEN)        0.0 SUN GAS CO
-C. J. WOFFORD                                   RECEIVED:  03/25/82    JA: TX
 8224663  F-02-045596  4202531560  102-4          W H BRINKOETER #1                          COSDEN (Z-12)           26.0 UNITED GAS PIPELI
-CHAMPLIN EXPLORATION INC                        RECEIVED:  03/25/82    JA: TX
 8224805  F-03-047922  4214930807  102-2          HELEN FONDREN #1 (RRC ID #14186)           GIDDINGS (AUSTIN CHAL    0.0 PHILLIPS PETROLEU
 8224831  F-03-048082  4214930847  102-2          JULIA FLECK #1 (RRC ID #14063)             GIDDINGS (AUSTIN CHAL    7.5 PHILLIPS PETROLEU
 8224783  F-03-047825  4214930796  102-2          URNER ELIAS #1 (RRC ID #14154)             GIDDINGS (AUSTIN CHAL    0.0 PHILLIPS PETROLEU
-CHAMPLIN PETROLEUM COMPANY                      RECEIVED:  03/25/82    JA: TX
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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROL	PURCHASER
8224594	F-03-039943	4205100000		102-2	103	ANTON F HAISLER #1	GIDDINGS	0.0	FERGUSON CROSSING
8224585	F-03-036781	4205100000		102-2	103	EMMA GREEN #1	GIDDINGS	0.0	FERGUSON CROSSING
8224582	F-03033194	4205131166		102-2		LORENE R CALVIN #1	CALDWELL NE	362.0	FERGUSON CROSSING
8224586	F-03-037249	4205131647		102-2	103	M R SEYMOUR #1	GIDDINGS (AUSTIN CHAL	152.0	FERGUSON CROSSING
8224610	F-03-043216	4205100000		102-2	103	T L CALVIN #2	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
8224587	F-04-037250	4235500000		108		WARDNER G P #16	STRATTON	18.0	TENNESSEE GAS PIP
-CHAS F DOMINY				RECEIVED:		03/25/82 JA: TX			
8224612	F-78-043450	4208300000		108		J L BOGGUS #2 RRC #70613	COLEMAN COUNTY REGULA	3.0	LONE STAR GAS CO
-CHEVRON U S A INC				RECEIVED:		03/25/82 JA: TX			
8224822	F-8A-048030	4241532037		103		SACROC UNIT 39-6	KELLY - SNYDER	8.0	EL PASO NATURAL G
8224813	F-8A-047972	4241531889		103		SACROC 65-15	KELLY - SNYDER	16.0	EL PASO NATURAL G
-CIRCLE SEVEN PRODUCTION CO				RECEIVED:		03/25/82 JA: TX			
8224639	F-09-045018	4223733953		102-4		D C CRANFORD "C" #2	PERRIN SW (CONGL 4850	0.0	LONE STAR GAS CO
8224628	F-09-044375	4223733625		102-4		THETFORD #1	LENORA (D-ZONE CONGL)	0.0	CITIES SERVICE CO
-CITIES SERVICE COMPANY				RECEIVED:		03/25/82 JA: TX			
8224772	F-08-047781	4200332849		103		NORTH DOLLARHIDE UNIT #316	DOLLARHIDE (DEVONIAN)	43.0	UNION OIL CO OF C
8224765	F-08-047757	4213533708		103		RHODES COWDEN UNIT #444	COWDEN NORTH	12.0	AMOCO PRODUCTION
-CLARION RESOURCES INC				RECEIVED:		03/25/82 JA: TX			
8224618	F-78-043953	4214300000		102-4		CARAWAY-LOWE #2 93001	MINNIE (STRAWN 1380)	34.0	NORTHERN GAS PROD
8224619	F-78-043955	4214300000		102-4	103	CARAWAY-LOWE 3 93002	MINNIE (STRAWN 1380)	16.0	NORTHERN GAS PROD
-CLAYTON W WILLIAMS JR				RECEIVED:		03/25/82 JA: TX			
8224598	F-03-041593	4205100000		102-2		ALTON PETERS #1	GIDDINGS (AUSTIN CHAL	0.0	VALERO TRANSMISSI
8224593	F-03-039346	4205100000		102-2		BUFFALO RANCH #2	CLAY NE (DEEP)	0.0	VALERO TRANSMISSI
8224589	F-03-037705	4205100000		102-2		ERVIN SEE #1	GIDDINGS	0.0	VALERO TRANSMISSI
-COLA PETROLEUM INC				RECEIVED:		03/25/82 JA: TX			
8224755	F-10-047562	4219530753		103		MORTON #1	PHELPS (OSWEGO)	365.0	PHILLIPS PETROLEU
-COMMAND ENERGY CORP				RECEIVED:		03/25/82 JA: TX			
8224672	F-78-045978	4213300000		102-4		D C HAGAR #1 RRC #	FAIR (MARBLE FALLS LO	0.0	NORTHERN GAS PROD
8224668	F-78-045894	4213300000		102-4		T T FAIR #4 RRC #	FAIR (MARBLE FALLS LO	12.0	NORTHERN GAS PROD
8224669	F-78-045895	4213300000		102-4		T T FAIR #8 RRC #	FAIR (MARBLE FALLS LO	30.0	NORTHERN GAS PROD
8224670	F-78-045896	4213300000		102-4		T T FAIR #9 RRC #	FAIR (MARBLE FALLS LO	30.0	NORTHERN GAS PROD
-CONOCO INC				RECEIVED:		03/25/82 JA: TX			
8224812	F-08-047962	4249531445		103		BROWN AHMAN #9 ID #07716	WEINER (COLBY SAND)	12.8	PHILLIPS PETROLEU
8224695	F-08-046773	4238900000		108		FORD GERALDINE UT #327 ID #21021	GERALDINE FORD	1.1	EL PASO NATURAL G
8224694	F-08-046767	4213533739		103		GIST UNIT #135 ID #19373	FOSTER	3.7	ODESSA NATURAL
8224729	F-01-047160	4232331824		103		N J CHITTIM #1901	SACATOSA (SAN MIGUEL	0.7	VALERO TRANSMISSI
-CORAL PETROLEUM DEVELOPMENT INC				RECEIVED:		03/25/82 JA: TX			
8224736	F-70-047254	4245130726		102-4		BARRON RANCH 95311	BARRON-CORAL (HARKEY	61.0	ARCO OIL & GAS CO
-CORDOVA RESOURCES INC				RECEIVED:		03/25/82 JA: TX			
8224803	F-78-047916	4213333039		103		SOOTER #4	NORTH PIONEER (CADDO)	59.3	ODESSA NATURAL GA
-CORPENING ENTERPRISES				RECEIVED:		03/25/82 JA: TX			
8224678	F-09-046401	4249700000		108		T C MANNING #1	BOONESVILLE BEND (CON	19.1	CITIES SERVICE OI
-CROWN CENTRAL PETROLEUM CORP				RECEIVED:		03/25/82 JA: TX			
8224758	F-04-047728	4221531142		102-4		B J DUDLEY #1	MERCEDES	365.0	VALERO INTERSTATE
-D & G GAS & OIL CO				RECEIVED:		03/25/82 JA: TX			
8224613	F-01-043587	4212732237		103		STUMBERG #5	CATARINA SW (OLMOS)	329.0	VALERO TRANSMISSI
-DISCOVERY OPERATING INC				RECEIVED:		03/25/82 JA: TX			
*8224592	F-70-039204	4241331030		102-2	103	LIN D #1	W O D (CANYON)	99.4	CRA INC
8224592	F-70-039204	4241331030		107-TF		LIN D #1	W O D (CANYON)	99.4	CRA INC
-DORCHESTER EXPLORATION INC				RECEIVED:		03/25/82 JA: TX			
8224698	F-08-046856	4243131052		103		FOSTER 4-3	CONGER (PENN)	11.0	ESPERANZA PIPELIN
*8224697	F-08-046855	4243131008		103		TERRY 18-4	CONGER (PENN)	6.0	TEXAS UTILITIES F
*8224700	F-08-046894	4243131012		103		TERRY 31-4	CONGER (PENN)	37.0	TEXAS UTILITIES F

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-ENERGY RESERVES GROUP INC				RECEIVED:	03/25/82	JA: TX			
8224797	F-10-047900	4234100000		108		ALLISON #1 RC	PANHANDLE WEST (REDCA	15.0	COLORADO INTERSTA
-ENRE CORP				RECEIVED:	03/25/82	JA: TX			
8224602	F-78-042271	4242933000		102-4		LILLIE BELLE THOMPSON #7	LILLY BELL (CONGL)	0.0	WARREN PETROLEUM
-ENRICH OIL CORPORATION				RECEIVED:	03/25/82	JA: TX			
8224722	F-78-047110	4244131624		102-4		M A ACKERMAN #1	ACKERMAN (PALO PINTO	8.5	UNION TEXAS PETRO
8224723	F-78-047112	4244131801		103		R A BIBLE #1 ID-17680	BULL (GARDNER)	13.0	UNION TEXAS PETRO
-ENSERCH EXPLORATION INC				RECEIVED:	03/25/82	JA: TX			
8224642	F-05-045085	4221300000		107-PE		C W CORLEY "B" #1-C	OPELIKA	17.0	LONE STAR GAS CO
8224660	F-05-045579	4221300000		107-PE		E R LOKEY #2	OPELIKA	4.0	LONE STAR GAS CO
8224644	F-05-045218	4221300000		107-PE		LACO OIL CO "D" #1	OPELIKA	70.0	LONE STAR GAS CO
8224662	F-05-045581	4221300000		107-PE		LACO OIL CO "D" #3	OPELIKA	2.0	LONE STAR GAS CO
8224661	F-05-045580	4221300000		107-PE		LACO OIL CO "D" #4	OPELIKA	6.0	LONE STAR GAS CO
8224659	F-05-045578	4221300000		107-PE		LACO OIL CO "D" #5	OPELIKA	3.0	LONE STAR GAS CO
8224658	F-05-045577	4221300000		107-PE		LACO OIL CO "D" #6	OPELIKA	1.0	LONE STAR GAS CO
8224643	F-05-045128	4221300000		107-PE		S S MCGEE #2-C	OPELIKA	74.0	LONE STAR GAS CO
8224573	F-06-015739	4220300000		108-ER		W T COOK #1	WHELAN	21.0	TEXAS EASTERN GAS
-EXPANDO OIL CO				RECEIVED:	03/25/82	JA: TX			
8224817	F-09-047994	4207732310		102-4		STINE #1	BLUEGROVE SOUTH BRYSO	3700.0	FAGADAU ENERGY CO
-EXPANDO PRODUCTION CO				RECEIVED:	03/25/82	JA: TX			
8224794	F-09-047879	4209934555		103		PERKINS Q #1 LEASE #20364	ARCHER CO REGULAR	12.8	EAGLE PETROLEUM C
8224784	F-09-047836	4209314863		103		WHITE #1 LEASE #20785	ARCHER COUNTY REGULAR	14.6	EAGLE PETROLEUM C
-EXXETER PETROLEUM CORP				RECEIVED:	03/25/82	JA: TX			
8224575	F-04-022518	4247900000		102-2		HAIZLIP #1	WILCOX (3035')	120.0	TRANSCONTINENTAL
-EXXON CORPORATION				RECEIVED:	03/25/82	JA: TX			
8224807	F-06-047928	4242300774		107-PE		ELKTON GAS UNIT #1 1-L	TYLER (RODESSA)	96.0	LONE STAR GAS CO
8224686	F-06-046514	4236500000		108		F H DONALD 1	CARTHAGE (JAMES LIME)	0.0	TEXAS EASTERN TRA
*8224691	F-04-046744	4235531812		103		FLOUR BLUFF GAS UNIT #15 #2 (95754)	FLOUR BLUFF (FRIO 830	856.0	ARMCO STEEL CORP
8224745	F-10-047304	4239330836		103		FLOWERS TRUST A #4	MENDOTA NW (DOUGLAS L	20.0	TRANSWESTERN PIPE
8224702	F-08-046899	4237133357		103		FORT STOCKTON UNIT #1421	FORT STOCKTON (YATES	122.0	NUECES CO
*8224692	F-06-04746	4234730497		103		GRAHAM P STEWART JR #2	DOUGLASS W (TRAVIS PE	300.0	ARMCO STEEL CORP
*8224830	F-03-048062	4215731173		103		H P LOCKWOOD #46	THOMPSON	55.0	ARMCO STEEL CORP
8224622	F-08-044109	4210332670		103		J B TUBB A/C 1#2590	SAND HILLS (MCKNIGHT)	83.0	EL PASO NATURAL G
8224744		4210332701		103		J S MEANS A/C 4 #325	MEANS SOUTH (WOLFCAMP	30.0	PHILLIPS PETROLEU
*8224756	F-04-047579	4227331638		103		K R CHILTIPIN 91 (09513)	HINOJOSA NORTH (F-15)	82.0	ARMCO STEEL CORP
8224742	F-84-047299	4244530970		103		MATTYE SMALLING THOMPSON #2	TOKIO SOUTH (WOLFCAMP	1.0	
8224703	F-10-046900	4221131393		103		R A FLOWERS #6	MENDOTA NW (DOUGLAS L	25.0	TRANSWESTERN PIPE
8224743	F-84-047301	4216532175		103		ROBERTSON CLEARFORK UNIT #5831	ROBERTSON N (CLEARFOR	15.0	PHILLIPS PETROLEU
8224667	F-84-045870	4216532189		103		ROBERTSON CLEARFORK UNIT #7001	ROBERTSON N (CLEARFOR	15.0	PHILLIPS PETROLEU
8224701	F-70-046898	4241331067		102-4		TANKERSLEY #3	TANKERSLEY SW (STRAWN	1.0	
*8224787	F-06-047844	4234730530		103		TRAWICK GAS UNIT 2-5	TRAWICK (TRAVIS PEAK)	500.0	ARMCO STEEL CORP
*8224788	F-06-047845	4240131119		103		TRAWICK GAS UNIT 57-2	TRAWICK (TRAVIS PEAK)	300.0	ARMCO STEEL CORP
-FAGADAU ENERGY CORP				RECEIVED:	03/25/82	JA: TX			
8224804	F-09-047918	4207700000		103		SCALING RANCH "C" #3 21775	CLAY COUNTY REGULAR	250.0	BLUEGROVE GASOLIN
-FLOURNOY PRODUCTION COMPANY				RECEIVED:	03/25/82	JA: TX			
8224752	F-04-047427	4240931605		102-4		ERMIS #1	MATHIS EAST	180.0	VALERO TRANSMISSI
-FRAC INC				RECEIVED:	03/25/82	JA: TX			
8224707	F-08-046961	4200332823		103		MUNGER-NIX "18" #1	FUHRMAN-MASCHO	5.8	PHILLIPS PETROLEU
-GARY BUTCHER				RECEIVED:	03/25/82	JA: TX			
8224835	F-78-048093	4204932681		102-4		MELVIN GLASSCOCK #1	GROSVNER SW (DUFFER)	18.0	ODESSA NATURAL CO
-GENERAL AMERICAN OIL COMPANY OF TEX				RECEIVED:	03/25/82	JA: TX			
8224651	F-08-045297	4210332642		103		CENTRAL DUNE #3019	DUNE	3.5	WARREN PETROLEUM
-GENERAL PRODUCTION CORP				RECEIVED:	03/25/82	JA: TX			

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROL	PURCHASER
8224588	F-03-037553	4228730881		103		LLOYD SIEGMUND UNIT #1	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
-GENESIS PETROLEUM CORP				RECEIVED:		03/25/82 JA: TX			
8224615	F-03-043783	4232131164		103		STATE TRACT 181 #1	MATAGORDA BAY BLK 173	182.5	LONE STAR GAS CO
8224608	F-04-043033	4235531687		102-4		STATE TRACT 259 #1 UNASSIGNED ID	TRAYLOR ISLAND (B-4)	182.5	
-GETTY OIL COMPANY				RECEIVED:		03/25/82 JA: TX			
8224631	F-03-044451	4205100000		102-2		C H BLAHA #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
8224596	F-03-040276	4205131380		102-2		H J POEHL #1	LYONS (GEORGETOWN)	75.0	FERGUSON CROSSING
8224624	F-03-044249	4205100000		102-2		J ORSAG "A" #1	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-GIBBS COX & GIBBS INC				RECEIVED:		03/25/82 JA: TX			
8224720	F-78-047105	4208332695		103		E S HAYNES #2-A	SANTA ANNA (MARBLE FA	80.0	ODESSA NATURAL CO
8224719	F-78-047104	4208332694		103		M J LINEBERRY #2-B	SANTA ANNA (MARBLE FA	69.0	ODESSA NATURAL CO
-GOLDKING PRODUCTION COMPANY				RECEIVED:		03/25/82 JA: TX			
8224652	F-03-045298	4224130336		102-4		LANIER #1	S E CALL	300.0	HOUSTON PIPE LINE
-GRACE PETROLEUM CORPORATION				RECEIVED:		03/25/82 JA: TX			
8224823	F-08-048036	4210330819		108		MCELROY #2	GIB	0.0	PHILLIPS PETROLEU
-GULF OIL CORPORATION				RECEIVED:		03/25/82 JA: TX			
8224814	F-08-047973	4247532450		103		HUTCHINGS STOCK ASSN #1146	WARD-ESTES NORTH	22.0	CABOT CORP
8224687	F-08-046602	4238910236		108		J C TREES ESTATE A-#7	REEVES, TEXAS	3.0	TRANSWESTERN PIPE
8224696	F-08-046776	4222732465		103		LEATRICE THORTON NO 1	KNOTT WEST (DEAN)	839.5	GETTY OIL CO
-GULFSTREAM PETROLEUM CORP				RECEIVED:		03/25/82 JA: TX			
8224616	F-02-043844	4229732594		102-4		EL PASO NATURAL GAS #4	CLEGG (WILCOX 8800')	1280.0	VALERO TRANSMISSI
-H & L OPERATING COMPANY				RECEIVED:		03/25/82 JA: TX			
8224732	F-10-047209	4219530804		103		PORTER #1-A RRC #96150	HANSFORD (MORROW LOWE	60.0	NORTHERN NATURAL
-H-M OIL CO				RECEIVED:		03/25/82 JA: TX			
*8224595	F-03-040211	4248100000		102-4	103	LOU ALICE ELLIS #2	TWIN BASIN (7160)	0.0	TENNESSEE GAS PIP
-HARRISON INTERESTS LTD				RECEIVED:		03/25/82 JA: TX			
8224754	F-70-047436	4210533631		102-4	103	UNIVERSITY LAND 8-33 #26	PERNER RANCH (STRAWN)	90.0	INTRATEX GAS CO
-HISSOM DRILLING CO				RECEIVED:		03/25/82 JA: TX			
8224836	F-08-048107	4247532289		103		EMMA WHITEMAN #1-A	QUITO W (CHERRY CANYO	149.0	NORTHERN NATURAL
-HNG OIL COMPANY				RECEIVED:		03/25/82 JA: TX			
8224706	F-04-046953	4250521399		103	107-TF	ACELA MARTINEZ #2	J C MARTIN (LOBO)	293.0	HOUSTON PIPE LINE
8224600	F-04-041976	4250531248		107-TF		EMILIANO VELA #1	ROLETA (8150)	46.3	HOUSTON PIPE LINE
8224607	F-04-042988	4247900000		102-4	103	MARY ETTA LESSOR #2	BIG COWBOY (WILCOX 45	123.0	HOUSTON PIPE LINE
8224715	F-70-047055	4243532558		103	107-TF	RICHARDSON "138" #4	SAWYER CANYON	676.7	INTRATEX GAS CO
-HOUSTON OIL & MINERALS CORPORATION				RECEIVED:		03/25/82 JA: TX			
8224654	F-03-045370	4228730302		103		D DAVIS #1	GIDDINGS (AUSTIN CHAL	0.0	PGP GAS PRODUCTS
8224650	F-03-045277	4228730210		103		G P PROSKE #2	GIDDINGS (AUSTIN CHAL	0.0	PGP GAS PRODUCTS
8224648	F-03-045250	4228730223		103		LEROY P KAPPLER #1	GIDDINGS (AUSTIN CHAL	0.0	PGP GAS PRODUCTS
8224646	F-03-045245	4228730328		103		MARTIN B FRANK UNIT #1	GIDDINGS (AUSTIN CHAL	0.0	PGP GAS PRODUCTS
8224647	F-03-045247	4228730315		103		MILTON R MERSIOVSKY TRACT 1 #1	GIDDINGS (AUSTIN CHAL	0.0	PGP GAS PRODUCTS
-IBEX INC				RECEIVED:		03/25/82 JA: TX			
8224799	F-08-047904	4249531197		103		HALLEY "B" #14	HALLEY	1.8	
-INDIAN WELLS OIL CO				RECEIVED:		03/25/82 JA: TX			
8224833	F-70-048084	4223531732		103		HARRIS 60-3	PROBANDT (CANYON)	0.0	NORTHERN NATURAL
8224832	F-70-048083	4223531807		103		PHILLIPS 4-7	IRION W (CANYON)	0.0	NORTHERN NATURAL
-INTERCONTINENTAL DRILLING CO				RECEIVED:		03/25/82 JA: TX			
8224601	F-03-042156	4205131661		102-2	103	PRAIRIE DALE #1	GIDDINGS (AUSTIN CHAL	36.5	CLAJON GAS CO
-INTERNORTH INC				RECEIVED:		03/25/82 JA: TX			
8224749	F-10-047330	4221131306		102-4		FRANCIS #2-58	BRISCOE	750.0	NORTHERN NATURAL
-J M HUBER CORPORATION				RECEIVED:		03/25/82 JA: TX			
8224802	F-10-047913	4223330926		103		BRYAN MAYFIELD UNIT #1-16	PANHANDLE	3.0	COLORADO INTERSTA
-JAMES M FORGOTSON				RECEIVED:		03/25/82 JA: TX			
8224580	F-06-031974	4245930468		103	107-TF	D M DACUS EST G U #1-R	ROSEWOOD (COTTON VALL	200.0	ADVANCE TRANSPORT

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROL	PURCHASER
-JAY ENERGY CORP				RECEIVED:	03/25/82	JA: TX			
8224649	F-7B-045275	4236732168		102-2		LANDERS #1	WEATHERFORD SE (2150)	110.0	SOUTHWESTERN GAS
-JENNINGS EXPLORATION CO				RECEIVED:	03/25/82	JA: TX			
8224782	F-01-047808	4250731536		102-4		JETERO INVESTMENT CO #1 07491	JETERO (SAN MIGUEL)	36.0	VALERO TRANSMISSI
-JIM BIRGE OIL & GAS				RECEIVED:	03/25/82	JA: TX			
8224751	F-7B-047392	4213333248		103		A J BECK #4 (11103)	EASTLAND COUNTY REGUL	20.0	LONE STAR GAS CO
-KEITH D GRAHAM				RECEIVED:	03/25/82	JA: TX			
8224764	F-03-047756	4204130642		102-2		TEXAS SPEEDWAY #1 ID-15005	GIDDINGS (AUSTIN CHAL	478.2	CLAJON GAS CO
-KILROY CO OF TEXAS				RECEIVED:	03/25/82	JA: TX			
8224632	F-03-044516	4236130398		102-4		ARCO SHANNON #1	SHANNON (HACKBERRY)	110.0	UNITED TEXAS TRAN
-KIM PETROLEUM CO INC				RECEIVED:	03/25/82	JA: TX			
8224748	F-10-047309	4217931010		103		DENNIS #1	PANHANDLE GRAY COUNTY	146.0	NORTHERN NATURAL
8224727	F-10-047143	4217931012		103		RENDLEMAN #1	PANHANDLE GRAY COUNTY	146.0	NORTHERN NATURAL
8224726	F-10-047142	4217931024		103		RENDLEMAN #4	PANHANDLE GRAY COUNTY	146.0	NORTHERN NATURAL
-KING'S KID OIL CO				RECEIVED:	03/25/82	JA: TX			
8224810	F-03-047945	4214931052		102-4		EDWIN RASCHKE #1 (96989)	KING'S KID (WILCOX)	475.0	SOUTH CEN-TEX GAS
-LANDRUM OPERATING CO INC				RECEIVED:	03/25/82	JA: TX			
8224708	F-09-046963	4249732250		103		HENDRICH "L" #1L	SYMRNA (ATOKA)	0.0	LONE STAR GAS CO
-LESTER CLARK				RECEIVED:	03/25/82	JA: TX			
8224731	F-7B-047197	4242932049		103		BLACK "B" #2	STEPHENS COUNTY REGUL	22.3	PETROLEUM CORP OF
8224730	F-7B-047188	4242932967		103		CLARK-BLACK BROTHERS #17	STEPHENS COUNTY REGUL	0.0	PETROLEUM CORP OF
-LIBERTY CO				RECEIVED:	03/25/82	JA: TX			
8224798	F-7B-047903	4214330729		103		JERRY G WOOD #1	X-RAY - MARBLE FALLS	25.0	LONE STAR GAS CO
-LULING OIL AND GAS CO INC				RECEIVED:	03/25/82	JA: TX			
8224806	F-7B-047925	4208332272		102-4 103		WHITTINGTON #3	GLEN COVE E	0.0	UNION TEXAS PETRO
8224665	F-7B-045668	4208300000		103		WHITTINGTON "A" LEASE #2	GLEN COVE	0.0	UNION TEXAS PETRO
-M BRAD BENNETT INC & RKH LTD				RECEIVED:	03/25/82	JA: TX			
8224820	F-08-048014	4238931221		102-4 103		COLLIE #1-A	COLLIE (DELAWARE) FIE	109.5	
8224819	F-08-048013	4238931235		102-4 103		COLLIE #2	COLLIE (DELAWARE) FIE	73.0	
-MARALO INC				RECEIVED:	03/25/82	JA: TX			
*8224677	F-08-046271	4200332867		103		COFFMAN #4	DEEP ROCK (DEVONIAN)	39.6	PHILLIPS PETROLEU
-MARIANAS OPERATING CO INC				RECEIVED:	03/25/82	JA: TX			
8224766	F-7B-047759	4208332530		102-4		WEBB #2 (17777)	TRIPLE H (FRY)	97.0	ODESSA NATURAL CO
-MAYCO OIL				RECEIVED:	03/25/82	JA: TX			
8224717	F-09-047090	4207700000		103		L R SCOTT #1	BUFFALO SPRINGS (CADD	66.0	LONE STAR GAS CO
-MCCANN CORP				RECEIVED:	03/25/82	JA: TX			
*8224611	F-08-043413	4222732232		102-2 103		O'DANIEL #1	MCCANN (BASAL WOLFCAM	21.6	GETTY OIL CO
-MCMAHON-BULLINGTON DRLG CO				RECEIVED:	03/25/82	JA: TX			
8224738	F-7B-047260	4236731285		107-PE		WOODY "B"-3 80333	DICEY (CONGLOMERATE)	108.0	TEXAS UTILITIES F
-MEADCO PROPERTIES				RECEIVED:	03/25/82	JA: TX			
8224746	F-7C-047305	4223531782		103		BURNEY 3086 "A" #1	ELA SUGG (CISCO)	32.0	NORTHERN NATURAL
8224747	F-7C-047306	4223531819		102-4		E SUGG 10 #2 RRC ID #08815	TAOS (CANYON)	10.0	NORTHERN NATURAL
-MEG PETROLEUM CORP				RECEIVED:	03/25/82	JA: TX			
*8224620	F-7C-043992	4241331078		103	107-TF	UNIVERSITY 54-7 #4	UNIVERSITY 54 (CANYON	87.3	CRA INC
-MITCHELL ENERGY CORPORATION				RECEIVED:	03/25/82	JA: TX			
8224683	F-09-046461	4223700000		108		CHERRYHOMES 68 #2 59086	JACK COUNTY REGULAR (	4.2	BRAZOS PETROLEUM
8224769	F-09-047768	4223700000		108		FERRELL-RICHARDS #1 #95017	JACKSBORO SE (5270)	9.3	SOUTHWESTERN GAS
8224682	F-7B-046458	4236300000		108		HALSELL 1741 #1 54658	GRAFORD WEST (CADDO C	4.6	BRAZOS GAS & OIL
8224688	F-7B-046667	4236732135		103		HELEN POWELL #2	WHITT (BIG SALINE)	20.0	
8224681	F-09-046457	4223700000		108		KEITH #1	KEITH (CONGL)	5.7	BRAZOS OIL & GAS
8224685	F-09-046463	4223700000		108		L E BOLEY #2 37692	BOONSVILLE (BEND CONG	10.9	NATURAL GAS PIPEL
8224762	F-09-047752	4249700000		108		MARIE WAGGONER #2 43636	BOONSVILLE (BEND CONG	10.0	NATURAL GAS PIPEL
8224767	F-09-047762	4223700000		108		MARY E CHOWNING #1 ID #86524	CUNDIFF/ATOKA 5660/	11.0	NATURAL GAS PIPEL

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8224684	F-09-046462	4223700000		108		RICHARDS 505 #2 64348	JACKSBORO (S ATOKA CO	12.0	SOUTHWESTERN GAS
8224636	F-09-044861	4249700000		108		RUFUS GARRETT #2 91367	RHOME (CADDO)	2.2	NATURAL GAS PIPEL
8224761	F-09-047751	4249700000		108		SAM KAKER B #1 #55947 #36083 #14350	BOONSVILLE (BEND CONG	10.6	NATURAL GAS PIPEL
8224581	F-03-032242	4228730716		103		SORRELL #1	GIDDINGS (BUDA)	20.0	
8224768	F-09-047767	4249700000		108		W D RAWLE #1 (1-C & 1-T) ID #32666	BOONSVILLE (BEND CONG	3.0	NATURAL GAS PIPEL
8224770	F-03-047769	4223700000		108		WILLIE R RICHARDS #1 #43024	CARY-MAG (SOUTH CONGL	11.5	SOUTHWESTERN GAS
-MORAN EXPLORATION INC				RECEIVED:		03/25/82 JA: TX			
8224584	F-7C-036753	4223531650		103		ROCKER B-R #2	SPRABERRY (TREND AREA	0.0	NORTHERN NATURAL
-MORROW RESOURCES INC				RECEIVED:		03/25/82 JA: TX			
8224735	F-7C-047242	4245130852		102-2	103	BROWN "A" #1	K W B (STRAWN LO)	55.4	LONE STAR GAS CO
8224635	F-7C-044824	4241331072		102-2	103	CARROLL WHITE #2	WILDCAT	64.6	NORTHERN NATURAL
8224635	F-7C-044824	4241331072		107-TF		CARROLL WHITE #2	WILDCAT	64.6	NORTHERN NATURAL
-NORTH STAR PETROLEUM CORPORATION				RECEIVED:		03/25/82 JA: TX			
8224760	F-10-047736	4223300000		103		YAKE A #4 (00992)	PANHANDLE HUTCHINSON	0.0	PHILLIPS PETROLEU
8224759	F-10-047735	4223300000		103		YAKE A #5 (00992)	PANHANDLE HUTCHINSON	11.0	NORTH STAR PETROL
-NQR PETROLEUM INC				RECEIVED:		03/25/82 JA: TX			
8224763	F-7B-047755	42[illegible]8332572		102-4		IDA BELL FLIPPEN #1 (17685)	BURKETT S (DUFFER)	51.0	SOUTHWESTERN GAS
-ONEOK EXPLORATION CO				RECEIVED:		03/25/82 JA: TX			
8224816	F-10-047987	4229530916		103		MARJORIE BAILEY #2	DARREN (MORROW MIDDLE	30.0	PHILLIPS PETROLEU
-P-R-O MANAGEMENT INC				RECEIVED:		03/25/82 JA: TX			
8224718	F-04-047102	4235500000		103		R CRITZ #2	AGUA DULCE NORTH (650	200.0	ESPERANZA TRANSMI
-PAGE PETROLEUM INC				RECEIVED:		03/25/82 JA: TX			
8224721	F-03-047105	42[illegible]8912243		102-4		META JOHNSTON #2	(PROPOSED) GARWOOD NW	90.0	HYDROCARBON GATHE
-PAN COASTAL PETROLEUM CORP				RECEIVED:		03/25/82 JA: TX			
8224626	F-02-044318	4217531371		102-4		L W BAKER #1	WILDCAT-PROPOSED CLIP	340.0	HOUSTON PIPE LINE
-PARKER & PARSLEY INC				RECEIVED:		03/25/82 JA: TX			
8224713	F-08-047040	4231931022		103		CRAWFORD #2	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
8224714	F-08-047041	4232931030		103		CRAWFORD #3	SPRABERRY (TREND AREA	15.0	PHILLIPS PETROLEU
-PED OIL CORP				RECEIVED:		03/25/82 JA: TX			
8224597	F-08-041589	4222700000		102-2	103	FLANAGAN A-1	RED DRAW (FUSSELMAN)	0.0	PHILLIPS PETROLEU
-PETROLEUM CORPORATION OF TEXAS				RECEIVED:		03/25/82 JA: TX			
8224801	F-7B-047908	4242932749		103		GLADYS SLOAN #2	STEPHENS COUNTY REGUL	365.0	WARREN PETROLEUM
8224800	F-7B-047907	4242932885		103		GLADYS SLOAN #3	STEPHENS COUNTY REGUL	17.9	WARREN PETROLEUM
8224712	F-03-047028	4207130619		102-4	103	STATE TRACT 113 #1-T	RED FISH REEF NORTH (	2664.5	UNITED TEXAS TRAN
-PETROLEUM MANAGEMENT INC				RECEIVED:		03/25/82 JA: TX			
8224577	F-04-029971	4224931287		102-4	103	LIQUID MUD INC #1	GOLDAPP (5360')	80.0	NUE-WELLS PIPE LI
-PETROLEUM TECHNICAL SERVICES CO				RECEIVED:		03/25/82 JA: TX			
8224716	F-08-047057	4210332743		103		P J LEA #7	LEA (SAN ANDRES)	18.3	WARREN PETROLEUM
-PHILIP B BERRY P/A NO 2				RECEIVED:		03/25/82 JA: TX			
8224574	F-05-018236	4229300000		108		CONNELL UNIT RRC ID #15536	S W OLETHA (RODESSA)	15.9	TEXAS UTILITIES F
-PHILLIPS PETROLEUM COMPANY				RECEIVED:		03/25/82 JA: TX			
8224583	F-10-033230	4219500000		108		ALEXANDER B #1	TEXAS HUGOTON	0.0	MICHIGAN WISCONSI
8224606	F-06-042608	4236531191		102-2	107-TF	ASHTON 2 #3	CARTHAGE	365.0	UNITED GAS PIPELI
8224679	F-10-046427	4217900000		108		CLAY #10	PANHANDLE GRAY	0.0	
8224680	F-10-046428	4217900000		108		HOPE B L #6	PANHANDLE GRAY	0.0	
8224629	F-06-044403	4236531195		102-2	107-TF	NAOMI 3 #4	CARTHAGE COTTON VALLE	300.0	UNITED GAS PIPELI
8224657	F-10-045443	4217900000		108		PALMER J H #2	PANHANDLE GRAY	0.0	
-PINEWOOD EXPLORATION INC				RECEIVED:		03/25/82 JA: TX			
8224673	F-06-046025	4221300000		103	107-TF	T P CANNON #1	HENDERSON N FIELD/COT	360.0	UNITED GAS PIPE L
-PIONEER PRODUCTION CORPORATION				RECEIVED:		03/25/82 JA: TX			
8224655	F-10-045413	4229500000		103		W S RANKIN #1-368	LIPSCOMB SW (CLEVELAN	0.0	PIONEER CORP
-POWCO OIL & GAS INC				RECEIVED:		03/25/82 JA: TX			
8224709	F-06-046966	4245900000		103	107-TF	AUSTELL #1 ID #96815	GLENWOOD (COTTON VALL	1080.0	DELHI GAS PIPELIN

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-PYRO ENERGY CORP									
8224811	F-01-047957	4217731155		RECEIVED:	03/25/82	JA: TX			
8224790	F-01-047855	4217731116		103		B BOTTS #2	CHRISTIAN (6800)	0.0	VALERO TRANSMISSI
8224789	F-01-047854	4217731134		103		L F BURCHARD "C" #5	CHRISTIAN (6800)	0.0	VALERO TRANSMISSI
-RAW ENERGY CORP				103		L F BURCHARD "D" #6	CHRISTIAN (6800)	0.0	VALERO TRANSMISSI
8224664	F-7B-045663	4236732188		RECEIVED:	03/25/82	JA: TX			
-RETAMCO INC				102-4		KESSLER #1-U RRC #96393	KESSLER (3980)	1460.0	SOUTHWESTERN GAS
8224824	F-08-048038	4247730383		RECEIVED:	03/25/82	JA: TX			
-ROBERT E BYRNE				103		LOMAX UNIT #1	GIDDINGS (AUSTIN CHAL	78.5	PHILLIPS PETROLEU
8224792	F-7B-047862	4213333290		RECEIVED:	03/25/82	JA: TX			
-ROCKWOOD RESOURCES INC				103		SNEED "A" #1 (17994)	EASTLAND COUNTY REGUL	55.0	LONE STAR GAS CO
8224617	F-02-043853	4223931581		RECEIVED:	03/25/82	JA: TX			
8224638	F-03-045014	4248132105		102-4		HAHN #1 (ID NO 95632)	GANADO (FRIO 5550)	0.0	LONE STAR GAS CO
-ROYAL OIL & GAS CORPORATION				102-4		HARFST-STOVALL #1	LOUISE NORTH (FRIO 42	0.0	DELHI GAS PIPE LI
8224641	F-01-045047	4231131606		RECEIVED:	03/25/82	JA: TX			
-RYDER SCOTT OIL CO				103		ROBERT K GORDON #1	HATIST RANCH N (WILCO	180.0	TEXAS EASTERN TRA
8224834	F-09-048091	4223733968		RECEIVED:	03/25/82	JA: TX			
-SAGE ENERGY CO				102-4		STARKE #1	STARKE (CONGL)	32.0	TEXAS UTILITIES F
8224829	F-7C-048044	4238331645		RECEIVED:	03/25/82	JA: TX			
8224828	F-7C-048043	4210533175		103		UNIVERSITY 10 #9 RRC #07742	FARMER (SAN ANDRES)	0.0	NORTHERN NATURAL
8224825	F-7C-048040	4210533297		103		UNIVERSITY 13 #4 RRC #07388	FARMER (SAN ANDRES)	1.5	NORTHERN NATURAL
8224826	F-7C-048041	4238332022		103		UNIVERSITY 13 #5 RRC #07388	FARMER (SAN ANDRES)	2.6	NORTHERN NATURAL
8224827	F-7C-048042	4238332033		103		UNIVERSITY 49-3 #1 RRC #09121	FARMER (SAN ANDRES)	0.0	NORTHERN NATURAL
-SANTA FE MINERALS INC				103		UNIVERSITY 49-3 #2 RRC #09121	FARMER (SAN ANDRES)	0.1	NORTHERN NATURAL
8224690	F-05-046714	4234931782		RECEIVED:	03/25/82	JA: TX			
-SANTA FE-WINDSOR PRODUCING CO				103	107-TF	O L GADDY #1	CHENEYBORO (COTTON VA	35.0	TEXAS UTILITIES F
8224704	F-03-046917	4228731093		RECEIVED:	03/25/82	JA: TX			
8224771	F-03-047774	4228730962		103		GOVERNOR UNIT #1	GIDDINGS (BUDA)	36.5	PERRY PIPELINE CO
8224705	F-03-046918	4228731086		103		MITTASCH #2	GIDDINGS (AUSTIN CHAL	109.5	PERRY PIPELINE CO
-SERVICE DRILLING CO				103		OZIAS #1	GIDDINGS BUDA	36.5	PERRY PIPELINE CO
8224711	F-10-047021	4206500000		RECEIVED:	03/25/82	JA: TX			
8224710	F-10-047020	4206500000		108		ARNOLD "A" #2	PANHANDLE	5.0	GETTY OIL CO
-SHELL OIL CO				108		ARNOLD "A" #3	PANHANDLE	5.0	GETTY OIL CO
*8224841	F-8A-048142	4250132102		RECEIVED:	03/25/82	JA: TX			
*8224840	F-8A-048141	4250132103		103		DENVER UNIT #3537	WASSON	0.4	SHELL OIL CO
*8224839	F-8A-048140	4250132104		103		DENVER UNIT #4641	WASSON	0.7	SHELL OIL CO
*8224838	F-8A-048139	4250132042		103		DENVER UNIT #4740	WASSON	0.4	SHELL OIL CO
*8224837	F-8A-048138	4250132053		103		DENVER UNIT #5818	WASSON	0.4	SHELL OIL CO
-SMITH PETROLEUM CO				103		DENVER UNIT #5819	WASSON	1.8	SHELL OIL CO
8224576	F-04-027203	4235531492		RECEIVED:	03/25/82	JA: TX			
-SOHIO PETROLEUM CO				102-4		KNOLLE JERSEY FARMS #2	KNOLLE 3980 (FRIO)	65.0	VALLEY PIPELINE
*8224821	F-08-048022	4217331235		RECEIVED:	03/25/82	JA: TX			
-SOUTHLAND ROYALTY CO				103		SPRABERRY DRIVER UNIT #879	SPRABERRY (TREND AREA	6.0	EL PASO NATURAL G
8224791	F-08-047857	4243131030		RECEIVED:	03/25/82	JA: TX			
-SPINDLETOP OIL & GAS CO				103		FLINT ESTATE "A" #1	CONGER	140.0	VALERO TRANSMISSI
8224656	F-7B-045419	4236732054		RECEIVED:	03/25/82	JA: TX			
8224621	F-7B-044066	4236731851		102-4		MALONE #1	STONEBRIDGE (BEND CON	250.0	EMPIRE PIPELINE C
-SUN OIL COMPANY (DELAWARE)				102-4		MILLER GAS UNIT	SPRINGTOWN (5500)	36.0	LONE STAR GAS CO
8224623	F-04-044187	4227331462		RECEIVED:	03/25/82	JA: TX			
8224578	F-04-031659	4242731416		102-4		E G CANALES #22	TCB (10500E)	64.0	
-SUPERIOR OIL CO				102-4		MARRS MCLEAN #23	LOCKHART	146.0	TENNESSEE GAS PIP
8224579	F-03-031785	4216730800		RECEIVED:	03/25/82	JA: TX			
-TARTAN OIL & GAS				103		LOUIS G LOBIT #1	LEAGUE CITY	0.0	
				RECEIVED:	03/25/82	JA: TX			

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JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8224733	F-03-047213	4215731267		102-4		C H WISE UNIT (14933) #1	MOORES ORCHARD (YEGUA	20.0	
8224609	F-03-043049	4229100000		102-4		PARTLOW #1	MOSS BLUFF NW (10600)	250.0	ESPERANZA TRANSMI
-TEXACO INC				RECEIVED:	03/25/82	JA: TX			
8224818	F-08-048004	4243130947		103		E B COPE #4	CONGER SW (PENN)	305.9	VALERO TRANSMISSI
8224753	F-10-047428	4219500000		108		TUCKER GAS UNIT #1-C	HANSFORD (MORROW UPPE	21.8	NATURAL GAS PIPEL
-TEXAS INTERNATIONAL PET CORP				RECEIVED:	03/25/82	JA: TX			
8224625	F-08-044298	4233531191		103		EDWIN PARKS #8	DIXON (STRAWN)	20.0	SUN GAS CO
8224637	F-03-044886	4205100000		102-2		GIESSEL #D-6	GIDDINGS (AUSTIN CHAL	292.0	CLAJON GAS CO
-TEXAS OIL & GAS CORP				RECEIVED:	03/25/82	JA: TX			
8224590	F-06-038257	4240131064		102-4	103	BOLTON "A" #3	BOLTON (TRAVIS PEAK)	0.0	
8224599	F-05-041973	4216100000		103	107-TF	POWERS "E" #1	TEAGUE WEST (HAYNESVI	0.0	
-THE DOW CHEMICAL COMPANY				RECEIVED:	03/25/82	JA: TX			
8224741	F-03-047288	4224531166		103		CEE CROSS #5	GUM ISLAND N (HACKBER	1440.0	
8224740	F-03-047281	4224500000		103		HEBERT-BROUSSARD #4	GUM ISLAND N (HACKBER	540.0	
8224739	F-03-047279	4224531428		103		HEBERT-BROUSSARD #9	GUM ISLAND N (HACKBER	360.0	
-TIPPERARY OIL AND GAS CORP				RECEIVED:	03/25/82	JA: TX			
8224604	F-03-042402	4214931023		103		ELLISOR EST 1-A	GIDDINGS (AUSTIN CHAL	0.0	PHILLIPS PETROLEU
8224603	F-03-042317	4214931143		103		GEORGE UNIT #1	GIDDINGS (AUSTIN CHAL	183.0	PHILLIPS PETROLEU
8224605	F-03-042403	4214931186		103		ZOCH #1	GIDDINGS (AUSTIN CHAL	0.0	PHILLIPS PETROLEU
-TRIPLE L OIL CO INC				RECEIVED:	03/25/82	JA: TX			
8224671	F-02-045945	4223993148		103		J M BENNETT #1	LA SALLE	36.0	DELHI GAS PIPELIN
-TXO PRODUCTION CORP				RECEIVED:	03/25/82	JA: TX			
8224693	F-10-046761	4235731039		103		RICHARDSON "A" #1	PSHIGODA N (DES MOINE	9.0	PHILLIPS PETROLEU
-UNION OIL COMPANY OF CALIF				RECEIVED:	03/25/82	JA: TX			
8224809	F-08-047932	4200332993		103		FUHRMAN MASCHO UNIT #707 BLK 10	FUHRMAN-MASCHO	4.0	PHILLIPS PETROLEU
8224808	F-08-047931	4200332954		103		FUHRMAN-MASCHO UNIT #507 BLK 10	FUHRMAN-MASCHO	2.0	PHILLIPS PETROLEU
8224815	F-08-047977	4200332973		103		FUHRMAN-MASCHO UNIT #806 BLK 10	FUHRMAN-MASCHO	3.0	PHILLIPS PETROLEU
-VORTT EXPLORATION CO INC				RECEIVED:	03/25/82	JA: TX			
8224774	F-7B-047786	4236331914		108		B M CROSLAND #1 76553	STRAWN N (BEND CONGL)	0.0	SOUTHWESTERN GAS
8224775	F-7B-047788	4236332353		108		BENIE H PEAK UNIT #1 (90804)	MINERAL WELLS S (STRA	0.0	SOUTHWESTERN GAS
8224777	F-7B-047795	4236332346		108		D BAUM UNIT II #1 (88441)	MINERAL WELLS S (GEOR	0.0	SOUTHWESTERN GAS
8224776	F-7B-047792	4236332429		108		H GLOVER #1 (91396)	MINERAL WELLS S (STRA	0.0	SOUTHWESTERN GAS
8224780	F-7B-047799	4236332167		108		J GLIDEWELL#1 (84184)	MINERAL WELLS S (CONG	0.0	SOUTHWESTERN GAS
8224778	F-7B-047797	4236332341		108		L A WOOLRIDGE #1 (88198)	MINERAL WELLS S (STRA	0.0	SOUTHWESTERN GAS
8224781	F-7B-047800	4236332138		108		LAWSON-STACIO #1 (85526)	MINERAL WELLS S (STRA	0.0	SOUTHWESTERN GAS
8224779	F-7B-047798	4236332334		108		R EDMONDSON UNIT #1 (88871)	MINERAL WELLS S (STRA	0.0	SOUTHWESTERN GAS
8224773	F-7B-047785	4236342237		108		VARNELL-SEAY #1 (86957)	MINERAL WELLS S (CONG	0.0	SOUTHWESTERN GAS
-WAGNER & BROWN				RECEIVED:	03/25/82	JA: TX			
8224725	F-10-047136	4221121362		103		HARDIN #1-77	HEMPHILL (GRANITE WAS	307.0	
-WESTERN CHIEF OIL & GAS CO				RECEIVED:	03/25/82	JA: TX			
8224633	F-7B-044575	4236732109		103		HOBSON #1 117898	TOTO (STRAWN)	134.0	SOUTHWESTERN GAS
8224634	F-7B-044633	4236732110		103		HOBSON #2	TOTO (STRAWN)	144.0	SOUTHWESTERN GAS
-WILLIAM MOSS PROPERTIES INC				RECEIVED:	03/25/82	JA: TX			
8224627	F-7C-044370	4246131597		103		POWELL 13 #1	SPRABERRY (TREND AREA	7.3	MOBIL PRODUCING T
-WILLIAM PERLMAN				RECEIVED:	03/25/82	JA: TX			
8224565	F-7C-000682	4243500000		103		BROCKMAN 38-2	SAWYER (CANYON)	0.0	EL PASO GAS TRANS
8224564	F-7C-000681	4243500000		103		BROCKMAN 54-1	SAWYER (CANYON)	45.0	EL PASO GAS TRANS
8224568	F-7C-000711	4243500000		103		BROCKMAN 54-3	SAWYER (CANYON)	45.0	EL PASO GAS TRANS
8224570	F-7C-013993	4243500000		103		BROCKMAN 64-2	SAWYER (CANYON)	45.0	EL PASO GAS TRANS
8224572	F-7C-013997	4243500000		103		BROCKMAN 64-4	SAWYER (CANYON)	45.0	EL PASO GAS TRANS
8224567	F 7C-000705	4243500000		103		DAN CAUTHORN "134" #1	SHURLEY RANCH (CANYON	0.0	EL PASO NATURAL G
8224569	F7C-008153	4243532125		103		FANNIE WADE 44-1 81764	SAWYER (CANYON)	0.0	EL PASO GAS TRANS
8224563	F-7C-000671	4243500000		103		GEO BROCKMAN "37" #2	SAWYER (CANYON)	0.0	EL PASO GAS TRANS

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JD NO	JA CAT	API NO	E	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8224566	F7C-000684	4243500000		103		GEO BROCKMAN "37" #4	SAWYER (CANYON)	0.0	EL PASO GAS TRANS
8224571	F-7C-013995	4243500000		103		GEO BROCKMAN "64" #3	SAWYER (CANYON)	0.0	EL PASO GAS TRANS
-WILSON ENERGY INC				RECEIVED:	03/25/82	JA: TX			
8224750	F-08-047389	4231700000		103		NAIL #1	FRAN-GLASS (PENNSYLVA	36.5	
-WOOD MCSHANE & THAMS				RECEIVED:	03/25/82	JA: TX			
8224795	F-08-047898	4249531408		103		KEYSTONE CATTLE CO #6-H	KEYSTONE (HOLT)	122.6	PIONEER CORP
8224796	F-08-047899	4249531415		103		KEYSTONE CATTLE CO 5-H	KEYSTONE (HOLT)	157.7	PIONEER CORP

OTHER PURCHASERS

8224592	LONE STAR GAS CO
8224595	BASIN INC
8224611	EL PASO NATURAL GAS CO
8224620	LONE STAR GAS CO
8224677	NORTHERN NATURAL GAS CO
8224691	E I DUPONT DE NEMOURS & CO INC
8224692	E I DUPONT DE NEMOURS & CO INC
8224697	VALERO TRANSMISSION CORP
8224700	VALERO TRANSMISSION CO
8224756	E I DUPONT DE NEMOURS & CO INC
8224757	LONE STAR GAS CO
8224787	E I DUPONT DE*NEMOURS & CO INC
8224788	E I DUPONT DE*NEMOURS & CO INC
8224821	PHILLIPS PETROLEUM CO
8224830	E I DUPONT DE*NEMOURS & CO INC
8224837	COLTEXO CORP
8224838	COLTEXO CORP
8224839	COLTEXO CORP
8224840	COLTEXO CORP
8224841	COLTEXO CORP

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before April 29, 1982.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease
102-2: New Well (2.5 mile rule)
102-3: New well (1000 ft rule)
102-4: New onshore reservoir
102-5: New reservoir on old OCS lease
Section 107-DP: 15,000 feet or deeper
107-GB: Geopressured brine
107-CS: Coal seams
107-DV: Devonian shale
107-PE: Production enhancement
107-TF: New tight formation
107-RT: Recompletion tight formation
Section 108: Stripper well
108-SA: Seasonally affected
108-ER: Enhanced recovery
108-PB: Pressure buildup

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-10206 Filed 4-13-82; 8:45 am]
BILLING CODE 6717-01-M

Office of Hearings and Appeals

Issuance of Decisions and Orders; Week of January 25 Through January 29, 1982

During the week of January 25 through January 29, 1982, the decisions and orders summarized below were issued with respect to appeals and applications for exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeals

Berger & Montague, 1/27/82, BFA-0711

Berger & Montague filed an Appeal from a denial by the Energy Information Administration of a Request for Information which the firm had submitted under the Freedom of Information Act (the FOIA). In considering the Appeal, the DOE found that certain of the documents which were initially withheld under exemption 4 should be released to the public. Important issues that were considered in the Decision and Order were releasability of four-year-old price and volume data.

Dresser Industries, Inc., 1/29/82, HFA-0025

Dresser Industries, Inc. filed an Appeal from a partial denial by the Director of the DOE Office of International Security Affairs of a Request for Information which the firm had submitted under the Freedom of Information Act (FOIA). In considering the Appeal, the DOE found that the Director (i) failed to adequately describe the subject matter of each document or portion of a document withheld under exemptions 4 and 5; and (ii) failed to adequately justify the withholding of several documents pursuant to Exemption 4. Accordingly, the DOE remanded this matter to the Director with directions to promptly either release the withheld material or issue a new denial letter which adequately describes the withheld material and adequately justifies the application of Exemption 4.

Eastern Oil Co., 1/25/82, BRA-0213

Eastern Oil Company filed an Appeal of a Remedial Order which the Region IV Office of Enforcement issued to the firm on January 18, 1980. In the Remedial Order, Region IV found that Eastern had exceeded its maximum lawful selling price as set forth at 10 CFR 212.93 and overcharged its customers by $231,551. After examining the Remedial Order and Eastern's Appeal, the OHA concluded that the Appeal should be denied. The important issues discussed in the Decision and Order include the use of "separate inventory" calculations in determining product costs.

Koyne Miles, 1/27/82, BEA-0752

Koyne Miles filed an Appeal of an Order issued by the ERA's Region IX Office of Petroleum Operations. That Order directed Miles' supplier to supply motor gasoline to Miles' successor at a retail outlet, rather than to Miles at another site. After considering the Appeal, the DOE determined that the Order should be rescinded on procedural grounds, but that no determination should be reached concerning which party was entitled to the allocation in question.

Request for Modification and/or Rescission

Leo's-Winstead's, Inc., 1/27/82, BRR-0161

Leo's-Winstead's, Inc. filed a submission which sought a rescission of a final Remedial Order that was issued to the firm on August 3, 1981. On September 3, 1981, Leo's and the Office of Enforcement entered into a consent order covering the same matters as those in the August 3, 1981 Remedial Order. In its submission Leo's specifically requested that the OHA withdraw its August 3 Remedial Order so that Leo's could withdraw its Notice of Intent to Appeal the Remedial Order which it had filed with the Federal Energy Regulatory Commission. In considering the request the OHA believed it would be in keeping with the intent of the parties to the settlement that the consent order be modified to terminate the Remedial Order proceedings and withdraw the Appeal to the Federal Energy Regulatory Commission.

Office of Enforcement/Cardoza Service; A-1 ARCO; Sherwood Garden Chervon, 1/27/82, BRR-0163, BRR-0164, BRR-0165

On September 30, 1981, the Office of Special Counsel (OSC) filed Motions for Modification of Remedial Orders issued to three retail motor gasoline outlets. Those firms were found to have overcharged their customers and were therefore ordered to deposit the overcharges, plus interest, into the United States Treasury. In its Motions, the OSC requested that the interest provisions be modified upward to reflect current DOE policy with respect to interest on overcharges received by motor gasoline retailers. In the decision, the Office of Hearings and Appeals stated that modification of final Remedial Orders in the manner requested by the OSC would unfairly deprive the firms of the opportunity to be informed of the full extent of their potential liability as a reasonably early stage of the enforcement proceeding. Because OSC offered no explanation for its failure to file the Motions in a timely manner, the OSC's Motions for Modification were denied.

Request for Exception

Quad Refining Corp., 1/27/82, BEE-1685

Quad Refining Corp. filed an Application for Exception from the provisions of 10 CFR 211.67 in which the firm sought additional entitlements to compensate it for issued entitlements it was unable to sell due to a default by a purchaser. In considering the request, the DOE found that the firm had already received the relief requested in a previous decision. The D&O also denied Quad's request for additional entitlements intended to provide it for interest on the entitlements it had been unable to sell. Accordingly, exception relief was denied. The important issues discussed in the Decision and Order involve the issuance of additional entitlements for the purpose of restoring lost interest income to firms that have been unable to consummate past entitlements sales transactions.

Motions for Discovery

Energy Corporation of America, 1/26/82, DRD-0238, DRH-0238

Energy Corporation of America filed a Motion for Discovery and a Motion for Evidentiary Hearing in connection with a Statement of Objections to a Proposed Remedial Order issued to the firm on May 25, 1979. In its Motion for Discovery the firm sought contemporaneous construction discovery of the "property" definition and the stripper well lease exemption along with administrative record discovery of various crude oil price control regulations, rulings and clarifications. In its Motion for Evidentiary Hearing, the firm claimed that a hearing was necessary to examine the contemporaneous agency constructions of the two concepts and also to demonstrate that a gas well had produced condensate during the audit period. In considering the motions, the DOE found that the "property" definition and

the stripper well lease exemption were not ambiguous as applied to the facts of this case and could not be the subject of contemporaneous construction discovery. The DOE also found that the firm had not raised a genuine issue of material fact regarding the production of condensate from the gas well. Accordingly, the firm's Motion for Discovery and Motion for Evidentiary Hearing were denied.

Marathon Oil Company, Office of Special Counsel, 1/26/82, BRD-1295, BRD-0084

Marathon Oil Company (Marathon) filed a Motion for Discovery in connection with its Statement of Objections to a Proposed Remedial Order that the Office of Special Counsel (OSC) issued to it on July 23, 1980. The PRO alleges that Marathon overstated by $11,712,172 the costs associated with its sales of natural gas liquids (NGLs) and natural gas liquid products (NGLPs). In its discovery motion, Marathon seeks the administrative recored upon which the regulations governing the pricing of NGLs and NGLPs were based, the agency's contemporaneous constructions of those regulations, and data supporting specific allegations in the PRO. The OSC submitted a response opposing the Marathon motion and as part of its response submitted its own Motion for Discovery seeking factual data that would reveal the basis for the arguments advanced by Marathon in its Statement of Objections. At a hearing held on December 16, 1981, the Hearing Officer ruled on each of the interrogatories, requests for admissions, and requests for production of documents contained in the OSC and Marathon discovery motions. This Decision and Order summarizes the rulings made at the December 16 hearing.

Office of Special Counsel, 1/29/82, HRD-0019

The Office of Special Counsel sought discovery from the Louisiana Land and Exploration Company in connection with the firm's objections to a Proposed Remedial Order which the OSC had issued to Texaco Inc. on May 1, 1979. The OSC's motion sought information related to representations which the firm had made to a federal district court in related litigation, which were inconsistent with its position in the OHA litigation. The OHA found that the motion sought relevant information and granted it in substantial part.

Motion for Evidentiary Hearing

Vernon Christian d.b.a. Christian's 66 Service Station, 1/29/82, HRH-0007

Vernon Christian d/b/a Christian's 66 Service Station filed a Motion for Evidentiary Hearing in connection with its Statement of Objections to a Proposed Remedial Order issued to the firm by the ERA's Southwest District Office. In considering the request, the DOE found that Christian's had failed to satisfy the procedural requirements of 10 CFR 205.199(b) and, further, that an evidentiary hearing would not be appropriate at this time as the factual issues in the case could be better resolved through the submission of documentary evidence. Accordingly, Christian's motion was denied. The firm was, however, permitted 30 days in which to file additional documentary evidence.

Interlocutory Order

Texaco Inc., 1/29/82, HRZ-0005

Texaco Inc. filed a motion for an order deeming as admitted by the Office of Special Counsel certain matters raised in the first installment of a Statement of Factual Objections filed by the firm in response to a Proposed Remedial Order which the OSC issued to the firm on May 1, 1979. The Office of Hearings and Appeals determined that the admissions device was useful in resolving factual assertions which Texaco had made in its SFO and which the OSC had failed to deny. The OHA also stated, however, that the device could not be used to avoid proof on genuinely contested issues of fact or to resolve legal issues. Finding Texaco's motion deficient, the OHA denied the motion in substantial part.

Dismissals

The following submissions were dismissed without prejudice:

Company name and Case No.

Cliff Adams/Adams Exxon, et al.; BRR-0011
Eastern of New Jersey, Inc.; HEG-0010, HES-0010, HET-0010
Shoreline Texaco; BRX-0154

Copies of the full text of these decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room 1111, New Post Office Building, 12th & Penn. Ave. NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

George B. Breznay,
Director, Office of Hearings and Appeals.
April 8, 1982.

[FR Doc. 82-10225 Filed 4-13-82; 8:45 am]
BILLING CODE 6450-01-M

Issuance of Decisions and Orders, Week of February 1 Through February 5, 1982

During the week of February 1 through February 5, 1982, the decisions and orders summarized below were issued with respect to appeals and applications for exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeal

Miller & Chevalier, 2/1/82, HFA-0072

Miller & Chevalier filed and Appeal from a partial denial by a Deputy Director of the Office of Hearings and Appeals of a Request for Information which the firm had submitted under the Freedom of Information Act (the FOIA). In considering the Appeal, the DOE found that certain of the documents which were withheld under Exemption Five should not be released to the public. Some important issues that were discussed were: (i) The adequacy of the search which was conducted by the DOE officials and (ii) the public interest in disclosure of information which is the subject matter of pending litigation.

Remedial Order

B.M. Hester, 2/3/82, BRO-1430

B.M. Hester objected to a Proposed Remedial Order which the Southwest Enforcement District of the Economic Regulatory Administration issued to the firm on March 11, 1981. In the Proposed Remedial Order, the Southwest Enforcement District found that Hester had sold crude oil produced from properties which it operates in Texas and Louisiana at prices that exceeded the applicable ceiling prices. After considering the Statement of Objections filed by Hester, the DOE concluded that the Proposed Remedial Order should be issued as a final Order. The important issues discussed in the Decision and Order include (i) whether the overcharges should be offset against alleged undercharges incurred at properties other than those to which the PRO pertains; (ii) whether certain wells produced at their "maximum feasible rate" during a relevant qualifying period and therefor were eligible for the stripper well lease exemption; and (iii) whether certain wells were oil wells rather than gas wells.

Motion for Evidentiary Hearing

Terrace Mobil, 2/2/82, BRH-1161

On May 19, 1980, Paul D'Arpino d/b/a Terrance Mobil filed a Motion for Evidentiary Hearing pursuant to 10 CFR 205.199. That Motion relates to a Proposed Remedial Order that was issued to the firm on December 18, 1979. In considering the Motion, the Department of Energy found that the firm failed to demonstrate that the requested testimony of its operator and the DOE auditors who auditied the firm would be the best way to resolve relevant and material factual disputes. The Motion was accordingly denied.

Interlocutory Order

Office of Special Counsel for Compliance, 2/2/82, BRZ-0112

The Office of Special Counsel for Compliance sought an Order establishing as admitted certain factual findings made in a Proposed Remedial Order issued to the Gulf Oil Corporation. In considering the OSC's request, the DOE determined that Gulf had admitted certain factual findings which it had failed to specifically controvert. However, the DOE denied a request that OSC calculations derived from a set of Gulf sales records be deemed accurate. The DOE found that Gulf had sufficiently controverted the OSC calculations by identifying a possible generic deficiency in the underlying sales records, providing examples of alleged errors, and submitting an alternative, and allegedly more accurate, set of sales records.

Supplemental Orders

Gulf Oil Corporation, 2/5/82, HRX-0012, HRJ-0002

The Office of Hearings and Appeals issued a Supplemental Order to the Gulf

Oil Corporation and the Office of Special Counsel for Compliance. Pursuant to the prior OHA Order in Gulf Oil Corporation, 9 DOE ¶ 84,007 (1981), the Office of Special Counsel submitted three documents withheld from discovery by Gulf on grounds of privilege for the OHA's *in camera* inspection. The Office of Hearings and Appeals determined that one of the documents was privileged in its entirety and that OSC's privilege claim with respect to it was not outweighted by Gulf's need for the information contained therein. However, the Office of Hearings and Appeals directed the OSC to disclose all or parts of the remaining documents.

The Office of Hearings and Appeals also established the terms of a Protective Order which will govern Gulf's use of a fourth document, which the OSC had inadvertently released to the firm. Because the inadvertent disclosure of the document constituted a waiver of privilege by the OSC, the OHA adopted a Protective Order which permits unusually broad use of the document in agency and court proceedings, subject to certain protections against unnecessary dissemination.

Laketon Asphalt Refining, Inc., 2/5/82, *BYX-0228*

On February 5, 1982, the DOE issued a Decision and Order to Laketon Asphalt Refining, Inc. that reviewed the firm's 1980 fiscal year exception relief from purchasing entitlements as required by 10 CFR 211.67. The Decision and Order determined that Laketon received excess relief during its 1980 fiscal year and ordered that the firm purchase entitlements to refund the excess amount.

Dismissals

The following submission was dismissed without prejudice:

Company Name and Case No.
Diamond Shamrock Corp., BEL-1680

Copies of the full text of these decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room 1111, New Post Office Building, 12th & Penn. Ave., NW Washington, D.C. 20461, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except Federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

George B. Breznay,

Director, Office of Hearings and Appeals.

April 8, 1982.

[FR Doc. 82-10226 Filed 4-13-82; 8:45 am]

BILLING CODE 6450-01-M

Office of the Secretary

Conduct of Employees; Waiver Pursuant to Section 602(c) of the Department of Energy Organization Act (Pub. L. 95-91) for Guy W. Fiske

Section 602(a) of the Department of Energy Organization Act (Pub. L. 95-91, hereinafter referred to as the "Act") prohibits a "supervisory employee" (defined in section 601(a) of the Act) of the Department from knowingly receiving compensation from, holding any official relation with, or having any pecuniary interest in any "energy concern" (defined in section 601(b) of the Act).

Section 602(c) of the Act authorizes the Secretary of Energy to waive the requirements of section 602(a) in cases of exceptional hardship or where the interest is a pension, insurance, or other similarly vested interest.

Mr. Guy W. Fiske assumed the position of Under Secretary of the Department of Energy on October 5, 1981. At that time, Mr. Fiske had certain energy concern holdings, including common stock and options for the purchase of common stock of General Dynamics Corporation.

It having been established to my satisfaction that requiring immediate divestiture of the aforementioned holdings would impose exceptional hardship on Mr. Fiske within the meaning of section 602(c) of the Act, on October 6, 1981, I granted him a waiver of the divestiture requirements of section 602(a) with respect to such interests subject to a specified schedule of divestitures. One of the requirements of this schedule is that Mr. Fiske divest himself of certain General Dynamics stock (acquired by him pursuant to options that had to be exercised within 3 months of termination of his employment with General Dynamics) no later than 180 days after assuming the position of Under Secretary, and he has done so with respect to more than 75 percent of those shares.

However, Mr. Fiske is currently under consideration for appointment as Deputy Secretary of Commerce, a position in which the scheduled divestitures would not be required. In these circumstances I have found that requiring him to divest the remaining shares of such General Dynamics stock at this time would impose execptional hardship on him within the meaning of section 602(c) of the Act. Accordingly, I have granted him a waiver of the divestiture requirements of section 602(a) of the Act with respect to such shares for an additional period of 60 days, i.e., until June 4, 1982.

All other provisions of the waiver of October 6, 1981, continue to apply.

Dated: April 7, 1982.

James B. Edwards,

Secretary.

[FR Doc. 82-10223 Filed 4-13-82; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[PP 8G2129/T357; PH-FRL-2095-7]

Bendiocarb; Renewal of Temporary Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has renewed temporary tolerances for the combined residues of the insecticide bendiocarb and its metabolites in or on certain raw agricultural commodities. A food additive regulation has been renewed on corn oil.

DATE: These temporary tolerances expire February 23, 1983.

FOR FURTHER INFORMATION CONTACT: Jay Ellenberger, Product Manager (PM) 12, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 202, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2386).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of October 2, 1981 (46 FR 48759) stating that temporary tolerances had been renewed for the combined residues of the insecticide bendiocarb (2, 2-dimethyl-1, 3-benzodioxol-4-01 methylcarbamate) in or on the raw agricultural commodities corn (grain, fodder, and forage) at 0.05 part per million (ppm), and for residues of bendiocarb and its metabolites, NC-7312 (2,2-dimethyl-1, 3-benzodioxol-4-01) and N-hydroxymethyl bendiocarb, in milk, eggs, and fat, meat and meat byproducts (except kidneys) of cattle, goats, hogs, horses, poultry, and sheep at 0.05 ppm; and in kidney of cattle, goats, hogs, horses, poultry, and sheep at 0.1 ppm. A food additive regulation for the active ingredient in corn oil at 0.1 ppm was also renewed.

These tolerances were renewed in response to pesticide petition (PP 8G2129), submitted by EFC Chemicals, Inc., P.O. Box 2867, Wilmington, DE 19805.

The company has requested a one-year renewal of the temporary tolerance to permit the continued marketing of the

above raw agricultural commodities when treated in accordance with the provisions of experimental use permit 10065–EUP–14 which is being renewed under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, (92 Stat. 819; 7 U.S.C. 136). The company has also requested a renewal of the food additive regulation for corn oil. This renewal was granted (21 CFR 193.152).

The scientific data reported and all other relevant material were evaluated, and it was determined that a renewal of the temporary tolerances will protect the public health. Therefore, the temporary tolerances have been renewed on the condition that the pesticide be used in accordance with the experimental use permit and with the following provisions:

1. The total amount of the active ingredient to be used must not exceed the quantity authorized by the experimental use permit.

2. BFC Chemicals, Inc. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company must also keep records of production, distribution, and performance, and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

These tolerances expire February 23, 1983. Residues not in excess of the temporary tolerances in or on the above raw agricultural commodities after this expiration date will not be considered actionable if the pesticide is legally applied during the term of, and in accordance with, the provisions of the experimental use permit and temporary tolerances. These tolerances may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesiticide indicates that such revocation is necessary to protect the public health.

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

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

(Sec. 408(j), 68 Stat. 516, (21 U.S.C. 346a(j)))

Dated: March 31, 1982.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 82–9614 Filed 4–13–82; 8:45 am]

BILLING CODE 6560–50–M

[PF–267; PH–FRL–2096–6]

Certain Companies; Pesticide Petitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received pesticide petitions relating to establishment, amendment, and/or withdrawal of tolerances for residues of certain pesticide chemicals in or on certain raw agricultural commodities.

ADDRESS: Written comments to the product manager (PM) cited in each specific petition at the address below: Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

Written comments may be submitted while the petitions are pending before the Agency. The comments are to be identified by the document control number "[PF–267]" and the specific petition number. All written comments filed in response to this notice will be available for public inspection in the product manager's office from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: The product manager cited in each petition at the telephone number provided.

SUPPLEMENTARY INFORMATION: EPA gives notice that the Agency has received the following pesticide petitions relating to establishment, amendment, and/or withdrawal of tolerances for residues of certain pesticide chemicals in or on certain agricultural commodities in accordance with the Federal Food, Drug, and Cosmetic Act. The analytical method for determining residues, where required, is given in each petition.

PP 2F2651. Janssen R & D Inc., 501 George St., New Brunswick, NJ 08903. Proposes that 40 CFR Part 180 be amended by the establishment of tolerances for residues of the fungicide 1-[2-(2,4-dichlorophenyl)-2-(2-propenyloxy)ethyl]-*1H*-imidazol in or on cottonseed; the forage, grain, and straw of barley; and the forage, grain, and straw or wheat at .02 part per million (ppm). The proposed analytical method for determining residues is gas chromatography. (PM-21, Henry Jacoby, 703–557–1900).

PP 1E2563. Ciba-Geigy Corp., PO Box 11422, Greensboro, NC 27409. In the **Federal Register** of October 19, 1981 (46 FR 51282), EPA announced that Ciba-Geigy Corp. submitted pesticide petition (PP 1E2563) proposing the establishment of tolerances for the combined residues of the herbicide metolachlor [2-chloro-*N*-(2-ethyl-6-methylphenyl)-*N*-(2-methoxy-1-methylethly)acetamide] and its metabolites determined as 2-[(ethly-6-methylphenyl)-amino]-1-propanol and 4-(2-ethyl-6-mehylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed as parent compound in or on the raw agricultural commodities rotational grain crop forage and fodder at 0.5 ppm.

Ciba-Geigy has amended the petition by adding to the proposed tolerances the grain of rotational barley, buckwheat, milled, milo, oats, rice, rye, and wheat at 0.1 ppm and the fodder and forage of rotational barley, buckwheat, millet, milo, oats, rice, rye, and wheat at 0.5 ppm. The proposed analytical method for determining residues is gas chromatography. (PM–23, Richard Mountfort, 703–557–1830).

PP 6F1835. Mobay Chemical Co., Kansas City, MO 64120. In the **Federal Register** of October 7, 1976 (41 FR 44213), the EPA announced that Mobay Chemical Co. has submitted a pesticide petition (PP 6F1835) which proposed the establishment of tolerances for residues of the insecticide O,O,-diethyl *S*-[2(ethylthio)ethyl] phosphorodithioate in or on the agricultural commodities grass, grass chaff, and grass straw at 35 ppm.

Mobay Chemical Co. has withdrawn this petition without prejudice to future filing in accordance with 40 CFR 180.8. (PM–15, George LaRocca, 703–557–2400).

(Sec. 408(d)(1), 68 Stat. 512 (7 U.S.C. 136))

Dated: March 30, 1982.

Robert V. Brown,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 82–9616 Filed 4–13–82; 8:45 am]

BILLING CODE 6560–50–M

[OPP–50575; PH–FRL–2097–7]

Issuance of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to

the use of pesticides for experimental purposes.

FOR FURTHER INFORMATION CONTACT: The product manager cited in each experimental use permit at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 1921 Jefferson Davis Highway, Arlington, VA 22202.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

279-EUP-69. Extension. FMC Corporation, 2000 Market St., Philadelphia, PA 19103. This experimental use permit allows the use of 792 pounds of the insecticide permethrin on lettuce, soybeans, and tomatoes to evaluate the control of various insects. A total of 1,915 acres are involved. The program is authorized in the States of Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and Wisconsin. The experimental use permit is effective from July 15, 1982 to July 15, 1983. This permit is issued with the limitation that all crops are destroyed or used for research purposes only. (Franklin Gee, PM 17, Rm. 207, CM#2, (703-557-2690))

279-EUP-77. Extension. FMC Corporation, 2000 Market St., Philadelphia, PA 19103. This experimental use permit allows the use of 4,497 pounds of the insecticide permethrin on almonds, apples, artichokes, asparagus, broccoli, Brussels sprouts, cabbage, cauliflower, celery, cherries, chrysanthemums, cucumbers, dry beans, eggplant, grain sorghum, grapes, green peas, mushrooms, peaches, peanuts, pears, peppers, potatoes, small grains, squash, succulent beans, sugarbeets, sugarcane, sunflowers, sweet corn, and watermelons to evaluate the control of various insects. A total of 3,379 acres are involved. The program is authorized in the States of Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, and Wisconsin. The experimental use permit is effective from July 15, 1982 to July 15, 1983. This permit is being issued with the limitation that all crops are destroyed or used for research purposes only. (Franklin Gee, PM 17, Rm. 207, CM#2, (703-557-2690))

279-EUP-81. Extension. FMC Corporation, 2000 Market St., Philadelphia, PA 19103. This experimental use permit allows the use of 5,210 pounds of the insecticide permethrin on cotton to evaluate the control of various insects. A total of 1,650 acres are involved. The program is authorized in the States of Alabama, Arizona, Arkansas, California, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, and Texas. The experimental use permit is effective from July 15, 1982 to July 15, 1983. A permanent tolerance for residues of the active ingredient in or on cotton has been established (40 CFR 180.378)). (Franklin Gee, PM 17, Rm. 207, CM#2, (703-557-2690))

2139-EUP-26. Extension. NOR-AM Agricultural Products, Inc., 350 W. Shuman Blvd., Naperville, IL 60566. This experimental use permit allows the use of 170,000 pounds of the insecticide chlorodimeform in a tank mix with synthetic permethroids and oil on cotton to evauate the control of the bollworm. A total of 155,000 acres are involved. The program is authorized only in the States of Alabama, Arizona, Georgia, Mississippi, and Texas. The experimental use permit is effective from March 1, 1982 to December 31, 1982. A permanent tolerance for residues of the active ingredient in or on cottonseed has been established (40 CFR 180.285, 180.378, and 180.379). (Jay S. Ellenberger, PM 12, Rm. 202, CM#2, (703-557-2386)).

359-EUP-60. Extension. Rhone-Poulenc Chemical Company, P.O. Box 125, Monmouth Junction, NJ 08852. This experimental use permit allows the use of 3,900 pounds of the herbicide acifluorfen on soybeans to evaluate the control of weeds. The experimental use program is authorized only in the States of Alabama, Arkanasas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, and Wisconsin. This experimental use permit is effective from February 2, 1982 to August 1, 1983. A permanent tolerance for residues of the active ingredient in or on soybeans has been established (40 CFR 180.383). (Richard Mountfort, PM 23, Rm. 237, CM#2, (703-557-1830)).

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquiries concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA Headquarters Office, so that the appropriate file may be made available for inspection purposes from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 92 Stat. 819, as amended (7 U.S.C. 136))

Dated: April 1, 1982.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 82-9800 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-32-M

[OPP-30195A; PH-FRL-2096-5]

Sterwin Laboratories Inc.; Approval of Application to Conditionally Register a Pesticide Product Containing a New Active Ingredient

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has conditionally approved the application by Sterwin Laboratories Inc. to register the insecticide Intercept Housefly Larvicide containing an active ingredient not included in any previously registered pesticide product pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

FOR FURTHER INFORMATION CONTACT: George LaRocca, Product Manager (PM) 15, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, CM#2, Rm. 204, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2400).

SUPPLEMENTARY INFORMATION: EPA issued a notice in the **Federal Register** of January 12, 1981 (46 FR 2716), that Sterwin Laboratories, Inc., Subsidiary of Sterling Drug Inc., 90 Park Ave., New York, NY 10016, had submitted an application to register the insecticide Intercept Housefly Larvicide containing 87 percent of the active ingredient erythrosine B [9 *o*-carboxyphenyl)-6-hydroxy-2,4,5,7-tetraiodo-3*H*-xanthen-3-one, disodium salt, includes lower iodinated fluoresceins], an ingredient not included in any previously registered product.

The application was approved on March 18, 1982 for general use in pesticide formulation. The product was assigned EPA registration No. 10392–4.

A copy of the approved label and the list of data references used to support registration are available for public inspection in the office of the product manager. The data and other scientific information used to support registration, except for the material specifically protected by section 10 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (92 Stat. 819; 7 U.S.C. 136), will be available for public inspection in accordance with section 3(c)(2) of FIFRA within 30 days after registration date. Requests for data must be made in accordance with the provisions of the Freedom of Information Act and must be addressed to the Freedom of Information Office (A–101), EPA, 401 M St., SW., Washington, DC 20460. Such requests should: (1) Identify the product name and registration number and (2) specify the data or information desired.

(Sec. 3(c)(2) FIFRA, as amended)

Dated: March 31, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

[FR Doc. 82–9615 Filed 4–13–82; 8:45 am]

BILLING CODE 6560–50–M

[OPP–55001A; PH–FRL–2097–1]

Vermont; Approval of State Plan for Issuance of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Federal Insecticide, Fungicide, and Rodenticide Act and the implementing regulations of 40 CFR Part 172, Subpart B, require each State desiring to issue experimental use permits to submit a plan to EPA for its experimental use permit program. Any State experimental use permit program under this section shall be maintained in accordance with the State Plan approved under this section. This is a notice of approval of such a plan for Vermont.

DATE: This approval became effective on April 14, 1982.

ADDRESS: Complete copies of the Vemont State Plan are available for public inspection at: Vermont Department of Agriculture, 116 State St., Montpelier, VT 05602, U.S. Environmental Protection Agency, Region I, John F. Kennedy Federal Building, Boston, MA 02203.

FOR FURTHER INFORMATION CONTACT: Dr. Harold E. Kazmaier, U.S. Environmental Protection Agency, Region I, Boston, MA 02203, (617–223–5126).

SUPPLEMENTARY INFORMATION: In the **Federal Register** of January 27, 1982 (47 FR 2874), notice was published of the intent of the Regional Administrator, EPA, Region I, to approve the Vermont State Plan for Issuance of Experimental Use Permits, and public comment was solicited. EPA received no comments.

Therefore, it has been determined that the Vermont State Plan satisfies the requirements of section 5(f) of the amended FIFRA and 40 CFR Part 172, and the Vermont State Plan is hereby aproved.

The Office of Management and Budget (OMB) has granted EPA an exemption from OMB review [under the authority of Executive Order 12291, section 8(b)], of final approval of State Plans for issuing state experimental use permits.

(Sec. 5(f), as amended (Pub. L. 95–396, 92 Stat. 819 (7 U.S.C. 136)

Dated: March 22, 1982.

Lester A. Sutton,

Regional Administrator, Region I.

[FR Doc. 82–9617 Filed 4–13–82; 8:45 am]

BILLING CODE 6560–50–M

[OPP–66091; PH–FRL–2102–4]

Certain Pesticide Products; Intent To Cancel Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice lists the name of firms requesting voluntary cancellation of registration of their pesticide products in compliance with section 6(a)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended. Production of these products after the effective date of cancellation will be considered a violation of the Act unless continued registration is requested.

EFFECTIVE DATE: May 14, 1982.

ADDRESS: Written comments to: Document Control Officer (TS–793), Management Support Division, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E–401, 401 M St. SW., Washington, D.C. 20460).

FOR FURTHER INFORMATION CONTACT: Lela Sykes, Process Coordination Branch (TS–767C), Registration Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 706, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703–557–7406.

SUPPLEMENTARY INFORMATION: EPA has been advised by the following firms of their intent to voluntarily cancel registration of their pesticide products.

Registration No.	Product name	Registrant	Date registered
59–135	Copper Prolin Rat and Mouse Killer	Burroughs Wellcome Company, 3030 Cornwallis Rd., Research Triangle Park, NC 27709.	Sept. 4, 1963.
59–137	Prolin Rat and Mouse Killer Feeder Pak	do	Oct. 8, 1963.
201–121	Shell Technical Aldrin	Shell Chemical Co., 1025 Connecticut Ave., NW., Suite 200, Washington, DC 20036.	June 17, 1960.
201–123	Technical Dieldrin	do	June 20, 1960.
201–182	Aldrin Solution No. 1	do	Aug. 17, 1966.
239–2312	Volk Supreme-Ethion Combination Northwes	Chevron Chemical Company, 940 Hensley St., Richmond, CA 94801	Dec.23, 1969
299–129	Martin's Termi-Treat Wood Preserver	C. J. Martin Company, P.O. Box 1089, Nacogdoches, TX 75961	Sept. 28, 1967.
430–5	Durham's Prolin Rat-Kil with Warfarin	Durhams Drug Products Co., Box 443, Comanche, TX 76446	Dec. 22, 1952.
524–269	New Odorless M–PRO Mouse Strip	Monsanto Company, 1101 17th St., NW., Washington, DC 20036	Mar. 20, 1968.
539–285	Penta Wood Preserver	Sears Roebuck and Company, Sears Tower, Chicago, IL 60684	Dec. 15, 1975.
548–22	Riley Bros. 5 percent Penta Preservative	Riley Bros., Inc., P.O. Box 965, Burlington, IA 52601	Mar. 19, 1956.
557–1665	Golden Vigoro Lawn Food Plus Chinch Bug Killer	Estech General Chemicals Corp., 30 North La Salle St., Chicago, IL 60602	July 13, 1967.
557–1831	K-Mart Chinch Bug Killer	do	May 18, 1971.
557–1859	Vigoro Chinch Bug Killer (Ethion)	do	Aug. 3, 1972.
606–64	Fly Mort with DDVP	Prince Agri Products, Inc., 8800 East 63rd St., Suite 216, Kansas City, MO 64133.	Mar. 24, 1955.
606–79	Corn King Livestock Mange and Lice Liquid	do	June 27, 1962.
606–95	Corn King Premium Stock Spray	do	June 21, 1972.
606–96	Corn King Mange and Insect Concentrate	do	Feb. 17, 1971.
606–100	Corn King Fly Bait	do	Apr. 15, 1972.
606–101	Corn King 1 Percent Vapona Animal and Barn Spray	do	June 4, 1973.
606–102	Corn King Rabon Cattle Dust Bag	do	Mar. 18, 1974.

Registration No.	Product name	Registrant	Date registered
655-270	Prentox Water Soluble Prolin for Rats	Prentiss Drug and Chemical, Co., Inc., 363 7th Ave., New York, NY 10001	Oct. 5, 1965.
655-410	Prentox All Weather Rat Killer	do	Nov. 16, 1971.
655-520	Prentox Prenchlor 20 Percent Oil Soluble Concentrate	do	Aug. 12, 1975.
912-88	Pacific Cooperatives Wood Preservative 10 to 1 Penta Concentrate	Farmers Union Central Exchange, Inc., P.O. Box 43089, St. Paul MN 55164	Nov. 29, 1951.
1304-16	McNess Rat Killer Concentrate	Furst McNess Company, 120 E. Clark St., Freeport, IL 61032	Mar. 13, 1951.
1386-419	Prolin Ready-to-Use Pellets	Universal Cooperatives, Inc., P.O. Box 460, Minneapolis, MN 55440	Jan. 23, 1963.
1386-533	Unico Ready-to-Use Warfarin Rodenticide Pellets	do	May 15, 1968.
1386-534	Unico Warfarin Rodenticide Concentrate	do	June 5, 1968.
1553-46	Monar Lemon-Dis Germicide Disinfectant	Monar, Inc., 1830 Ellsworth Industrial Drive NW., Atlanta, GA 30318	Nov. 11, 1962.
2072-5	75-90 4D Continental Creosote Oil	The Continental Products Company, 1150 East, 222 St., Euclid, OH 44117	Nov. 19, 1969.
2169-278	Green-Up Trade Style Turf Pro Dursban Pre-Weed	Patterson Green-Up Company, 1331 Union Ave., Kansas City, MO 64101	Oct. 15, 1981.
2279-4	Southern Refined Creosote	Southern Protective Products Company P.O. Box 10915, Atlanta, GA 30310	May 22, 1967.
2337-2	D&D Toxoleum Creosote for Dipping or Brushing	Demert and Dougherty, Inc., 5000 West 41st St., Chicago, IL 60650	Aug. 3, 1949.
2337-7	Bloxrot-O	do	Feb. 21, 1950.
2337-12	Bloxrot-R	do	May 5, 1950.
2337-40	Bloxrot-C	do	Feb. 24, 1960.
2337-63	All Weather Redwoodizer	do	June 2, 1971
2342-804	Folex Emulsifiable Concentrate	Kerr-McGee Chemical Corp., Kerr McGee Center Oklahoma City, OK 73125	Aug. 9, 1973.
3282-6	Water Soluble D-Con Warficide Kills Rats and Mice	The D-Con Company, Inc., 225 Summit Ave., Montvale, NJ 07645	May 21, 1952.
3282-33	Wincon 20 Warfarin Concentrate 0.5 percent	do	Mar. 2, 1973.
3282-34	Wincon 200 Warfarin Concentrate 5 percent	do	Apri. 18, 1973.
3282-35	Wincon MP Warfarin Concentrate 0.08 percent	do	Mar. 2, 1973.
3282-36	Wincon 400 Warfarin Concentrate 10 percent	do	Mar. 2, 1973.
3282-37	Industrial Carry Pack D-Con Ready Mix Kills Rats and Mice	do	Aug. 23, 1973.
4151-1	Sterling 12 Paint Penta-Treet	Stebbins & Roberts, P.O. Box 791, Little Rock, AK 72203	Sept. 7, 1960.
4154-4	Penta Concentrate	do	Mar. 17, 1964.
4243-2	Ginco Products Ready to Apply Water Repellent Penta	Ginn-Wilson, Inc., P.O. Box 27147, St. Louis, MO 63111	Apr. 8, 1957.
4243-3	Ginco Products No. 10 Penta Concentrate	do	Apr. 11, 1957.
4887-3	Stephenson Chemicals Warfarin Rat Bait Pellets	Stephenson Chemical Co., Inc., P.O. Box 87188, College Park, GA 30337	Jan. 12, 1956.
5490-4	TBS-25 Termite Barrier Spray	Jamieson Chemical Company, Inc., 818 E. Osborne Ave., Tampa, FL 33603	Dec. 15, 1961.
5815-9	Gentle Tiger Weed Killer and Lawn Food	WEGRO, Division of Old Fort Industries, Inc., Box 82 Grand Rapids, OH 43522	Apr. 4, 1963.
5815-10	Colonail Green Weed Killer and Lawn Food	do	Apr. 18, 1963.
5815-11	Green Maker Weed Killer and Lawn Food	do	Apr. 24, 1963.
5815-13	Green Meadow Weed Killer and Lawn Food	do	Apr. 29, 1963.
5815-14	Triple Green Weed Killer and Lawn Food	do	Jan. 11, 1966.
5815-16	Green Beauty Lightweight Weed Killer and Lawn Food	do	Jan 11, 1966.
5815-17	Triple XXX Weed Killer Plus Lawn Food 10-6-4	do	Mar. 1, 1966.
5815-19	SPARK-L-Green Lightweight Weed Killer and Lawn Food	do	May 27, 1967.
5967-147	Dibrom Sevin Dust No. 4-10	Moyer Chemical Company, P.O. Box 945 San Jose, CA 95108	Apr. 17, 1975.
6202-3	Pioneer Brand Penta Preservative Concentrate 1 to 10	Pioneer Building Specialties, 1125 SE. Division St., Portland, OR 97202	Feb. 28, 1963.
6482-4	Penta-Con 1 to 10 Concentrate	Texas Farm Products Company P.O. Box 9, Nacog.....doches, TX 75961	Feb. 29, 1968.
6720-30	X-Cel Rat Pel WP-38 Kills Rats and Mice	Southern Mill Creek Products Co., Inc., Box 1096, Tampa, FL 33601	June 20, 1967.
9392-1	Xterma Rat and Mouse Killer	Xterma Pest Control, P.O. Box 57 Albany, OR 97321	Aug. 4, 1966.
9779-33	Riverside Chlordane 4T	Riverside Chemical Company, P.O. Box 171376, Memphis, TN 38117	Aug. 31, 1967.
9779-42	Riverside Chlordane 8 PCO	do	Sept. 5, 1967.
10349-12	Visco P-25-F Oil Floodwater Bacteria Control Chemical	Nalco Chemical Company, 2901 Butterfield Rd., Oak Brook, IL 60521	May 22, 1975.
10503-1	Profit Guard Worm and Fly Block Medicated	Prince Agri Products, Inc., 8800 East 63rd St., Suite 216, Kansas City, MO 64133.	July 14, 1970.
11556-16	Co-Ral Animal Insecticide 1 percent Ready-to-Use Spray	Bayvet (Division of Cutler Labs., Inc.), P.O. Box 390, Shawnee Mission, KS 66201.	Dec. 29, 1971.
32447-1	Duro-Woodhill Wood Preservative	Woodhill Chemical sales Corporation, 18731 Cranwood Parkway, Cleveland, OH 44128.	Jan. 19, 1976.
36736-1	Ethylene Oxide	ARC Chemical Division, Balchem Corp., Box 180 Slate Hill, NY 10973	Sept. 21, 1981.

The Agency has agreed that such cancellation shall be effective May 14, 1982, unless within this time the registrant, or other interested person with the concurrence of the registrant, requests that the registration be continued in effect. The registrants were notified by certified mail of this action.

The Agency has determined that the sale and distribution of these products produced on or before the effective date of cancellation may legally continue in commerce until the supply is exhausted, or for 1 year after the effective date of cancellation, whichever is earlier; provided that the use of these products is consistent with the label and labeling registered with EPA. Furthermore, the sale and use of existing stocks have been determined to be consistent with the purposes of FIFRA as amended. Production of these products as pesticide formulations after the effective date of cancellation will be considered to be a violation of the Act.

Requests that the registration of these products be continued, may be submitted in triplicate to the Process Coordination Branch, Registration Division (TS-767), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460.

Comments may be filed regarding this notice. Written comments should bear a notation indicating the document control number "[OPP-66091]" and the specific registration number. Any comments filed regarding this notice will be available for public inspection in the Document Control Office, Room E-107, at the above address from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 6(a)(1) of FIFRA as amended 86 Stat. 973 89 Stat. (751, U.S.C. 136))

Dated: April 5, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

[FR Doc. 82-10144 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

[OPP-30209B; PH-FRL-2101-5]

William G. Roessler; Application To Register a Pesticide Product Containing a New Active Ingredient; correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; Correction.

SUMMARY: This notice corrects the name of the active ingredient in the application by William G. Roessler, to register the pesticide product "Requat Antimicrobial 1977 Liquid" containing an active ingredient not included in any

previously registered pesticide product pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

ADDRESS: Written comments, identified by the document control number [OPP-30209B] and the file symbol, should be submitted to: John H. Lee, Product Manager (PM) 31, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: John H. Lee (703-557-3663).

SUPPLEMENTARY INFORMATION: In the **Federal Register** of January 6, 1982 (47 FR 672), the EPA announced that William G. Roessler, Rock Creek Drive, Frederick, MD 21701, has submitted an application to register the pesticide product "Requat Antimicrobial 1977 Liquid", File Symbol 46620-R, containing 45 percent of the active ingredient Di-*n*-decylmethyl(3-trimethoxyl-propyl) ammonium chloride, an active ingredient not included in any previously registered pesticide product.

In the FR Doc. 82-254 of January 6, 1982, appearing at page 672, second column, under the heading "APPLICATIONS RECEIVED" the active ingredient for application number 5, File Symbol 46620-R, is corrected to read "*N,N,*-didecyl-*N*-methyl-3-(trimethoxysilyl)propanaminium chloride".

Written comments filed pursuant to this notice will be available in the product manager's office from 8:00 a.m. to 4:00 p.m., Monday through Friday, expect legal holidays. It is suggested that persons interested in reviewing such comments telephone the product manager's office to ensure that the file is available on the date of intended visit.

(Sec. 3(c)(4) of FIFRA, as amended).

Dated: April 5, 1982.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 82-10145 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

[OPP-30216; PH-FRL-2101-4]

Certain Companies; Applications To Register Pesticide Products Containing New Active Ingredients; Bell Laboratories, et al.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces receipt of applications to register pesticide products containing active ingredients not include in any previously registered pesticide products pursuant to the provisions of section 3(c)(4) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended.

DATE: Comment by May 14, 1982.

ADDRESS: Written comments, identified by the document control number [OPP-30216] and the file or registration number, should be submitted to the product manager (PM) cited at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: The product manager at the telephone number cited.

SUPPLEMENTARY INFORMATION: EPA received applications as follows to register pesticide products containing active ingredients not included in any previously registered pesticide products pursuant to the provisions of section 3(c)(4) of FIFRA. Notice of receipt of these applications does not imply a decision by the Agency on the applications.

APPLICATIONS RECEIVED

1. File Symbol: 12455-GO.
   Applicant: Bell Laboratories, Inc., 3699 Kinsman Blvd., Madison, WI 53704.
   Product name: "Ro-Tox". Rodenticide.
   Active ingredient: Activated 7-dehydrochlesterol, (vitamin D_3) .075%.
   Proposed classification/Use: General. For control of rats in an around buildings.
   Product manager (PM) 16: William Miller, (703-557-2600).
2. File Symbol: 43813-G.
   Applicant: Janssen R and D Inc., 501 George St., New Brunswick, NJ 08903.
   Product name: Fungaflor 10 EC. Fungicide.
   Active ingredient: 1-(2-(2,4-Dichlorophenyl)-2-(2-Propenyloxy)ethyl)-1*H* imidazole 10%.
   Proposed classification/Use: General. For control of the common root rot on wheat and barley and control of fusarium and thielaviopsis on cotton.
   Product manager (PM) 21: Henry Jacoby, (703-557-1900).
3. File Symbol: 7969-LA.
   Applicant: BASF Wyandotte Corp, Agricultural Chemicals Division, 100 Cherry Hill Road, Parsippany, NJ 07054.
   Product name: Poast. Herbicide Concentrate.
   Active ingredient: 2-[1-Ethoxylmino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one 50%.
   Proposed classification/Use: General. Technical (manufacturing use only).
   Product manager (PM) 25: Robert Taylor, (703-557-1800).

Notice of approval or denial of an application to register a pesticide product will be announced in the **Federal Register.** Except for such material protected by section 10 of FIFRA, the test data and other scientific information deemed relevant to the registration decision may be made available after approval under the provisions of the Freedom of Information Act. The procedure for requesting such data will be given in the **Federal Register** if an application is approved.

Comments received within the specified time period will be considered before a final decision is made; comments received after the time specified will be considered only to the extent possible without delaying processing of the application.

Written comments filed pursuant to this notice will be available in the product manager's office from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays. It is suggested that persons interested in reviewing such comments telephone the product manager's office to ensure that the file is available on the date of intended visit.

(Sec. 3(c)(4) of FIFRA, as amended)

Dated: April 5, 1982.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 82-10146 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

[OPP-50572; PH-FRL-2102-1]

Pesticide; Issuance of Experimental Use Permits; BFC Chemicals Inc.; et al.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

FOR FURTHER INFORMATION CONTACT: The product manager cited in each experimental use permit at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 1921 Jefferson Davis Highway, Arlington, VA 22202.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

10065–EUP–14. Renewal. BFC Chemicals, Inc., 4311 Lancaster Pike, P.O. Box 2867, Wilmington, DE 19805. This experimental use permit allows the use of 5,000 pounds of the insecticide bendiocarb on corn to evaluate the control of insect pests in corn. A total or 5,000 acres are involved. The program is authorized only in the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. The permit was previously effective from Janaury 27, 1981 to January 27, 1982. The permit is now effective from February 23, 1982 to February 23, 1983. Temporary tolerances for residues of the active ingredient in or on corn (grain, fodder and forage); eggs; milk; meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep have been established. A food additive regulation for residues of the active ingredient in or on corn oil has been established (21 CFR 193.152). (Jay S. Ellenberger, PM 12, Rm. 202, CM#2, (703–557–2386).)

44544–EUP–1. Extension. DMB Packing Corporation, P.O. Box 517, Fresno and N St., Newman, CA 95360. This experimental use permit allows the use of 30,000 pounds of the growth regulator isobutyric acid on grapes to evaluate the increased yield per acre. A total of 3,000 acres are involved in the State of California. The experimental use permit is effective from June 6, 1982 to June 6, 1983. A temporary exemption from the requirement of a tolerance for residues of the active ingredient in or on grapes has been established. (Robert Taylor, PM 25, Rm 245, CM#2, (703–557–1800).)

464–EUP–71. Issuance. Dow Chemical U.S.A., P.O. Box 1706, Midland, MI 48640. This experimental use permit allows the use of 828 pounds of the fungicide 2-chloro-6-(2-furanylmethoxy)-4-(trichloromethyl)pyridine as a seed treatment of soybeans to evaluate control of pre and post-emergence damping-off and seedling root rots. A total of 11,500 acres are involved. The program is authorized only in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. The experimental use permit is effective from February 16, 1982 to January 15, 1983. Temporary tolerances for residues of the active ingredient in or on soybeans and soybean forage and hay have been established. (Henry Jacoby, PM 21, Rm. 227 CM#2, (703–557–1900))

707–EUP–96. Extension. Rohm and Hass Company, Independence Mall West, Philadelphia, PA 19105. This experimental use permit allows the use of 140 pounds of the herbicide acifluorfen on rice to evaluate control of hemp sesbania and northern joint vetch. A total of 1,186 acres are involved. The program is authorized only in the States of Arkansas, Louisiana, Mississippi, and Texas. The experimental use permit is effective from March 15, 1982 to March 15, 1983. Temporary tolerances for residues of the active ingredients in or on rice grain and straw have been established. (Robert Taylor, PM 25, RM. 245, CM#2, (703–557–1800).)

707–EUP–97. Issuance. Rohm and Haas Company, Independence Mall West, Philadelphia, PA 19105. This experimental use permit allows the use of 62.5 pounds of the herbicide oxyfluorfen on onions to evaluate the control of weeds. A total of 200 acres are involved. The program is authorized only in the States of Michigan and New York. The experimental use permit is effective from February 16, 1982 to February 16, 1983. A temporary tolerance for residues of the active ingredient in or on onions has been established. (Robert Taylor, PM 25, Rm. 245, CM#2, (703–557–1800).)

201–EUP–59. Extension. Shell Oil Company, Suite 200, 1025 Connecticut Ave., NW., Washington, DC 20026. This experimental use permit allows the use of 4,400 pounds of the insecticide cyano (3-phenoxyphenyl) methyl 4-chloro-alpha-(1-methylethyl) benezeneacetate on apples, bell peppers, broccoli, cabbage, cauliflower, cucumbers, dry beans, dry pears, field corn, grapes, head lettuce, peaches, snap beans, summer squash, sweet corn, and tomatoes to evaluate the control of various insects. A total of 4,078 acres are involved. The program is authorized in the States of Arizona, Arkansas, California, Connecticut, Colorado, Delaware, Florida, Georgia, Kansas, Kentucky, Louisiana, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. The experimental use permit is effective from May 1, 1982 to May 1, 1983. Temporary tolerances for residues of the active ingredient in or on apples, bell peppers, broccoli, cabbage, cauliflower, cucumbers, dry beans, dry peas, field corn, grapes, head lettuce, peaches, snap beans, summer squash, sweet corn, and tomatoes have been established. (Franklin Gee, PM 17, Rm. 207, CM #2, (703–557–2690))

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquiries concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA Headquarters Office, so that the appropriate file may be made available for inspection purposes from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 92 Stat. 819, as amende, (7 U.S.C. 136))

Dated: April 5, 1982.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 82-10147 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

[WEN-FRL-2089-5]

South Carolina Pretreatment Program Approval

AGENCY: Environmental Protection Agency.

ACTION: Notice of approval of the National Pollutant Discharge Elimination System Pretreatment Program of the State of South Carolina.

SUMMARY: On April 9, 1982, the Environmental Protection Agency approved the State of South Carolina's National Pollutant Discharge Elimination System State Pretreatment Program. This action authorizes the State of South Carolina to administer the National Pretreatment Program as it applies to municipalities and industries within the State.

FOR FURTHER INFORMATION CONTACT: George E. Young, Permits Division (EN-336), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, 202–426–4793.

SUPPLEMENTARY INFORMATION:

Background

The Pretreatment Program, required by the Clean Water Act of 1977, governs the control of industrial wastes introduced into Publicly Owned Treatment Works (POTWs). The objectives of the Pretreatment Program are to: (1) Prevent introduction of pollutants into POTWs which will interfere with the operation of a POTW, including interference with its use or disposal of municipal sludge; (2) prevent the introduction of pollutants into POTWs which will pass through treatment works or otherwise be incompatible with such works; (3) improve opportunities to recycle and

reclaim municipal and industrial wastewaters and sludges. Local pretreatment programs will be the primary vehicle for administering, applying and enforcing pretreatment standards for industrial users of POTWs. To receive pretreatment program approval a State must submit to the EPA a modification to its NPDES program pursuant to the requirements and procedures of the General Pretreatment Regulation (40 CFR Part 403).

Federal Register Notice of Approval of State NPDES Programs or Modifications

Under the Consolidated Permit Regulations (45 FR 33290, May 19, 1980), EPA will provide **Federal Register** notice of any action by the Agency approving or modifying a State NPDES Program.

Review Under Executive Order 12291 and the Regulatory Flexibility Act

The Office of Management and Budget has exempted this regulation from the OMB review requirements of Executive Order 12291 pursuant to Section 8(b) of that Order.

This State Pretreatment Program Approval is not subject to the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because notice of proposed rulemaking was published prior to January 1, 1981.

Dated: April 9, 1982.

Anne M. Gorsuch,

Administrator.

[FR Doc. 82-10148 Filed 4-13-82; 8:45 am]

BILLIING CODE 6560-50-M

[WEN-FRL-2102-6]

Approval of Virginia's NPDES Program To Regulate Federal Facilities

AGENCY: Environmental Protection Agency.

ACTION: Notice of approval; correction.

SUMMARY: On February 9, 1982, the Acting Assistant Administrator for Water approved Virginia's request to administer the National Pollutant Discharge Elimination System (NPDES) Program for Federal facilities (47 FR 6709). This decision was delegated to the Assistant Administrator by the Administrator on July 14, 1981. The notice of approval included certification with the requirements of the Regulatory Flexibility Act. This Act requires the Administrator to certify in a proposed or final regulation that it will not have a significant effect on a substantial number of small facilities. However, the Administrator has not delegated her certification responsibility under the Act to the Assistant Administrator.

Accordingly, I certify that the Virginia approval complies with the requirements of the Regulatory Flexibility Act, for the reasons stated in the February 9, 1982 notice.

Dated: April 9, 1982.

Anne M. Gorsuch,

Administrator.

[FR Doc. 82-10149 Filed 4-13-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

Bulletin OST 54 Discusses FCC Computer Rules

The Commission has issued a bulletin, OST 54 dated March 1982, which discusses the FCC Computer Rules adopted as a part of the proceeding in Docket 20780.

The bulletin includes:

- A list of a number of interference situations which convinced the commission of the need for regulations;
- A discussion of what a computer is and how the Commission has subdivided computers into Class A and Class B devices;
- An explanation of the two authorization procedures used with computing devices—certification and verification—and the time schedule when compliance is required;
- An overview of the requirements for measuring a computer and the Computing Device Panel, established to answer specific questions about the computer rules;
- Instructions on how the rules may be obtained;
- Information on how the Commission will enforce the computing device rules.
- Appendix A lists the Commission's Orders dealing with the computing device rules.
- Appendix B contains an extract of the rules for computing devices.

Copies of OST 54 may be obtained from the FCC Consumer Assistance Office, Washington, DC 20554, telephone 202-632-7000.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 82-10166 Filed 4-13-82; 8:45 am]

BILLING CODE 6712-01-M

[Rep. No. 1346]

Petitions for Reconsideration of Actions in Rule Making Proceedings April 9, 1982.

The following listings of petitions for reconsideration filed in Commission rulemaking proceedings is published pursuant to C.F.R. § 1.429(e). Oppositions to such petitions for reconsideration must be filed within 15 days after publication of this Public Notice in the **Federal Register.** Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: An Inquiry Into the Use of the Bands 825-845 MHz and 870-890 MHz for Cellular Commumications Systems; and Amendment of Parts 2 and 22 of the Commission's Rules Relative to Cellular Communications System. (CC Docket No. 79-318)

Filed by: Arthur Blooston & Edward R. Kump, for the law firm of Blooston and Mordkofsky on 4-2-82.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 82-10167 Filed 4-13-82; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

FEMA Advisory Board; Proposed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act, announcement is made of the following working committee meeting:

Name: Federal Emergency Management Agency Advisory Board

Date of Meeting: April 14, 1982

Place: Federal Emergency Management Agency, Room 401, 500 C Street SW., Washington, D.C. 20472

Time: 9:00 a.m. to 5:00 p.m.

Purpose and Proposed Agenda: Internal classified discussions on Continuity of Government and Industrial Preparedness/Resource Availability. The views of the Board will be discussed with the Director of FEMA and representatives from the Office of the President.

The Director has determined that the Board meeting should be closed because disclosure is likely to reveal matters that are specifically authorized to be kept Secret in the interest of national defense or foreign policy and are properly classified pursuant to Executive Order.

Dalimil Kybal,

Science Advisor.

March 26, 1982.

[FR Doc. 82-10150 Filed 4-13-82; 8:45 am]

BILLING CODE BILLING CODE 6718-01-M

Federal Insurance Administration

Riot Reinsurance

AGENCY: Federal Emergency Management Agency/Federal Insurance Administration.

ACTION: Notice of amendment to the Offer to Provide Reinsurance Against Excess Aggregate Loss Resulting from Riot or Civil Disorders published at page 42760 of the **Federal Register** dated August 24, 1981, to be effective as of April 14, 1982.

SUMMARY: The Federal Insurance Administration is publishing in this Notice an amendment to the terms and conditions of the Standard Reinsurance Contract for 1981–82 governing reinsurance under the Federal Riot Reinsurance Program reinsuring against excess aggregate losses resulting from riots or civil disorders to eligible insureds for the contract year from October 1, 1981 to September 30, 1982.

FOR FURTHER INFORMATION CONTACT: Robert J. DeHenzel, Federal Emergency Management Agency, Federal Insurance Administration, Donahoe Building, 500 C Street, SW., Room 433, Washington, D.C. 20472, Telephone number (202) 287–0800.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is:

(1) To amend Section V, Paragraph 4 of the Standard Reinsurance Contract to read as follows:

"Whenever the Reinsurer determines, in his discretion, that any cancellation of reinsurance is involuntary and without fault on the part of the Company, or voluntary on the part of the Company and the Reinsurer is furnished with a certification that the Company has or will have upon the effective date of cancellation reinsurance coverage in the private reinsurance market, the premium due the Reinsurer for the coverage offered under this contract shall be prorated in the ratio of:

(a) The number of days for which coverage was provided prior to the cancellation of such coverage plus thirty, to

(b) The total number of days of coverage provided under this contract from the inception of coverage up to and including September 30, 1982."

Issued at Washington, D.C. on April 5, 1982.

Jeffrey S. Bragg,

Administrator, Federal Insurance Administration.

[FR Doc. 82–10151 Filed 4–13–82; 8:45 am]

BILLING CODE 6718–03–M

FEDERAL MARITIME COMMISSION

Inactive Tariffs—Bureau of Tariffs; Supplemental Order

On March 17, 1982, a "Notice of Cancellation" was issued which appeared in the **Federal Register** of March 23, 1982, ordering the cancellation of certain inactive tariffs. We have now received information that Unifreight Corporation, a carrier named in the March 17 Order, was not adequately notified of our original "Order of Intent to Cancel" which appeared in the **Federal Register** of September 10, 1981, and that it is in fact an active carrier. Under the circumstances, it is our intent to rescind our March 17, 1982, Order insofar as it applies to Unifreight Corporation.

Also, our March 17 Order incorrectly made reference to the "**Federal Register** on September 3, 1981." It should have made reference to the **Federal Register** of September 10, 1981.

Accordingly, by authority delegated by section 9.04 of Commission Order No. 1 (Revised) dated November 12, 1981, our March 17, 1982, "Notice of Cancellation" is hereby rescinded as it applies to Unifreight Corporation. Also, the first paragraph of or March 17, 1982, Order is corrected to read September 10, 1981.

Daniel J. Connors,

Director, Bureau of Tariffs.

[FR Doc. 82–10244 Filed 4–13–82; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed De Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo (or continue to engage in an activity earlier commenced de novo)*, directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in effeciency, that outweigh possible adverse effects, such as undue concentration for resources, decreased or unfair competition, conflicts or interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and, except as noted, received by the appropriate Federal Reserve Bank not later than May 4, 1982.

A. **Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

Manufacturers Hanover Corporation, New York, New York (relocation of offices and expansion of service area; Texas): To continue to hold the shares of its subsidiary, Finance One of Texas, Inc., after the subsidiary relocates an office located in Houston, Texas, to Bellaire, Texas, relocates an office located in Austin, Texas, to another location in Austin, Texas, and expands the service area of both offices. The subsidiary would continue to engage in previously approved activities including the arranging, making, servicing, or acquiring for its own account or for the account of others, direct loans, installment sales contracts, and other extensions of credit such as would be made by a finance company under Texas law, and acting as agent of broker for the sale of single and joint life insurance, accident and health insurance and property insurance sold in connection with such extensions of credit. The Bellaire office would serve customers in Harris, southern Montgomery, southern Liberty, northeastern Fort Ben, and northern Brazoria Counties, Texas. The Austin office would serve customers in Travis, western Bastrop, southern Williamson, northeastern Hays, and northern Caldwell Counties, Texas.

B. **Federal Reserve Bank of Philadelphia** (Thomas K. Desch, Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:

1. *Philadelphia National Corporation*, Philadelphia, Pennsylvania (commerical financial activities; Michigan, Ohio, and Indiana): To engage through its subsidiary, Congress Financial Corporation, in the solicitation and making of loans secured by accounts receivable, inventory, machinery and equipment and/or other commerical finance collateral from and to businesses and corporations. This activity will be conducted from an office located at 3000 Town Center, Southfield, Michigan, serving all of Michigan and portions of Ohio and Indiana. Comments

on this application must be received not later than April 30, 1982.

2. *Philadelphia National Corporation*, Philadelphia, Pennsylvania (finance activities; Pennsylvania): To engage, through its subsidiary Signal Business Loans, Inc., in commerical loan activities, including the making of installment loans to individuals and business entities for business purposes secured by mortgages on real estate owned by the borrowers or their principals. These activities would be conducted from offices throughout Pennsylvania serving Pennsylvania.

C. **Federal Reserve Bank of Cleveland** (Harry W. Huning, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

Mellon National Corporation, Pittsburgh, Pennsylvania (investment and financial advisory activities; United States): To engage through its subsidiary, Franklin Portfolio Associates, Inc., in investment and financial advisory activities, including: providing porfolio investment advice, primarily to Pension and Profit Sharing Trusts qualified under section 401 of the Internal Revenue Code of 1954, as amended, but also to individuals and other institutions; serving as the advisory company for mortgage or real estate investment trusts; serving as investment advisor, as defined in section 2(a)(20) of the Investment Company Act of 1940, to investment companies registered under that Act, to the extent permissible under law; furnishing general economic information and advice, general economic statistical forecasting services, and industry studies; and providing financial advice to state and local governments, such as with respect to the issuance of their securities. These activities would be conducted from an office at 1 Post Office Square, Boston, Massachusetts, serving clients throughout the United States.

D. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

Southern Bancorporation, Inc., Greenville, South Carolina (consumer finance activities; Georgia): To engage through its subsidiary, World Acceptance Corporation, in making extensions of credit as a licensed consumer finance lender; acting as agent for credit and accident insurance written in connection with such extensions of credit, and acting as agent for credit property insurance written solely in connection with such extensions of credit. These activities would be conducted from an office in Warner Robbins, Georgia, serving the city of Warner Robbins and contiguous portions of Houston County.

E. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

Barnett Banks of Florida, Inc., Jacksonville, Florida (trust company activities; Florida): To engage through a subsidiary, Barnett Banks Trust Company, N.A., Jacksonville, Florida, in activities performed by a trust company, including activities of a fiduciary, agency or custodial nature, in the manner authorized by federal and state law. These activities will be conducted from the Trust Service Office at 4311 Manatee Avenue West, Bradenton, Manatee County, Florida, serving Manatee County and contiguous counties, in Florida.

F. **Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Sidney National Corporation*, Sidney, Nebraska (banking and leasing; Nebraska, Wyoming, Colorado, Kansas): To engage, through its subsidiary, Sidney National Leasing, Inc., in finance leasing activities. These activities would be conducted from its offices at 1108 Tenth Avenue, Sidney, Nebraska. The geographic area to be serviced will be the panhandle of Nebraska, eastern Wyoming, northern Colorado and northwestern Kansas.

2. *Southwest Bancshares Inc.*, Spring & Polk Street, P.O. Box 147, Hermitage, Missouri, (insurance activities; Missouri): To engage in the sale of general insurance in a town with a population not exceeding 5,000. These activities would be conducted from an office at Spring & Polk Streets, Hermitage, Missouri, serving the city of Hermitage, Missouri, and the surrounding rural area.

G. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75255:

University National Bancshares of San Antonio, Inc., San Antonio, Texas (insurance underwriting activities; Texas): To engage, through its subsidiary, University National Credit Life Insurance Company, in the underwriting of credit life and credit accident and health insurance directly related to extensions of credit by the lending subsidiaries of University National Bancshares of San Antonio, Inc. These activities will be conducted from offices at 15750 Interstate Highway 10 West, San Antonio, Texas, serving Texas.

H. **Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

1. *First Interstate Bancorp*, Los Angeles, California (commercial finance activities; United States): To engage, through its subsidiary, First Interstate Commercial Corporation, in making or acquiring loans and other extensions of credit such as commercial loans secured by a borrower's inventory, accounts receivable, or other assets; and servicing loans. These activities would be conducted from an office in Chicago, Illinois, serving the fifty states. This application is to establish a new office and expand the geographic scope of a previously approved activity conducted through a wholly-owned subsidiary.

2. *Security Pacific Corporation*, Los Angeles, California (commercial financing and factoring activities; United States): To engage through its subsidiary, Security Pacific Business Credit Inc., in making or acquiring for its own account or for the account of others, asset based business loans and other commercial or industrial loans and extensions of credit such as would be made by a factoring, rediscount or commercial finance company; and engaging generally in the factoring business. These activities would be conducted from offices of Security Pacific Business Credit Inc. in Atlanta, Georgia and Houston, Texas, serving the entire United States. Comments on this application must be received not later the April 30, 1982.

3. *U.S. Bancorp*, Portland, Oregon (management consulting activities; Arizona, Arkansas, California, Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, Texas and Wyoming): To engage, through its subsidiary, U.S. Bancorp Financial, Inc. in providing management consulting advice to nonaffiliated bank and nonbank depository institutions, including commercial banks, savings and loan associations, mutual savings banks, credit unions, industrial banks, Morris Plan banks, cooperative banks and industrial loan companies; such activities would include the sale of programs relating to teller operations, evaluation of business ventures; audit consulting services, including training of personnel in policies and procedures and the establishment of control systems and monitoring by control systems of operations and credits; accounting consulting service, including development and implementation of accounting systems and control; and marketing consulting services, including market identification, market

development, and media utilization programs. These activities would be conducted through offices of the subsidiary located in the states of California, Missouri, and Texas, serving the states listed in the caption above.

I. **Other Federal Reserve Banks.** None.

Board of Governors of the Federal Reserve System, April 8, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 81-10138 Filed 4-13-82; 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 Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

Basin Bancorp, Inc., Ducktown, Tennessee; to become a bank holding company by acquiring 80 percent or more of the voting shares of Ducktown Banking Company, Ducktown, Tennessee. Comments on this application must be received not later than May 6, 1982.

B. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75222:

Southwest First Community, Inc., Beeville, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of State Bank & Trust Company, Beeville, Texas. Comments on this application must be received not later than May 8, 1982.

Board of Governors of the Federal Reserve System, April 8, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-10139 Filed 4-13-82; 8:45 am]

BILLING CODE 6210-01-M

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 Kansas City** (Thomas M. Hoenig, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

Tecumseh Bancshares, Inc., Tecumseh, Nebraska; to acquire 24.96 percent of the voting shares of Bank Management, Inc., Wahoo, Nebraska, an existing one-bank holding company that owns 89.81 percent of the First National Bank of Wahoo, Wahoo, Nebraska. Comments on this application must be received not later than May 8, 1982.

B. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75222:

The Leveland Co., Levelland, Texas; to acquire 21.22 percent of the voting shares of Bank of the West, Lubbock, Texas, and 6.59 percent of the voting shares of South Plains Bancshares, Inc., Idalou, Texas. Comments on this application must be received not later than May 8, 1982.

By order of the Board of Governors of the Federal Reserve System, April 8, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-10142 Filed 4-13-82; 8:45 am]

BILLING CODE 6210-01-M

Chase Manhattan Corp.; Proposed Acquisition of First Chicago Cheque Corporation

The Chase Manhattan Corporation, New York, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire substantially all the assets of First Chicago Cheque Corporation, Chicago, Illionis, a company engaged in the issuance and sale of VISA travelers cheques.

Applicant currently engages in the activities of issuance and sale of travelers checks on a worldwide bases, with sales conducted by offices of financial and nonfinancial selling agents. These activities would be performed from offices of Applicant in New York, New York, and the service area is and will remain worldwide. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approavl of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received no later than May 8, 1982.

Board of Governors of the Federal Reserve System, April 8, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-10143 Filed 4-13-82; 8:45 am]

BILLING CODE 6210-01-M

Credit Lyonnais; Proposed Retention of The Slavenburg Corporation

Credit Lyonnais, Paris, France, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to retain indirect control of The Slavenburg Corporation, New York, New York, through its subsidiary, N.A. Slavenburg's Bank, Rotterdam, The Netherlands.

Applicant states that The Slavenburg Corporation would continue to engage in factoring services and related financing activities. Factoring services include advance factoring, maturity factoring, and non-notification factoring. The related financing activities include financing duty and trust receipts, setting up letters of credit, making loans against accounts receivable and inventory, and making chattel mortgage loans in conjunction with accounts receivable or factoring services. These activities would be performed from offices of Slavenburg Corporation in New York, New York and Los Angeles, California, and the geographic areas to be served are the states of New Jersey, Connecticut, and California. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 8, 1982.

Board of Governors of the Federal Reserve System, April 8, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-10140 Filed 4-13-82; 8:45 am]

BILLING CODE 6210-01-M

European American Bancorp; Proposed Acquisition of William J. Gill & Co., Inc.

European American Bancorp, New York, New York, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire voting shares of William J. Gill & Co., Garden City, New York. European American Bancorp is owned by: Societe Generale, Paris, France (20.125%); Amsterdam-Rotterdam Bank, N.V., Amsterdam, The Netherlands (17.0%); Societe Generale de Banque, S.A., Brussels, Belgium (20.125%); Deutsche Bank A.G., Frankfurt, Germany (20.125%); Midland Bank, Limited, London, England (20.125%); Creditanstalt Bankverein, Vienna, Austria (2.5%).

Applicant states that the proposed subsidiary would engage in the activities of real estate appraisal. These activities would be performed from offices of Applicant's subsidiary in Garden City, New York, and the geographic areas to be served are the fifty states, including the District of Columbia. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 8, 1982.

Board of Governors of the Federal Reserve System, April 8, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-10141 Filed 4-13-82; 8:45 am]

BILLING CODE 6210-01-M

BankAmerica Corp.; Proposal To Engage in Securities Brokerage and Extend Margin Credit

BankAmerica Corporation, San Francisco, California, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act of 1956, as amended (12 U.S.C. 1843(c)(8)) and § 225.4 (a) and (b)(1) of the Board's Regulation Y (12 CFR 225.4 (a), (b)(1)), for permission to directly acquire voting shares of The Charles Schwab Corporation, San Francisco, California and, thereby indirectly acquire Charles Schwab & Company, Inc., San Francisco, California (together "Schwab"). Applicant would engage in securities brokerage consisting principally of buying and selling securities—principally corporate debt and equity securities and options—solely upon the order and for the account of customers. Its business would be retail-oriented and would be characterized as "discount brokerage." Applicant would not engage in dealing, market making or underwriting. It would give no investment advice, would not recommend the purchase or sale of specific securities and would not offer to buy or sell specific securities. Also, Applicant would engage in the business of extending margin in conformity with the Board's Regulation T, 12 CFR 220. By this activity, Applicant's brokerage customers would furnish a specified portion of the purchase price of securities and Applicant would furnish the balance and charge interest on that amount until the purchaser either sells the securities or otherwise takes them up. Finally, Applicant would offer certain specified services to its securities customers. First, Applicant would pay interest on net free balances in the account of its securities customers. Net free balances are funds in the account of a customer of a broker/dealer and arise in instances

where interest or dividends have been credited to the customer's account or where stock has been sold on behalf of a customer and the proceeds are placed in the customer's account pending further disposition of the funds. Payment of interest on such balances by Applicant would be subject to the rules and regulations of the Securities Exchange Commission. Second, applicant would provide brokerage customers security custodial services, including safe keeping and accounting for securities. Third, Applicant would maintain an arrangement with Cash Equivalent Fund, Inc., a money market fund sponsored by Kemper Financial Services, Inc., that would permit borkerage customers to invest temporarily free balances in the fund. Applicant would receive no remuneration from its customers, but would receive a service fee from the fund for its role as agent in arranging the purchase of the fund shares for the brokerage customers' account. Last, Applicant would offer its brokerage customers access to a self-directed IRA accounts under an arrangement with First Nationwide Savings, an unaffiliated savings and loan association, as trustee. Pursuant to this arrangement Applicant's brokerage customers would personally manage investments in their own Individual Retirement Account, consisting of stocks, bonds, government securities and covered options. Applicant states that these proposed services are incidental to the proposed brokerage services.

These activities would be conducted from offices located in: Albuquerque, New Mexico; Atlanta, Georgia; Austin, Texas; Baltimore, Maryland; Boston, Massachusetts; Century City, California; Chicago, Illinois; Cincinnati, Ohio; Cleveland, Ohio; Dallas, Texas; Denver, Colorado; Detroit, Michigan; Fort Lauderdale, Florida; Fort Worth, Texas; Honolulu, Hawaii; Houston, Texas; Indianapolis, Indiana; Irvine, California; Kansas City, Missouri; Los Angeles, California; Memphis, Tennessee; Midland, Texas; Millburn, New Jersey; Minneapolis, Minnesota; Nashville, Tennessee; Newport Beach, California; New Orleans, Louisiana; New York, New York; Oklahoma City, Oklahoma; Philadelphia, Pennsylvania; Phoenix, Arizona; Pittsburgh, Pennsylvania; Portland, Oregon; Sacramento, California; St. Louis, Missouri; St. Petersburg, Florida; Salt Lake City, Utah; San Antonio, Texas; San Diego, California; San Francisco, California; Santa Barbara, California; Seattle, Washington; Sun City, Arizona; Sunnyvale, California; Tulsa, Oklahoma; Virginia Beach, Virginia; and Washington, D.C. The geographic area to be served by each of these offices would be all fifty (50) States and the District of Columbia.

Section 4(c)(8) of the Bank Holding Company Act provides that a bank holding company may, with Board approval, engage in any activity "which the Board after due notice and opportunity for hearing has determined (by order or regulation) to be so closely related to banking or managing or controlling banks as to be a proper incident thereto." 12 U.S.C. 1843(c)(8). The proposed activities have not been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies. Applicant believes, however, that the proposed activities are closely related to banking and a proper incident thereto, and this opinion in part is based upon the following facts. As to the proposed brokerage services, banks in fact have traditionally performed brokerage services by purchasing and selling securities for the account of customers and this practice is authorized by statute. *See* 12 U.S.C. section 377. Also, by order dated July 28, 1981, the Board aproved the application by a bank holding company to act as a securities broker under certain circumstances. *See JCT Trust Company, Ltd.*, 67 Federal Reserve Bulletin 635 (1981). As to the proposed activity of extending margin credit pursuant to Regulation T, Applicant states that banks have historically performed a similar function in extending margin credit pursuant to Regulation U, 12 CFR 221 and, further, such activity is similar to commercial lending activities normally performed by banks.

Interested persons may express their views on whether the proposed activities of securities brokerage and margin lending are "so closely related to banking or managing or controlling banks as to be a proper incident thereto." In addition, interested persons also may express their views on certain issues related to the application—particularly, whether the proposed activities are permissible under federal statutes (i.e. the Glass-Steagall Act, 12 U.S.C. 24, 78, 377 and 378(a)) designed to separate commercial from invetment banking and whether the incidental services described above are necessary to the conduct of the proposed brokerage activities or are otherwise "closely related" to banking within the meaning of section 4(c)(8) of the Bank Holding Company Act. Finally, interested persons may also express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on these questions must be accompanied by a statement of the reasons why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 29, 1982.

Board of Governors of the Federal Reserve System, April 12, 1982.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 82-10367 Filed 4-13-82; 9:40 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

[F-82-11]

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 California Public Utilities Commission involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.*

a. Pursuant to the authority contained in the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly Section 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the Federal executive agencies before the California Public Utilities Commission involving the application of the Pacific

Telephone & Telegraph Company for a change in its telephone service offerings.

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, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

d. The Department of Defense shall add the General Services Administration to its service list in this case so that GSA will receive copies of testimony, briefs and other Department of Defense filings.

Dated: April 2, 1982.

Frank J. Carr,

Commissioner, Automated Data and Telecommunications Service.

[FR Doc. 82-10164 Filed 4-13-82; 8:45 am]

BILLING CODE 6820-25-M

[F-82-12]

Delegation of Authority to the Secretary of Defense

1. *Purpose.* This delegation authorizes the Secretary of Defense to represent, in conjunction with the Administrator of General Services, the consumer interests of the executive agencies of the Federal Government in proceedings before the Idaho Public Utilities Commission involving intrastate telecommunications service rates.

2. *Effective date.* This delegation is effective immediately.

3. *Delegation.*

a. Pursuant to the authority contained in the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly Sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the Federal executive agencies before the Idaho Public Utilities Commission involving the application of the Mountain States Telephone & Telegraph Company for an increase in rates for telecommunications services. The authority delegated to the Secretary of Defense shall be exercised concurrently with the Administrator of General Services.

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, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

d. The Department of Defense shall add the General Services Administration to its service list in this case so that GSA will receive copies of testimony, briefs and other Department of Defense filings.

Dated: April 2, 1982.

Frank J. Carr,

Commissioner, Automated Data and Telecommunications Service.

[FR Doc. 82-10165 Filed 4-13-82; 8:45 am]

BILLING CODE 6820-25-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources Administration

National Advisory Council on Health Professions Education; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to meet during the month of May 1982:

Name: National Advisory Council on Health Professions Education

Date and Time: May 3-4, 1982, 9:00 a.m.-5:30 p.m.

Place: Conference Room 10, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20205. Open on May 3, 1982, 9:00 a.m. to 5:30 p.m. Closed for remainder of meeting.

Purpose: the Counsil advises the Secretary with respect to the administration of programs of financial assistance for the health professions and makes recommendations based on its review of applications requesting such assistance. This also invovles advice in the preparation of regulations with respect to policy matters.

Agenda: The open portion of the meeting will cover: welcome and opening remarks; report of the Acting Administrator; budget update; update on the Graduate Medical Education National Advisory Council Report; Humanistic Health Care Report and future agenda items. The meeting will be closed to the public on May 4, 1982, from 9:00 a.m. to 5:30 p.m., for the review of grant applications for the General Internal Medicine and General Pediatrics Program. The closing is in accordance with the provision set forth in section 552b(c)(6), Title 5 U.S. Code, and the Determination by the Acting Administrator, Health Resources Administration, pursuant to Public Law 92-463.

Anyone wishing to obtain a roster of members, minutes of meetings, or other relevant information should write to or contact MR. ROBERT L. BELSLEY, Executive Secretary, National Advisory Council on Health Professions Education, Bureau of Health Professions, Health Resources Administration, Room 4-27, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782, Telephone (301) 436-6564.

Agenda items are subject to change as priorities dictate.

Dated: April 7, 1982.

Jackie E. Nylen,

Advisory Committee Management Officer, Health Resources Administration.

[FR Doc. 82-10159 Filed 4-13-82; 8:45 am]

BILLING CODE 4160-15-M

Public Health Service

Designation of Certain Former Public Health Service Facilities as Uniformed Services Facilities

Notice is hereby given that, in compliance with Pub. L. 97-99, the former Public Health Service (PHS) facilities listed below are deemed to be facilities of the uniformed services for the purposes of Chapter 55 of Title 10, United States Code. These facilities are, therefore, approved to provide medical and dental care to members and former members of the uniformed services and their dependents to the extent provided in Chapter 55 and Pub. L. 97-99, and within the scope of their current capabilities.

Former PHS facility	Current organization
Baltimore, Md. (hospital)	Wyman Park Health System, Inc.
Boston, Mass. (hospital)	Brighton Marine Public Health Center.
Cleveland, Ohio (outpatient clinic).	Lutheran Medical Center (outpatient only).
Galveston, Tex. (outpatient clinic).	St. Mary's Hospital (outpatient only).
Houston, Tex. (outpatient clinic).	St. Joseph Ambulatory Care Center (outpatient only).
Nassau Bay, Tex. (hospital)	Hospital of St. John.
Port Arthur, Tex. (outpatient clinic).	Family Practice Center of Port Arthur (outpatient only).
Portland, Maine (outpatient clinic).	Coastal Health Services (outpatient only).
Seattle, Wash. (hospital)	Seattle Public Health Hospital.
Staten Island, N.Y. (hospital)	Bayley Seton Hospital.

This designation is effective from the date on which each facility is transferred under section 987 of the Omnibus Budget Reconciliation Act of 1981. (Pub. L. 97-35) from the PHS to a public or nonprofit private entity.

Termination of this status must be jointly issued by the Secretary of Defense and the Secretary of Health and Human Services. Such notice will specify the termination date and the facility whose approved status as a uniformed services facility is being terminated. However, in no case will any termination of status occur less than 3 years from the date on which the facility was transferred from the PHS.

Dated: February 16, 1982.

Edward N. Brandt, Jr.,

Assistant Secretary for Health.

[FR Doc. 82-10160 Filed 4-13-82; 8:45 am]

BILLING CODE 4160-16-M

Social Security Administration

Finding Regarding Foreign Social Insurance or Pension System—Solomon Islands

Section 202(t)(1) of the Social Security Act (42 U.S.C. 402(t)(1)) prohibits payment of monthly benefits to aliens, subject to the exceptions described in sections 202(t)(2) through 202(t)(5) of the Social Security Act (42 U.S.C. 402(t)(2) through 402(t)(5)), for any month after they have been outside the United States for 6 consecutive calendar months.

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) provides that section 202(t)(1) shall not apply to any individual who is a citizen of a foreign country which the Secretary of Health and Human Services finds has in effect a social insurance or pension system which is of general application in such country and under which (A) periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death, and (B) individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in the Commissioner of Social Security by the Secretary of Health and Human Services, and redelegated to him, the Director of the Office of International Policy has approved a finding that Solomon Islands does not have a social insurance or pension system which pays periodic benefits, or the actuarial equivalent thereof, on account of old age, retirement, or death.

Accordingly, it is hereby determined and found that Solomon Islands does not have in effect a social insurance or pension system which meets the requirements of section 202(t)(2)(A) of the Social Security Act (42 U.S.C. 402(t)(2)(A)).

Subparagraphs (A) and (B) of section 202(t)(4) of the Social Security Act (42 U.S.C. 402(t)(4)(A) and (B)) provide that section 202(t)(1) shall not be applicable to benefits payable on the earnings record of an individual who has 40 quarters of coverage under Social Security or who has resided in the United States for a period or periods aggregating 10 years or more. However, the provisions of subparagraphs (A) and (B) of section 202(t)(4) shall not apply to an individual who is a citizen of a foreign country that has in effect a social insurance of pension system which is of general application is such country and which satisfies the provisions of subparagrapn (A) of section 202(t)(2) but not the provisions of subparagraph (B) of section 202(t)(2).

By virtue of the finding herein, the limitation on payment of monthly benefits to aliens included in section 202(t)(1) does not apply to citizens of Solomon Islands receiving benefits on the earnings records of individuals who have 40 quarters of coverage under Social Security or who have resided in the United States for a period or periods aggregating 10 years or more.

Dated: April 7, 1982.

Andrew J. Young,

Director, Office of International Policy.

[FR Doc. 82-10230 Filed 4-13-82; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-2834]

Idaho; Partial Termination of Classification for Multiple-Use Management

April 5, 1982.

1. Pursuant ot authority delegated to me by Bureau Order No. 701, dated July 23, 1964 (29 FR 10526), I hereby terminate the Bureau of Land Management Multiple-Use Classification Order dated November 9, 1967 (Serial No. I-2834) published in the **Federal Register** November 16, 1967, 32 FR 15767, insofar as it affected the lands described below:

Boise Meridian, Idaho

T. 11 N., R. 20 E.,
Sec. 2, lot 3, S½NW¼, SW¼, NW¼SE¼;
Sec. 3, lot 4.
T. 12 N., R. 20 E.,
Sec. 3, SW¼;
Sec. 4, lots 1 and 2, SE¼NE¼, E½SE¼;
Sec. 10, N½NE¼, SE¼NE¼;
Sec. 23, E½SE¼;
Sec. 24, SW¼, W½SE¼;
Sec. 25, W½NE¼, NW¼, E½W½SW¼, NW¼SE¼;
Sec. 34, S½SE¼;
Sec. 35, SE¼SW¼.
T. 13 N., R. 20 E.,
Sec. 19, S½NE¼;
Sec. 20, S½;
Sec. 28, W½;
Sec. 29, NE¼, NE¼NW¼, E½SE¼;
Sec. 33, NW¼, NE¼SW¼.
T. 7, R. 23 N.E.,
Sec. 12, E½NW¼SW¼, NE¼SW¼SW¼, S½SW¼SW¼.

The areas described aggregate 2,918.66 acres in Custer County

2. The segregative effect on the lands described in this order will terminate upon publication of this notice in the **Federal Register** as provided by the regulations in 43 CFR 2461.5(c)(2).

3. At 7:45 a.m. on May 7, 1982, the lands wil be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 7:45 a.m. on May 7, 1982, shall be considered as simultaneously filed at that time. Those received there after shall be considered in the order of filing.

4. Those lands located in T. 7 N., R. 23 E. also will be open to location under the United States mining laws at 7:45 a.m. on May 7, 1982. All of the described lands continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Federal Building, Box 042, Boise, Idaho 83724.

Clair M. Whitlock,

State Director.

[FR Doc. 82-10162 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-84-M

[Serial No. AA-41952]

Alaska Native Claims Selection

On February 25, 1981, Cook Inlet Region, Inc., filed selection application AA-41952 under the provisions of Section 12(b)(6) of the act of January 2, 1976 (89 Stat. 1151), and I.C.(2) of the Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area, as clarified August 31, 1976 (90 Stat. 1935), for the surface and subsurface estates of a tract of land located on Fire Island, Alaska.

Section 12(b)(6) of the act of January 2, 1976, authorizes conveyance of lands to Cook Inlet Region, Inc., from a selection pool established by the Secretary of the Interior and the General Services Administrator.

The lands are located inside the boundaries of Cook Inlet Region. The lands within selection AA-41952 were placed in the pool of properties available for selection by Cook Inlet Region, Inc., subject to valid existing rights, by notice dated June 14, 1979, as amended on July 30, 1979.

The selection application of Cook Inlet Region, Inc., as to the lands described below is properly filed and meets the requirements of the act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in complinace with Federal laws leading to acquisition of title.

In view of the foregoing, the surface and subsurface estates of the following described lands, containing approximately 522 acres, are considered proper for acquisition by Cook Inlet Region, Inc., and are hereby approved for conveyance pursuant to Section 12(b)(6) of the act of January 2, 1976:

Seward Meridian, Alaska (Unsurveyed)

T. 12 N., R. 5 W.,
Sec. 17 (fractional);
Sec. 18 (fractional), excluding those lands more particularly described as follows:
Commencing at the SW corner of the housing and VOR Site, proceed S38°30′ W. 3,625 feet, more or less, to the point of beginning of this description; thence, South 2,000 feet to a point; thence, West 2,000 feet to a point; thence, North 3,000 feet to a point; thence, East 1,000 feet to a point; thence, South 1,000 feet to a point; thence, East 1,000 feet to the point of beginning.

There are no easements to be reserved pursuant to Sec. 17(b) of ANCSA.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted; and

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Section 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Section 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law.

Section 12(b)(6) of Pub. L. (Pub. L.) 94–204 provides that conveyances pursuant to this section shall be made in exchange for lands or rights to select lands outside the boundaries of Cook Inlet Region as described in sec. 12(b)(5) of this act and on the basis of values determined by appraisal. The lands described above have been appraised at a value of $467,164. Under Sec. I.C.(2)(e) of the Terms and Conditions, this property constitutes 934.328 acre/equivalents. Upon acceptance of title to these lands, Cook Inlet Region, Inc., will relinquish its selection rights to 934.328 acres of its out-of-region entitlement.

Conveyance of the remaining entitlement to Cook Inlet Region, Inc., shall be made at a later date.

There are no inland water bodies considered to be navigable within the lands described.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks, in the *Anchorage Times*.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government or regional corporation may appeal the decision to the Alaska Native Appeal Board, provided, however, pursuant to Pub. L. 96–487 this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510 with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513 and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage 99501. The time limits for filing and appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until May 14, 1982 to file and appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless and appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements fo filing and appeal may be obtained from the Bureau of Land Management 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the party to be served with a copy of the notice of appeal is: Cook Inlet Region, Inc., P.O. Drawer 4–N, Anchorage, Alaska 99509.

Ann Johnson,

Chief, Branch of ANCSA Adjudication.

[FR Doc. 82-10153 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-84-M

National Park Service

Boston National Historical Park Advisory Commission; Meeting

AGENCY: National Park Service, Interior.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of the forthcoming meeting of the Boston National Historical Park Advisory Commission. The matters to be discussed at this meeting include:

1. Tour of Boston Marine Society offices.
2. Discussion about desirability of establishing permanent sub committees within the Advisory Commission.
3. Review of park budgeting process.
4. Park liaison with cooperative sites.
5. Park liaison with the Boston Committee on visitor access.
6. Use of the Commandant's House.
7. Report on park Education Committee and other educational programs.
8. Park liaison with Chamber of Commerce on municipal services.
9. Visitor Services plans for 1982.
10. Report on USS Cassin Young and other Navy Yard projects.
11. Report on Boston African American NHS.
12. Report on Dorchester Heights NHS.
13. Review and discussion of park administration.

DATE: April 29, 1982, 11 a.m. to 3 p.m.

ADDRESS: Boston Marine Society offices, Building 32, Charlestown Navy Yard, Boston, Massachusetts.

FOR FURTHER INFORMATION CONTACT: Hugh D. Gurney, Superintendent, Boston National Historical Park, 15 State Street, Boston, Massachusetts 02129 (617/242–5644).

SUPPLEMENTARY INFORMATION: Notice is hereby given in accordance with the Federal Advisory Committee Act, Pub. L. 92–463. The Commission was established by Pub. L. 93–431 to advise the Secretary of the Interior on matters relating to the development of the Boston National Historical Park.

Dated: April 7, 1982.

Steven H. Lewis,

Deputy Regional Director, North Atlantic Region.

[FR Doc. 82-10222 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-70-M

Upper Delaware National Scenic and Recreational River, Upper Delaware Citizen Advisory Council; Meeting

AGENCY: National Park Service, Interior.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the date of the forthcoming meeting of the Upper Delaware Citizens Advisory Council. Notice of this meeting is required under the Federal Advisory Committee Act.

DATE: April 23, 1982, 7 p.m.

ADDRESS: Arlington Hotel, Narrowsburg, New York.

FOR FURTHER INFORMATION CONTACT: John T. Hutzky, Superintendent, Upper Delaware National Scenic and Recreational River, Drawer C, Narrowsburg, N.Y. 12764-0159 (717/729-7135).

SUPPLEMENTARY INFORMATION: The Advisory Council was established under section 704(f) of the National Parks and Recreation Act of 1978, Pub. L. 95-625, 16 U.S.C. 1274 note, to encourage maximum public involvement in the development and implementation of the plans and programs authorized by the Act. The Council is to meet and report to the Delaware River Basin Commission, the Secretary of the Interior, and the Governors of New York and Pennsylvania in the preparation of a mangement plan and on programs which relate to land and water use in the Upper Delaware region. The agenda for the meeting will include (1) review of Draft Management Plan; (2) review of the Inter-governmental Planning Team report of March 23; (3) review of projected user charges and revenues for fiscal '84.

The meeting will be open to the public. Any member of the public may file with the Council a written statement concerning agenda items. The statement should be addressed to the Council c/o Upper Delaware National Scenic and Recreational River, Drawer C, Narrowsburg, N.Y. 12764-0159. Minutes of the meeting will be available for inspection four weeks after the meeting at the permanent headquarters of the Upper Delaware National Scenic and Recreational River, River Road, 1¾ miles north of Narrowsburg, N.Y., Damascus Township, Pennsylvania.

Dated: April 6, 1982.

James W. Coleman, Jr.,

Regional Director, Mid-Atlantic Region.

[FR Doc. 82-10410 Filed 4-13-82; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by special rule of the Commission's rules of practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Please direct status inquiries to the Ombudsman's Office, (202) 275-7326.

Volume No. OP1-59

Decided: April 2, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

FF 591, filed March 19, 1982. Applicant: MILLER FORWARDING, INC., 31259 E. Highway 66, Barstow, CA 92311. Representative: Robert J. Gallagher, 1000 Connecticut Ave., NW., Suite 1200, Washington, DC 20036, (202) 785-0024. As a *freight forwarder*, in connection with the transportation of *used household goods, unaccompanied baggage, and used automobiles*, between points in the U.S. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the applications for common control to team 1, Room 6354.

MC 56640 (Sub-61), filed March 22, 1982. Applicant: DELTA LINES, INC. P.O. Box 2081, Oakland, CA 94604. Representative: Kirk Wm. Horton, 333 Hegenberger Rd., Suite 408, Oakland, CA 94621, (415) 577-7000. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Campbell Soup Company, of Sacramento, CA.

MC 99250 (Sub-2), filed March 26, 1982. Applicant: THOMAS L. JERNICK, 16 St. Mary Rd., Shelter Island, NY 11964. Representative: Thomas Jernick (same address as applicant), (516) 477-

0884. Transporting *household goods*, between points in AL, CT, DE, FL, GA, IL, IN, KY, MA, MD, ME, MS, NC, NH, NJ, NY, OH, PA, RI, SC, TN, VA, VT, WV, and DC.

MC 107960 (Sub-13), filed March 26, 1982. Applicant: SUMMERFORD TRUCK LINE, INC. P.O. Box 487, Ashford, AL 36312. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401, (205) 578–3212. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in AL, on the one hand, and on the other, points in FL, GA, MS, LA, and AL.

MC 109551 (Sub-11), filed March 23, 1982. Applicant: BREMCO MILLS, INC. Lock Two Road, New Bremen, OH 45869. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, (317) 846–6655.Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. under continuing contract(s) with Ralston Purina Company, of St. Louis, MO.

MC 124711 (Sub-113), filed March 25, 1982. Applicant: BECKER CORPORATION, P.O. Box 1050, El Dorado, KS 67042. Representative: T. M. Brown, P.O. Box 2650, Edmond, OK 73083, (405) 348–7700. Transporting *chemicals and chemical wastes*, between points in Butler County, KS, on the one hand, and on the other, points in the U.S. (except AK and HI).

MC 128270 (Sub-51), filed March 10, 1982. Applicant: REDIEHS INTERSTATE, INC., 1477 Ripley St., Lake Station, IN 46405. Representative: Richard A. Kerwin, 180 North La Salle St., Chicago, IL 60601, (312) 332–5106. Transporting *such commodities* as are dealt in or used by dealers, processors, jobbers, distributors, and wholesalers of (1) metal products, (2) building materials, (3) plastic products, (4) lumber and wood products, (5) clay, concrete, glass or stone products, and (6) machinery, between points in the U.S. (except AK and HI).

MC 139821 (Sub-8), filed March 29, 1982. Applicant: HAUGEN TRANSIT, INC., RR 2A, Madelia, MN 56062. Representative: William L. Libby, 8214 West 34½ Street, St. Louis Park, MN 55426, (612) 938–1752. Transporting *food and related products*, between Minneapolis, MN and points in Blue Earth County, MN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 144910 (Sub-23), filed March 25, 1982. Applicant: TY PRUITT TRUCKING, INC., 6717 Quad Ave., Baltimore, MD 21237. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St., NW., Washington, DC 20005, (202) 296–3555. Transporting (1) *general commodities* (except classes A and B explosives and household goods), between Boston, MA, New York, NY, Port Newark, NJ, Philadelphia, PA, Wilmington, DE, Baltimore, MD, Richmond and Norfolk, VA, Wilmington, NC, Charleston, SC, Savannah, GA, Jacksonville, Tampa and Miami, FL, Mobile, AL, New Orleans and Lake Charles, LA, and Houston, TX, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and TX, and (2) *ores and minerals, food and related products, chemicals and related products, and clay, concrete, glass or stone products*, between Detroit, MI, and points in Fairfield County, CT, Sandusky County, OH, and Manistee and Midland Counties, MI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 146050 (Sub-6), filed March 26, 1982. Applicant: ALPHA & OMEGA TRANSPORT, INC., P.O. Box 31004, Charlotte, NC 28231. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Ave., N.W., Washington, DC 2005. Transporting *textile mill products*, between point in NC and SC, on the one hand, and, on the other, points in the U.S. (except AK and HI). Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to team 1, Room 6358.

MC 146360 (Sub-32), filed March 29, 1982. Applicant: GREAT WEST TRANSPORTATION, INC., 110 N. Curtis Rd., Boise, ID 83706. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701, (208) 336–5955. Transporting *such commodities* as are dealt in by department, discount, catalog and farm implement stores, between points in ID, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 147281 (Sub-6), filed March 22, 1982. Applicant: KEYSTONE EXPEDITING, INC., 620 Moon Clinton Rd., Coraopolis, PA 15108. Representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, PA 15219, (412) 471–1800. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between point in PA, OH, and WV.

MC 147770 (Sub-5), filed March 12, 1982. Applicant: WEST AMERICAN TRANSPORT, INC., 1260 West North Temple, Salt Lake City, UT 84116. Representative: Mark K. Boyle, Suite 400, 10 West Broadway Bldg., Salt Lake City, UT 84101, (801) 363–3550. Transporting (1) *food and related products*, between points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY, and (2) *metal products, machinery*, and *such commodities* as are dealt in or used by distributors of turf and garden equipment, between points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY, on the one hand, and, on the other, points in the U.S. in an east of ND, SD, NE, KS, OK, and TX.

MC 147851 (Sub-16), filed March 29, 1982. Applicant: KWESVA, INC., 2580 Millers Lane, P.O. Box 16009, Louisville, KY 40216. Representative: Herbert D. Liebman, 403 W. MAin St., P.O. Box 478, Frankfort, KY 40602, (502) 875–3493. Transporting *alcoholic beverages*, between points in KY, WV, IL, OH, IN, TN, MI, MO, and KS.

MC 148490 (Sub-15), filed March 29, 1982. Applicant: C. & N. EVANS TRUCKING COMPANY, INC., Route 2, Box 39 E, Stoneville, NC 27048. Representative: Harry G. Grubbs, (same address as applicant), (919) 573–3761. Transporting *ground clay*, between points in the U.S., under continuing contract(s) with Oil–Dri, Corporation of America, of Chicago, IL.

MC 149500 (Sub-7), filed March 3, 1982, previously noticed in the Federal Register issue of March 18, 1982. Applicant: INTERMODAL SERVICES, INC., 11650 Courthouse Blvd., Inver Grove Heights, MN 55075. Representative: James M. Christenson, 4444 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402, (612) 339–3436. Transporting (1) *electrical machinery and equipment*, and (2) *such commodities* as are dealt in or used by wholesale and retail department stores, between points in MN, WI, ID, IL, MO, IN, OH, PA, NY, MA, NJ, DE, KY, TN, NC, SC, GA, FL, LA, TX, OR, WA, AR, CO, MT, NM, ND, SD, UT, WY, MI, and CA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Note.—This republication clarifies the territorial description.

MC 152971 (Sub-1), filed March 22, 1982. Applicant: DEEP SOUTH FREIGHT LINES, LTD., 6308 Boutall St., Metairie, LA 70003. Representative: Billy R. Reid, 1721 Carl St., Fort Worth, TX 76103, (817) 332–4718. Transporting (1) *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with Crown

Zellerbach, of Bogalusa, LA and Scott Paper Company, of Philadelphia, PA, (2) *plastic articles, electrical fixtures, and furniture,* between points in the U.S., under continuing contract(s) with Scott Paper Company, of Philadelphia, PA, and (3) *wire,* between points in the U.S., under continuing contract(s) with Orlick-Kolmaister, Inc., of Metairie, LA.

MC 153981 (Sub-1), filed March 23, 1982. Applicant: LEEWAY FLEET LINES, INC., 1321 Arch St., Suite 1010, Philadelphia, PA 19107. Representative: Curtis Lee, (same address as applicant), (215) 564–0807. Transporting *passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, between points in PA and NJ, on the one hand, and, on the other, points in AL, AR, CT, DE, FL, GA, IL, IN, KY, LA, MA, MD, ME, MI, MS, NC, NH, NJ, NY, OH, RI, SC, TN, VA, VT, WV, and DC.

MC 154590 (Sub-1), filed March 29, 1982. Applicant: NEAL FERTILIZER, INC., R.F.D., Dexter, IA 50070. Representative: James M. Hodge, 3730 Ingersoll Avenue, Des Moines, IA 50312, (515) 274–4985. Transporting *fertilizer,* between Kansas City, MO and points in Marshall County, IL, Grundy, Jasper, Newton, Chariton and Howard Counties, MO, Mayes County, OK, and Douglas, Richardson and Otoe Counties, NE, on the one hand, and, on the other, points, in IA.

MC 154861 (Sub-10), filed March 26, 1982. Applicant: CAROLINA MOTOR EXPRESS, INC., P.O. Box 550, Forest City, NC 28043. Representative: Eric Meierhoefer, Suite 1000, 1028 Vermont Ave., N.W., Washington, DC 20005, (202) 347–9332. Transporting *food and related products,* between Atlanta, GA and points in Lake and Cook Counties, IL, and Chickasaw County, IA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 156521, filed March 26, 1982. Applicant: WISE FARM LINES, INC., 6900 South Main St., Downers Grove, IL 60515. Representative: Albert A. Andrin, 180 North La Salle St., Chicago, IL 60601, (312) 332–5106. Transporting (1) *construction materials,* between points in Cook, Will, and Du Page Counties, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) *automobile and truck tires, tubes, and rims,* between points in Cook County, IL, Stark, Cuyahoga and Lucas Counties, OH, and Wayne County, MO, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 157311 (Sub-1), filed March 15, 1982. Applicant: FEDERAL DISTRIBUTION SERVICE COMPANY, 200 National Rd., East Peoria, IL 61611. Representative: Leslieann G. Maxey, 907 South Fourth St., Springfield, IL 62703, (217) 528–8476. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods) between points in IL and MO.

MC 158431, filed March 25, 1982. Applicant: WILLS MOTOR LIMITED, 2178 Highway #56, Binbrook, Ontario, CD LOR 1C0. Representative: William J. Hirsch, 1125 Convention Tower, 43 Court Street, Buffalo, NY 14202, (716) 853–0200. Transporting *passengers and their baggage,* in the same vehicle with passengers, in charter and special operations, between the ports of entry on the international boundary line between the U.S. and Canada, on the one hand, and, on the other, points in the U.S.

MC 158661, filed March 26, 1982. Applicant: JOHN W. NEELEY AND JUDITH ANN NEELEY, d.b.a. 4–J DISTRIBUTING COMPANY, 13812 Heartside, Farmers Branch, TX 75234. Representative: William Sheridan, P.O. Box Drawer 5049, Irving, TX 75062, (214) 255–6279. Transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission and commodities in bulk), between points in the U.S., under continuing contract(s) with Oroweat Foods Company, of Greenwich, CT.

MC 159701 (Sub-1), filed March 29, 1982. Applicant: TRU-MORE TRUCKING CO., INC., P.O. Box 365, Roosevelt, NY 11575. Representative: Jack L. Schiller, 123–60 83rd Ave., Kew Gardens, NY 11415, (212) 263–2078. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between New York, NY, on the one hand, and, on the other, points in CT, DE, FL, GA, LA, MA, MD, ME, NC, NH, NJ, PA, RI, SC, TN, TX, and VA.

MC 160951, filed March 29, 1982. Applicant: A. M. EXPRESS, INC., 18603 Harrison St., Lowell, IN 46356. Representative: Edward G. Bazelon, 29 South La Salle St., Chicago, IL 60603, (312) 236–9375. Transporting *food and related products and chemicals,* between points in the U.S., under continuing contract(s) with Indiana Sugars, Inc., of Gary, IN.

MC 161120, filed March 22, 1982. Applicant: "LET'S TRAVEL BY BUS", 215 N.W. 10th St., Suite 101, Oklahoma City, OK 73103. Representative: David Edward Wakefield (same address as applicant), (1)–(405) 235–5143. As a *broker,* at Oklahoma, OK, in arranging for the transportation of *passengers and their baggage,* in the same vehicle with passengers, between points in OK, on the one hand, and, on the other, points in the U.S. (including AK and HI).

MC 161170, filed March 23, 1982. Applicant: TRAFCON SERVICES, INC., 2310 Orange Ave., N.E., Roanoke, VA 24012. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wallesley Hills, MA 02181, (617) 235–5571. Transporting *pulp, paper and related products,* between points in the U.S., under continuing contract(s) with Westvaco Corporation, of Covington, VA.

MC 161170 (Sub-1), filed March 29, 1982. Applicant: TRAFCON SERVICES, INC., 2310 Orange Ave., N.E., Roanoke, VA 24012. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellsley Hills, MA 02181, (617) 235–5571. Transporting *packaging and display materials,* between points in the U.S., under continuing contract(s) with Radva Corporation, of Radford, VA.

MC 161191, filed March 23, 1982. Applicant: JOHN JAY HUIZINGA, d.b.a. CHICAGO MOTOR EXPRESS TERMINAL, 8649 Orchard Drive, Hickory Hills, IL 60457. Representative: John Jay Huizinga (same address as applicant), (312) 927–1921. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in IL, IN, IA, MI, MN, MO, OH, and WI.

MC 161201, filed March 25, 1982. Applicant: CRACKER STATE OIL CO., INC., Pine Road, P.O. Box 397, Newnam, GA 30264. Representative: Shiel G. Edlin, 4651 Roswell Road, NE., Suite I–804, Atlanta, GA 30342, (404) 256–0010. Transporting *petroleum products,* between points in Hamilton County, TN, on the one hand, and, on the other, points in AL and GA.

MC 161211, filed March 25, 1982. Applicant: KIDD & COMPANY, INC., 308 North Martin Street, Ligonier, IN 46767. Representative: Charles W. Kidd (same address as applicant), (219) 894–3131. 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 Austin-Kane, Inc., of Topeka, IN; Superior Sample Co., and Sroufe Manufacturing Co., both of Ligonier, IN; Classic Formed Products Co., of Syracuse, IN; Metropolitan Lumber Co., of Oak Brook, IL; The Book Peddler, of Hendersonville, TN; and Clown Confections, of Franklin Park, IL.

MC 161221, filed March 26, 1982. Applicant: ARROW TRAVEL SERVICE, INC., 84 Connecticut Blvd., East Hartford, CT 06108. Representative: Rene E. Dupuis (same address as applicant), (203)–528–9961. As a *broker*

at East Hartford, CT, in arranging for the transportation of *passengers and their baggage* in the same vehicle with passengers, between points in MA, CT, RI, and FL, on the one hand, and, on the other, points in the U.S.

MC 161230, filed March 26, 1982. Applicant: VILSONS TRADING CORPORATION, d.b.a. VTC TOURS, 6183 Mission St., Daly City, CA 94014. Representative: Emilio J. Villanueva, 960 Wildwood Ave., Daly City, CA 94015, (415)–994–3834. As a *broker* at Daly City, CA, in arranging for the transportation of *passengers and their baggage* in the same vehicle with passengers, beginning and ending at points in San Mateo, Santa Clara, San Francisco, Sacramento, and Los Angeles Counties, CA, and extending to points in the U.S. (except AK and HI).

MC 161250, filed March 29, 1982. Applicant: C. VERN WEST, d.b.a. EXECUTIVE LIMOUSINE, 7525 Vista View Dr., Reno, NV 89506. Representative: C. Vern West (same address as applicant) (702) 329–4310. Transporting *passengers and their baggage*, in the same vehicle with passengers, in charter and special operations, in vehicles having a seating capacity of not more than seven passengers, (not including the driver), between Carson City, NV and points in Washoe, Storey, Lyon and Douglas Counties, NV, on the one hand, and, on the other, points in Sacramento, Santa Clara and San Francisco Counties, CA.

MC 161251, filed March 29, 1982. Applicant: FAUST FAST FREIGHT, 11550 N. Harrell's Ferry Rd., Baton Rouge, LA 70816. Representative: John Andrew Faust (same address as applicant), (504) 272–2211. Transporting *metal products and machinery*, between points in the U.S., under continuing contract(s) with Harold Faust Co., Inc., of Baton Rouge, LA, and Casing Services of Louisiana, Inc., of Port Allen, LA.

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Decided: April 5, 1982.

By the Commission, Review Board No. 1, members Parker, Chandler, and Fortier.

MC 6992 (Sub-21), filed March 26, 1982. Applicant: AMERICAN RED BALL TRANSIT CO., INC, 1335 Sadlier Circle, East Dr., Indianapolis, IN 46239. Representative: John F. Spickelmier (same address as applicant), 317–353–8331. Transporting *appliances and component parts* for applicances, between points in the U.S., under continuing contract(s) with The Maytag Company, of Newton, IA.

MC 109633 (Sub-57), filed March 17, 1982. Applicant: ARBET TRUCK LINES, INC., P.O. Box 697, Sheffield, IL 61361. Representative: Arnold L. Burke, 180 North LaSalle St., Chicago, IL 60601, (312) 332–5106. Transporting *general commodities* (except household goods and commodities in bulk), between points in the U.S., (except AK and HI). Condition: To the extent any certificate issued in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited in point of time to a period expiring 5 years from its date of issuance.

MC 111672 (Sub-19), filed March 16, 1982. Applicant: R & M TRUCK LINE, INC., P.O. Box 422, Oskaloosa, IA 52577. Representative: Larry D. Knox, 600 Hubbell Building, Des Moines, IA 50309, (515) 244–2329. Transporting *plastic and plastic products*, between points in the Gasconade County, MO, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 121602 (Sub-1), filed March 24, 1982. Applicant: TULLEY TRUCKING, INC., 4344 Sheila St., Los Angeles, CA 90023. Representative: Milton W. Flack, 8484 Wilshire Blvd., Suite 840, Beverly Hills, CA 90211, 213–655–3573. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in CA. Condition: Issuance of a certificate in this proceeding is subject to the coincidental cancellation, at applicant's written request, of its certificate of registration in MC 121602, issued October 7, 1966.

MC 138652 (Sub-11), filed March 23, 1982. Applicant: BAKER TRUCK SERVICE, INC., POB 1303, Lewiston, ID 83501. Representative: David E. Wishney, POB 837, Boise, ID 83701, 208–336–5955. Transporting *building materials*, between points in ID, OR, WA, MT, and CA, on the one hand, and, on the other, points in CA, MN, MT, NE, ND, SD, UT, and WY.

MC 151853, filed March 23, 1982. Applicant: DONALD L. SHIRLEY, 5242 West Via Camille, Glendale, AZ 85306. Representative: James F. Crosby, 7363 Pacific St., Suite 210B, Omaha, NE 68114, 402–397–9900. Transporting *such commodities* as are dealt in or used by retail stores, between points in the U.S., under continuing contract(s) with Fed Mart Corp., of San Diego, CA.

MC 152793 (Sub-1), filed March 16, 1982. Applicant: AMERICAN MOVING SERVICES, INC., 3100 Justin Dr., Urbandale, IA 50322. Representative: Jim Pitzer, 15 S. Grady Way, Suite 321, Renton, WA 98055–3273, (206) 235–1111. Transporting *duplicating and reproducing machines*, and *such commodities* as are used in the manufacturing and installation of duplicating and reproducing machines, between points in the U.S., under continuing contract(s) with Xerox Corporation, of Des Plaines, IL.

MC 153962 (Sub-4), filed March 16, 1982. Applicant: NEBRASKALAND CONTRACT CARRIERS, INC., P.O. Box 1190, Kearney, NE 68847. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475–6761. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under a continuing contract(s) with AIFP Trading Group, of Portland, OR, and its subsidiaries.

MC 159932 (Sub-2), filed March 18, 1982. Applicant: CLARENCE KENNEDY, JR., d.b.a. KENNEDY & SON TRUCKING, Rte. 1, Box 81, Tryon, NC 28782. Representative: Eric Meierhoefer, 1029 Vermont Ave. NW., Suite 1000, Washington, DC 20005, 202–347–9332. Transporting *metal products, textile mill products, and sewing accessories*, between points in Bristol County, MA, New Haven County, CT, and Spartanburg County, SC, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 160342, filed March 23, 1982. Applicant: ALLAN B. ROBBINS, d.b.a. ROBBINS TRAILER SERVICE, Palmer Rd., Monson, MA 01057. Representative: David M. Marshall, 101 State St., Suite 304, Springfield, MA 01103, 413–732–1136. Transporting *construction and road-building equipment and machinery and related materials and supplies*, between points in CT, MD, MA, NH, NJ, NY, PA, RI, and VT, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 160392, filed February 8, 1982. Applicant: FACTORY DIRECT SERVICE, 7767 Kyles Station Rd., Middletown, OH 45042. Representative: Tom Taylor (same as applicant), (513) 777–1906. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in OH, KY and IN.

MC 160542, filed March 25, 1982. Applicant: EASTERN TRUCKLINES, INC., 10418 Broardmooor, Palos Hills, IL 60425. Representative: Patrick H. Smyth, 105 W. Madison St., Suite 1008, Chicago, IL 60602, 312–263–2397. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between Chicago, IL and Cleveland, OH.

MC 160952, filed March 10, 1982. Applicant: CARNIVAL BUS CO., INC., 6812 Fifth Ave., Brooklyn, NY 11220.

Representative: Ronald I. Shapss, 450 Seventh Ave., New York, NY 10123, (212) 239–4610. Transporting *passengers and their baggage, in the same vehicle with passengers,* beginning and ending at New York, NY, and extending to points in the U.S., (except AK and HI).

MC 160953, filed March 10, 1982. Applicant: WALTER WEBB, Route 1, Box 97, Decherd, TN 37324. Representative: Henry E. Seaton, 1024 Pennsylvania Bldg., 425 13th St. NW., Washington, DC 20004, (202) 347–8862. Transporting *such commodities* as are dealt in by distributors of floor coverings, between those points in GA, on and north of Interstate Hwy 20, on the one hand, and, on the other, points in AZ, NM, and those points in TX, on and west of U.S. Hwy 83.

MC 161082, filed March 18, 1982. Applicant: KING TOURS, INC., 108 Ridge Rd., North Arlington, NJ 07032. Representative: Alfred R. Romano (same address as applicant), 201–998–4800. As a *broker,* at North Arlington, NJ, in arranging for the transportation by motor vehicle, of *passengers,* between points in Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union, and Warren Counties, NJ, on the one hand, and, on the other, Knoxville and Nashville, TN.

MC 161232, filed March 29, 1982. Applicant: ROMANS TRANSPORTATION, INC., 3032 Millers Lane, Louisville, KY 40216. Representative: Cecil Romans (same address as applicant), 502–776–8300. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in IL, IN, and KY, on the one hand, and, on the other, points in AL, AR, GA, IL, IN, IA, KY, MI, MN, MO, NE, NJ, NY, OH, PA, TN, TX, and WI.

MC 160313, filed March 25, 1982. Applicant: JAMES LOONEY TRUCKING, 2805 S. Hickory, Sapulpa, OK 74066. Representative: Vernon D. Mitchael, 3540 East 31st St., Tulsa, OK 74135, 918–749–2547. Transporting *beef,* between Tulsa, OK, on the one hand, and, on the other, Los Angeles, CA.

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Decided: April 17, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Fisher not participating.)

MC 53965 (Sub-203), filed March 30, 1982. Applicant: GRAVES TRUCK LINE, INC., 8717 W. 110th St., Suite 700, Overland Park, KS 62210. Representative: Bruce A. Bullock, One Woodward Ave.—26th Floor, Detroit, MI 48226, (313) 965–2557. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, those requiring special equipment, and household goods), between points in the U.S., under continuing contract(s) with J.C. Penney Company, Inc., of New York, NY.

MC 83134 (Sub-1), filed March 26, 1982. Applicant: FITZGERALD BUS COMPANY, INC., 19 Birchwood Dr., Ansonia, CT 06401. Representative: George R. Blake, Jr., 36 Cedar St., Ansonia, CT 06401, (203) 734–8162. Transporting *passengers and their baggage,* in special and charter operations, between points in Fairfield and New Haven Counties, CT, on the one hand, and, on the other, points in ME, NH, VT, MA, CT, RI, NY, NJ, PA, DE, MD, VA, WV, TN, NC and DC.

MC 111504 (Sub-11), filed March 30, 1982. Applicant: STARR TRANSIT CO., INC., 2531 E. State St., Trenton, NJ 08619. Representative: Alan R. Squires, 818 Widener Bldg., 1339 Chestnut St., Philadelphia, PA 19107, (215) 564–3880. Over *regular routes, transporting passengers and their baggage,* in the same vehicle with passengers, between Philadelphia, PA, and Atlantic City, NJ, from Philadelphia over Interstate Hwy 76 to its junction with the Atlantic City Expressway, and then over the Atlantic City Expressway to Atlantic City, and return over the same route, serving all intermediate points.

MC 115975 (Sub-48), filed March 29, 1982. Applicant: C.B.W. TRANSPORT SERVICE, INC., P.O. Box 48, Wood River, IL 62095. Representative: M. Burnell Watson (same address as applicant), (618) 254–6770. Transporting (1) *coal and coal products,* (2) *petroleum, natural gas and their products,* and (3) *chemicals and related products,* between points in the U.S., under continuing contract(s) with Union Oil Company of California, of Schaumburg, IL, Magie Bros Oil, Div. of Pennzoil Company, of Franklin Park, IL, and Jesco Lubricants Co., of North Kansas City, MO.

MC 128685 (Sub-40), filed December 28, 1981, and previously noticed in the **Federal Register** issue of January 12, 1982. Applicant: DIXON BROS., INC., P.O. Drawer 8, Newcastle, WY 82701. Representative: Jerome Anderson, 100 Transwestern I, Billings, MT 59101, (406) 248–2611. Transporting *petroleum and petroleum products, coal products and natural gas,* between points in WY, SD, NE, CO, MT and ND.

Note.—The purpose of this republication is to correctly reflect the commodity description.

MC 138225 (Sub-13), filed March 25, 1982. Applicant: HEDRICK ASSOCIATES, INC., R.R. #2, Box 10A2, Douglas Rd., Far Hills, NJ 07931. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210, (703) 525–4050. Transporting *beverages* (except in bulk), between points in the U.S., under continuing contract(s) with Beer Import Company, Inc. of Vauxhall, NJ.

MC 143584, filed March 25, 1982. Applicant: CATES TRUCKING, INC., Swayzee, IN 46986. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, (317) 846–6555. Transporting (1) *glass and plastic products,* (2) *food and related products* and (3) *pulp, paper and related products,* between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TS.

MC 145074 (Sub-2), filed March 26, 1982. Applicant: FREDERICKSEN TANK LINES, INC., 850 Delta Lane (P.O. Box 717), West Sacramento, CA 95691. Representative: Michael S. Rubin, 256 Montgomery St., Fifth Fl., San Francisco, CA 94104, (415) 421–6743. Transporting *petroleum and petroleum products,* in bulk, in tank vehicles, between points in CA, NV, AZ, OR, WA, ID, UT, CO, MT and WY.

MC 146964 (Sub-21), filed March 26, 1982. Applicant: RELIABLE TRUCK LINES, INC., R.D. #5 5 Marianne Dr., York, PA 17402. Representative: Michael Valencik (same address as applicant), (717) 767–6681. Transporting *foodstuffs* (except alcoholic beverages), between points in ME, on the one hand, and, on the other, points in the U.S. in and east of TX, OK, KS, IA and WI.

MC 146995 (Sub-5), filed March 25, 1982. Applicant: WINEBRENNER TRANSFER, INC., 316 Woodhaven, Dr., Hagerstown, MD 21740. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, (301) 797–6060. Transporting *building materials,* between points in Washington County, MD, on the one hand, and, on the other, points in KY, RI, MA, CT, ME, NH and VT.

MC 148275 (Sub-9), filed March 30, 1982. Applicant: J. L. McCOY, INC., Box 525, Ravenswood, WV 26164. Representative: John M. Friedman, 2930 Putnam Ave., P.O. Box 426, Hurricane, WV 25526, (304) 562–3460. 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 the Kingsford Company of Louisville, KY.

MC 149125 (Sub-1), filed March 29, 1982. Applicant: MUSE TRUCKING COMPANY, a corporation, 5301 S. High, P.O. Box 94582, Oklahoma City, OK 73143. Representative: C. L. Phillips, Rm 248—Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106, (405) 528–3884. Transporting *machinery*, between points in OK, on the one hand, and, on the other, points in CA, MI and OH.

MC 150354 (Sub-1), filed March 29, 1982. Applicant: BIRDSALL & SERBIN, INC., d.b.a. RSB COACHES, 2021 NW 32 Avenue, Box 7037, Rochester, MN 55903. Representative: Stanley C. Olsen, Jr., 5200 Willson Road, Suite 307, Edina, MN 55424, (612) 927–8855. Transporting *passengers and their baggage* in round trip charter and special operations, and *baggage* of passengers in a separate vehicle, between points in IA and MN, on the one hand, and, on the other, points in the U.S. (except HI).

MC 151785 (Sub-5), filed March 22, 1982. Applicant: CONTRACT CARTAGE CORPORATION, 1104 Merridale Blvd., Mount Airy, MD 21771. Representative: Elliott Bunce, 1600 Wilson Blvd., Suite 1301, Arlington, VA 22209, (703) 522–0900. Transporting *wood and metal fencing and accessories, metal products, lumber and wood products*, between Capitol Heights, Gambrills, Baltimore, and Sparrows Point, MD, Fairfax and Norfolk, VA, Camden, NJ, Bethlehem and Philadelphia, PA, points in PA on west of Route 219, Joliet, Harvey, and Chicago, IL, Gary, IN, Pine Bluff, AR, and Lackawanna, NY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 152544 (Sub-14), filed March 29, 1982. Applicant: CYPRESS TRUCK LINES, INC., 1746 East Adams Street, Jacksonville, FL 32202. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202, (904) 632–2300. Transporting *building and construction materials*, between points in Chesterfield County, SC, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 155915 (Sub-2), filed March 29, 1982. Applicant: M. T. TRANSPORTATION, INC., P.O. Box 636, Goldenrod, FL 32733. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203, (205) 251–2881. 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 Curriculum, Inc. of Kankakee, IL.

MC 159174 (Sub-1), filed March 26, 1982. Applicant: K. L. C., INC., 8970 Hugg Ave., N.E., Salem, OR 97305. Representative: David R. Benson, 3170 N.W. Parkview Dr., Beaverton, OR 97006, (503) 223–3996. Transporting *lumber and wood products, building materials, poles, pilings and fencing materials*, between points in the U.S., under continuing contract(s) with North Pacific Lumber Company of Portland, OR.

MC 159374, filed March 25, 1982. Applicant: SEVEN TRUCKS, INC. d.b.a. CONTAINERS TRANSPORT, 3995 SW 108th Avenue, Miami, FL 33165. Representative: Richard B. Austin, 320 Rochester Building, 8390 NW 53rd St., Miami, FL 33166, (305) 592–0036. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in FL in and south of Palm Beach, Hendry and Lee Counties, FL, restricted to traffic having an immediately prior or subsequent movement by water.

MC 160335, filed March 30, 1982. Applicant: BERRY BROTHERS TRUCKING, 4411 Seay, Dallas, TX 75216. 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 Diversco, Inc. of Dallas, TX.

MC 160835, filed March 29, 1982. Applicant: McCURRY CONSTRUCTION CO., INC., Frazier Rd., P.O. Box 3448, Cleveland, TN 37311. Representative: M. C. Ellis, c/o Chattanooga Freight Bureau, Inc., 1001 Market St., Chattanooga, TN 37402, (615) 756–3620. Transporting (1) *fertilizer, chemicals, soil conditioners, animal and poultry feed*, and (2) *such commodities* as are dealt in by hardware stores, between points in the U.S., under continuing contract(s) with Beaty Feed & Hardware Co., Inc. and Beaty Fertilizer and Chemical, Inc. both of Cleveland, TN.

MC 160985, filed March 12, 1982, previously published in the **Federal Register** of March 30, 1982. Applicant: DOROTHY TOURS, INC., 2212 Tyson Ave., Philadelphia, PA 19149. Representative: Robert B. Einhorn, 3220 P.S.F.S. Bldg, 12 South 12th St., Philadelphia, PA 19107, (215) 922–1400. As a *broker*, at Philadelphia, PA, in arranging for the transportation of *passengers and their baggage*, between points in Philadelphia, Montgomery, Bucks, and Delaware Counties, PA, and Burlington, Camden, Atlantic, Gloucester and Cumberland Counties, NJ, on the one hand, and, on the other, points in the U.S.

Note.—This republication includes the States of AK and HI.

MC 161044, filed March 29, 1982. Applicant: CURTIS KELLEY, d.b.a. C. KELLY TRUCKING CO., Star Rt. Box 10, Hodgen, OK 74939. Representative: C. L. Phillips, Classen Terrace Bldg., Rm. 248, 1411 N. Classen, Oklahoma City, OK 73106, (405) 528–3884. Transporting *coal*, between points in the U.S., under continuing contract(s) with Great National Corporation, of McCurtain, OK.

MC 161164, filed March 23, 1982. Applicant: PASO ROBLES TRAVEL SERVICE, INC., 565 Twelfth St., Paso Robles, CA 93446. Representative: Elizabeth Renton Miller, P.O. Box 1845, Atascadero, CA 93423, (805) 466–4000. As a *broker*, at Paso Robles, CA, in arranging for the transportation by motor vehicle, of *passengers and their baggage*, in special and charter operations, between points in the U.S.

MC 161194, filed March 29, 1982. Applicant: JOSEPH RANKIN, d.b.a. RANKIN ENTERPRISES, 1300 E. 74th St., Anchorage, AK 99507. Representative: Arthur R. Hauver, 750 W. Second Ave., Suite 200, Anchorage, AK 99501, (907) 276–6354. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S., under continuing contract(s) with Peninsula Shippers Association, Inc., of Anchorage, AK.

MC 161215, filed March 26, 1982. Applicant: AUBY ROWELL, INCORPORATED, P.O. Box 1315, Laurel, MS 39440. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205, (601) 948–8820. Transporting *Mercer commodities*, (1) between points in AL, FL, GA, LA, MS, NM, OK, and TX; and (2) between points in Lafayette and Terrebonne Parishes, LA, and Jones County, MS, on the one hand, and, on the other, points in AR and TN.

MC 161244, filed March 29, 1982. Applicant: R & G CARRIERS, INC., P.O. Box 1154, Glendale Heights, IL 60137. Represenative: Anthony T. Thomas, 2619–BS. Ridgeland Ave., Berwyn, IL 60402, (312) 242–2676. Transporting (1) *building erection braces, scaffolds and scaffolding, trestles, trusses*, and *shores and shoring*, between points in the U.S., under continuing contract(s) with Aluma Systems, Inc., of Downsview, Ontairo, Canada, and (2) *cargo restraining systems*, and *parts of cargo restraining systems*, between points in the U.S., under continuing contract(s) with Ancra Corporation, of El Segundo, CA.

MC 161254, filed March 29, 1982. Applicant: EMMETT VIRES, 24–150th, SW, Lynnwood, WA 98036. Represenative: Lawrence V. Smart, Jr., 419 NW 23rd Ave., Portland, OR 97210. (503) 226–3755. Transporting *food and related products*, between Portland, OR, on the one hand, and, on the other, Seattle, WA and points in CA.

Volume No. OP4–128

Decided: April 5, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Fisher not paticipating.)

MC 20337 (Sub-4), filed March 23, 1982. Applicant: O.K. MOVING & STORAGE CO. OF MARYLAND, INC., 8955 D'Arcy Rd., Upper Marlboro, MD 20772. Representative: Paul F. Sullivan, 711 Washington Bldg., Washington, DC 20005, (202) 347–3987. Transporting *household goods*, between those points in the U.S. in and east of WI, IL, MO, AR, and TX.

MC 29957 (Sub-97), filed March 25, 1982. Applicant: TRAILWAYS SOUTHERN LINES, INC., 327 Gayoso St., Memphis, TN 38103. Represenative: George W. Hanthorn, 1500 Jackson St., Dallas, TX 75201, (214) 655–7937. Over regular routes, transporting *passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Meridian, MS, and Tuscaloosa, AL: from Meridian over Interstate Hwy 20/59 to Tuscaloosa, and return over the same route, serving no intermediate points.

MC 119917 (Sub-74), filed March 25, 1982. Applicant: DUDLEY TRUCKING COMPANY, INC., 724 Memorial Dr., SE., Atlanta, GA 30316. Representative: Archie B. Culbreth, 2200 Century Parkway, Suite 202, Atlanta, GA 30345, (404) 321–1765. Transporting *insulation, insulating materials and related products* between Atlanta, GA, Dallas and Houston, TX, Minneapolis, MN, St. Louis, MO, Stockton, CA, and Twinsburg, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 124017 (Sub-11), filed March 25, 1982. Applicant: R. JEFFREY & SONS, INC., R.D. #1, Elysburg, PA 17824. Representative: J. Bruce Walter, P.O. Box 1146, Harrisburg, PA 17108, (717) 233–5731. Transporting (1) *coal*, between points in Northumberland, Lackawanna, Luzerne, and Schuylkill Counties, PA, on the one hand, and, on the other, points in the U.S. in and east of WI, IL, KY, TN and MS, and (2) *scrap iron and steel*, between points in NH, MA, RI, NY, NJ, PA, DE, MD, OH, IA, IN, VA and WV.

MC 145637 (Sub-11), filed March 30, 1982. Applicant: B & B EXPRESS, INC., P.O. Box 5552, Station B, Greenville, SC 29606. Representative: Henry E. Seation, 1024 Pennsylvania Bldg., 425 13th St., NW, Washington, DC 20004, (202) 347–8862. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Florence County, SC, on the one hand, and, on the other, points in CA.

MC 147047 (Sub-8), 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 *chemicals and related products, and petroleum and coal products*, between points in Cullman and Jefferson Counties, AL, Weld County, CO, Orange County, FL, Ada and Freemont Counties, ID, Finney County, KS, Hampden County, MA, Hennepin County, MN, Adams County, MS, Montgomery County, MO, Hill and Richland County, MT, Keith County, NE, Roosevelt and Union Counties, NM, Pamlico County, NC, Summit and Montgomery County, OH, Oklahoma County, OK, Winn County, OR, and Allegheny County, PA, Pierce County, WA, Randolph County, WV, and Fremont and Natrona Counties, WY, and points CA, LA, and TX, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 147047 (Sub-9), filed March 30, 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 *food and related products*, between points in TX, on the one hand, and, on the other, points in AR, CA, IL, IN, KY, LA, MA, MD, MI, NC, NJ, NY, OH, OR, PA, SC, TN and WA.

MC 147047 (Sub-10), filed March 30, 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 *metal products and plastic and rubber products*, between points in TX and AR, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 154667 (Sub-7), filed March 30, 1982. Applicant: B. I. TRANSPORTATION, INC., P.O. Box 691, Burlington, NC 27215. Representative: J. Franklin Fricks, Jr. (same address as applicant), (919) 228–2239. Transporting *shoes and clothing*, between points in the U.S., under continuing contract(s) with Converse, Inc., of Wilmington, MA.

MC 154857 (Sub-4), filed March 30, 1982. Applicant: ROGERS LEASING INCORPORATED, 2098 W. Broad St., Scotch Plains, NJ 07076. Representative: Robert L. Cope, 1730 M St., NW., Suite 501, Washington, DC 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 Delaware Valley Shippers Association, Inc., of Bristol, PA.

MC 161227, filed March 29, 1982. Applicant: RICHARD T. BEUTEL AND THEODORE T. BEUTEL, d.b.a. BEUTEL TRANSPORT, 165 Ward St., Watertown, NY 13601. Representative: Michael R. Werner, 241 Cedar Lane, Teaneck, NJ 07666, (201) 836–1144. Transporting *food and related products*, between points in NY, on the one hand, and, on the other, points in PA, CT, RI, MA, NY, VT, and NJ.

MC 161257, filed March 29, 1982. Applicant: T J L LEASING INC., P.O. Box 667—Industrial Station, Hillside, NJ 07205. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904, (201) 572–5551. 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 Nationwide Transport & Warehouse, Inc., of Hillside, NJ.

MC 161287, filed March 30, 1982. Applicant: GINGER BRANDENBURG, d.b.a. TRI-STATE TRAVEL, 9241 Reseda Blvd. #202, Northridge, CA 91324. Representative: Ginger Brandenburg (same address as applicant), (213) 885–1022. To operate as a *broker*, at Northridge, CA, in arranging for the transportation of *passengers and their baggage*, between points in Los Angeles County, CA, on the one hand, and, on the other, points in the U.S., including AK and HI.

Volume No. OP5–77

Decided: April 7, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 123669 (Sub-8), filed March 29, 1982. Applicant: SILVER TRUCK, INC., P.O. Box 41, Austin, MN 55912. Representative: Andrew R. Clark, 1600 TCF Tower, Minneapolis, MN 55402, (612) 333–1341. Transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in the U.S., under

continuing contract(s) with Weyerhaeuser Company of Chicago, IL.

MC 141318 (Sub-19), filed March 19, 1982. Applicant: WEATHER SHIELD TRANSPORTATION, INC., P.O. Box Ltd., Medford, WI 54451. Representative: Robert S. Lee, 1600 TCF Tower, 121 So. 8th St., Minneapolis, MN 55402, 612–333–1341. Transporting (1) *furniture and fixtures*, between points in the U.S. (except AK and HI) under continuing contract(s) with Sirco Manufacturing, Inc. of Stevens Point, WI; and (2) *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between points in the U.S. (except AK and HI) under continuing contract(s) with Foremost-McKesson, Inc. of San Francisco, CA.

MC 143238 (Sub-1), filed March 23, 1982. Applicant: THE COTE CORPORATION, 211 Broad St., Auburn, ME 04210. Representative: Daniel A. Cote (same address as applicant), (207) 783–0561. Transporting *telephone equipment, and materials and supplies* used in the installation, maintenance, and repair of telephone systems, between points in the U.S., under continuing contract(s) with New England Telephone & Telegraph Company of Boston, MA.

MC 145468 (Sub-52), filed March 29, 1982. Applicant: KSS TRANSPORTATION CORP., P.O. Box 3052, North Brunswick, NJ 08902. Representative: Arlyn L. Westergren, 9292 N. Dodge Rd., Suite 201, Omaha, NE 68114, (404) 397–7033. Transporting *such commodities* as are dealt in or used by manufacturers or distributors of printed matter and paper products, between points in Cuyahoga County, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 156149, filed March 19, 1982. Applicant: B & C BUS LINES COMPANY, INC., 266 Joule St., Alcoa, TN 37701. Representative: Kay Diane Dickenson, 1628 Scenic Dr., Marysville, TN 37801, 615–983–4653. Transporting (1) *passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Alcoa, and Knoxville, TN, serving all intermediate points over U.S. 129 and TN Hwy 33, and (2) *passengers and their baggage* in the same vehicle with passengers, in charter operations, beginning and ending at points in Blount County, TN, and extending to points in the U.S. (including AK but excluding HI). Condition: Any certificate issued in this proceeding is subject to the prior or coincidental cancellation, at the applicant's written request, of its Certificates of Registration.

MC 156329 (Sub-2), filed March 25, 1982. Applicant: CHISM, INC., 2160 E. Thoman, Springfield, MO 65803. Representative: Robert Jarvis, (same address as applicant), 417–865–4127. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Vanderburgh and Posey Counties, IN, and Greene County MO, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 156329 (Sub-3), filed March 29, 1982. Applicant: CHISM, INC., 2160 E. Thoman, Springfield, MO 65803. Representative: Robert Jarvis, (same address as applicant), 417–865–4127. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in IN, KY, and OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 157379, filed March 25, 1982. Applicant: DCL TRANSPORT, INC., P.O. Box C–002, Vancouver, WA 98661. Representative: LIsa Younce, (same address as applicant), 206–696–4842. Transporting (1) *such commodities* as are dealt in or used by manufacturers and distributors of *building materials, pulp, paper, and related products*, and *metal products*, under continuing contract(s) with Louisiana-Pacific Corporation of Samoa, CA; (2) (a) *Lumber and wood products*, and (b) *building materials* (except those in (a)), under continuing contract(s) with Wickes Companies, Inc. of Wilsonville, OR; Carl E. Jones, Inc., of Vancouver, WA; and Lynn Forest Products, Inc. of Corona, CA, and (3) *metal products*, under continuing contract(s) with Associated Pipe & Supply Supply Co., Inc. of Golden CO., between points in the U.S.

MC 158348, filed March 26, 1982. Applicant: JRX TRUCKING, INC., 9328 So., Central Ave., Oak Lawn, IL 60453. Representative: Joseph Winter, 29 So. LaSalle, St., Chicago, IL 60603, (312) 263–2306. Transporting (1) *metal products*, between Houston, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) general commodities (except classes A and B explosives, household goods and commodities in bulk), between points in IL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 158459 (Sub-1), filed March 23, 1982. Applicant: R.B.R. TRUCKING, INC., 211 Kocher St., Rockton, IL 61702. Representative: Edward D. McNamara, Jr., 907 South Fourth St., Springfield, IL 62703, 217–528–8476. Transporting (1) *fiberglass tanks*, under continuing contract(s) with Fiberglass Engineered Products, Inc. of Janesville, WI; (2) *iron* and *steel articles*, under continuing contract(s) with United Industries, Inc., of Beloit, WI; (3) *such commodities* as are dealt in or used by manufacturers or distributors of water condition equipment, under continuing contract(s) with Techni-Chem, Inc. of Belvidere, IL, and Mechanical, Inc. of Freeport, IL; and (4) *pipe*, under continuing contract contract(s) with Mechanical, Inc. of Freeport, IL. between points in the U.S. (except AK and HI).

MC 161169, filed March 23, 1982. Applicant: D & S BUSSES, INC., 8114 Anthony Hwy., Waynesboro, PA 17268. Representative: Thomas M. Painter, 10 East Main St., Waynesboro, PA 17268, 717–762–1167. Transporting *passengers and their baggage* in the same vehicle with passengers, in special and charter operations, beginning and ending at points in Franklin County, PA. and extending to points in Baltimore, Frederick, Washington and Garrett Counties, MD; Prince William and Surrey Counties; VA; Jefferson and Berkeley Counties, WV, and DC. Condition: Any certificate issued in this proceeding is subject to the prior or coincidental cancellation, at applicant's written request, of the existing certificate of registration in PA PUC A-00102205.

MC 161178, filed March 23, 1982. Applicant: CHEMCO TRANSPORT, INC., 140 No. Washington St., Monroeville, IN 46773. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, (317) 846–6655. Transporting *fertilizer* between points in IN, on the one hand, and, on the other, points in IL and OH.

MC 161179, filed March 23, 1982. Applicant: MIKE K. WILKINSON, d.b.a. MIKE WILKINSON TRUCKING, 425 Agate, Rock Springs, WY 83901. Representative: Mike K. Wilkinson (same address as applicant), (307) 362–2876. Transporting *Mercer commodities* between points in NV, UT, CO, ID, WY, and MT.

MC 161229, filed March 26, 1982. Applicant: LOVE TRANSPORT COMPANY, INC., P.O. Box 546, Wichita, KS 67201. Representative: Robert W. Love (same address as applicant), (316) 838–0851. Transporting *food and related products* between points in the U.S., under continuing contract(s) with Seven-Up Wichita Bottling Co., Inc., of Wichita, KS, and MEI Corp., of Tulsa, OK.

Volume No. OP5–80

Decided: April 7, 1982.

By the Commission Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 111839, (Sub-14), filed March 29, 1982. Applicant: BEE LINE EXPRESS, INC., P.O. Box 388, Albertville, AL 35950. Representative: Donald B. Sweeney, Jr., P.O. Box 2366, Birmingham, Al 35201, 205-254-3880. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in AL, MS, TN, GA, FL, NC, and SC.

MC 112989 (Sub-158), filed March 29, 1982. Applicant: WEST COAST TRUCK LINES, INC., 85647 Hwy 99 So., Eugene, OR 97405. Representative: John T. Morgans (same address as applicant), 503-747-1283. Transporting *houshold appliances*, between Salt Lake City, UT, on the one hand, and, on the other, points in OR.

MC 135019 (Sub-5), filed March 26, 1982. Applicant: PARK TRANSIT, INC., 521 Camden St., Parkersburg, WV 26101. Representative: Jeremy Kahn, Suite 733, Investment Bldg., 1511 K St., NW, Washington, DC 20005, (202) 783-3525. Transporting *passengers and their baggage*, in the same vehicle with passengers, in charter or special operations, (1) beginning and ending at points in Berkeley, Boone, Braxton, Brooke, Calhoun, Clay, Grant, Greenbrier, Hampshire, Hancock, Hardy, Jefferson, Lincoln, Logan, McDowell, Mercer, Mineral, Mingo, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pocahontas, Preston, Putnam, Summers, Tucker, Wayne, Webster, and Wyoming Counties, WV, Delaware, Fairfield, Fayette, Franklin, Licking, Muskingum, Perry, Pickaway, Pike, and Ross Counties, OH, and Boyd, Carter, Greenup, and Lawrence Counties, KY, and extending to points in the U.S., including AK but excluding HI, and (2) between points in Delaware, Fairfield, Fayette, Franklin, Licking, Muskingum, Perry, Pickaway, Pike, and Ross Counties, OH, Boyd, Carter, Greenup, and Lawrence Counties, KY, and points in WV, on the one hand, and, on the other, points in the U.S. (including AK but excluding HI), restricted in (2) to passengers having an immediately prior or subsequent movement by air.

MC 140339 (Sub-5), filed March 29, 1982. Applicant: TONY'S TERMINAL TRK., INC., 77 Paterson Ave., Wallington, NJ 07057. Representative: Morton E. Kiel, 2 World Trade Center, Suite 1832, New York, NY 10048, (212) 466-0220. Transporting *such commodities* as are dealt in or used by retailers of business machines, between points in the U.S., under continuing contract(s) with Minolta Business Systems, Inc., of Mahwah, NJ.

MC 144219 (Sub-11), filed March 24, 1982. Applicant: BIT, INC., P.O. Box 968, Reedley, CA 93654. Representative: Greg P. Stefflre, P.O. Box 7535, Long Beach, CA 90807, (213) 426-2591. Transporting (1) *materials handling equipment* and (2) *machinery*, between points in the U.S. (except AK and HI).

MC 160959, filed March 10, 1982. Applicant: SHERESKY TRUCKING, INC., 4117 Lake Shore Rd., Burlington, Ontario, Canada L7L1A3. Representative: Schoone, McManus, Hankel & Ware, 1300 So. Green Bay Rd., P.O. Box 97, Racine, WI 53401, (414) 637-6791. In foreign commerce, transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in the U.S., under continuing contract(s) with Leman of America, Inc., of Racine, WI.

MC 161209, filed March 25, 1982. Applicant: FOX-TRANSPORTATION, INC., R.D. #1, Box 310, Hazelton, PA 18201. Representative: Daniel W. Krane, P.O. Box E, Shirmanstown, PA 17011, 717-455-5886. Transportating (1) *such commodities* as are dealt in or used by retail, wholesale and chain food distribution and business houses, between Miami, FL, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and LA, (2) *food and related products*, between points in Bergen County, NJ, on the one hand, and, on the other, points in FL, and (3) *general commodities*, (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in Luzerne and Northumberland Counties, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161239, filed March 29, 1982. Applicant: GREAT AGE CORPORATION, 433 Union Ave., Providence, RI 02909. Representatives: Wesley S. Chused, 15 Court Square, Boston, MA 02108, (617) 742-3530. To operate as a *broker* at points in CT, MA, NY, and RI, arranging the transportation of *passengers and their baggage*, in the same vehicle with passengers, in special or charter operations, between points in the U.S.

MC 161258, filed March 29, 1982. Applicant: MANUFACTURERS WAREHOUSE, INC., 7800 Ball Rd., Fort Smith, AR 72906. Representative: Charles H. Schmidly, P.O. Box 1787, Fort Smith, AR 72902, (501) 785-2943. 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 Nabisco Brands, Incorporated of New York, NY.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-10135 Filed 4-13-82; 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 Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register**. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval it application.

A copy of the application is on file and can be examined at the ICC Regional Office to which protests are to 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-162

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 107757 (Sub-4-2TA), filed March 30, 1982. Applicant: M. C. SLATER, INC.,

2200 West Chain of Rocks Road, Granite City, IL 62040. Representative: Carl L. Steiner and Joel H. Steiner, 29 South LaSalle Street, Chicago, IL 60603. *Lumber and wood products* from Granite City, IL, to Lafayette, IN. Supporting Shipper: Jennison Wright Corporation, 900—22nd Street, Granite City, IL 62040.

MC 119921 (Sub-4-2TA), filed March 29, 1982. Applicant: CANADIAN MACHINERY MOVERS LIMITED, 2410 Central Avenue, Windsor, Ontario, Canada N8W 4J4. Representative: Robert D. Gunderman, Can-Am Building, 101 Niagara Street, Buffalo, NY 14202. *Mail and package handling equipment, conveyor systems, related parts, attachments and accessories, and materials and supplies used in the manufacture or production of such equipment and systems,* between ports of entry on the International Boundary line between the US and CD in MI, on the one hand, and, on the other, Memphis, TN and Orlando, FL. Supporting Shipper: McInnis Equipment Ltd., 2500 Central Avenue, Windsor, Ontario N8W 4J5.

MC 127550 (Sub-4-5TA), filed April 1, 1982. Applicant: BOSCH TRUCKING COMPANY, INC., 5600 South Washington Street, Bartonville, IL 61607. Representative: Edward G. Bazelon, 29 South LaSalle Street, Chicago, IL 60603. *Contract*—irregular—*general commodities (except classes A & B explosives, household goods, and commodities in bulk)* between points in IL, IA and WI, under continuing contract with Growmark, Inc. Supporting shipper: Growmark, Inc., 1701 Towanda Avenue, Bloomington, IL 61701.

MC 141382 (Sub-4-2TA), filed March 29, 1982. Applicant: DON'S MOVING & DELIVERY SYSTEM, INC., 527 South Fremont, Janesville, WI 53545. 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 and distribution of such commodities between Rochester, MN, Marion and Geneva, NY, Mountain Home, NC, and points in WI, on the one hand, and, on the other hand, points within IL, IN, KY, MI, NC, MS, OH, SC, TN and VA. An underlying ETA seeks 120 days authority. Supporting shipper: Seneca Foods Corporation, 418 East Conde Street, Box 1587, Janesville, WI 53547.

MC 145246 (Sub-4-7), filed March 29, 1982. Applicant: A. E. SCHULTZ CORPORATION, 901 Lyndale Avenue, Neenah, Wisconsin 54956. Representative: Frank M. Coyne, Attorney, 25 West Main Street, Madison, Wisconsin 53703. *Sand,* in bulk and in bags, from points in Waupaca County, Wisconsin to points in IA, IL, MI and MN. Supporting shipper: Waupaca Sands Company, Route 3, Box 20B, Waupaca, Wisconsin 54981.

MC 147038 (Sub-4-3TA), filed March 29, 1982. Applicant: CLAYTON STRANGE, an individual, d.b.a. C. STRANGE TRUCKING CO., Route 2, Box 38, Wallace, MI 49893. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Contract;* irregular; *particle board and materials, equipment and supplies* used in the manufacture, sale or distribution of such commodities between Marinette, WI, and points in IA, IL, MI, MN, NC, OH and TN. Restriction: restricted to transportation performed under continuing contract(s) with Rodman Industries Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Rodman Industries Inc., Box 76, 2601 Cleveland Avenue, Marinette, WI 54143.

MC 147038 (Sub-4-4TA), filed April 1, 1982. Applicant: CLAYTON STRANGE, d.b.a. C. STRANGE TRUCKING CO., Route 2, Box 38, Wallace, MI 49893. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Contract;* irregular; *foundry products and materials, equipment and supplies* used in the manufacture, sale, and distribution of such commodities between Waupaca and Marinette, WI and Clinton, MI. Restriction: restricted to transportation performed under continuing contract(s) with The Budd Company. An underlying ETA seeks 120 days authority. Supporting shipper: The Budd Company, Tecumseh Road, Clinton, MI 49236.

MC 147243 (Sub-4-2TA), filed March 31, 1982. Applicant: SEYMOUR & SOUTHERN INC., Route 2, Box 267, Seymour, WI 54165. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Contract;* irregular; *meat and meat products and materials, equipment and supplies* used in the manufacture, sale, and distribution of such commodities between Fort Atkinson, Seymour and Watertown, WI, Bloomville, NY, and Pleasanton, CA, on the one hand and, on the other hand, points in CA, IL, IN, KY, MI, NJ, NY, OH, OK, TX, and WI. Restriction: restricted to transportation performed under continuing contract(s) with Delft Blue-Provimi, Inc., and Jones Dairy Farm, Inc. An underlying ETA seeks 120 days authority. Supporting shippers: Delft Blue-Provimi, Inc., Box 508, Provimi Road, Watertown, WI 53094; and Jones Dairy Farm, Inc., P.O. Box 28, Jones Avenue, Fort Atkinson, WI 53538.

MC 147644 (Sub-4-11TA), filed March 30, 1982. Applicant: J.M.C. TRANSPORT, INC., 1719 Potters Lane, Jeffersonville, IN 47130. Representative: Gerald K. Gimmel, Suite 200, 444 N. Frederick Ave., Gaithersburg, MD 20877. *Alcoholic liquors,* from points in IL to points in LA, TX, AR and AZ. Supporting shipper: Glazer's Wholesale Drug Co., Inc., 508 Park Ave. P.O. Box 1768, Dallas, TX 75221.

MC 147644 (Sub-4-12TA), filed March 31, 1982. Applicant: J.M.C. TRANSPORT, INC., 1719 Potters Lane, Jeffersonville, IN 47130. Representative: Gerald K. Gimmel, Suite 200, 444 N. Frederick Ave., Gaithersburg, MD 20877. *Chemicals and related products, and wallcovering* between Louisville, KY, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shippers: Blatz Paint, 319 S. Shelby St., Louisville, KY, Progress Paints Mfg. Co. Inc., P.O. Box 33188, Louisville, KY.

MC 150103 (Sub-4-14TA), filed April 1, 1982. Applicant: SCHWEIGER INDUSTRIES, INC., 116 West Washington Street, Jefferson, WI 53549. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. *Contract carrier: Irregular carriers: Machinery* from Seattle, WA, Portland, OR, and Los Angeles, CA to points in WI and the Upper Peninsula of MI under a continuing contract(s) with Lakeshore Machinery, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Lakeshore Machinery, Inc., 3540 N. 126th Street, P.O. Box 38, Brookfield, WI 53005.

MC 150103 (Sub-4-15TA), filed April 1, 1982. Applicant: SCHWEIGER INDUSTRIES, INC., 116 West Washington Street, Jefferson, WI 53549. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. *Contract carrier;* Irregular routes; *Furniture and fixtures and textile mill products* (1) between Belvidere, IL, on the one hand, and, the other, Charlotte, NC; Columbia, SC; and Madison, GA; (2) between Elgin, IL, on the one hand, and, on the other, points in GA, NC and SC; and (3) between Maspeth, NY, on the one hand, and, on the other, Belvidere, IL; Charlotte, NC; Columbia, SC; and Madison, GA, under a continuing contract(s) with Leath and Company for 270 days. Supporting shipper: Leath and Company, 7111 North Lincoln Avenue, Chicago, IL 60646.

MC 151787 (Sub-4-2), filed March 31, 1982. Applicant: IROQUOIS REFRIGERATED TRANSPORT, INC.,

R.R. #1, Clifton, IL 60927. Representatives: Edward D. McNamara, Jr., Leslieann G. Maxey, 907 South Fourth St., Springfield, IL 62703. *Contract* irregular: *Such merchandise as is dealt in by grocery and food business houses and equipment, materials, and supplies used in the conduct of such business* between Rochester & Medalia, MN, St. Louis, MO, and Frontenac, KS, on the one hand, and points in TN, GA, MO, IL, IN, & OH, on the other hand, under continuing contracts with The Kroger Co. The supporting shipper is: The Kroger Co., 1014 Vine Street, Cincinnati, OH 45201.

MC 153273 (Sub-4–6TA), filed March 29, 1982. Applicant: SCHREIBER TRANSIT, INC., 425 Pine Street, Green Bay, WI 54305. Representative: John H. Sage (same as applicant). *Contract* Irregular *Food and Food Related Articles, along with Materials, Equipment and Supplies used in the Manufacture of Food Product:* Between points in the Continental United States, under contract with Jeno's, Inc., of Duluth, MN. Supporting shipper: Jeno's Inc., 525 Lake Avenue, Duluth, MN 55802.

MC 153492 (Sub-4–3TA), filed March 17, 1982. Applicant: JOHN M. CORCORAN d.b.a. CORCORAN'S DRIVEAWAY, 1713 Bracknel Blvd., Rockford, IL 61103. Representative: John M. Corcoran (same as above). *Contract* irregular: *Motor vehicles* between points in Rockford, IL and points in the Continental U.S. An underlying ETA seeks 120 days authority. Supporting shipper: Rock River Ford, Inc. 224 N. Alpine Rd. Rockford, IL 61107.

MC 158066 (Sub-4–1TA), filed March 31, 1982. Applicant: 5 "J" EXPRESS, INC., 9144 E. 400 N., Van Buren, IN. 46991. Representative: Gerald J. Baumann (same as above). *General commodities* (except those of unusual value, classes A & B explosives, household goods as defined by the commission and commodities in bulk) between Grant County, IN.; Kent and Menominee County, MI; and Cook County, IL; on the one hand, and on the other, points in the U.S. (Except AK and HI). Supporting shipper: Bell Fibre Products, Corp., Marion, IN. 46952.

MC 158761 (Sub-4–2TA), filed April 1, 1982. Applicant: GLENN D. ROGNESS d.b.a. GLENN D. ROGNESS TRUCKING, Route 3, Fergus Falls, MN 56537. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Minneapolis, MN 55402. *Flour,* from Fergus Falls, MN to Ft. Wayne and Shirley, IN; Detroit, Grand Rapids, Battle Creek, Lansing and Jackson, MI; Fargo, ND; and Columbus, Youngstown, Toledo and Cleveland, OH. SS: Conagra, Inc., Fergus Falls, MN.

MC 161067 (Sub-4–1TA), filed March 30, 1982. Applicant: SAMAR MOTOR STAGES, INC., 4358 McClure Street, Gurnee, IL 60031. Representative: Patrick H. Smyth, Esq., Smyth & Guth, P.C., 105 W. Madison-Suite 1008, Chicago, IL 60602. *Passengers and their baggage,* in the same vehicle with passengers, in special operations, between points in Lake Forest, IL, and its commercial zone and points in Walworth, Kenosha, Racine, Waukesha, and Milwaukee Counties, WI. Supporting shippers: There are 5 statements of support attached.

MC 161242 (Sub-4–1TA), filed March 29, 1982. Applicant: RICHARD CONZEMIUS, d.b.a. CONZEMIUS OIL COMPANY, 5th & Wisconsin Avenue, Breckenridge, MN 56520. Representative: Richard P. Anderson, P.O. Box 2581, Fargo, ND 58108.*Contract;* irregular Petroleum products, in bulk, in tank vehicles, from Moorhead, MN to points in Richland County, ND, under contract(s) with Uhlich Oil Co. of Wahpeton, ND; Mauer Oil Co. of Hankinson, ND; and Kadoun Oil Co. of Lidgerwood, ND. Supporting shippers: Uhlich Oil Co., 1103 Evergreen Court, Wahpeton, ND 58075; Mauer Oil Co., Box 206, Hankinson, ND 58041; and Kadoun Oil Co., P.O. Box 267 Lidgerwood, ND 58053.

MC 161266 (Sub-4–1TA), filed March 29, 1982. Applicant: IRISH & LaCOUNT TRUCKING, INC., Route, Box 19A, Krakow, WI 54137. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *Contact;* irregular; *meat and packinghouse products and materials, equipment and supplies* used in the manufacture, sale or distribution of such commodities between Brown County, WI, on the one hand, and, on the other hand, points in GA, FL, OH, TN and TX. Restriction: restricted to transportation performed under continuing contract(s) with Fox Valley Beef, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Fox Valley Beef, Inc., Box 3520, Green Bay, WI 54303.

MC 161278 (Sub-4–1TA), filed March 30, 1982. Applicant: K CROWN CARTAGE, INC., 4225 West 107th Street, Oak Lawn, IL 60453. Representative: Richard A. Kerwin, 180 North La Salle Street, Chicago, IL 60601, (312) 332–5106. *Contract* irregular *Televisions, radios phonographs, video cassette recorders, video cassette cameras, video disc players, video cassette tapes, antennas, household appliances and replacement parts and accessories for the above* between points in Cook County, IL, on the one hand, and, on the other, points in IL, IN, MI and WI. Restricted to traffic moving under continuing contract with R & A Distributing Corporation and S–W Distributors, Inc. Supporting shippers: R & A Distributing Corporation, 424 East Howard Avenue, Des Plaines, IL 60018. S–W Distributors, Inc., 5400 McDermott Drive, Berkeley, IL 60163.

MC 161279 (Sub-4–1TA), filed March 30, 1982. Applicant: ROZANNE WAITS, d.b.a. B & R AUTO SALES & TRANSPORT, 2251 Stieber, Westland, MI 48185. Representative: Paul D. Borghesani, Katz & Borghesani, 300 Communicana Bldg., 421 So. Second Street, Elkhart, IN 46516. *Passenger cars, vans, and pickup trucks,* in truckaway service, (1) between Taylor, MI, on the one hand, and, on the other, points in and east of MN, IA, MO, AR, and LA, and (2) from Miami, FL, to Hartford, CT, Newark, NJ, and Boston MA. Supporting shipper: Metro Auto Delivery, Inc., 20911 Gladwin Road, Taylor, MI 48180.

MC 161308 (Sub-4–1TA), filed March 31, 1982. Applicant: B & S TRUCK SERVICE, INC., P.O. Box 1730, Terre Haute, IN 47808. Representative: Joseph P. Murdock, P.O. Box 40248, Indianapolis, IN 46240. *Waste methyl alcohol, flammable liquid UN 1240, with 10% less tin,* between Clinton, IN on the one hand, and on the other, Carrollton, KY. Supporting shipper: Eli Lilly Company, 1555 Kentucky Avenue, Indianapolis, IN.

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 161368 (Sub-6–1TA), filed April 5, 1982. Applicant: CAPCO TRANSPORT, INC., 1100 W. Industrial Rd., Cedar City, UT 84720. Representative: David R. Altshuler, Esq., c/o Cohen & Ziskin, 2029 Century Park East, Suite 1700, Los Angeles, CA 90067. *Contract carrier,* irregular routes, *petroleum products in tank vehicles,* (1) from Cedar City, UT, to points in AR, CA, NV and NM, and (2) from Fredonia, AR to Cedar City, UT, under a contract or contracts with CAPCO Petroleum, Inc., for 270 days. Supporting shipper: CAPCO Petroleum, Inc., 1100 W. Industrial Rd., Cedar City, UT 84720.

MC 148731 (Sub-6–3TA), filed April 1, 1982. Applicant: MINKEVITCH TRUCKING & HAULING, INC., P.O.B. 21525, Salt Lake City, UT 84121. Representative: Fred J. Minkevitch, Jr., 6290 S. Holladay Blvd., Salt Lake City, UT 84121. *Contract carrier,* irregular routes, *general commodities* (except

class A & B explosives and household goods) between points in the U.S., for the account of Domtar Industries Inc., for 270 days. Supporting shipper: Domtar Industries Inc., 4825 N. Scott St., Suite 419, Schiller Park, IL 60176.

MC 161384 (Sub-6–1TA), filed April 5, 1982. Applicant: S & S TRANSPORTATION, INC., 1231 Blue Gum, Anaheim, CA 92806. Representative: John C. Russell, Russell & Hancock, 1545 Wilshire Boulevard, Los Angeles, CA 90012. *Glass or plastic bottles* from points in Los Angeles County, CA on the one hand, to points in Clark County, NV on the other, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Coca-Cola Bottling Company, 1334 South Central Ave., Los Angeles, CA.

MC 161383 (Sub-6–1TA), filed April 5, 1982. Applicant: SEA-TAC TRANSFER, INC. P.O.B. 66385, 18927 16th Ave. So., Seattle, WA 98166. Representative: Roy S. Talbot (same as applicant). *General commodities* except commodities in tank vehicles and in bulk, newspapers and hazardous wastes) between points in WA and OR, for 270 days. Supporting shipper: Onan Consolidation, Inc., 911 Western Avenue, Seattle, WA.

MC 147631 (Sub-6–1TA), filed April 5, 1982. Applicant: FRED L. WILLIAMS d.b.a. TAOS INTERSTATE EXPRESS, P.O. Box 262, Alamosa, CO 81101. Representative: (same as applicant). *Common Carrier.* Regular routes: *General Commodities,* except Classes A and B explosives, commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment. From Costilla, N.M. to Amalia, N.M. over Highway 196, then North on County road to Amalia Lumber Co. servicing all intermediate points without restriction, and the right to tack with existing authority; From Questa, N.M. to Red River, N.M. over Highway 38 serving all intermediate points, including Union Moly Corp. Mine and Mill Site, without restriction and the right to tack with existing authority; Applicant requests authority to serve deviation route and all intermediate points without restriction. From Alamosa, Colorado over U.S. Highway 285, serving Johns Manville Perlite Corp. and Grefco Inc. at NoAqua, N.M., to junctions, U.S. Highway 64 to junctions New Mexico Highway 3 and return over the same route with the right to tack with existing authority for 270 days. An underlying ETA seeks 120 days authority. Supporting shippers: Molycorp, Inc., P.O.B. 469, Questa, N.M. 87556; Manville Products Corp., P.O.B. 338, Antonito, CO. 81120; Grefco Inc., P.O.B. 308, Antonito, CO. 81120; and Amalia Lumber Co., P.O.B. 68, Costilla, N.M. 87524.

MC 161270 (Sub-G–1TA), filed April 15, 1982. Applicant: SERVANDORAMOS ISLAS d.b.a. VEGAS ONE, 12600 So. La Cadena Dr., Colton, CA 92324. Representative: Servando R. Islas (same address as applicant). *Passengers and their baggage in a motor coach on special and chartered tours,* from Riverside County (Coachella Valley), CA to Clarks County (Las Vegas), NV, and Return, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Four Queens Sun Tours, 42–480 Glass Dr., Bermuda Dunes, CA 92201.

MC 43269 (Sub-6–1TA), filed April 5, 1982. Applicant: WELLS CARGO, INC., P.O.B. 1511, Reno, NV 89505–1511. Representative: Royal F. Miller (same as applicant). *Contract Carrier:* Irregular routes, *General commodities* (except household goods as defined by the Commission, and commodities in bulk), between points in NV on the one hand, and, on the other, points in CA, under continuing contract with K MART Corporation, for 270 days. Supporting shipper: K MART Corporation, 1400 S. McCarran Blvd., Sparks, NV 89431.

MC 161382 (Sub-6–1TA), filed April 15, 1982. Applicant: ABDEL-MONIEM M. SHAABAN and KATHERINE E. HOWELL, a general partnership, d.b.a. WESTERN SUN TOURS, 1773 N. Sycamore Ave., No. 21, Los Angeles, CA 90028. Representative: (same as applicant). *Passengers and their baggage,* in roundtrip special or charter operations between points in Los Angeles County, CA and Clark County, NV for 180 days. Supporting shippers: Hollywood Roosevelt Hotel, 7000 Hollywood Blvd., Los Angeles, CA 90028; Oscar Tours, P.O.B. 3361 Los Angeles, Ca 90028; Sawsan Hammouda, 2700 Cahuenga Blvd. E, #2106, Los Angeles, CA 90068; and Sunset-La Brea TraveLodge, 7051 Sunset Blvd., Los Angeles, CA 90028.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–10134 Filed 4–13–82; 8:45 am]

BILLING CODE 7035–01–M

[Permanent Authority Decisions Volume No. 248]

Motor Carriers; Restriction Removals; Decision-Notice

Decided: April 7, 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 5618 (Sub-7)X, filed March 22, 1982. Applicant: GEM CITY TRANSFER LINE, INC., 1811 North 30th Street, Quincy, IL 62301. Representative: Gary L. Smith, 913 South Sixth, Springfield, IL 62703. Subs 2F and 4F certificates: Broaden (1) Sub 2 to "transportation equipment," from auto body parts; and Sub 4 to "machinery," from air cleaners and air cleaner elements; (2) to radial authority; and (3) to countywide authority: Sub 2, Lee County, IA (Keokuk), Adams County, IL (Quincy); and Boone County, IL (Belvidere); and Sub 4, Adams County, IL (Quincy), Adair County, MO (Kirksville), Howard

County, MO (Cresco), and Cumberland County, NC (Fayetteville).

MC 73366 (Sub-2)X, filed January 8, 1982. Applicant: FIRPO & SONS, INC., d.b.a. FIRPO'S MOVING & STORAGE, 900-B Tryens Road, Aston, PA 19014. Representative: James H. Sweeney, P.O. Box 9023, Lester, PA 19113. Lead and Sub 1. Broaden: lead, household goods, office furniture and equipment, and store fixtures to "household goods, office furniture and equipment, and furniture and fixtures, materials, equipment and supplies used in the manufacture and distribution of furniture and fixtures, materials, equipment and supplies used in the manufacture and distribution of furniture and fixtures"; Sub 1, household goods to "household goods,furniture and fixtures" lead, Marcus Hook to Delaware County, PA, and Sub 1, Wilmington, to New Castle County, DE.

MC 116915 (Sub-150)X, filed April 1, 1982. Applicant: ECK MILLER TRANSPORTATION CORP., Route #1, Box 248, Rockport, IN 47635. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602. Sub-No. 82 (1) remove in bulk exception to authorize "General Commodities (except Classes A and B explosives)"; and (2) delete a prior or subsequent movement by rail or water restriction and the facilities restriction; (3) remove originating at or destined to restrictions.

MC 117557 (Sub-27)X, filed February 22, 1982. Applicant: MATSON, INC., P.O. Box 43, Cedar Rapids, IA 52406. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA 52501. Lead and Subs 2, 3, 4, 5, 7, 10, 13, 14, 15, 16, 19, 22, 23, 24 and 26 certificates: (A) Broaden to (1) lead, "metal products" from structural iron and steel; "paving and building materials and equipment" from paving and building equipment; (2) "transportation equipment" from (a) Sub 2, repossessed, wrecked or disabled motor vehicles, and (b) Sub 7, self-unloading materials hauling bodies; (3) Sub 4, "food and related products" from animal and poultry feed concentrates; (4) "experimental and show display machinery" from (a) Sub 10, experimental and show display road construction machinery and equipment and incidental paraphernalia; and, (b) Sub 16, experimental and show display machinery and equipment as are generally used in construction, road building, mining, logging, farming, industrial and commercial activities, and incidental paraphernalia; (5) "machinery" from (a) Sub 3, road building and earth moving machines; (b) Subs 5 and 14, road construction machinery and equipment; (c) Sub 13, self-propelled cranes, excavators, back hoes, power shovels and crane carriers; (6) Sub 15, "transportation equipment and machinery" from freight automobile bodies and unloading and spreading equipment and parts, attachments and accessories; (7) "machinery" from (a) Subs 16, 23 and 26, such machinery and equipment as are generally used in construction, road building, mining, logging, farming, industrial and commercial activities, and parts, attachments, and accessories and/or materials, equipment and supplies used in the manufacture, sale and distribution of above commodities; (8) "machinery and transportation equipment" from Sub 19, agricultural machinery and equipment, industrial and contractor's machinery and equipment, truck bodies, truck beds and conveyor bodies mounted on vehicle or wheel assemblies; (9) "machinery" from (a) Sub 22, cranes and parts, attachments and accessories therefore and materials, equipment, and supplies used in the manufacture of the above commodities; and, (b) Sub 24, such machinery and equipment as are used in construction, road building and mining activities; and parts, attachments and accessories and materials, equipment and supplies; (B) remove the (1) facilities restriction, Subs 22, 23 and 24; (2) specified commodities restriction, Subs 5, 14, and 23; (3) commodities in bulk restriction, Subs 16, 22, 23, (part A), and 24; (4) originating at and/or destined to restriction, Subs 7, 14, 15, 16, 19, 22, and 23; (5) driveway service restriction, Sub 13; (6) mixed loads restrictions, Sub 15; (7) packages or containers restriction, Sub 4; and, (8) size or weight restriction, Sub 2; (C) broaden to (1) county-wide authority: (a) lead, Rock Island County, IL and Scott County, IA (Rock Island, IL); (b) Subs 3, 4, 5, 7, 14, 16, 23 and 24, Linn County, IA (Cedar Rapids); (c) Sub 13, Bremer County, IA (Waverly); (d) Sub 15, Wilson County, TN (Lebanon); (e) Sub 19, Delaware County, IA (Manchester); (f) Sub 22, Warren County, KY (Bowling Green); and (g) Sub 23, Polk County, IA; Rock Island County, IL; Dallas County, TX; and Oakland and Kent Counties, MI (Des Moines, IA; Milan, IL; Irving, TX; and Novi and Grand Rapids, MI); and (2) radial authority, all Subs, except 2, 10, 23 and 26.

MC 119741 (Sub-314)X, filed February 22, 1982, and previously noticed in the **Federal Register** of March 9, 1982, republished as corrected. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Avenue, NW., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same as applicant). Sub-No. 277F: broaden Columbus, Toledo, and London, OH to Columbus, OH, and Lucas and Madison Counties, OH.

MC 139023 (Sub-19)X, filed February 24, 1982. Applicant: 2-G TRANSPORTATION, INC., 12515 Pennsylvania Ave., Savage, MN 55378. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. Sub-14, broaden to authorize service at all intermediate points in connection with its regular route operations; and braoder general commodities, with exceptions, to "general commodities (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk)".

MC 144456 (Sub-3)X, filed February 25, 1982. Applicant: JOHN VAN ZYLL, d.b.a. JOHN VAN ZYLL TRUCKING, 2303 Edson Drive, Hudsonville, MI 49426. Representative: James Robert Evans, 145 W. Wisconsin Ave., Neenah, MI 54956. Sub 2 certificate, (1) broaden frozen potato products to "food and related products, and materials, equipment, and supplies used in the production and distribution of food and related products", and (2) replace facilities with county wide authority: Kent County for Grand Rapids, MI, Ionia County for Lake Odessa, MI and Allegan County for Martin, MI.

MC 146625 (Sub-1)X, filed March 30, 1982. Applicant: EDGAR TREMBLAY, R.R. 6, Coaticook, Quebec, Canada J1A 2S5. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Lead certificate: broaden (1) from lumber to "lumber and wood products" and fencing to "metal products", and (2) to radial authority.

[FR Doc. 82-10133 Filed 4-13-82; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Finance Applications; Decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's rules of practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 ICC 740 (1981). These rules provide among other things, that

opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the *Federal Register*. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Dated: April 7, 1982.

By the Commission, Review Board Number 3, Members Krock, Joyce, and Dowell.

MC-F-14826, filed March 23, 1982. TRUCK ONE, INC. (Truck) (P.O. Box 433, 12986 National Road, S.W., Reynoldsburg, OH 43068)—PURCHASE) (PORTION)—B & L MOTOR FREIGHT, INC. (B & L) (1984 Coffman Road, Newark, OH 43055). Representative: A. Charles Tell, 100 East Broad St., Columbus, OH 43215. Truck seeks authority to purchase a portion of the operating rights of B & L. United Carriers Corporation, a non-carrier and sole stockholder of Truck and B & L, seek authority to continue in control of the operating rights. The operating rights to be transferred are contained in portion of the certificates issued in No. MC-123255 (Sub-Nos. 182F, 186F, 221F, 225 and 236) authorizing the transportation of *general commodities* (usual exceptions), between points in named Eastern States, restricted to shipments originating at or destined to the facilities of Owens-Corning Fiberglas Corporation, and *containers, container ends, and container closures; commodities* manufactured or distributed by manufacturers and distributors of containers when moving in mixed loads with containers; *materials, equipment and supplies* used in the manufacture and distribution of containers, container ends, and container closurer; *paper and paper products; foodstuffs; and malt beverages,* between points in the United States (except CT, DE, IL, IN, KY, ME, MD, MA, MI, NH, NJ, NY,OH, PA, RI, VT, VA, WV, WI, and DC).

Note.—United Carriers Corporation shall be considered a carrier within the meaning of 49 U.S.C. 11348.

MC-F-14831, filed March 25, 1982. PRIORITY FREIGHT SYSTEMS, INC. (Priority) (P.O. Box 7098, 1270 Hilbish Avenue, Akron, OH 44306)—MERGER—DIXIE EXPRESS, INC. (Dixie) (same address). Representative: John P. McMahon, 100 E. Broad St., Columbus, OH 43215. Priority seeks authority to merge the interstate operating rights and property of Dixie into Priority for ownership, management and operation. Basye & Associates, Inc., the sole stockholder of both Priority and Dixie, seeks authority to remain in control of said rights and property through this merger. Common control of Priority and Dixie was granted in MC-F-14451. The operating rights to be merged into Priority authorize the transportation of general commodities between Cincinnati and Akron, OH, on the one hand, and, on the other, points in OH, and specified commodities generally between points in OH, on the one hand, and, on the other, points in AL, GA and TN. Jackson, Laurel, Meridian and Columbus, MS, and this authority is described in Certificate No. MC-123956 and sub-numbers thereunder. Priority is authorized to transport general commodities, with exceptions, between those points in U.S. in and east of MN, NE, IA, CO, OK, and TX, under MC-136277. Condition: Basye and Associates, Inc. will continue to be considered a carrier within the meaning of 49 U.S.C. 11348 and is therefore subject to the applicable provision of 49 U.S.C. subchapter III of chapter 111 relating to reporting and accounting, and of 49 U.S.C. 11302 relating to the issuance of securities.

MC-F-14821, filed March 9, 1982, C W Transport, Inc., 610 High Street, Wisconsin Rapids, WI 54494—CONTROL—GILLIAND TRANSFER COMPANY, 7180 West 48th Street, Fremont, MI 49412. Representative: Carl L. Steiner, 29 South LaSalle Street, Chicago, IL 60603. C W proposes to acquire control of Gilliland through purchase of its capital stock and, in turn, Gerber Products Company, 445 State Street, Fremont, MI 49412 (which owns all of the outstanding stock of C W) would acquire control of the operating rights and properties of Gilliland through the transaction. The operating rights of Gilliland proposed to be acquired by C W are contained in (a) Certificate No. MC-107323 and subnumbers thereunder which authorize the transportation of foodstuffs, containers, fertilizers, household goods, feed, baby and infant food supplies and clothing between points in AR, IL, IN, KY, MI, MN, MO, NC, NY, OH, PA, WI, and WV, and (b) Permit No. MC-149452 and subnumbers thereunder which authorize the transportation of named commodities between points in the United States under continuing contracts with The Clorex Company, of Oakland, CA, Gerber Products Company, of Fremont, MI, and Spartan Stores, of Grand Rapids, MI. CW holds Certificate No. MC-111594 and subnumbers thereunder which authorize the movement of general commodities, with exceptions in 48 States.

Note.—TA is not sought.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-10130 Filed 4-13-82; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387 (Sub-108)]

Pittsburgh and Lake Erie Exemption for Contract Tariff ICC-PLE-C-12

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 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 Pittsburgh and Lake Erie Railroad Company (PLE) filed a petition on March 25, 1982, seeking an exemption under 49 U.S.C. 10505 from the statutory notice provisions of 49 U.S.C. 10713(e). Petitioner requests that we permit Supplement 2 to its contract ICC-PLE-C-12 to become effective on one day's notice. The PLE has not filed a contract or contract tariff. We shall act upon the petition in this instance but in the future we will require the filing of the contract and tariff prior to or contemporaneously with the filing of the petition. We have found that the information in the contract is sometimes necessary in determining whether to grant an exemption since the evidence in the petition can be sketchy or vague. Moreover, if the contract and contract tariff are on file, a denial of a petition will not cause any delay in the effective date of the contract.

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. Cf. former section 10762(d)(1). However the Commission has granted relief under our section 10505 exemption authority in exceptional situations.

The petition shall be granted. The shipper has advised petitioner that, due to current business levels, it is essential that the contract become effective as soon as possible to sustain coke production and take advantage of a new market. Absent the relief sought, it is alleged that the shipper's coke production will be severely affected and critical revenues will be delayed. We find this to be the type of exceptional circumstance which warrants a provisional exemption.

Petitioner's contract ICC-PLE-C-12 to be filed 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.SC. 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 7, 1982.

By the Commission, Division 2, Commissioners Gresham, Gilliam, and Taylor. Commissioner Taylor is assigned to this Division for the purpose of resolving tie votes. Since there was no tie in this matter, Commissioner Taylor did not participate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-10139 Filed 4-13-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Finance Applications, Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931, and 10932.

We find:

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period, Otherwise, the decision-notice shall have no further effect.

It is Ordered:

The following applications are approved, subject to the conditions stated in the publication, and further subject to the administrative requirements stated in the effective notice to be issued hereafter.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC-FC-79540. By decision of April 2, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to STERLING TRANSPORT, INC. of Certificate No. MC-35334 (Sub-No 91) issued to COPPER JARRETT, INC. authorizing transportation of *general commodities* (except household goods and Class A and B explosives) between points in CT, DE, IL, IN, IA, KS, KY, MD, MA, MI, MO, NE, NY, NJ, NY, OH, PA, RI, TN, WV, and WI. Applicant's representative: William J. Hanlon Hanover Plaza, Morristown, NJ 07960. TA lease is not sought. Transferee is not a carrier.

MC-FC-79677. By decision of March 29, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer of EAGLE EXPRESS of St. Marys, PA, of Certificate No. MC-76120 issued September 18, 1963, to St. MARYS TRANSFER COMPANY of St. Marys, PA authorizing the transportation generally of *compress gases; empty cylinders for compressed gase;s household goods; radio tubes, electrical lamps,* and *materials, supplies* and *equipment used or useful in the production and operation of such commodities; electrodes, carbon,*

resistors, and *materials, supplies* and *equipment* between various points in NJ, PA, DE, VA, MD, WV, NY, IL, OH, MA, NJ, IN, CO, RI, KY, DC, and MI, and general commodities, with the usual exceptions, between St. Marys, PA on the one hand, and, on the other, points within 25 miles of St. Marys, PA. Applicant's representative is: J. Bruce Walter, Rhoads, Sinon & Hendershot, P.O. Box 1146, Harrisburg, PA.

MC–FC–79686. By decision of April 2, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Dajja Truck Line, Inc., of Springfield, OH, Certificate No. MC–151483 (Sub-No. 1)X, issued September 23, 1981, which supersedes Certificate No. MC–151483, (Sub-2) issued October 30, 1981, MC–151483 (Sub-3) issued November 16, 1981, Permit No. MC–151483 (Sub-4) issued February 24, 1982, and MC–151483 (Sub-8) issued February 24, 1982, issued to Love's Trucking, Inc., of Troy, OH, authorizing: (1) *metal products* between points in Butler, Clark, Franklin, Montgomery and Warren Counties, OH, and Mercer County, PA, on the one hand, and, on the other, points in GA, IN, IL, KY, TN and OH; (2) *metal products* between points in Delaware County, OH, on the one hand, and, on the other, points in the US; (3) *lumber and wood products*, between the facilities and suppliers of Buckeye Wood Products, Inc., North Santiam Lumber Sales, Inc., and Wappoo Wood Products, Inc. at points in the US, on the one hand, and, on the other, points in the US; (40 named commodities between points in the US under continuing contracts with: (a) International Harvester Company, of Chicago, IL; (b) Wolverine Re-Steel Fabricators, Inc., of New Hudson, MI; and (c) Buckeye Wood Products, Inc., of South Charleston, OH and (5) named commodities between Kansas City, MO, points in Franklin, Coshocton, Warren, Champaign, Montgomery and Miami Counties, OH, and Florence County, SC, on the one hand, and, on the other, points in the US, and between points in the US (except AK and HI) restricted to traffic originating or destined to the facilities of The Drackett Products Company. Applicant's representative: A. Charles Tell, Attorney, 100 E. Broad St., Columbus, OH 43215; phone 614–228–1541. TA lease is sought. Transferee is not a carrier.

MC–FC–79706. By decision of April 1, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to J&S, Inc. of Indianapolis, IN of Certificate No. MC 146065 (Sub-2) issued Days Transfer, Inc. of Indianapolis, IN authorizing the transporting such commodities as are dealt in by grocery and drug stores and warehouses (except in bulk), from Indianapolis, IN, to points in IN. Applicant's representative: Walter F. Jones, Jr., 1111 East 54th St., Suite 155, Indianapolis, IN 46220. TA lease is not sought. Transfer is not a carrier.

MC–FC–79720. By decision of April 6, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to CASCADE TRUCKING, INC. of Certificate No. MC–155087 issued to James W. Eck Hauling and Rigging, Inc. authorizing the transportation of *iron, steel and aluminum articles*, between points in Clinton, Lycoming, Montour, Northumberland, Columbia and Luzerne Counties, PA, on the one hand, and, on the other, points in the United States. Applicant's representative: Robert T. Logue, P.O. Box 5098, Williamsport, PA 17701.

Note.—Transferee is a con-carrier.

MC–FC–79548. By decision of April 1, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to NORTHCO INDUSTRIES, INC. of Littleton, NH of Permit No. MC–142481 (Sub-No. 1) F issued to QUIPCO, INC. of Littleton, NH authorizing the transportation of *road surfacing salt*, in bulk, in dump vehicles, from Littleton, N.H., to points in Vermont on and north of Interstate Highway 89, under a continuing contract(s) with International Salt Company. Applicant's representative: Walter A. Pakiness, Jr., 69 Elm St., Littleton, NH 03561. TA lease is not sought. Transferre is not a carrier.

MC–FC–79615. By decision of April 2, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to TIAGO of Los Angles, CA of Certificate No. MC–126145 and MC–126145 (Sub-No. 1) issued June 14, 1977 and March 31, 1982, respectively. TIAGO, INC. of Los Angles, CA, authorizing the transportation of named farm products and supplies, cement, and aggregates, livestock from and to named points in CA and AZ. Applicant's representative is: Warren N. Grossman, 707 Wilshire Blvd., No. 1800, Los Angles, CA 90017.

MC–FC–7969 F. By dedision of April 2, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Cutles Freight, Inc. of Certificate No. MC–150290 (Sub-Nos. 1F, 2, 3, 4F, 5 and 6F) issued January 27, April 8, June 19, August 12, and November 17, 1981 to Midland Transportation Co., Inc. generally authorizing the transportation of lighting fixtures, lamps, plastic articles and materials used in manufacture of those commodities; general commodities; textile mill-products; machinery; metal products; chemicals and related products; petroleum; natural gas and their products; public and plastic products; advertising materials and supplies; and packaging materials; from, to and between points in the United States. Applicant's representative is: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904.

MC–FC–79697. By decision of April 2, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132. Review Board Number 3 approved the transfer to Morris B. Moving, Inc., of Certificate No. MC–100942 July 23, 1943, to Morris Buccigrossi, doing business as Morris B. Moving Co. authorizing the transportation of *Household Goods as defined in Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, and *used office furniture*, over irregular routes, between Paterson, NJ and points within 20 miles of Paterson, on the one hand, and, on the other, points in New York within 40 miles of New York, NY, including New York, NY. Applicant's representative is: John M. Zachara, P.O. Box "Z", Paterson, NJ 07509.

MC–FC–79704. By decision of April 2, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Robin Transport, Inc. of a portion of Certificate No. MC–107103 (Sub-No. 28) issued September 2, 1981 to Robinson Cartage Co. authorizing the transportation of (1) *Metal products, materials, equipment* and *supplies*, used in the manufacture and distributions thereof between the ports of entry in MI, on the one hand, and, on the other, points in MI (2) *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between various described points in the Midwest. Applicant's representative: Ronald J. Mastej, Attorney at Law, 900 Qualain Bldg., Detroit, MI.

MC–FC–79714. By decision of April 2, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Martin E. Gibbons d/b/a/ Gibbs Transportation Co. of Certificate No. MC–60064 issued to Porter Trucking Co., Inc., authorizing the transportation (1) over regular routes of *general commodities* (with named exceptions)

between Boston, MA and Providence, RI, serving all intermediate points, and the off-route points of Bristol, Jamestown and Little Compton, RI; Acushnet, Fairhaven, Holbrook, Mansfield and Rockland, MA, points in MA within 12 miles of Boston and those in MA and RI within 12 miles of Providence, and (2) over irregular routes of (A) *cotton piece goods*, from Dighton and Taunton, MA, to New York, NY, (B) *scrap metal*, from Taunton, MA to Waterbury, CT, (C) *Copper slabs* between Malden, MA, and Tarrington, CT and (D) *textile chemicals*, (I) radically between Boston, MA, and Burrillvile and Westerly, RI, and between Dighton, MA, and Hoboken and Nutley, NJ and (II) between Providence, RI, and Lowell, MA. Applicant's representative: Charles R. Reilly, 391 Davisville Road, North Kingstown, RI 02852.

Note.—(1) Transferee is a non-carrier.

MC-FC-79259. By decision of November 30, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Ronald H. Sabelhaus, d/b/a Tri-Country Delivery Service, of Cincinnati, OH, of Permit No. MC-61747 issued to Grant A. Knudsen, d.b.a. "K" Trucking Company, of Batavia, OH authorizing the regular routes transportation of *newspapers and magazines*, between Cincinnati and Manchesters, OH; Cooking gas and automobiles parts and accessories, from Cincinnati to Manchester, OH, and damaged empty goods on return, serving named intermediate points. Applicant's representative: Ronald H. Sabelhaus, 2607 Kathleen Court, Cincinnati, OH 45239. TA lease is not sought. Transferee is not a carrier.

MC-FC-79475. By Decision of November 25, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to D.S. Russell & Sons, Incorporated, of Norfolk, VA, of Certificate No. MC-144295 issued to D.S. Russell Trucking, Inc., of Norfolk, VA authorizing *processed peanuts*, from Franklin, VA, to points in CA. Applicant's representative: David E. Russell, P.O. Box 12824, Norfolk, VA 23502. TA lease is not sought. Transferee is not a carrier.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-10131 Filed 4-13-82; 8:45 am]

BILLING CODE 7035-01-M

[Permanent Authority Volume No. OP-5-79]

Republications of Grants of Operating Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the **Federal Register.**

An original and one copy of petition for leave to intervene must be filed with the Commission within 30 days after the date of this **Federal Register** notice addressing specifically the issue(s) indicated as the purpose for republication.

Agatha L. Mergenovich,

Secretary.

MC 121829 (Sub-1) (Republication), filed November 18, 1981, published in the **Federal Register** issue of December 4, 1981, and republished this issue. Applicant: J. S. McCLARY, d.b.a. MACK'S TRANSFER & STORAGE, 211 Ridge St., P.O. Box 897, Georgetown, SC 29440. Representative: J. S. McClary (same as applicant).

A decision of the Commission, Review Board 3, decided February 11, 1982, and served March 1, 1982, finds that the present and future public convenience and necessity require operations by applicant in interstate or foreign commerce as a *common carrier*, by motor vehicle, over irregular routes, transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods as defined by the Commission) between the facilities used by International Paper Company at points in the United States, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate applicant's actual grant of authority.

MC 150088 (Sub-8) (Republication), filed September 24, 1981, published in the **Federal Register** issue of October 16, 1981, and republished this issue. Applicant: STERLING TRANSPORT DIVISION, INC., 2005 South Great Southwest Parkway, Grand Prairie, TX 75051. Representative: Robert K. Frisch, 2711 Valley View Lane, Suite 101, Dallas, TX 75234, (214) 247-0994. An Order of the Commission, Division 2, decided February 22, 1982, and served February 26, 1982, finds that the present and future public convenience and necessity require operations by applicant in interstate or foreign commerce as a *common carrier*, by motor vehicle, over irregular routes, in the transportation of *general commodities* (except classes A and B explosives), between points in Dallas County, TX, on the one hand, and, on the other, points in Texas.

Note.—Applicant is authorized to tack the above authority with other certificated authority. The purpose of this republication is to indicate applicant's actual grant of authority.

[FR Doc. 82-10132 Filed 4-13-82; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332-138]

Competitive Assessment of the U.S. Metalworking Machine Tool Industry; Termination of Investigation

AGENCY: International Trade Commission.

ACTION: Termination of investigation.

EFFECTIVE DATE: April 7, 1982.

BACKGROUND: The Commission, on its own motion, instituted, effective February 5, 1982, investigation No. 332-138, under section 332(b) of the Tariff Act of 1930 (19 U.S.C. 1332(b)), for the purpose of gathering and presenting information on the competitive position of the U.S. metalworking machine tool industry. This study was to assess the impact of the growing competition from imports on the U.S. metalworking machine tool industry, explore the related development of further competition in the industry's overseas market, and examine the steps that have been taken and may be taken to counteract these developments.

Because of changes in workload and staffing limitations, it is not feasible for the Commission to continue the subject investigation at this time. Therefore, the Commission, on its own motion, has hereby terminated the subject investigation.

Notice of the institution of the investigation was published in the **Federal Register** of February 18, 1982 (47 FR 7350).

Issued: April 8, 1982.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 82-10246 Filed 4-13-82; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 731-TA-90 (Preliminary)]

Chlorine From Canada; Institution of Preliminary Antidumping Investigation and Scheduling of a Conference

AGENCY: International Trade Commission.

ACTION: Institution of preliminary antidumping investigation and scheduling of a conference to be held in connection with the investigation.

SUMMARY: The International Trade Commission hereby gives notice of the institution of investigation No. 731-TA-90 (Preliminary) under section 733(a) of the Tariff Act (19 U.S.C. 1673b(a)) to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from Canada of chlorine, provided for in item 415.20 of the TSUS, which are alleged to be sold in the United States at less than fair value.

EFFECTIVE DATE: April 5, 1982.

FOR FURTHER INFORMATION CONTACT: Ms. Vera Libeau, Office of Investigations, U.S. International Trade Commission; telephone 202-523-0368.

SUPPLEMENTARY INFORMATION:

Background.—This investigation is being instituted following receipt of a petition filed by counsel for Diamond Shamrock Corp., Olin Corp., and Pennwalt Corp. The Commission must make its determination in this investigation within 45 days after the date of the filing of the petition, or by May 20, 1982 (19 CFR 207.17). This investigation will be subject to the provisions of Part 207 of the Commission's rules of practice and procedure (19 CFR Part 207, 44 FR 76457 and 47 FR 6190), and particularly Subpart B thereof.

Written submissions.—Any person may submit to the Commission on or before May 3, 1982, a written statement of information pertinent to the subject matter of this investigation. A signed original and fourteen copies of such statements must be submitted.

Any business information which a submitter desires the Commission to treat as confidential shall be submitted separately, and each sheet must be clearly marked at the top "Confidential Business Data." Confidential submissions must conform with the requirements of § 201.6 of the Commission's rules of practice and procedure (19 CFR 201.6). All written submissions, except for confidential business data, will be available for public inspection.

Conference.—The Director of Operations of the Commission has scheduled a conference in connection with this investigation for 10:00 a.m., on April 29, 1982, at the U.S. International Trade Commission Building, 701 E Street, NW., Washington, D.C. Parties wishing to participate in the conference should contact the supervisory investigator for the investigation, Ms. Vera Libeau, telephone 202-523-0368, not later than April 27, 1982, to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's rules of practice and procedure, Part 207, Subparts A and B (19 CFR Part 207), and Part 201, Subparts A through E (19 CFR Part 201). Further information concerning the conduct of the conference will be provided by Ms. Libeau.

This notice is published pursuant to § 207.12 of the Commission's rules of practice and procedure (19 CFR 207.12).

Issued: April 8, 1982.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 82-10247 Filed 4-13-82; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 731-TA-46 (Final)]

Certain Steel Wipe Nails From Korea; Rescheduling of Prehearing Conference and Hearing

AGENCY: International Trade Commission.

ACTION: Notice of rescheduling of prehearing conference and hearing.

SUMMARY: The U.S. International Trade Commission announces the rescheduling of the prehearing conference and the hearing on certain steel wire nails from Korea. The prehearing conference to be held in connection with the subject investigation is now scheduled to begin at 9:30 a.m., on June 4, 1982 and the hearing at 10:00 a.m., on June 24, 1982, in the U.S. International Trade Commission Building, 701 E Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Judith C. Zeck, Office of Investigations, Room 350, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436; telephone (202-523-0339).

SUPPLEMENTARY INFORMATION: On January 29, 1982, the Commission instituted a final antidumping investigation on certain steel wire nails from Korea and scheduled a prehearing conference and a hearing in connection with the investigation for March 31, and April 21, 1982, respectively (47 F.R. 7349). On March 30, 1982, however, the U.S. Department of Commerce announced an extentsion of the investigation for up to 60 days and will now make its final less-than-fair value determination not later than June 18, 1982. Accordingly, the Commission is rescheduling its prehearing conference for June 4, 1982, and its hearing for June 24, 1982. The Commission must make its final determination within 45 days after the final Commerce action or in this case by August 2, 1982.

Requests to appear at the hearing should be filed in writing with the Secretary to the Commission not later than the close of business (5:15 p.m.) on June 2, 1982. All persons desiring to appear at the hearing and make oral prresentations must file prehearing statements and should attend the prehearing conference at 9:30 a.m., on June 4, 1982, in Room 117 of the U.S. International Trade Commission Building. Prehearing statements should be filed on or before June 21, 1982.

A staff report containing preliminary findings of facts will be made available to all interested parties on June 4, 1982.

Testimony at the public hearing is governed by § 207.23 of the Commission's Rules of Practice and Procedure (19 CFR 207.23). This rule requires that testimony be limited to a non-confidential summary and analysis of material contained in prehearing statments and to new information. All legal arguments, economic analyses, and factual materials relevant to the public hearing should be included in prehearing briefs in accordance with rule 207.22. Post-hearing briefs will also be accepted within a time specified at the hearing.

Written Submissions:

Any person may submit to the Commission a written statement of information pertinent to the subject of this investigation. A signed original and fourteen (14) true copies of each submission must be filed at the Office of the Secretary, U.S. International Trade Commission Building, 701 E Street, NW., Washington, D.C. 20436, on or before June 21, 1982. All written submissions, except for confidential business data, will be available for public inspection.

Any business information for which confidential treatment is desired shall be submitted separately. The envelope and all pages of such submissions must be clearly labeled "Confidential Business Information." Confidential submissions and requests for confidential treatment must conform with § 201.6 of the Commission's rules of practice and procedure (19 CFR 201.6).

For further information concerning the conduct of the investigation, hearing procedures, and rules of general applications, consult the Commission's rules of practice and procedure, Part 207, Subparts A and C (19 CFR Part 207), and Part 201, Subparts A through E (19 CFR 201).

This notice is published pursuant to § 207.20 of the Commission's rules of practice and procedure (19 CFR 207.20, 47 FR 6190).

Issued: April 9, 1982.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 82-10248 Filed 4-13-82; 8:45 am]

BILLING CODE 7020-02-M

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Advisory Committee on Actuarial Examinations; Meeting

Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet at the Westin Hotel, North Michigan at Delaware, Chicago, Illinois on May 13, 1982, beginning at 9:00 a.m.

The purpose of the meeting is to discuss topics and questions which may be recommended for inclusion on the Joint Board's examinations in actuarial mathematics and methodology referred to in Title 29 U.S. Code, section 1242(a)(1)(B) and to discuss possible topics for inclusion on the syllabus for the Joint Board's examinations.

A determination as required by section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) has been made that the portion of the meeting dealing with discussion of questions which may appear on the Joint Board's examinations will fall within the exceptions to the open meeting requirement set forth in Title 5 U.S. Code, section 552(c)(9)(B), and that the public interest requires that such portion be closed to public participation.

The portion of the meeting dealing with the examination syllabus will commence at 11:30 a.m. and will continue as long as necessary to complete the discussion. This portion of the meeting will be open to the public as space is available. Time permitting, after discussion of the syllabus by Committee members, interested persons may make statements germane to this subject. Persons wishing to make oral statements should advise the Committee Management Officer in writing prior to the meeting to aid in scheduling the time available, and should submit the written text, or, at a minimum, an outline of comments they propose to make orally. Such comments will be limited to ten minutes in length. Any interested person also may file a written statement for consideration by the Committee by sending it to the Committee Management Officer. Statements should be mailed to Mr. Leslie S. Shapiro, Joint Board for the Enrollment of Actuaries, c/o U.S. Department of the Treasury, Washington, D.C. 20220.

Dated: April 9, 1982.

Leslie S. Shapiro,

Advisory Committee Management Officer, Joint Board for the Enrollment of Actuaries.

[FR Doc. 82-10255 Filed 4-13-82; 8:45 am]

BILLING CODE 4810-25-M

NUCLEAR REGULATORY COMMISSION

Ad Hoc Committee for Review of Nuclear Reactor Licensing Reform Proposals; Initial Meeting Notice

An Ad Hoc Committee for Review of Nuclear Reactor Licensing Reform Proposals was established by the Nuclear Regulatory Commission to obtain expert advice from outside the Commission on current rulemaking and legislative proposals for reforming the NRC's licensing process for nuclear plants.

Notice is hereby given pursuant to the Federal Advisory Committee Act that the Ad Hoc Committee will hold its first meeting at 10:00 a.m., May 7, 1982, at the Office of Shaw, Pittman, Potts and Trowbridge, South Building, 9th Floor Lobby, 1800 M Street, NW, Washington, DC. The meeting will be open for public observation.

At this meeting the Committee will begin its review of proposals developed by NRC's Regulatory Reform Task Force. These proposals include such concepts as one-step licensing, standardization and early site reviews.

The Ad Hoc Committee is chaired by Gerald Charnoff, an attorney in Washington, DC with Shaw, Pittman, Potts and Trowbridge. The other members are George L. Edgar, a Washington, DC attorney with Morgan, Lewis and Bochius; Anthony Roisman, Executive Director of Trial Lawyers for Public Justice in Washington, DC; Dr. Robert Redmond, Associate Dean of the College of Engineering at Ohio State University; Stephen Long, Director of the Power Plant Siting Program in the Maryland Department of Natural Resources; and David Stevens, Assistant for Energy and Natural Resources in the Washington State Governor's Office.

Serving as liaison officers to the committee for NRC and the Department of Energy are Trip Rothschild, a staff attorney in the NRC Office of General Counsel, and Steve Greenleigh, Acting Deputy General Counsel for programs at the Department of Energy.

Further information on the meeting may be obtained from Mr. Rothschild, Office of the General Counsel, US Nuclear Regulatory Commission, Washington, DC 20555, telephone, 202/634-1465.

Dated at Washington, DC, this 8th day of April 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-10212 Filed 4-13-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-255]

Consumers Power Co., Systematic Evaluation Program; Availability of Draft Integrated Plant Safety Assessment Report for the Palisades Plant

The Nuclear Regulatory Commission's (NRC) Office of Nuclear Reactor Regulation (NRR) has published its Draft Integrated Plant Safety Assessment Report related to the Consumers Power Company's Palisades Plant in Covert, Van Buren County, Michigan.

The report documents the review completed under the Systematic Evaluation Program (SEP). The SEP was initiated by the NRC to review the design of older operating nuclear reactor plants to reconfirm and document their safety. The review has provided for (1) an assessment of the significance of differences between current technical positions on safety issues and those that existed whtn the Palisades Plant was licensed, (2) a basis for deciding on how these differences should be resolved, in an integrated plant review, and (3) a documented evaluation of plant safety. Equipment and procedural changes have been identified as a result of the review. It is expected that this report will be one of the bases in considering the conversion of Palisades' provisional operating license to a full-term operating license.

The report is being referred to the Advisory Committee on Reactor Safeguards and is being made available

at the NRC's Public Document Room 1717 H Street NW., Washington, D.C. 20555 and at the Kalamazoo Public Library, 315 South Rose Street, Kalamazoo, Michigan 49006 for inspection and copying. Single copies of this report (Document No. NUREG–0820) may be requested from the U.S. Nuclear Regulatory Commission, Director, Division of Technical Information and Document Control, Washington, D.C. 20555, Attention: Publications Unit.

Dated at Bethesda, Maryland, this 8th day of April, 1982.

For the Nuclear Regulatory Commission.

Dennis M. Crutchfield,

Chief, Operating Reactors Branch No. 5, Division of Licensing.

[FR Doc. 82–10207 Filed 4–14–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 70–1113]

General Electric Co.; Negative Declaration Regarding Expansion of and Modifications to UF_6 to UO_2 Conversion Lines and Construction of a Replacement Incinerator at the Nuclear Fuel Fabrication Plant, Wilmington, North Carolina

The Nuclear Regulatory Commission (the Commission) is considering amendment of Special Nuclear Material License SNM–1097 regarding expansion of and modifications to the UF_6 to UO_2 conversion lines and for construction and operation of a replacement incinerator at General Electric's Nuclear Fuel Fabrication Plant, Wilmington, North Carolina.

The Commission's Division of Fuel Cycle and Material Safety has prepared an environmental impact appraisal of the proposed actions. On the basis of this appraisal, the Commission has concluded that the environmental impact created by the proposed action would not be significant and does not warrant the preparation of an environmental impact statement, and, accordingly, it has been determined that a negative declaration is appropriate. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. A copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Fuel Cycle and Material Safety.

Dated at Silver Spring, Maryland, this 8th day of April 1982.

For the Nuclear Regulatory Commission.

R. G. Page,

Chief, Uranium Fuel Licensing Branch, Division of Fuel Cycle and Material Safety, NMSS.

[FR Doc. 82–10208 Filed 4–14–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–498 OL and 50–499 OL]

Houston Lighting and Power Co., et al. (South Texas Project, Units 1 and 2); Reconstitution of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority conferred by 10 CFR 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has reconstituted the Atomic Safety and Licensing Appeal Board for this operating license proceeding to consist of the following members: Alan S. Rosenthal, Chairman, Dr. John H. Buck, Christine N. Kohl.

Jean Shoemaker,

Secretary to the Appeal Board.

[FR Doc. 82–10209 Filed 4–13–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. STN 50–522, STN 50–523]

Puget Sound Power & Light Co., et al. (Skagit/Hanford Nuclear Power Project, Units 1 and 2); Location of Special Prehearing Conference; Correction

April 8, 1982.

In the notice of the Special Prehearing Conference in the above matter dated April 2, 1982, it was erroneously stated that said conference will take place beginning at 10:00 a.m., local time, on Wednesday, May 5, 1982 at the U.S. Courthouse, W 920 Riverside Avenue, Room 752, Richland, Washington.

It should have stated that said conference will take place beginning at 10:00 a.m., local time, on Wednesday, May 5, 1982, at the Federal Building Auditorium located at 825 Jadwin Avenue, Richland, Washington 99352.

Dated at Bethesda, Maryland, this 8th day of April, 1982.

It is so ordered.

For the Atomic Safety and Licensing Board.

John F. Wolf,

Chairman, Administrative Judge.

[FR Doc. 82–10210 Filed 4–13–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–397]

Washington Public Power Supply System Nuclear Project No. 2; Availability of Safety Evaluation Report

Notice is hereby given that the Office of Nuclear Reactor Regulation has published its Safety Evaluation Report on the proposed operation of the Washington Pubic Power Supply System Nuclear Project No. 2, to be located in Benton County, Washington. Notice of receipt of the application of Washington Public Power Supply System to operate the WPPSS Nuclear Project No. 2 was published in the **Federal Register** on July 26, 1978 (43 FR 32338–32339)

The report is being referred to the Advisory Committee on Reactor Safeguards and is being made available at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555, and at the Richland Public Library, Richland, Washington, 99352 for inspection and copying. The report (Document No. NUREG–0892) can also be purchased, at current rates, from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161, and through the NRC GPO sales program by writing to the U.S. Nuclear Regulatory Commission, Attention Sales Manager, Washington, D.C. 20555. GPO deposit holders can call 301–492–9530.

Dated at Bethesda, Maryland this 8th day of April 1982.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Licensing Branch No. 2, Division of Licensing.

[FR Doc. 82–10211 Filed 4–13–82; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

White House Science Council Panel on Nuclear Materials Production; Meeting

Notice is hereby given that the panel named above will meet at 3:00 p.m. on April 19 and at 9:00 a.m. on April 20, 24, and 29, 1982, in the Old Executive Office Building, Washington, D.C.

The panel will discuss means of satisfying the country's needs for defense nuclear materials production.

The meetings will be closed to the public pursuant to 5 U.S.C. 552b(c)(1): All material under discussion is classified defense information. Authority for closing: Director, Office of Science and Technology Policy.

Circumstances requiring a timely response of this study have prevented

meeting the normal 15-day notification period.

Contact: Dr. Thomas H. Johnson, Executive Director, White House Science Council.

Robert D. Linder,

Executive Director, Office of Science and Technology Policy.

[FR Doc. 83-10219 Filed 4-12-82; 2:50 pm]

BILLING CODE 3170-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Fish and Wildlife Program; Columbia River Basin

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council.

ACTION: Notice of intent to consult.

SUMMARY: The Council announces its intent to consult with specified agencies, Indian tribes, and Bonneville Power Administration customers in the course of developing a fish and wildlife program for the Columbia River Basin. It lists those entities with which it intends to consult, requests each entity to designate a liaison to the Council for the purpose of consultation, and asks entities not included in the consultation list to inform the Council promptly if they believe they should be listed.

DATES: Entities on the Council's consultation list should designate a consultation liaison in writing by June 1, 1982; entities not on the list should inform the Council in writing by May 3, 1982 if they believe they should be listed.

ADDRESS: All correspondence related to consultation with the Council regarding development of its Columbia River Basin fish and wildlife program should be mailed or delivered to Curt Marshall, Fish and Wildlife Program Manager, at Suite 200, 700 Southwest Taylor Street, Portland, Oregon 97205.

FOR FURTHER INFORMATION CONTACT: Curt Marshall, Fish and Wildlife Program Manager, 503-222-5161.

SUPPLEMENTARY INFORMATION: By passage of the Pacific Northwest Electric Power Planning and Conservation Act, Pub. L. 96-501, 94 Stat. 2697, 16 U.S.C. 839, *et seq.* ("the Northwest Power Act"), Congress provided for the establishment of the Pacific Northwest Electric Power and Conservation Planning Council ("the Council") as a regional agency composed of two gubernatorial appointees each from the states of Idaho, Montana, Oregon and Washington. Congress charged the Council with two major responsibilities: (1) Preparation of a program to protect, mitigate and enhance fish and wildlife, including related spawning grounds and habitat, affected by the operation and management of hydroelectric facilities on the Columbia River and its tributaries; and (2) Development of a conservation and electric power plan for the Pacific Northwest. The Council must adopt its fish and wildlife program first and thereafter incorporate that program into its conservation and electric power plan.

Section 4(h)(5) of the Northwest Power Act requires the Council to develop its Columbia River Basin fish and wildlife program on the basis of "consultation with the agencies, tribes and customers referred to in subparagraph (a) of paragraph (4)," as well as on the basis of "recommendations, supporting documents, and views and information obtained through public comment and participation." The agencies referred to are "the Federal, and the region's, State fish and wildlife agencies [and] Federal agencies responsible for managing, operating, or regulating hydroelectric facilities located on the Columbia River or its tributaries." The "tribes" referred to include each "appropriate" Indian tribe or band which is "located in whole or in part in the region and which has a governing body which is recognized by the Secretary of the Interior." The Northwest Power Act does not define the term "appropriate." In the context of development of the fish and wildlife program, which is limited in scope to the Columbia River and its tributaries, the term has been interpreted by the Council to include the 12 federally-recognized tribes located in the Columbia River Basin. The "customers" referred to are those entities which contract to purchase power from the Bonneville Power Administration and own or operate hydroelectric facilities located on the Columbia River or its tributaries.

The Council adopted a motion on June 10, 1981 requesting submission of program recommendations and supporting documents by November 15, 1981. On January 11, 1982, the Council announced the availability of the recommendations and supporting documents for public review and opened a comment period which ended April 1, 1982. Five days of public hearings were included in the comment period. The Council and its staff are reviewing the written comments on the recommendations and supporting documents in preparation for developing a draft program, which will be published on July 22, 1982. At that time, the Council will open a second comment period which will include public hearings in September. At the close of the second comment period, the Council will prepare a final program, for publication on or before November 15, 1982.

As required by section 4(h)(5) of the Northwest Power Act, the Council consulted with certain of the specified agencies, tribes, and Bonneville Power Administration customers during the comment period which ended April 1, 1982. It will continue to consult, informally, by exchanging information and data on a regular basis, during the course of development of its draft program. It also plans to schedule consultation sessions with all of the specified agencies, tribes, and Bonneville Power Administration customers in early August, 1982 for review of the draft program. To those ends, the Council has identified the following entities as qualified for inclusion in its consultation list:

I. Agencies

A. "Federal, and the region's, State fish and wildlife agencies"
1. Fish and Wildlife Service, U.S. Department of the Interior.
2. National Marine Fisheries Service, U.S. Department of Commerce.
3. Idaho Department of Fish and Game.
4. Montana Department of Fish, Wildlife and Parks.
5. Oregon Department of Fish and Wildlife.
6. Washington Department of Fisheries.
7. Washington Department of Game.

B. "Federal agencies responsible for managing, operating, or regulating hydroelectric facilities located on the Columbia River or its tributaries"
1. Bonneville Power Administration, U.S. Department of Energy.
2. Bureau of Reclamation, U.S. Department of the Interior.
3. Corps of Engineers, U.S. Department of the Army.
4. Federal Energy Regulatory Commission.
5. Bureau of Indian Affairs, U.S. Department of the Interior.

II. Tribes

"Appropriate" Indian tribes or bands which are located in whole or in part in the region and have governing bodies recognized by the Secretary of the Interior (for these purposes, the federally-recognized Columbia River Basin tribes):
1. Burns-Paiute Indian Colony.
2. Coeur d'Alene Tribe.
3. Confederated Tribes of the Colville Reservation.
4. Confederated Salish and Kootenai Tribes of the Flathead Reservation.
5. Confederated Tribes of the Umatilla Indian Reservation of Oregon.
6. Confederated Tribes of the Warm Springs Reservation of Oregon.

7. Confederated Tribes and Bands of the Yakima Indian Nation.
8. Kalispell Indian Community.
9. Kootenai Tribe of Idaho.
10. Nez Perce Tribe of Idaho.
11. Shoshone-Bannock Tribes of the Fort Hall Reservation.
12. Spokane Tribe of Indians.

III. Customers

Bonneville Power Administration customers which own or operate any hydroelectric facility on the Columbia River or its tributaries (other than those entities listed in IB and II, above):

1. British Columbia Hydro.
2. Chelan County Public Utility District No. 1.
3. City of Bonners Ferry, Idaho.
4. City of Idaho Falls, Idaho.
5. City of Seattle, Washington.
6. City of Tacoma, Washington.
7. C.P. National Corp.
8. Cowlitz County Public Utility District No. 1.
9. Douglas County Public District No. 1.
10. Eugene Water and Electric Board.
11. Fall River Rural Electric Cooperative.
12. Grant County Public Utility District No. 2.
13. Idaho Power Company.
14. Klickitat County Public Utility District.
15. Lewis County Public Utility District.
16. Lower Valley Power and Light, Inc.
17. Montana Power Company.
18. Northern Lights, Inc.
19. Pacific Power & Light Company.
20. Pend Oreille County Public Utility District No. 1.
21. Portland General Electric Company.
22. Utah Power & Light Company.
23. Washington Public Power Supply System.
24. Washington Water Power Company.
25. West Kootenay Power and Light Co., Ltd.

The Council requests each entity on the above list to designate a person to serve as a liaison with the Council for the purpose of scheduling consultation sessions. The name, address and telephone number of each liaison officer should be sent to Curt Marshall, Fish and Wildlife Program Manager, Suite 200, 700 Southwest Taylor Street, Portland, Oregon 97205, On or before June 1, 1982. Any entity listed which believes that it should not be listed should advise Mr. Marshall in writing by the same date. Any entity not listed which believes that it should be listed should inform Mr. Marshall in writing of the reasons why it should be listed, on or before May 3, 1982. The Council's final section 4(h)(5) consultation list will be developed on the basis of responses which meet those deadlines.

Individuals and organizations not included on the consultation list may express their views to the Council in such forums as Council meetings, meetings of the Fish and Wildlife Subcommittee of the Council's Scientific and Statistical Advisory Committee, and hearings during the comment period on the draft program.

Questions concerning the consultation process should be addressed to Mr. Marshall at the above address.

(Sec. 4, Pub. L. 96-501 (16 U.S.C. 839b))

Edward Sheets,

Executive Director.

[FR Doc. 82-10156 Filed 4-13-82; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

Executive Committee of the Government Business Capital Formation Forum; Meeting

The Small Business Investment Incentive Act of 1980 (Pub. L. No. 96-477, October 21, 1980) requires the Securities and Exchange Commission to conduct an annual Government Business Forum to review the current status of problems and programs relating to small business capital formation. The Executive Committee, comprised of appointees from several federal agencies and private sector organizations, will meet on April 20, 1982 at 2:00 p.m. for purposes of planning the Forum which is scheduled for the fall of 1982. The meeting is to be held at the Securities and Exchange Commission, Room 876, 500 North Capitol Street, Washington, D.C. 20549, and will be open to the public.

For further information, contact Daniel Abdun-Nabi at (202) 272-2644.

George A. Fitzsimmons,

Secretary.

April 8, 1982.

[FR Doc. 82-10256 Filed 4-13-82; 8:45 am]

BILLING CODE 8010-01-M

[File No. 1-6454]

Kleinert's, Inc., Common Stock, $2.50 Par Value; Application To Withdraw From Listing and Registration

April 8, 1982.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the American Stock Exchange, Inc. ("Amex").

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The common stock of Kleinert's, Inc. ("Company") is listed and registered on the Amex. The Company has also included its common stock in the national Association of Securities Dealers Automated Quotation System ("NASDAQ"). Due to the fact that the Company's stock has been suspended from trading on the Amex since November 1980 and also because of its inclusion in the NASDAQ system, the Company is requesting to withdraw its stock.

This application relates solely to the withdrawal of the Company's common stock from listing and registration on the Amex and shall have no effect on the continued inclusion of the stock in the NASDAQ system. The Amex has posed no objection in this matter.

Any interested person may, on or before April 29, 1982, submit by letter to the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-10242 Filed 4-13-82; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 2030]

Indiana; Declaration of Disaster Loan Area

As a reuslt of the President's major disaster declaration, I find that the county of Allen, Indiana, constitutes a disaster loan area because of damage resulting from severe storms and flooding beginning on March 12, 1982. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on May 20, 1982, and for economic injury until December 20, 1982, at:

Small Business Administration, New Federal Building, 5th Floor, 575 North Pennsylvania Street, Indianapolis, Indiana 46209

or other locally announced locations.

Interest rates for applicants filing for assistance under this declaration are as follows:

Homeowners with Credit Available Elsewhere—15¼ percent
Homeowners without Credit Available Elsewhere—7⅝ percent
Businesses with Credit Available Elsewhere—16 percent
Businesses without Credit Available Elsewhere—8 percent
Businesses (EIDL) without Credit Available Elsewhere—8 percent
Other (Non-Profit Organizations Including Charitable and Religious Organizations)—11½ percent

It should be noted that assistance for agricultural enterprises is the primary responsibility of the Farmers Home Administration as specified in Pub. L. 96-302.

Information on recent statutory changes (Pub. L. 97-35, approved August 13, 1981) is available at the above-mentioned office.

(Catalog of Federal Domestic Assistance Programs Nos. 59002 and 59008)

Dated: March 23, 1982.

Donald R. Templeman,

Acting Administrator.

[FR Doc. 82-10249 Filed 4-13-82; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 802]

Designation Order of Succession

By virtue of the Authority vested in me by Executive Order 12343 of January 27, 1982 (47 FR 4225), I hereby designate the following officials of the Department to act as Secretary of State in the order indicated in case of death, resignation, absence, or illness of the Secretary of State and the Deputy Secretary of State:

(1) The Under Secretary of State for Political Affairs;

(2) The Under Secretary of State for Economic Affairs;

(3) The Under Secretary of State for Security Assistance, Science and Technology;

(4) The Under Secretary of State for Management;

(5) The Counselor; and

(6) The Assistant Secretaries of State for the regional bureaus, according to their length of service as such Assistant Secretaries in the Department.

Delegation of Authority 126 of January 15, 1973 (PN-377, 38 FR 3204) is hereby canceled.

Alexander M. Haig, Jr.,

The Secretary of State.

March 30, 1982.

[FR Doc. 82-10181 Filed 4-13-82; 8:45 am]

BILLING CODE 4710-08-M

DEPARTMENT OF TREASURY

Internal Revenue Service

[Delegation Order 88 (Rev. 6)]

District Directors; Delegation of Authority; Issuance of Notices of Revocation and Reestablishment of Exemption

AGENCY: Internal Revenue Service, Treasury.

ACTION: Delegation of Authority.

SUMMARY: Philadelphia is removed from the list of Employee Plans and Exempt Organizations Key Districts in which the District Director has delegation authority from the Commissioner of Internal Revenue to issue notices of revocation of exempt status.

EFFECTIVE DATE: March 31, 1982.

FOR FURTHER INFORMATION CONTACT: Thomas Lewald, E:EO:D, 1111 Constitution Avenue, NW., Room 2218, Washington, D.C. 20224, Telephone Number (202) 566-3570

This document does not meet the criteria for significant regulations set forth in paragraph 8 of the Treasury directive appearing in the **Federal Register** for Wednesday, November 8, 1978.

The Houston District has been added to the Key District of Dallas. The text of the delegation order appears below.

D. R. Kehoe,

Chief, Exempt Organizations Determination Branch.

[Order No. 88 (Rev. 6)]

Date of issue: March 31, 1982.

Effective Date: March 31, 1982.

Issuance of Notices of Revocation and Re-establishment of Exemption

1. Pursuant to the provisions of 26 CFR 1.503(a)-1 and Treasury Department Order 150-37, the authority vested in the Commissioner of Internal Revenue to determine that any organization or trust described in section 401(a) which is referred to in section 4975(g)(2) or (3) or any trust described in section 501(c)(17) or 501(c)(18) has engaged in a prohibited transaction and to notify such entity in writing of the revocation of exemption is delegated to the District Director of each of the following Employee Plans and Exempt Organizations Key Districts.

Key Districts and IRS District Covered

Central Region

Cincinnati—Cincinnati, Louisville and Indianapolis
Cleveland—Cleveland and Parkersburg
Detroit—Detroit

Mid-Atlantic Region

Baltimore—Baltimore, Pittsburgh, Richmond and Office of International Operations
Newark—Newark, Philadelphia and Wilmington

Midwest Region

Chicago—Chicago
St. Paul—St. Paul, Aberdeen, Fargo and Milwaukee
St. Louis—St. Louis, Des Moines, Omaha and Springfield

North-Atlantic Region

Boston—Boston, Augusta, Burlington, Providence, Hartford and Portsmouth
Manhattan—Manhattan
Brooklyn—Brooklyn, Albany and Buffalo

Southeast Region

Atlanta—Atlanta, Birmingham, Columbia, Greensboro, Jackson, Jacksonville and Nashville

Southwest Region

Dallas—Dallas, Houston, Albuquerque, Austin, Cheyenne, Denver, Little Rock, New Orleans, Oklahoma City and Wichita

Western Region

Los Angeles—Los Angeles, Phoenix and Honolulu
San Francisco—San Francisco, Reno and Salt Lake City
Seattle—Seattle, Portland, Anchorage, Boise and Helena

2. Such Key District Directors are also delegated authority to determine that such organizations and trusts will not knowingly again engage in a prohibited transaction and that they also satisfy all other requirements under section 501(c)(17), 501(c)(18) or applicable requirements of section 401(a) of the Internal Revenue Code of 1954 and to notify such trust or organization in writing of the re-establishment of its exemption pursuant to 26 CFR 1.503(c)-(1).

3. The authority delegated in this order may be redelegated but not below Chief, Employee Plans and Exempt Organizations Division.

4. This order supersedes Delegation Order No. 88 (Rev. 5) issued January 12, 1981.

James I. Owens,

Deputy Commissioner.

[FR Doc. 82-10250 Filed 4-13-82; 8:45 am]

BILLING CODE 4830-01-M

VETERANS ADMINISTRATION

Privacy Act of 1974; Amendment of Systems Notice; Revised Routine Use Statements

Notice is hereby given that the VA (Veterans Administration) is considering adding a new routine use statement and revising current routine use number 11 for the system of VA records entitled "Compensation, Pension, Education and Rehabilitation Records—VA" (58VA21/22/28) as set forth on page 372 of the **Federal Register** of January 5, 1982. As part of the VA's participation in the President's Council of Integrity and Efficiency Project entitled "Federal Employees Receiving Government Assistance," the VA Office of Inspector General, in coordination with other Federal agencies, plans to conduct a series of computer matches. The matches will compare various Federal military and civilian personnel records with certain VA program records for the purpose of identifying and locating Federal employees who currently are indebted to the VA or have received VA benefits to which they are not entitled. The goal of the matches is to reduce the amount of outstanding debt owed by individuals to the VA as a result of an individual's participation in a VA benefits program. In order to utilize information generated by the match to initiate appropriate collection actions and/or follow-up on previously initiated actions, current routine use statement number 11 must be revised and a new routine use added. The routine uses will enable the disclosure of identifying and debt information to any third party, including consumer reporting agencies, in order to facilitate and expedite the collection process. Further, the new proposed routine use No. 42 permits the disclosure of information in order for the VA to initiate legal actions for prosecuting individuals who willfully or fraudulently obtain title 38 benefits without entitlement. The VA has determined that release of information for these purposes is necessary and a proper use of information in this system of records and that specific routine uses for transfer of this information are appropriate.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed systems of records to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All relevant material received before May 10, 1982 will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays) until May 24, 1982. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 132. Visitors to any VA field station will be informed that the records are available only in Central Office and furnished the above address and room number.

If no public comment is received during the 30-day review period allowed for public comment or unless otherwise published in the **Federal Register** by the Veterans Administration, the new and revised routine use statements included herein are effective May 5, 1982.

Approved: May 5, 1982.

Robert P. Nimmo,

Administrator.

Notice of System Records

In the system identified as 58VA21/22/28, "Compensation, Pension, Education and Rehabilitation Records-VA," appearing at 47 FR 372, the following changes are made:

SYSTEM NAME:

Compensation, Pension, Education and Rehabilitation Records-VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

* * * * *

11. The name and address of a veteran, other information as is reasonably necessary to identify such veteran, including personal information obtained from other Federal agencies through computer matching programs, and any information concerning the veteran's indebtedness to the United States by virtue of the person's participation in a benefits program administered by the VA may be disclosed to a consumer reporting agency for purposes of assisting in the collection of such indebtedness, provided that the provisions of 38 U.S.C. 3301(g)(4) have been met.

* * * * *

42. Any information concerning the veteran's indebtedness to the United States by virtue of a person's participation in a benefits program administered by the VA, including personal information obtained from other Federal agencies through computer matching programs, may be disclosed to any third party, except consumer reporting agencies, in connection with any proceeding for the collection of any amount owed to the United States. Purposes of these disclosures may be to (a) assist the VA in collection of title 38 benefit overpayments, overdue indebtedness, and/or costs of services provided individuals not entitled to such services, and (b) initiate legal actions for prosecuting individuals who willfully or fraudulently obtain title 38 benefits without entitlement. This disclosure is consistent with 38 U.S.C. 3301(b)(6).

[FR Doc. 82-10261 Filed 4-13-82; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 47, No. 72
Wednesday, April 14, 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

1

COMMODITY CREDIT CORPORATION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 47 FR 14650, April 5, 1982.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9 a.m., April 9, 1982.

STATUS: Open/closed.

CHANGES IN THE MEETING:

1. Closure of a portion of the meeting.
2. Announces agenda items as follows:

1. Minutes of Special Meeting of March 5, 1982.
2. Minutes of Closed Meeting of March 5, 1982.
3. Memorandum re: Plans of Sampling and Chemical Analysis of 1982 Crop Flue-Cured Tobacco Samples for Maleic Hydrazide (MH) Levels.
4. Memorandum re: Update of Commodity Credit Corporation (CCC)-Owned Inventory.
5. Memorandum re: Status Report on the Extended Grain Storage Program.
6. Docket CZ-193, Rev. 5, Amendment 1 re: Policy Governing Approval of the Warehousing Facilities and Bonding Requirements for the Warehousing of Certain Commodities.

Closed portion of the meeting:

7. Memorandum re: Honey Program Alternatives.
8. Resolution re: Determination of Reimbursement Price for CCC-Owned Dry Milk Used in Public Law 480 Programs.
9. Memorandum re: Disposition of Commodity Credit Corporation (CCC)-Owned Dairy Products.
10. Discussion re: Sugar Program.

CONTRACT PERSON FOR MORE INFORMATION: Edward D. Hews, Commodity Credit Corporation, Post Office Box 2415, Room 3090, South Building, U.S. Department of Agriculture, Washington, DC 20013; telephone (202) 447-7583.

[S-536-82 Filed 4-12-82; 11:14 am]

BILLING CODE 3410-05-M

2

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 10 a.m., Thursday, April 15, 1982.

PLACE: 2033 K Street, NW., Washington, D.C., Fifth floor hearing room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Budget, Categories, Plans, Programs and Priorities.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6314.

[S-534-82 Filed 4-12-82; 11:09 am]

BILLING CODE 6351-01-M

3

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 11 a.m., Friday, April 16, 1982.

PLACE: 2033 K Street, NW, Washington, D.C., Eighth floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Briefing.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6314.

[S-535-82 Filed 4-12-82; 11:10 am]

BILLING CODE 6351-01-M

4

FEDERAL COMMUNICATIONS COMMISSION

Deletion of agenda item from April 14th closed meeting

April 12, 1982.

The following item has been deleted at the request of the Chairman's office from the list of agenda items scheduled for consideration at the April 14, 1982, Closed Meeting and previously listed in the Commission's Notice of April 7, 1982.

Agenda, Item No, and Subject

Hearing—1—Draft Designation Order in L.D.S. Enterprises, Inc., Los Altos, California, proceeding involving a transfer of control of an FM station (BC Docket No. 81-275).

Issued: April 12, 1982.

William J. Tricarico,

Secretary, Federal Communications Commission.

[S-537-82 Filed 4-12-82; 2:29 pm]

BILLING CODE 6712-01-M

5

FEDERAL COMMUNICATIONS COMMISSION

Deletion of agenda item from April 14th open meeting

April 9, 1982.

The following item has been deleted at the request of the Cable Television Bureau from the list of agenda items scheduled for consideration at the April 14, 1982, Open Meeting and previously listed in the Commission's Notice of April 7, 1982.

Agenda, Item No., and Subject

Cable Television—2—"Petition for Special Relief" (CSR-1215) filed by Four States Television, Inc., licensee of Station KIVA-TV (NBC, Channel 12) Farmington, New Mexico. *Summary:* The petitioner has requested a waiver of Section 76.92 of the Commission's Rules to maintain same day network nonduplication protection.

Issued: April 12, 1982.

William J. Tricarico,

Secretary, Federal Communications Commission.

[S-538-82 Filed 4-12-82; 2:29 pm]

BILLING CODE 6712-01-M

6

POSTAL SERVICE

Board of Governors

Vote to close meeting

On April 6, 1982, the Board of Governors of the United States Postal Service unanimously voted to close to public observation portions of meetings of the Board to be held on May 10 and 11, 1982, and all of a meeting of the Audit Committee of the Board to be held on May 10, 1982. The meetings are expected to be attended by the following persons: Governors Hardesty, Babcock, Camp, Hughes, Jenkins, McKean, and Sullivan; Postmaster General Bolger; Deputy Postmaster General Benson; Assistant Secretary of the Board Sanders; Counsel to the Governors Califano; Senior Assistant Postmaster General Finch; and Assistant Postmaster General Cummings.

A portion of the Board meeting to be closed will consist of a discussion of Postal Service strategic planning.

The Board is of the opinion that public access to this discussion would be likely to disclose information in connection with future collective bargaining and information that will become involved in future rate litigation.

Accordingly, the Board of Governors has determined that, pursuant to section 552b(c)(3) of title 5, United States Code, and § 7.3(c) of title 39, Code of Federal Regulations, this portion of the meeting is exempt from the open meeting requirement of the Government in the Sunshine Act (5 U.S.C. 552b(b)), because it is likely to disclose information in connection with proceedings under chapter 36 of title 39 (having to do with postal ratemaking, mail classification, and changes in postal services), which is specifically exempted from disclosure by section 410(c)(4) of title 39. The Board determined further that, pursuant to section 552b(c)(10) of title 5 and § 7.3(j) of title 39, Code Federal Regulations, the discussion is exempt because it is likely to specifically concern the participation of the Postal Service in a civil action or proceeding or the initiation of a particular case involving a determination on the record after opportunity for a hearing. It also determined, pursuant to section 552b(c)(9)(B) and § 7.3(i) of title 39, Code of Federal Regulations, that the discussion is exempt because premature disclosure of information to be discussed would be likely significantly to frustrate implementation of future action in regard to future collective bargaining. The Board further determined that the public interest does not require that the Board's discussion of this matter be open to the public.

In accordance with section 552b(f)(1) of title 5, United States Code, and § 7.6(a) of title 39, Code of Federal Regulations, the General Counsel of the United States Postal Service has certified that in his opinion the portion of the meeting to be closed may properly be closed to public observation, pursuant to sections 552b(c) (3), (9)(B) and (10) of title 5 and sections 410(c) (3) and (4) of title 39, United States Code, and § 7.3 (c), (i), and (j) of title 39, Code of Federal Regulations.

A second portion of the Board meeting to be closed, and the entirety of the Audit Committee meeting to be closed, are to consist of a discussion of a process for the selection of an independent certified public accounting firm to certify the accuracy of Postal Service financial statements as required by 39 U.S.C. 2008(e), the selection of such a firm being one of the matters that is reserved for decision by the Board of Governors under § 3.4 of the Bylaws of the Board (39 CFR 3.4).

The Board is of the opinion that public access to these discussions would be likely to disclose information relating to proposed Postal Service procurement activity. Accordingly, the Board has determined that, pursuant to section 552b(c)(9)(B) of title 5, United States Code, and § 7.3(i) of title 39, Code of Federal Regulations, this discussion is exempt because premature disclosure of information to be discussed would be likely significantly to frustrate implementation of future action in regard to the procurement of audit services. The Board further determined that the public interest does nor require that the Board's, or the Committee's, discussion of this matter be open to the public.

In accordance with section 552b(f)(1) of title, 5, United States Code, and § 7.6(a) of title 39, Code of Federal Regulations, the General Counsel of the United States Postal Service has certified that in his opinion, the portion of the Board meeting to be closed, and the meeting of the Audit Committee, may properly be closed to public observation pursuant to section 552b(9)(B) of title 5, United States Code, and § 7.3(i) of title 39, Code of Federal Regulations.

Louis A. Cox,

Secretary.

[S-533-82 Filed 4-12-82; 11:09 am]

BILLING CODE 7710-12-M

7

RAILROAD RETIREMENT BOARD

TIME AND DATE: 10 a.m., April 21, 1982.

PLACE: Board's meeting room, eighth floor, headquarters building, 844 Rush Street, Chicago, Illinois 60611.

STATUS: Part of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portion open to the public.

(1) Board policy on handling requests for information.

(2) Disclosure of Board records.

(3) Recommendation for special achievement award—Pittsburgh, Pennsylvania District Office.

(4) Suggestion re shortening public service hours in district offices.

(5) Survey of the division of disability benefits.

(6) Bureau of Planning and Information Management.

(7) Bureau of Audit and Investigation.

(8) OMB Circular A-76 study of the Board's print shop.

(9) Review of Board appeals in the Bureau of Hearings and Appeals.

(10) Appeal of nonwaiver of overpayment, Alexander C. Meaders.

(11) Conflicting marriage claim, Mary Kirkland.

Portion closed to the public:

(A) Appeal from referee's denial of disability annuity, Bobby G. Frisby.

CONTACT PERSON FOR MORE INFORMATION: Beatrice Ezerski; COM No. 312-751-4920; FTS No. 387-4920.

[S-532-82 Filed 4-12-82; 9:54 am]

BILLING CODE 7905-01-M

federal register

Wednesday
April 14, 1982

Part II

Department of the Interior

Office of Surface Mining Reclamation and Enforcement

Surface Coal Mining and Reclamation Operations Permanent Regulatory Program; Postmining Land Uses and Variances From Approximate Original Contour

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 701, 785, 816, 817, 824, and 826

Surface Coal Mining and Reclamation Operations, Permanent Regulatory Program; Postmining Land Uses and Variances From Approximate Original Contour

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Proposed rule.

SUMMARY: The Office of Surface Mining (OSM) is proposing to revise its permanent program rules pertaining to postmining land uses. The proposed changes would eliminate the detailed criteria and information submission requirements for approval of alternative postmining land uses. In their stead, simplified performance standards mandated by the Surface Mining Control and Reclamation Act would be adopted.

The proposal would also allow variances from the requirement to restore affected lands to the approximate original contour for lands made suitable for industrial, commercial, residential, or public use. Such variances would not be limited to mining on steep slopes, as the existing rule provides. The requirement to eliminate all highwalls would not be affected.

These changes are needed to facilitate reclamation and to allow operators to take advantage of unique land use development opportunities provided by surface mining operations.

DATES: *Written comments:* Accepted until 5 p.m. (eastern time) on May 14, 1982.

Public hearings: Held on request only, on May 6, 1982, at 9:00 a.m. (local).

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 14.15), Room 5315, 1100 L Street, NW., Washington, D.C.; or *mail* to the Office of Surface Mining, U.S. Department of the Interior, Administrative Record (TSR 14.15), Room 5315L, 1951 Constitution Avenue, NW., Washington, DC 20240.

Public hearings: Washington, D.C.—Department of the Interior Auditorium, 18th and C Streets, NW.; Pittsburgh, Pa.—William S. Moorehead Federal Building, Room 200, 1000 Liberty Avenue; and Denver, Colo.—Brooks Tower, 2d Floor Conference Room, 1020 15th Street.

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: Jerry R. Ennis, Office of Surface Mining, U.S. Department of the Interior, 1951 Constitution Avenue, NW., Washington, DC 20240; 202-343-7881.

Public meetings: Jose del Rio, 202-343-4022.

SUPPLEMENTARY INFORMATION:

I. 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 hearing 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 the 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.

II. Background

The Act

The Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 *et seq.* (the Act), contains a number of sections pertaining to allowable postmining land uses. Minimum general performance standards, applicable to all surface coal mining and reclamation operations are set forth in section 515(b). Section 515(b)(2) requires the operation to:

> Restore the land affected to a condition capable of supporting the uses which it was capable of supporting prior to any mining, or higher or better uses of which there is reasonable likelihood, so long as such use or uses do not present any actual or probable hazard to public health or safety or pose any actual or probable threat of water diminution or pollution, and the permit applicants' declared proposed land use following reclamation is not deemed to be impractical or unreasonable, inconsistent with applicable land use policies and plans, involves unreasonable delay in implementation, or is violative of Federal, State, or local law.

Section 515(b)(3) generally requires the operation to:

> Backfill, compact (where advisable to insure stability or to prevent leaching of toxic materials), and grade in order to restore the approximate original contour of the land all highwalls, spoil piles, and depressions eliminated (unless small depressions are needed in order to retain moisture to assist revegetation or as otherwise authorized pursuant to this Act).

Section 516(b) of the Act generally imposes the standards of section 515 with regard to the surface effects of underground mining.

Mountaintop Removal

Subsection 515(c) permits an exception to the approximate original contour (AOC) restoration requirement for "mountaintop" removal operations which, after reclamation, would be capable of supporting specified postmining uses. In such operations, instead of restoring the approximate

original contour, the operator is permitted to remove all of the overburden and to create a level plateau or a gently rolling contour with no highwall remaining. Such land has to be capable of supporting certain specified postmining uses which include an industrial, commercial, agricultural, residential or public facility (including recreational facilities) use. The regulatory authority may grant a permit of this nature if a number of specific conditions are satisfied.

Variances From AOC

In addition, section 515(e) of the Act allows a variance from the requirement to restore affected lands to approximate original contour for surface coal mining where the owner of the surface knowingly requests in writing, as a part of the permit application that such a variance be granted so as to render the land, after reclamation, suitable for an industrial, commercial, residential, or public use (including recreational facilities). Such variances are allowed provided that the watershed control of the area is improved and further provided complete backfilling with spoil material completely covers the highwall, which material will maintain stability following mining and reclamation.

Specific requirements for a variance under section 515(e) are:

(1) After consultation with the appropriate land use planning agencies, if any, the potential use of the affected land is deemed to constitute an equal or better economic or public use;

(2) The potential postmining use is designed and certified by a qualified registered professional engineer in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site;

(3) After approval of the appropriate State environmental agencies, the watershed of the affected land is deemed to be improved; and

(4) Only such amount of spoil will be placed off the mine bench as is necesary to achieve the planned postmining land use, insure stability of the retained on the bench, and to meet all other requirements of the Act.

U.S. District Court Judge Flannery in *In re: Permanent Surface Mining Regulation Litigation,* Civil Action No. 79-1144 (D. D.C February 26, 1980), at pp. 69-70, a case currently on appeal, has ruled that the provisions of section 515(e) of the Act apply only to steep slope mining. That is the position OSM took before the district court in that case. Peabody Coal Company, the party adversely affected by Judge Flannery's ruling concerning the scope of section 515(e) of the Act, did not appeal that issue.

Upon carefully examining the legislative history of section 151(e), OSM has reconsidered its previous interpretation of that section and has concluded for the reasons described in detail in the "Discussion of Proposed Rules" section of this preamble that the variance from AOC allowed under section 151(e) of the Act is not limited to mining on steep slopes.

Postmining Land Use Rule

Detailed postmining land use rules for the permanent regulatory program were published on March 13, 979 (44 FR 14901) and appear as §§ 816.133 and 817.133. (Since existing §§ 816.133 and 817.133 are essentially the same, the discussion in this preamble will reference only existing § 816.133, with the understanding that it also applies to existing § 817.133).

The existing rule is described in the March 13, 1979, preamble:

> Section 816.133 sets forth criteria and procedures for use by the regulatory authority in determining premining use of the affected area and approving postmining land uses which are different from premining uses.
>
> Section 816.133 is divided into three subparts. Paragraph (a) sets forth the general requirement that the affected area shall be restored to conditions capable of supporting the premining use or an alternative better or higher use.
>
> Paragraph (b) sets forth criteria for determining premining use, and paragraph (c) sets forth the criteria for approval by the regulatory authority of alternative postmining uses. As stated in the definition section (§ 701.5), any change of land use categories to another constitutes an alternative use which is subject to regulatory authority approval under §§ 816.133 or 817.133 (44 FR at 15242).

Regulatory Implementation of AOC Exceptions

The two provisions of the Act allowing for exception to the AOC restoration requirement, subsections 151(c) and (e), have been implemented in § 785.14 and Part 824 for mountaintop removal and in §§ 785.16 and 826.15 for the AOC variance on steep slopes.

III. Discussion of Proposed Rules

OSM is proposing to revise the provisions for postmining land uses set forth in §§ 816.133 and 817.133. For ease of description, the discussion of the proposed section will reference only proposed § 816.133. Proposed §§ 816.133 and 817.133 would essentially be the same.

Proposed § 816.133 would be separated into four paragraphs, the first three of which would correspond to existing § 816.133. The last paragraph would provide a variance procedure from the AOC restoration requirement.

General requirements—Section 816.133(a)

Proposed § 816.133(a) would be similar to the existing § 816.133(a) but would be revised to clarify that operators would not actually be responsible for developing or constructing higher or better uses. Rather, in accordance with section 515(b)(2) of the Act, the operator would be required to return the affected land to conditions that are capable of supporting the uses that it was capable of supporting prior to mining or to a condition capable of supporting a higher or better use.

Determining Premining Uses of Land—Section 816.133(b)

Existing § 816.133(b) sets forth the means of determining the premining uses of land to which postmining land uses are to be compared. As to lands on which no mining has previously occurred, those uses that the land had previously supported are the standard. If there was a change in the premining usage within 5 years of the beginning of mining, a comparison with the historic usage is also required.

Section 816.133(b)(1) required the postmining land use for lands that had been previously mined to be judged on the basis of the highest and best use that could be achieved that is compatible with surrounding areas. Section 816.133(b)(1) was overturned in *In re: Permanent Surface Mining Regulation Litigation,* Civil Action No. 79-1144 (D. D.C., May 16, 1980), at pp. 55-56. The court held that this provision incorrectly implemented the Act in that it failed to allow restoration of previously mined land to the land's capability prior to any mining.

On August 4, 1980 (45 FR 51549), OSM complied with the district court's order and suspended § 816.133(b)(1), together with § 816.133(c)(4) and (c)(9)(i) and the corresponding provisions of Part 817. (The reason for the suspension of the portions of § 816.133(c) is described below).

Proposed § 816.133(b) would continue the requirement that the premining uses of land to which the postmining land use is compared shall be those uses which the land previously supported, if the land had not been previously mined and had been properly managed. The regulatory authority would not be precluded from doing a historical analysis in particular cases if it were needed, but there would no longer be a requirement for a comparison of

historical uses of the land (*i.e.*, uses prior to 5 years previous to the beginning of mining).

Implementing the court decision, the proposed section would provide that the postmining land use for land that has been previously mined and not reclaimed shall be judged on the basis of the land use that existed prior to any mining. However, if because of the previously mined condition, the land cannot be reclaimed to the land use that existed prior to any mining, the postmining land use would be judged on the basis of the highest and best use that can be achieved which is compatible with surrounding areas and does not require the disturbance of areas previously unaffected by mining.

Criteria for Postmining Land Uses—Section 816.133(c)

In originally establishing the criteria for approval of alternative postmining land uses in existing Section 816.133(c) in 1979, OSM incorporated the detailed requirements of sections 515(c) and 515(e) of the Act that are mandated only for mountaintop removal and for ADC variances. OSM stated at that time "that a composite of these concepts is a reasonable approach to setting forth the regulatory requirements for approval of proposed postmining land uses" (44 FR at 15243.).

Thus, existing § 816.133(c) consists of the following nine detailed subsections:

(1) The proposed postmining land use must be compatible with adjacent land use and, where applicable, with existing local, State, or Federal land use policies and plans: A written statement of the views of the authorities with statutory responsibilities for land use policies and plans is submitted to the regulatory authority within 60 days of notice by the regulatory authority and before surface mining activities begin.

(2) Specific plans are prepared and submitted to the regulatory authority which shows the feasibility of the postmining land use as related to projected land use trends and markets and that include a schedule showing how the proposed use will be developed and achieved within a reasonable time after mining and will be sustained. The regulatory authority may require appropriate demonstrations to show that the planned procedures are feasible, reasonable, and integrated with mining and reclamation, and that the plans will result in successful reclamation.

(3) Provision of any necessary public facilities is ensured as evidenced by letters of commitment from parties other than the person who conducts surface mining activities, as appropriate, to provide the public facilities in a manner compatible with the plans submitted under 30 CFR 780.23. The letters shall be submitted to the regulatory authority before surface mining activities begin.

(4) Specific and feasible plans are submitted to the regulatory authority which show that financing, attainment and maintenance of the postmining land use are feasible and, if appropriate, are supported by letters of commitment from parties other than the person who conducts the surface mining activities.

(5) Plans for the postmining land use are designed under the general supervision of a registered professional engineer, or other appropriate professional, who will ensure that the plans conform to applicable acceptable standards for adequate land stability, drainage, vegetative cover, and esthetic design appropriate for the postmining use of the site.

(6) The proposed use will neither present actual or probable hazard to public health or safety nor will it pose any actual or probable threat of water flow diminution or pollution.

(7) The use will not involve unreasonable delays in reclamation.

(8) Necessary approval of measures to prevent or mitigate adverse effects on fish, wildlife, and related environmental values and threatened or endangered plants is obtained from the regulatory authority and appropriate State and Federal fish and wildlife management agencies have been provided a 60-day period in which to review the plan before surface mining activities begin.

(9) Proposals to change premining land uses of range, fish and wildlife habitat, forest land, hayland, or pasture to a postmining cropland use, where the cropland would require continuous maintenance such as seeding, plowing, cultivation, fertilization, or other similar practices to be practicable or to comply with applicable Federal, State, and local laws, are reviewed by the regulatory authority to ensure that—

(i) There is a firm written commitment by the person who conducts surface mining activities or by the landowner or land manager to provide sufficient crop management after release of applicable performance bonds under 30 CFR Subchapter J and §§ 816.111 through 816.117, to assure that the proposed postmining cropland use remains practical and reasonable;

(ii) There is sufficient water available and committed to maintain crop production; and

(iii) Topsoil quality and depth are sufficent to support the proposed use.

The portions of existing § 816.133(c)(4) and (9) requiring letters of commitment were overturned in the February 26, 1980, decision in *In re: Permanent Surface Mining Regulation Litigation*, cited previously, at pp. 62–63. Requiring such legally binding commitments were held to exceed the statutory standards. The court stated that the Act only requires an operator to demonstrate a reasonable likelihood of sustaining higher or better use, not a letter of commitment.

While OSM believed in 1979 that the composite approach offers sufficient flexibility to operators and regulatory authorities, based on its experience OSM no longer believes that such detailed requirements are practicable. Proposed § 816.133(c) would impose the standards of section 515(b)(2) of the Act as the general criteria for allowing higher or better uses as alternative postmining land uses. The inflexible, overly detailed and burdensome requirements of existing § 816.133(c) would be eliminated. In their place, the rule would provide that alternative land uses may be approved by the regulatory authority after consultation with the landowner or the land management agency having jurisdiction over the lands, if the following criteria for higher or better uses are met:

(1) There is a reasonable likelihood for achievement of the proposed use;

(2) The use does not present any actual or probable hazard to public health or safety, or threat of water diminution or pollution, and

(3) The proposed postmining use is not impractical or unreasonable, inconsistent with applicable land use policies or plans, going to involve unreasonable delay in implementation, or in violation of Federal State, or local law.

Under the proposal, the regulatory authorities would have the responsibility of determining whether available information would be adequate to assure that the criteria are met and could impose whatever information collection requirements were deemed necessary.

Definitions

The permanent program rules currently contain no definition of the term "higher or better uses." Under the proposal, a definition of the words "higher or better uses" would be added to existing § 701.5 in order to further clarify proposed § 816.133(a) which requires the restoration of disturbed areas to conditions capable of supporting the premining land use or to higher or better uses. As defined in the proposal, higher or better uses would be those land uses that result in higher economic value or other benefits to the landowner or community. This definition would be consistent with definitions of a similar term, "highest and best use," appearing in land economics and planning textbooks (*e.g.*, Barlowe, R., "Land Resource Economics: The Political Economy of Rural and Urban Land Resource Use," Prentice-Hall, Inc., Englewood Cliffs, N.J., 1958, and Abrams, Charles, "The Language of Cities: A Glossary of Terms," Avon Books, New York, N.Y., 1971).

OSM is proposing a definition to provide some general guidance to regulatory authorities in their case-by-

case determinations. As a general rule, higher or better land uses can be identified by the relative size of the economic return which the landowner would normally expect to receive. In addition, higher use may include nonmonetary benefits to an individual or community. For example, reclaiming mined land for use as a public park or hunting area where there was a local demand for such use and none were present, would represent increased benefit to the community. Thus, both monetary and nonmonetary values should be given consideration when determining what constitutes higher or better uses. It should be noted that the ten categories of land use in the existing definition of land use are not hierarchial. That is, one land use category is not automatically a higher or better use than another. In each situation, the regulatory authority has to compare the values and benefits of the postmining alternative land use to the values and benefits of the premining land uses.

With regard to the definition of "land use," repetitive language concerning support facilities that are an integral part of the land use would be eliminated from each of the categories (a) through (f) and would be included in the general definition of land use. No change in meaning is intended by that proposed revision. All ten land use categories would be retained. Commenters are requested to address whether all these individual categories are needed or whether a consolidation would further the purposes of the Act.

Variances From AOC

OSM has reviewed the legislative history of Section 515(e) of the Act and has concluded that its previous interpretation of that section was erroneous. For the reasons described herein, OSM now believes that section 515(e) of the Act which permits variances for the requirement to restore affected lands to AOC, is not limited to mining on steep slopes.

Legislative History of Section 515(e) of the Act

On May 20, 1977, Senator Wendell Ford introduced the original AOC variance provision as an amendment to Senate Bill S. 7, the Senate predecessor to the Act. (123 Congressional Record S8097, daily ed., May 20, 1977) to allow variance from the AOC restoration requirement for certain postmining land uses. It was aimed chiefly at Appalachia, but did not apply only to steep slope mining. The provision, section 415(d) of S. 7, would have allowed variances from the general AOC restoration requirement of section 415(b)(3) of Bill S. 7 and the steep slope AOC requirement, section 415(c)(2) of Bill S.7. These sections were the Senate predecessors to sections 515(b)(3) and 515(d)(2) of the Act, respectively.

Senator Ford's original amendment would have allowed retention of highwalls when variances were granted. The highwall retention aspect generated considerable controversy and a modification to the amendment was introduced on the same day which would have allowed retention of highwalls in variance situations only when sound engineering technology indicated that the highwalls could not be completely eliminated. The modified Ford amendment, referring both to sections 415(b)(3) and 415(c)(2), ultimately became part of the Senate bill that went to the House-Senate conference.

Also on May 20, 1977, Senator Jennings Randolph stated that because the managers of Bill S. 7 accepted the modified Ford amendment, he would not offer his own AOC vairance provision. Senator Randolph asked that his amendment be printed in the Congressional Record, together with accompanying remarks. These appear at 123 Congressional Record at S8102–8103 (daily ed.). The scope of the Randolph amendment, *i.e.*, a variance from the requirement to restore the approximate original contour set forth in subsections 415(b)(3) or 415(c)(2), would have been the same as the Ford amendment, except that the Randolph amendment would have required complete elimination of the highwalls. In his printed remarks, Senator Randolph stated that his proposal was generally designed for use in non-steep slope regions.

The bill passed by the House of Representatives, H.R. 2, that the House-Senate conference was considering, had no AOC variance provision (other than for mountaintop removal). Conference *Staff Recommendation No. 3* (at p. 48), in presenting the issue before the conference, described S. 7 as containing "a *general* variance provision, not requiring complete backfilling of highwalls." [Emphasis added.]

In the conference there was strong objection to any provision that would allow retention of highwalls. To resolve the issue, the conferees were presented with a new subsection as an amendment to section 515 (the renumbered section 415). The new subsection was the Randolph amendment which required complete elimination of highwalls that had been printed in the Congressional Record. The only difference between the conference version of the Randolph amendment and the version printed in the May 20, 1977, Congressional Record was the deletion of the reference to section 515(b)(3), the general AOC restoration requirement.

Apparently, the deletion was not intentional. Both of the previous amendments on the subject, Senator Randolph's and Ford's in S. 7, contained a reference to the general AOC restoration requirement. Thus, if the deletion of the reference was intentional, it would have been noted, particularly in light of Senator Randolph's earlier remarks that the variance was intended for non-steep slope regions. However, it was neither noted nor discussed in conference.

In conference, the discussion of the Randolph amendment focused on the highwall provision and Senator Ford's insistence that in some instances the retention of highwalls be allowed. While there was an implicit assumption that the variance provision was needed mainly in Appalachia, there was no explicit statement that it was limited to steep slopes. On the contrary, at one point when the chairman of the conference was discussing the width of benches that would remain after covering the highwalls, he acknowledged that it would depend upon the terrain.

The conference adopted the Randolph amendment with one further change relating to disposal of spoil. The conference report, House Report 95–493 (95th Cong., 1st sess., p. 108 (1977)), focused exclusively on the highwall retention issue and the opportunity for a broad range of postmining land uses on very wide benches.

Peabody Coal Company, in its brief, did not inform Judge Flannery prior to his February 26, 1980, decision that both earlier versions of section 515(e) would have allowed variances from the general AOC restoration requirement. There was no attempt to explain the removal of the reference to section 515(b)(3) of the Act by the conference committee. Instead, Peabody unnecessarily conceded that section 515(e)(2) was directed toward steep slopes. Peabody argued that section 515(e)(1) separately allowed for general variances.

Judge Flannery held that section 515(e) provides for only one variance and that the variance applies to steep slopes. OSM agrees that section 515(e) provides for only one variance, but for the reasons described above believes that the entire section allows for general AOC variances.

Proposed Section 816.133(d)

Alternative A

OSM is proposing two alternatives for § 816.133(d). The first alternative would implement OSM's interpretation of section 515(e), and would encourage postmining usage of affected lands. The first alternative would provide that operations may be conducted under a variance from the requirement to restore affected areas to the approximate original contour, if the following condidtions are satisfied:

(1) The regulatory authority grants the variance under a permit issued in accordance with § 785.16.

(2) The general alternative postmining land use requirements of § 816.133(c) are met.

(3) All applicable requirements of the Act and the regulatory program, other than the requirement to restore affected areas to their approximate original contour, are met.

(4) After consultation with the appropriate land use planning agencies, if any, the potential use is shown to constitute an equal or better economic, or public use.

(5) The proposed use is designed and certified by a registered professional engineer in conformance with professional standards established to assure the stability, drainage, and configuration necessary of the intended use of the site.

(6) After approval, where required of the appropriate State environment agencies, the watershed of the affected land is shown to be improved.

(7) The highwall is completely backfilled with spoil material, in a manner which results in a static factor of safety of at least 1.3 using standard geotechnical analyses.

(8) Only the amount of spoil as is necessary to achieve the postmining land use, ensure the stability of spoil retained on the bench, and meet all other requirements of the Act and the regulations shall be placed off the mine bench. All spoil not retained on the bench shall be placed in accordance with the regulations pertaining to spoil disposal and backfilling and grading.

(9) The surface land owner of the permit area has requested, in writing, that a variance be granted, so as to render the land, after reclamation, suitable for an industrial, commercial, residential, or public use (including recreational facilities).

(10) Federal, State, and local government agencies with an interest in the proposed land use have a maximum of a 60-day period in which to review and comment on the proposed use.

These conditions would not include the steep slope performance standards of section 515(d) of the Act.

Alternative B

The second alternative for proposed § 816.133(d) would allow variances from the AOC restoration requirement under the same conditions as under Alternative A, with two additional requirements. First, operations would have to meet the performance standards of § 826.12. Section 826.12 contains the steep slope mining performance standards of section 515(d) of the Act. Secondly, variances would be allowed for operations in areas with slopes of more than 20 degrees or such lesser slopes as may be defined by the regulatory authority after consideration of soil, climate, and other characteristics of the region or State. Under Alternative B, regulatory authorities would have considerable latitude in determining the regions in which AOC variances could be granted.

Proposed Amendments to Sections 826.15 and 785.16

Existing § 826.15, which sets forth the performance standards for the AOC variance applicable only to steep slope mining, would become unnecessary if either proposed AOC variance provision were adopted. Either alternative for § 816.133(d) would incorporate a number of the provisions of § 826.15, including the static safety factor for covering highwalls. Thus, § 826.15 is proposed for deletion.

Existing § 785.16 sets out the permit requirements for obtaining a variance from the AOC restoration requirements for steep slope mining. OSM is proposing to amend this section by expanding its applicability to include mining on any land to which either proposed variance provision would apply. The requirements of proposed § 785.16 would remain the same as the existing section except for changed cross-references to proposed provisions of § 816.133 and deletion of two duplicative requirements that would be set forth in proposed § 816.133(d).

Mountaintop Removal Rules

This proposal would revise the provisions pretaining to variances from the approximate original contour restoration requirement in the manner described above. However, it would only affect the mountaintop removal exception implemented in § 785.14 and Part 824 to the extent the latter rules incorporate the postmining land use provisions of § 816.133. The cross-references to § 816.133 in §§ 785.14(c)(1)(ii) and 824.11(a)(4) would be revised to clarify that the performance standards applicable for mountaintop removal would include the general alternative postmining land use criteria of proposed § 816.133(c) and not those of proposed § 816.133(d).

IV. Procedural Matters.

Federal Paperwork Reduction Act

The information collection requirements in existing 30 CFR 785.14, 785.16, 816.133(c)(1)–(4), 816.133(c)(8) and (9), 817.133(c)(1)–(4), and 817.133(c)(8) and (9) were approved by the Office of Management and Budget (OMB) under 44 U.S.C. 3507. As described above, OSM intends to eliminate the information collection requirements of §§ 816.133(c) and 817.133(c). These approvals were identified in "notes" at the introduction to 30 CFR Parts 785, 816, and 817. OSM will delete those "notes" and codify the OMB approvals under new §§ 785.10, 816.10, and 817.10 in each of those parts that contain information collection requirements. OSM is requesting reapproval from OMB for existing information collection requirements. OSM is also requesting OMB approval of new information collection requirements being proposed in §§ 816.133(d) and 817.133(d). These proposed sections would expand the number of persons who may apply for an AOC variance.

The information required by 30 CFR Parts 785, 816, and 817 will be used by the regulatory authority in granting permits and in monitoring and inspecting surface and underground mining activities to ensure that they are conducted in a manner which preserves and enhances environmental and other values of the Act. This information required by 30 CFR Parts 785, 816, and 817 is mandatory.

Executive Order 12291

The Department of the Interior (DOI) has examined these proposed rules according to the criteria of Executive Order 12291 (February 17, 1981). OSM has determined that these are not major rules and do not require a regulatory impact analysis because they will impose only minor costs on the coal industry and coal consumers. In addition, the proposed rules emphasize the use of performance standards instead of design criteria, which will allow operators to utilize the most cost-effective means of achieving the performance standards.

Regulatory Flexibility Act

The DOI has also determined, pursuant to the Regulatory Flexibility

Act, 5 U.S.C. 601 *et seq.*, that these rules will not have a significant economic impact on a substantial number of small entities. The proposed rules will allow small coal operators increased flexibility in meeting performance standards and should especially ease the regulatory burden on small coal operator in Appalachia.

National Environmental Policy Act

OSM has prepared a draft environmental assessment (EA) on this proposed rule and has made an interim finding that it would not significantly affect the quality of the human environment. The draft EA is on file in the OSM Administrative Record at the address listed in the "Addresses" section of this preamble. A final EA will be completed and a final conclusion reached on the significance of any resulting impacts before issuance of the final rule. OSM also is preparing an EA of the cumulative impacts on the human environment of this rulemaking and related rulemaking under the Act. This cumulative EA also will be completed before this rule is made final.

List of Subjects in 30 CFR

Part 701

Coal mining, Law enforcement, Surface mining, Underground mining.

Part 785

Coal mining, Reporting requirements, Surface mining, Underground mining.

Part 816

Coal mining, Environmental protection, Reporting requirements, Surface mining.

Part 817

Coal mining, Environmental protection, Reporting requirements, Underground mining.

Part 824

Coal mining, Environmental protection, Surface mining.

Part 826

Coal mining, Environmental protection, Reporting requirements, Surface mining, Underground mining.

Accordingly, 30 CFR Parts 701, 785, 816, 817, 824, and 826 are proposed to be amended, as set forth herein.

Dated: April 8, 1982.

Daniel N. Miller, Jr.,

Assistant Secretary, Energy and Minerals.

PART 701—PERMANENT REGULATORY PROGRAM

1. Section 701.5 is amended by adding a definition of "higher or better uses" in alphabetical order and by revising the definition of "land use" to read as follows:

§ 701.5 Definitions.

* * * * *

Higher or better uses means those postmining land uses that have a higher economic value or other benefit to the landowner or community than the premining land use.

* * * * *

Land use means specific uses or management-related activities, rather than the vegetation or cover of the land. Land uses may be identified in combination when joint or seasonal uses occur and may include support facilities that are an integral part of the use. Changes of land use or uses from one of the following categories to another shall be considered as a change to and alternative land use which is subject to approval by the regulatory authority.

(a) *Cropland.* Land used for the production of adapted crops for harvest, alone or in a rotation with grasses and legumes, and includes row crops, small grain crops, hay crops, nursery crops, orchard crops, and other similar specialty crops.

(b) *Pastureland or land occasionally cut for hay.* Land used primarily for the long-term production of adapted, domesticated forage plants to be grazed by livestock or occasionally cut and cured for livestock feed.

(c) *Grazingland.* Land used for grasslands and forest lands where the indigenous vegetation is actively managed for grazing, browsing, or occasional hay production.

(d) *Forestry.* Land used or managed for the long-term production of wood, wood fiber, or wood-derived products.

(e) *Residential.* Land used for single- and multiple-family housing, mobile home parks, and other residential lodgings.

(f) *Industrial/Commercial.* Land used for—

(1) Extraction or transformation of materials for fabrication of products, wholesaling of products, or long-term storage of products. This includes all heavy and light manufacturing facilities.

(2) Retail or trade of goods or services, including hotels, motels, stores, restaurants, and other commercial establishments.

(g) *Recreation.* Land used for public or private leisure-time use, including developed recreation facilities such as parks, camps, and amusement areas, as well as areas for less intensive uses such as hiking, canoeing, and other undeveloped recreational uses.

(h) *Fish and wildlife habitat.* Land dedicated wholly or partially to the production, protection, or management of species of fish or wildlife.

(i) *Developed water resources.* Land used for storing water for beneficial uses such as stockponds, irrigation, fire protection, flood control, and water supply.

(j) *Undeveloped land or no current use or land management.* Land that is undeveloped or, if previously developed, land that has been allowed to return naturally to an undeveloped state or has been allowed to return to forest through natural succession.

* * * * *

PART 785—REQUIREMENTS FOR PERMITS FOR SPECIAL CATEGORIES OF MINING

2. Section 785.14(c)(1)(ii) is revised to read as follows:

§ 785.14 Mountaintop removal mining.

* * * * *

(c) * * *

(1) * * *

(ii) The applicant demonstrates compliance with the requirements for acceptable alternative postmining land uses of paragraph (c) of § 816.133 of this chapter;

* * * * *

3. Section 785.16 is revised to read as follows:

§ 785.16 Permits incorporating variances from approximate original contour restoration requirements.

(a) This section applies to nonmountaintop removal, surface coal mining and reclamation operations under a regulatory program, where the operation is not to be reclaimed to achieve the approximate original contour required by §§ 816.101 through 816.106 or 817.101 through 817.106 of this chapter.

(b) The objective of this section is to allow for a variance from approximate original contour restoration requirements for surface coal mining and reclamation operations to—

(1) Improve watershed control of lands within the permit area and on adjacent lands; and

(2) Make land within the permit area, after reclamation, suitable for an industrial, commercial, residential, or public use, including recreational facilities.

(c) The regulatory authority may issue a permit for surface mining activities incorporating a variance from the requirement for restoration of the affected lands to their approximate original contour only if it first finds, in writing, on the basis of a complete

application, that all the following requirements are met:

(1) The applicant has demonstrated that the purpose of the variance is to make the lands to be affected within the permit area suitable for an industrial, commercial, residential, or public use postmining land use.

(2) The applicant has demonstrated compliance with the requirements for alternative postmining land uses of §§ 816.133(c) and 817.133(c) of this chapter.

(3) The applicant has demonstrated that the watershed of lands within the proposed permit area and adjacent areas will be improved by the operations. The watershed will only be deemed improved if—

(i) There will be a reduction in the amount of total suspended solids or other pollutants discharged to ground or surface waters from the permit area as compared to such discharges prior to mining, so as to improve public or private uses or the ecology of such waters; or, there will be reduced flood hazards within the watershed containing the permit area by reduction of the peak flow discharges from precipitation events or thaws;

(ii) The total volume of flows from the proposed permit area, during every season of the year, will not vary in a way that adversely affects the ecology of any surface water or any existing or planned use of surface or ground water; and

(iii) The appropriate State environmental agency approves the plan.

(4) The applicant has demonstrated that the owner of the surface of the lands within the permit area has knowingly requested, in writing, as part of the application, that a variance be granted. The request shall be made separately from any surface owner consent given for the operations under §§ 778.15 or 782.15 of this chapter and shall show an understanding that the variance could not be granted without the surface owner's request.

(5) The applicant has demonstrated that the proposed operations will be conducted in compliance with the requirements of §§ 816.133(d) or 817.133(d) of this chapter.

(d) If a variance is granted under this section—

(1) The requirements of § 816.133(d) of this chapter shall be made a specific condition of the permit; and

(2) The permit shall be specifically marked as containing a variance from approximate original contour.

(e) Any permits incorporating a variance issued under this section shall be reviewed by the regulatory authority to evaluate the progress and development of the mining activities, to establish that the operator is proceeding in accordance with the terms of the variance—

(1) Within the 6-month period preceding the third year from the date of its issuance;

(2) Before each permit renewal; and

(3) Not later than the middle of each permit term.

(f) If the permittee demonstrates to the regulatory authority at any of the times specified in paragraph (e) of this section that the operations involved have been and continue to be conducted in compliance with the terms and conditions of the permit, the requirements of the Act, this chapter, and the regulatory program, the review required at that time need not be held.

(g) The terms and conditions of a permit incorporating a variance under this section may be modified at any time by the regulatory authority, if it determines that more stringent measures are necessary to insure that the operations involved are conducted in compliance with the requirements of this Act, this chapter, and the regulatory program.

(h) The regulatory authority may only grant variances in accordance with this section if it has promulgated specific regulations to govern the granting of variances in accordance with the provisions of this section and additional and more stringent requirements as it deems to be necessary.

PART 816—PERMANENT PROGRAM PERFORMANCE STANDARDS—SURFACE MINING

4. Section 816.133 is revised to read as follows:

§ 816 Postmining land use.

(a) *General.* All disturbed areas shall be restored in a timely manner to conditions that are capable of supporting—

(1) The uses which they were capable of supporting before any mining; or

(2) Higher or better uses achievable under criteria and procedures of this section.

(b) *Determining premining uses of land.* The premining uses of land to which the postmining land use is compared shall be those uses which the land previously supported, if the land had not been previously mined and had been properly managed. The postmining land use for land that has been previously mined and not reclaimed shall be judged on the basis of the land use that existed prior to any mining: *Provided that,* if the land cannot be reclaimed to the land used that existed prior to any mining because of the previously mined condition, the postmining land use shall be judged on the basis of the highest and best use that can be achieved which is compatible with surrounding areas and does not require the disturbance of areas previously unaffected by mining.

(c) *Criteria for alternative postmining land uses.* Alternative land uses may be approved by the regulatory authority after consultation with the landowner or the land management agency having jurisdiction over the lands, if the following criteria for higher or better uses are met:

(1) There is a reasonable likelihood for achievement of the proposed use.

(2) The use does not present any actual or probable hazard to public health or safety, or threat of water diminution or pollution.

(3) The proposed postmining use is not impractical or unreasonable, inconsistent with applicable land use policies or plans, going to involve unreasonable delay in implementation, or in violation of Federal, State, or local law.

Alternative A for § 816.133(d)

5. In § 816.133, paragrapgh (d) is added to read as follows:

§ 816.133 Postmining land use.

* * * * *

(d) *Approximately original contour: Criteria for variance.* Operations that meet the requirements of this paragraph may be conducted under a variance from the requirement to restore affected areas to the approximate original contour, if the following requirements are satisfied:

(1) The regulatory authority grants the variance under a permit issued in accordance with § 785.16 of this chapter.

(2) The alternative postmining land use requirements of paragraph (c) of this section are met.

(3) All applicable requirements of the Act and the regulatory program, other than the requirement to restore affected areas to their approximate original contour, are met.

(4) After consultation with the appropriate land use planning agencies, if any, the potential use is shown to constitute an equal or better economic or public use.

(5) The proposed use is designed and certified by a registered professional engineer in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site.

(6) After approval, where required, of the appropriate State environmental agencies, the watershed of the affected land is shown to be improved.

(7) The highwall is completely backfilled with spoil material, in a manner which results in a static factor of safety of at least 1.3 using standard geotechnical analyses.

(8) Only the amount of spoil as is necessary to achieve the postmining land use, ensure the stability of spoil retained on the bench, and meet all other requirements of the Act and this chapter shall be placed off the mine bench. All spoil not retained on the bench shall be placed in accordance with §§ 816.71 through 816.74, and 816.101 through 816.106 of this chapter.

(9) The surface landowner of the permit area has requested, in writing, that a variance be granted, so as to render the land, after reclamation, suitable for an industrial, commercial, residential, or public use (including recreational facilities).

(10) Federal, State, and local government agencies with an interest in the proposed land use have a maximum of a 60-day period in which to review and comment on the proposed use.

Alternative B for Section 816.133(d)

6. In § 816.133, paragraph (d) is added to read as follows:

§ 816.133 Postmining land use.

* * * * *

(d) *Approximate original contour: Criteria for variance.*

Operations that meet the requirements of this paragraph may be conducted under a variance from the requirement to restore affected areas to the approximate original contour, if the following requirements are satisfied:

(1) The regulatory authority grants the variance under a permit issued in accordance with § 785.16 of this chapter.

(2) The alternative postmining land use requirements of paragraph (c) of this section are met.

(3) All applicable requirements of the Act and the regulatory program, including § 826.12 of this chapter, other than the requirement to restore affected areas to their approximate original contour, are met.

(4) After consultation with the approximate land use planning agencies, if any, the potential use is shown to constitute an equal or better economic or public use.

(5) The proposed use is designed and certified by a registered professional engineer in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site.

(6) After approval, where required, of the appropriate State environmental agencies, the watershed of the affected land is shown to be improved.

(7) The highwall is completely backfilled with spoil material, in a manner which results in a static factor of safety of at least 1.3 using standard geotechnical analyses.

(8) Only the amount of spoil as is necessary to achieve the postmining land use, ensure the stability of spoil retained on the bench, and meet all other requirements of the Act and this chapter shall be placed off the mine bench. All spoil not retained on the bench shall be placed in accordance with §§ 816.71 through 816.74, and 816.101 through 816.106 of this chapter.

(9) The surface landowner of the permit area has requested, in writing, that a variance be granted, so as to render the land, after reclamation, suitable for an industrial, commercial, residential, or public use (including recreational facilities).

(10) Federal, State, and local government agencies with an interest in the proposed land use have a maximum of a 60-day period in which to review and comment on the proposed use.

(11) The operation is in an area with slopes of more than 20 degrees or such lesser slopes as may be defined by the regulatory authority after consideration of soil, climate, and other characteristics of the region or State.

7. Section 817.133 is revised to read as follows:

§ 817.133 Postmining land use.

(a) *General.* All disturbed areas shall be restored in a timely manner to conditions that are capable of supporting—

(1) The uses which they were capable of supporting before any mining; or

(2) Higher or better uses achievable under criteria and procedures of this section.

(b) *Determining premining uses of land.* The premining uses of land to which the postmining land use is compared shall be those uses which the land previously supported, if the land had not been previously mined and had been properly managed. The postmining land use for land that has been previously mined and not reclaimed shall be judged on the basis of the land use that existed prior to any mining: *Provided that,* if the land cannot be reclaimed to the land use that existed prior to any mining because of the previously mined condition, the postmining land use shall be judged on the basis of the highest and best use that can be achieved which is compatible with surrounding areas and does not require the disturbance of areas previously unaffected by mining.

(c) *Criteria for alternative postmining land uses.* Alternative land uses may be approved by the regulatory authority after consultation with the landowner having jurisdiction over the lands, if the following criteria for higher or better uses are met:

(1) There is a reasonable likelihood for achievement of the proposed use.

(2) The use does not present any actual or probable hazard to public health and safety, or threat of water diminution or pollution.

(3) The proposed postmining use is not impractical or unreasonable, inconsistent with applicable land use policies or plans, going to involve unreasonable delay in implementation, or in violation of Federal, State, or local law.

Alternative A for § 817.133(d)

8. In § 817.133, paragraph (d) is added to read as follows:

§ 817.133 Postmining land use.

* * * * *

(d) *Approximate original contour: Criteria for variance.*

Operations that meet the requirements of this paragraph may be conducted under a variance from the requirement to restore affected areas to the approximate original contour, if the following requirements are satisfied:

(1) The regulatory authority grants the variance under a permit issued in accordance with § 785.16 of this chapter.

(2) The alternative postmining land use requirements of paragraph (c) of this section are met.

(3) All applicable requirements of the Act and the regulatory program, other than the requirement to restore affected areas to their approximate original contour, are met.

(4) After consultation with the appropriate land use planning agencies, if any, the potential use is shown to constitute an equal or better economic or public use.

(5) The proposed use is designed and certified by a registered professional engineer in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site.

(6) After approval, where required, of the appropriate State environmental agencies, the watershed of the affected land is shown to be improved.

(7) The highwall is completely backfilled with spoil material, in a

manner which results in a static factor of safety of at least 1.3 using standard geotechnical analyses.

(8) Only the amount of spoil as is necessary to achieve the postmining land use, ensure the stability of spoil retained on the bench, and meet all other requirements of the Act and this chapter shall be placed off the mine bench. All spoil not retained on the bench shall be placed in accordance with §§ 817.71 through 817.74 and 817.101 through 817.106 of this chapter.

(9) The surface landowner of the permit area has requested, in writing, that a variance be granted, so as to render the land, after reclamation, suitable for an industrial, commercial, residential, or public use (including recreational facilities).

(10) Federal, State, and local government agencies with an interest in the proposed land use have a maximum of a 60-day period in which to review and comment on the proposed use.

Alternative B for § 817.133(d)

9. In § 817.133, paragraph (d) is added to read as follows:

§ 817.133 Postmining land use.

* * * * *

(d) *Approximate original contour: Criteria for variance.*

Operations that meet the requirements of this paragraph may be conducted under a variance from the requirement to restore affected areas to the approximate original contour, if the following requirements are satisfied:

(1) The regulatory authority grants the variance under a permit issued in accordance with § 785.16 of this chapter.

(2) The alternative postmining land use requirements of paragraph (c) of this section are met.

(3) All applicable requirements of the Act and the regulatory program, including § 826.12 of this chapter, other than the requirement to restore affected areas to their approximate original contour, are met.

(4) After consultation with the appropriate land use planning agencies, if any, the potential use if shown to constitute an equal or better economic or public use.

(5) The proposed use is designed and certified by a registered professional engineer in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site.

(6) After approval, where required, of the appropriate State environmental agencies, the watershed of the affected land is shown to be improved.

(7) The highwall is completely backfilled with spoil material, in a manner which results in a static factor of safety of at least 1.3 using standard geotechnical analyses.

(8) Only the amount of spoil as is necessary to achieve the postmining land use, ensure the stability of spoil retained on the bench, and meet all other requirements of the Act and this chapter shall be placed off the mine bench. All spoil not retained on the bench shall be placed in accordance with §§ 817.71 through 817.74 and 817.101 through 817.106 of this chapter.

(9) The surface landowner of the permit area has requested, in writing, that a variance be granted, so as to render the land, after reclamation, suitable for an industrial, commercial, residential, or public use (including recreational facilities).

(10) Federal, State, and local governmental agencies with an interest in the proposed land use have a maximum of a 60-day period in which to review and comment on the proposed use.

(11) The operation is in an area with slopes of more than 20 degrees or such lesser slopes as may be defined by the regulatory authority after consideration of soil, climate, and other characteristics of the region or State.

PART 824—SPECIAL PERMANENT PROGRAM PERFORMANCE STANDARDS—MOUNTAINTOP REMOVAL

10. Section 824.11(a)(4) is revised to read as follows:

§ 824.11 Mountaintop removal: Performance standards.

(a) * * *

(4) The alternative land use requirements of paragraph (c) of § 816.133 of this chapter are met;

* * * * *

PART 826—SPECIAL PERMANENT PROGRAM PERFORMANCE STANDARDS—OPERATIONS ON STEEP SLOPES

§ 826.15 [Removed]

11. Section 826.15 is removed.

(Pub. L. 95-87, 30 U.S.C. 1201 *et seq.*)

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FEDERAL REGISTER PAGES AND DATES, APRIL

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.

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	

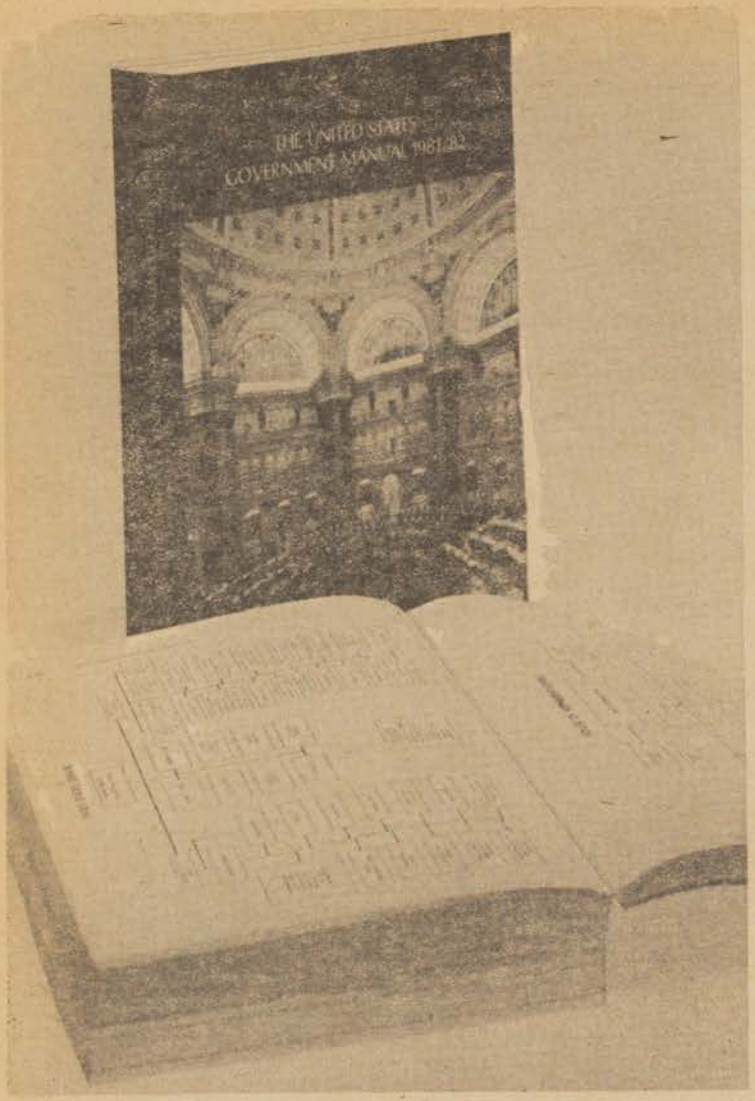
Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. Comments on this program are still invited.

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



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Of significant historical interest is Appendix A, which describes the agencies and functions of the Federal Government abolished or transferred subsequent to March 4, 1933.

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