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

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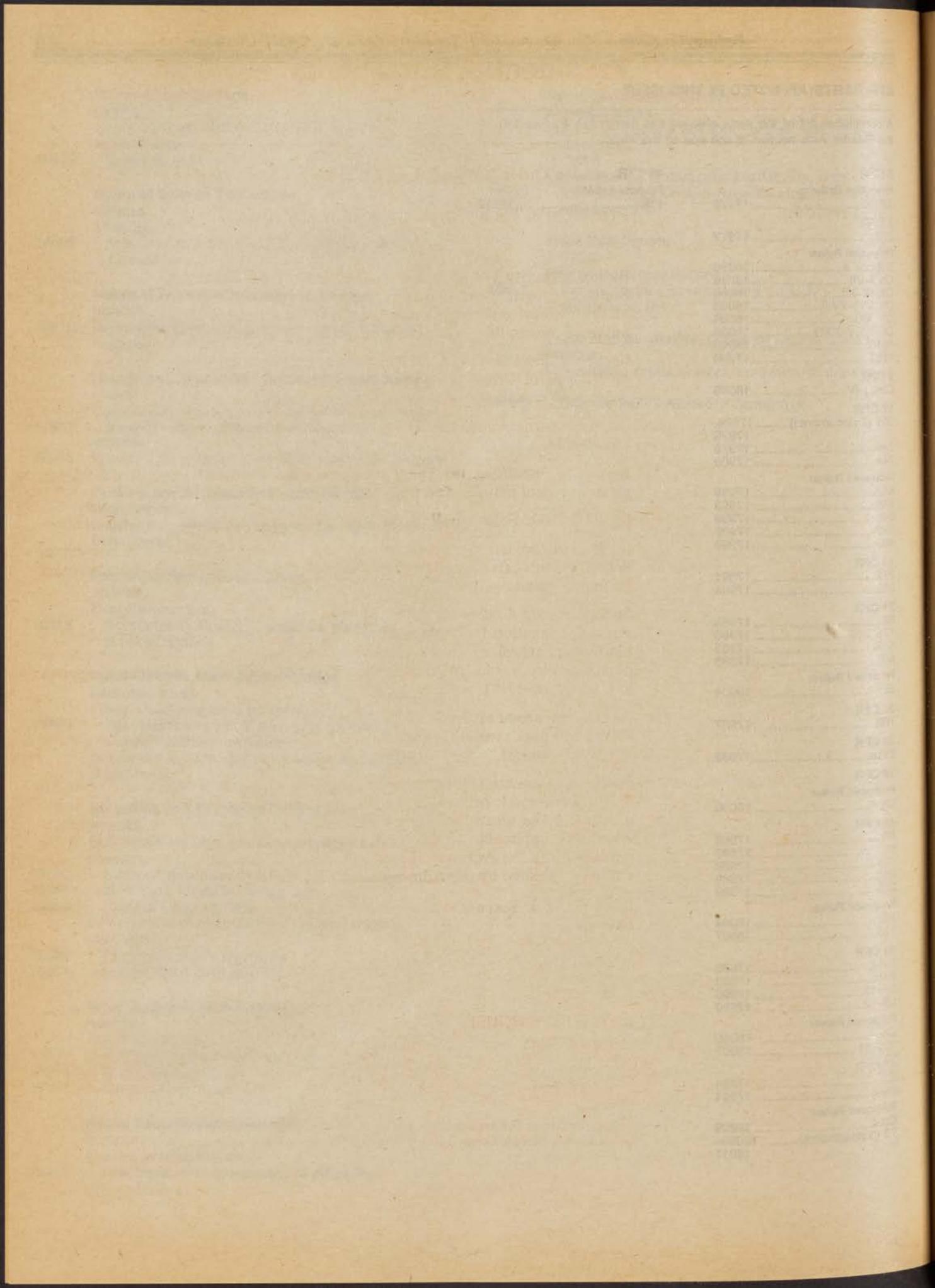
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Presidential Documents

Title 3—

Executive Order 12360 of April 23, 1982

The President

President's Task Force on Victims of Crime

By the authority vested in me as President by the Constitution of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), an advisory committee on victims of crime, it is hereby ordered as follows:

Section 1. Establishment. (a) There is established the President's Task Force on Victims of Crime. The Task Force shall be composed of members from public and private life who shall be appointed by the President.

(b) The President shall designate a Chairman from among the members of the Task Force.

Section 2. Functions. (a) The Task Force shall conduct a review of national, state and local policies and programs affecting victims of crime.

(b) The Task Force shall work with the Cabinet Council on Legal Policy.

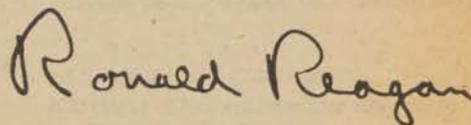
(c) It shall advise the President and the Attorney General with respect to actions which can be undertaken to improve our efforts to assist and protect victims of crime.

Section 3. Administration. (a) Members of the Task Force shall serve without any compensation for their work on the Task Force. However, they shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707).

(b) Any expenses of the Task Force shall, to the extent permitted by law and subject to the availability of funds, be paid from funds available to the Attorney General.

Section 4. General. (a) Notwithstanding the provisions of any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended, except that of reporting annually to the Congress, which are applicable to the Task Force established by this Order, shall be performed by the Attorney General in accordance with guidelines and procedures established by the Administrator of General Services.

(b) The Task Force shall terminate on December 31, 1982, unless sooner extended.



THE WHITE HOUSE,
April 23, 1982.

[FR Doc. 82-11543

Filed 4-23-82; 4:00 pm]

Billing code 3195-01-M

Editorial Note: The President's remarks of Apr. 23, 1982, on signing Executive Order 12360 are printed in the *Weekly Compilation of Presidential Documents* (vol. 18, no. 16).

Presidential Documents

Proclamation 3466 - Victims of Crime

Section 1. Whereas the President by the Commission of the United States of America and in order to provide for the victims of crime and their families and to provide for the victims of crime and their families and to provide for the victims of crime and their families...

(b) The President shall designate a Commission on the Victims of Crime and shall submit a report to the President...

Section 2. The President shall designate a Commission on the Victims of Crime and shall submit a report to the President...

Section 3. The President shall designate a Commission on the Victims of Crime and shall submit a report to the President...

Section 4. The President shall designate a Commission on the Victims of Crime and shall submit a report to the President...

(c) The President shall designate a Commission on the Victims of Crime and shall submit a report to the President...

Richard Nixon

THE WHITE HOUSE
WASHINGTON

Proclamation 3466 - Victims of Crime

Rules and Regulations

Federal Register

Vol. 47, No. 81

Tuesday, April 27, 1982

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 273

[Amdt. 212]

Food Stamp Program; Adjustment of Income Eligibility Standards

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule.

SUMMARY: The Department is adjusting the highest income which a household may have and still be eligible for food stamps. The Food Stamp Act of 1977, as amended, requires the Department to make this adjustment each year. By adjusting the income eligibility limits, the Program takes into account changes in the cost of living.

EFFECTIVE DATE: July 1, 1982.

FOR FURTHER INFORMATION CONTACT: Thomas O'Connor, Supervisor, Policy and Regulations Section, Program Standards Branch, Program Development Division, Family Nutrition Programs, Food and Nutrition Service, USDA, Alexandria, Virginia 22302; (703) 756-3429.

SUPPLEMENTARY INFORMATION:

Classification

Executive Order 12291. The Department has reviewed this rule under Executive Order 12291 and Secretary's Memorandum No. 1512-1. The rule will affect the economy by less than \$100 million a year. The rule will not significantly raise costs or prices for consumers, industries, government agencies or geographic regions. There will not be significant adverse effects on competition, employment, investment, productivity, innovation, or on the

ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Therefore, the Department has classified the rule as "not major".

Publication. Mr. Samuel J. Cornelius, Administrator of the Food and Nutrition Service, has determined that this rule warrants publication without opportunity for a public comment period. The Food Stamp Act of 1977, as amended (7 U.S.C. 2014) does not provide the Department any discretion concerning the content and timing of these changes. Therefore, public comments would have no impact on the content of the rule. Further, State agencies must implement the rule on July 1, 1982. The State agencies need adequate advance notice of the new standards to carry out all steps necessary for them to meet the implementation deadline. For these reasons, pursuant to the administrative procedure provisions in 5 U.S.C. 553(b)(1)(B), it is found upon good cause that notice and other public procedure with respect to this final action are unnecessary.

Regulatory Flexibility Act. The Administrator of the Food and Nutrition Service has certified that this action will not have a significant economic impact on a substantial number of small entities. This action will primarily affect State and local welfare agencies and future applicants for food stamps. The effect upon the welfare agencies is not significant.

Recordkeeping Requirements. This rule does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget (OMB).

Background

Section 5(c) of the Food Stamp Act of 1977, as amended, sets the income eligibility standards for the Food Stamp Program. The income standards are based upon the nonfarm income poverty guidelines which the Department of Health and Human Services issues. Section 5(c) of the Act also requires that the income standards take into account the annual adjustments to the nonfarm income poverty guidelines. Therefore, the Department is amending the Food Stamp Program's regulations to adjust the income eligibility standards.

List of Subjects in 7 CFR Part 273

Administrative practice and procedure, Aliens, Claims, Food stamps, Fraud, Grant programs—social programs, Penalties, Reporting and recordkeeping requirements, Social security, Students.

PART 273—CERTIFICATION OF ELIGIBLE HOUSEHOLDS

For the reasons set out in the preamble, Part 273 of Chapter II of Title 7 of the Code of Federal Regulations is amended as follows:

In § 273.9, Appendices A and B are revised to read as follows:

§ 273.9 Income and deductions.

APPENDIX A—GROSS MONTHLY INCOME ELIGIBILITY STANDARDS

Household size	48 States ¹	Alaska	Hawaii
1.....	507	636	584
2.....	674	844	776
3.....	841	1,052	968
4.....	1,008	1,260	1,160
5.....	1,175	1,468	1,351
6.....	1,342	1,676	1,543
7.....	1,508	1,884	1,735
8.....	1,675	2,092	1,927
Each additional.....	+167	+208	+192

¹ Includes District of Columbia, Guam, and Virgin Islands.

APPENDIX B—NET MONTHLY INCOME ELIGIBILITY STANDARDS

Household size	48 States ¹	Alaska	Hawaii
1.....	390	490	450
2.....	519	650	597
3.....	647	810	745
4.....	775	970	892
5.....	904	1,130	1,040
6.....	1,032	1,290	1,187
7.....	1,160	1,450	1,335
8.....	1,289	1,610	1,482
Each additional.....	+129	+160	+148

¹ Includes District of Columbia, Guam, and Virgin Islands.

(91 Stat. 958 (7 U.S.C. 2011-2027))

(Catalogue of Federal Domestic Assistance No. 10.551, Food Stamps)

Dated: April 20, 1982.

Samuel J. Cornelius,
Administrator, Food and Nutrition Service.

[FR Doc. 82-11243 Filed 4-26-82; 8:45 am]

BILLING CODE 3410-30-M

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Share, Share Draft, and Share Certificate Accounts; Deregulation

AGENCY: National Credit Union
Administration.

ACTION: Final rule.

SUMMARY: On March 4, 1982, the NCUA Board issued a proposed rule soliciting public comment on a proposal to deregulate the NCUA rules and regulations concerning share, share draft, and share certificate accounts. The majority of the public comments supported complete deregulation. In view of the public comments, the Board has issued a final rule which provides for the deregulation of share, share draft, and share certificate accounts. The final rule places the responsibility for determining the terms and conditions on share, share draft, and share certificate accounts with a Federal credit union's board of directors. The final rule also contains conforming amendments to regulations concerning borrowed funds from natural persons. This rule removes regulatory restrictions which limit the ability of Federal credit unions to compete effectively and to better serve their members.

EFFECTIVE DATE: April 27, 1982.

ADDRESS: National Credit Union
Administration, 1776 G St., NW.,
Washington, DC, 20456.

FOR FURTHER INFORMATION CONTACT:
Randall J. Miller, Staff Economist, (202)
357-1090.

SUPPLEMENTARY INFORMATION: On March 4, 1982, the NCUA Board issued a proposed rule soliciting public comment on a proposal to deregulate § 701.35 of the NCUA Rules and Regulations. The proposal placed the responsibility for determining the terms and conditions governing share accounts with a Federal credit union's board of directors. The board of directors would be responsible for determining the classes of accounts to be offered, maturities, dividend rates, minimum denominations, premature withdrawal penalty provisions, and any other terms or conditions governing the account. In addition, the proposed rule stipulated that a Federal credit union should not use advertising, disclosures, or agreements that misrepresent the terms or conditions of its share, share draft, or share certificate accounts or that mislead current or prospective account holders.

Summary of Public Comments

A total of 168 comments on the deregulation proposal were received from credit unions, credit union leagues, and trade associations, and other interested parties. A majority (122) of the commenters supported the proposal to completely deregulate § 701.35. However, some commenters suggested that the wording of paragraph (b) of the proposed rule be amended to state that a Federal credit union shall accurately disclose the terms and conditions governing its share accounts rather than stating that no Federal credit union shall misrepresent the terms or conditions governing share accounts.

In issuing the proposed rule, the Board also requested comments on: (1) Whether the current 21 percent loan ceiling or a higher or lower rate ceiling would be appropriate in the event of deregulation of share accounts, and (2) how any other asset side regulations should be amended. A majority of commenters expressed concern that the complete flexibility provided by deregulation of the liabilities side of the balance sheet was not matched by corresponding flexibility on the asset side. With respect to the loan rate ceiling, several commenters indicated that maintenance of the current 21 percent ceiling would be necessary to accommodate the deregulation of the liabilities side in the current interest rate environment. However, there was support for a loan rate ceiling greater than 21 percent, and for the elimination of the loan rate ceiling. With respect to other asset side regulations, commenters suggested that broader investment powers and liberalization of the five percent fixed asset rule warrant consideration.

Among the commenters opposed to deregulation, the general view was that there was a need for specific regulations. Many of these commenters expressed concern that deregulation would necessarily result in higher dividend expense and higher loan rates for borrowers.

Final Rule

In view of the public comments generally supporting the proposal to deregulate § 701.35 of the NCUA rules and regulations, the NCUA Board has approved a final rule which places the responsibility for determining the terms and conditions governing share, share draft, and share certificate accounts with a Federal credit union's board of directors.

The final rule references sections 107(6) and 117 of the Federal Credit Union Act. Section 107(6) stipulates that

Federal credit unions may receive from members, other credit unions, certain public units, and nonmembers in the case of credit unions serving predominantly low income members, payments on shares at varying dividend rates, share certificates at varying dividend rates, and maturities, and share drafts subject to terms, rates, and conditions as may be established by the board of directors. Thus, with the exception of low income credit unions, the Act does not authorize Federal credit unions to receive shares from nonmembers.

Section 117 states that Federal credit union boards of directors may authorize, after the provision for required reserves, the payment of dividends on share, share draft and share certificate accounts. Authorized dividends, therefore, are based on available current and prior earnings after the provision for required reserves, and as a matter of law may not be guaranteed in advance.

Subsection (b) of the final rule requires that Federal credit unions accurately represent the terms and conditions of their share, share draft and share certificate accounts in all disclosures, advertising, or agreements.

Conforming Amendments to § 701.38, Borrowed Funds From Natural Persons

Section 701.38(a)(3) required that borrowing from natural persons be consistent with the rate and maturity limitations and other terms and conditions applicable to share and share certificate accounts. An exception was set forth in § 701.38(b) to enable Federal credit unions to offer retail repurchase accounts that are competitive with other intermediaries.

Inasmuch as the limitations on rate, maturity and other terms and conditions of share and share certificate accounts have been eliminated, conforming amendments are made repealing §§ 701.38(a)(3) and 701.38(b). It is noted that retail repurchase activities continue to be subject to the limitations of § 703.3(b)(6) which apply to all reverse repurchase transactions, as that term is defined in Part 703. (Part 703 is presently under staff review and changes may be forthcoming at a later date.) Since the changes repealing §§ 701.38(a)(3) and 701.38(b) are merely technical conforming amendments, the NCUA Board finds, for good cause, that public comment is unnecessary and contrary to the public interest, 5 U.S.C. 553(b)(B).

Regulatory Procedures

The NCUA Board certifies that the final rule will not have a significant economic impact on a substantial

number of small Federal credit unions. The final rule increases management flexibility and the competitive position of small credit unions. Therefore, a regulatory flexibility analysis is not required. 5 U.S.C. 605(b).

Effective date. The amendments to §§ 701.35 and 701.38 are being made effective in less than 30 days because they relieve regulatory restrictions, 5 U.S.C. 553(d)(1).

List of Subjects in 12 CFR Part 701

Credit unions.

Accordingly, the NCUA Board has adopted a final rule amending 12 CFR 701.35 and 701.38 as set forth below.

(12 U.S.C. 1757(6) and 1766(a))

Dated: April 21, 1982.

Beatrix D. Fields,

Acting Secretary of the National Credit Union Administration Board.

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

Section 701.35 is revised to read as follows:

§ 701.35 Share, share draft, and share certificate accounts.

(a) Federal credit unions may offer share, share draft, and share certificate accounts in accordance with section 107(6) of the Act (12 U.S.C. 1757(6)) and the board of directors may declare dividends on such accounts as provided in section 117 of the Act (12 U.S.C. 1763).

(b) A Federal credit union shall accurately represent the terms and conditions of its share, share draft, and share certificate accounts in all advertising, disclosures, or agreements, whether written or oral.

§ 701.38 [Amended]

2. Section 701.38 is amended by removing § 701.38 (a)(3) and (b).

[FR Doc. 82-11424 Filed 4-26-82; 8:45 am]

BILLING CODE 7535-01-M

12 CFR Parts 701 and 745

Payment on Shares by Public Units

AGENCY: National Credit Union Administration.

ACTION: Final rule.

SUMMARY: In accordance with its established policy of reviewing its regulations at regular intervals, the National Credit Union Administration (NCUA) reviews its regulation covering payment on shares by public units. As a result of this review and in response to public comments, the NCUA Board has deleted this rule. This action removes

regulatory restrictions and allows boards of directors of Federal credit unions to establish their own policies pertaining to public unit accounts.

EFFECTIVE DATE: April 27, 1982.

ADDRESS: National Credit Union Administration, 1776 G Street, N.W., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: Thomas C. Buckman, Department of Supervision and Examination at the above address, Telephone: (202) 357-1065.

SUPPLEMENTARY INFORMATION: On November 25, 1981, the NCUA Board issued for public comment a proposed rule regarding the payment on shares in Federal credit unions by public units (12 CFR 701.32) 46 FR 57694. The proposed rule would have expanded the individual and aggregate limits on public unit accounts for Federal credit unions with assets of \$2,000,000 or more. As proposed the individual public unit account would have been expanded from 5 percent of assets to 10 percent of assets, and the limit on the aggregate amount of such accounts would have been expanded from 20 percent of assets to 30 percent of assets.

Eight comments were received on the proposed rule. Five of the comments were from credit unions and three were from leagues or trade associations. All of the commentors favored the spirit of the proposal to give the boards of directors of Federal credit unions more freedom and flexibility in the management of public unit funds. However, half of the commentors recommended complete elimination of the limits pertaining to the amount of public unit funds that credit union can accept. These commentors believe that the boards of directors of credit unions should be given the opportunity to demonstrate that they can responsibly manage public unit funds.

The NCUA Board has carefully considered the public comments and believes that boards of directors of Federal credit unions should be given the opportunity to demonstrate that they can successfully manage public unit funds. Therefore, § 701.32 of the NCUA Rules and Regulations pertaining to public unit accounts is eliminated.

Thus, the boards of directors of Federal credit unions will have complete freedom and flexibility in the management of public unit funds within the provisions of the Federal Credit Union Act (Act) (12 U.S.C. 1752, 1757(6), 1785(f), and 1787(c)(2)).

However, the NCUA Board would like to stress the importance of sound funds management policies and procedures for those Federal credit unions which offer

public unit accounts. Because of the nature of public unit accounts, these funds are normally withdrawn without notice. Thus, forward planning and sound asset/liability management is essential to the successful management of public unit accounts. Normally, volatile share capital such as public unit funds should be balanced with short-term liquid assets in which the credit union earns a positive return.

Purchase of Share Drafts and Share Certificates by Public Units

One of the commentors raised questions concerning the ability of Federal credit unions to offer share certificate and share draft accounts to public units in addition to regular share accounts. Federal credit unions may offer regular share accounts or share certificates to any public unit meeting the criteria specified in the Act. A Federal credit union may also offer a share draft account to any public unit which is a member of a Federal credit union. In addition, a Federal credit union may offer share drafts to any public unit meeting the criteria specified in the Act if public unit is operated primarily for religious, philanthropic, charitable, educational, or other similar purposes and which is not operated for profit (12 U.S.C. 1785(f)).

Therefore, if the public unit is not a member or does not meet the aforementioned criteria, it is not permitted to have a share draft account in a Federal credit union.

Technical Amendments

Sections 701.37-1, 701.37-2, and 745.10 of the NCUA rules and regulations contain references to the previous limitations on public unit accounts. Since the individual and aggregate amount limits are no longer applicable to public unit accounts, technical amendments have been made to §§ 701.37-1, 701.37-2, and 745.10 in order that the policies pertaining to public unit accounts are applied uniformly.

Regulatory Procedures

Regulatory Flexibility Act

The NCUA Board hereby certifies that this final rule will not have a significant economic impact on a substantial number of small credit unions since the final rule adds no additional paperwork burdens or restrictions upon them. Therefore, a regulatory flexibility analysis is not required, pursuant to 5 U.S.C. 605(b).

Effective Date

This rule will be effective in less than 30 days because it relieves regulatory restrictions (5 U.S.C. 553(d)(1)).

List of Subjects in 12 CFR Part 701

Credit unions.

(12 U.S.C. 1766, 1752, 1757(g), 1785(f), and 1787(c)(2))

By order of the National Credit Union Administration Board, April 21, 1982.

Beatrix D. Fields,
Acting Secretary of the National Credit Union Administration Board.

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS**§ 701.32 [Removed]**

1. Part 701 is amended by removing § 701.32.

§ 701.37-1 [Amended]

2. Section 701.37-1(e) is revised to read as follows:

* * * * *

(e) The sum of the amounts held in the TT&L Remittance Account and the TT&L Note Account shall not exceed 10 per centum of the total assets of the credit union.

§ 701.37-2 [Amended]

3. Section 701.37-2(e) is revised to read as follows:

* * * * *

(e) The sum of the amounts held in the Treasury General Account and U.S. Treasury Time Deposit-Open Account shall not exceed 10 per centum of the total assets of the credit union.

PART 745—CLARIFICATION AND DEFINITION OF ACCOUNT INSURANCE COVERAGE**§ 745.10 [Amended]**

4. Section 745.10 is amended by removing paragraphs (b) and (c).

[FR Doc. 82-11453 Filed 4-26-82; 8:45 am]

BILLING CODE 7535-01-M

12 CFR Part 748**Minimum Security Devices and Procedures**

AGENCY: National Credit Union Administration.

ACTION: Final rule.

SUMMARY: In accordance with its established policy, the National Credit Union Administration (NCUA) reviewed its regulation for minimum security devices and procedures. As a result, the NCUA Board has approved this final

rule which substantially reduces the length of the regulation, eliminates unnecessary requirements, provides greater flexibility to credit unions in complying with the rule, and eliminates reporting burdens.

EFFECTIVE DATE: April 27, 1982.

ADDRESS: National Credit Union Administration, 1776 G Street, N.W., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: Thomas A. Straslicka, Department of Supervision and Examination, at the above address, Telephone: (202) 357-1065.

SUPPLEMENTARY INFORMATION: On July 23, 1981, the NCUA Board issued for public comment a proposed rule governing minimum security devices and procedures (12 CFR Part 748). Of the 12 commentors, six were from credit unions, two from credit union trade associations, two from credit union leagues, one from a surety bond company, and one from a state supervisor of credit unions.

All of the commentors liked the flexibility provided by the proposed rule, supported it as another positive step towards reducing regulatory burdens without jeopardizing credit union safety and soundness, and applauded the elimination of reporting forms and requirements.

Section 205(e) of the Federal Credit Union Act requires the NCUA Board to issue a rule for security devices. Upon further analysis of the proposed rule, the NCUA Board decided that § 748.1 could be deleted from the final rule without jeopardizing credit union safety and soundness. This section contained required minimum security devices and procedures along with factors for determining the necessity of additional security devices and procedures. The NCUA Board believes that credit unions; boards of directors are in the best position to decide the minimum security devices and procedures necessary for their credit unions. The contents of proposed § 748.1 will be inserted into the *Accounting Manual for Federal Credit Unions*.

The deregulation of required security devices and procedures does not mean that security is unimportant. Credit unions should follow prudent business practices to safeguard their assets. In addition, credit unions' surety bond companies could require specific security equipment if a credit union's loss exposure is unreasonable.

Minimum Specification for Security Devices and Requirements for Proper Employee Conduct During and After a Robbery

In the proposed rule, the NCUA Board requested comments on its proposal to remove these standards from the existing rule. Of the three commentors that addressed these standards, two commentors favored eliminating them from the rule. The third commentor suggested retaining the minimum specification for security devices and eliminating the requirements for proper employee conduct during and after a robbery. The commentors suggested that these standards should be placed in an NCUA manual when they are eliminated from the rule.

The NCUA Board concurs with eliminating these standards from the final rule. These standards will be placed in the *Accounting Manual for Federal Credit Unions*.

Crime and Catastrophic Act Report

In the proposed rule, a statement was made that the Federal Financial Institutions Examination Council (FFIEC) was reviewing this area. The requirements in the proposed rule were consistent with the requirements being considered by the FFIEC.

The FFIEC approved a final action for this area which substituted an informal, internal recordkeeping requirement for the formal Report of Crime. This action lessens the administrative burden on financial institutions. The NCUA Board agrees with the FFIEC action and § 748.2(b) was revised to be consistent with it.

Additional Regulation

A commentor recommended that a subsection be added to the rule which reads: "Other appropriate security measures that may be required by the company providing the bond." The NCUA Board did not adopt this suggestion because it believes it should not impose a surety company's standards upon credit unions by regulation. Rather, the adequacy of a credit union's security program is a matter that must be resolved by the credit union and its surety company.

Another commentor recommended that a § 748.0(d) be added to the rule which reads: "Credit union officials should consult with law enforcement officers, other specialists in the security field, and their bonding company when implementing or revising security programs." The NCUA Board agrees with the intent of the recommendation but believes this item more properly belongs in the *Accounting Manual for*

Federal Credit Unions. The addition of this requirement to the rule would not significantly enhance credit unions' safety and soundness. Therefore, the recommendation was not adopted.

Regulatory Flexibility Analysis

The final rule will not have a significant economic impact on a substantial number of small credit unions (less than \$1 million in assets) because the rule lessens the burden for these credit unions in a number of areas; e.g., bait money. Therefore, a Regulatory Flexibility Analysis is not required (5 U.S.C. 605(b)).

Effective Date

This rule is effective in less than 30 days because it relieves regulatory requirements (5 U.S.C. 553 (d)(1)).

List of Subjects in 12 CFR Part 748

Credit unions, Security measures.

By the NCUA Board, April 21, 1982.

Beatrix D. Fields,

Acting Secretary of the National Credit Union Administration Board.

1. Accordingly, Part 748 is revised to read as follows:

PART 748—MINIMUM SECURITY DEVICES AND PROCEDURES

Sec.

748.0 Security program.

748.1 Filing of reports.

Authority: 12 U.S.C. 1785.

§ 748.0 Security program.

(a) Each federally insured credit union will develop a written security program within 90 days of the effective date of insurance.

(b) The security program will be designed to protect each credit union office from robberies, burglaries and larcenies, to prevent destruction of vital records as defined in the *Accounting Manual for Federal Credit Unions*, and to assist in the identification of persons who commit or attempt such crimes.

§ 748.1 Filing of reports.

(a) *Compliance report.* Each federally insured credit union shall file with the regional director an annual statement certifying its compliance with the requirements of this Part. The statement shall be dated and signed by the president or other managing officer of the credit union. The statement is contained on the Report of Officials

which is submitted annually by federally insured credit unions after the election of officials. In the case of federally insured state-chartered credit unions, this statement can be mailed to the regional director via the state supervisory authority, if desired. In any event, a copy of the statement shall always be sent to the appropriate state supervisory authority.

(b) *Crime and Catastrophic Act Report.* Each federally insured credit union will notify the regional director within 5 business days of any crime or catastrophic act that occurs at its office(s). Within a reasonable time after the crime or catastrophic act occurs, the credit union shall insure that a record of the incident is prepared and filed at its main office. In the preparation of such record, the credit union may wish to include the information sufficient to indicate the office where the catastrophic act, crime or attempted crime occurred, the type of crime, when the catastrophic act or crime occurred and the amount of the loss, if any; whether any operational or mechanical deficiency(ies) might have contributed to the catastrophic act or crime, and what has been done or is planned to be done to correct the deficiency(ies).

Appendix [Removed]

2. The previously existing Appendix to Part 748 of the NCUA Rules and Regulations is removed.

[FR Doc. 82-11454 Filed 4-26-82; 8:45 am]

BILLING CODE 7535-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM80-53]

Natural Gas; Maximum Lawful Prices

AGENCY: Federal Energy Regulatory Commission.

ACTION: Order of the Director, OPPr.

SUMMARY: The Director of the Office of Pipeline and Producer Regulation revises and publishes the maximum lawful prices prescribed under Title I of the Natural Gas Policy Act (NGPA) for the months of May, June and July, 1982. The NGPA requires that the Commission compute and publish the maximum

lawful prices before the beginning of each month for which the figures apply.

EFFECTIVE DATE: May 1, 1982.

FOR FURTHER INFORMATION CONTACT:

Kenneth A. Williams, Director, OPPr, (202) 357-8500.

SUPPLEMENTARY INFORMATION:

In the matter of publication of prescribed maximum lawful prices under the Natural Gas Policy Act of 1978; Order of the Director, OPPr.

Issued: April 22, 1982.

Section 101(b)(6) of the Natural Gas Policy Act of 1978 (NGPA) requires that the Commission compute and make available maximum lawful prices and inflation adjustments prescribed in Title I of the NGPA before the beginning of any month for which such figures apply.

Pursuant to this requirement and § 375.307(1) of the Commission's regulations, which delegates the publication of such prices and inflation adjustments to the Director of the Office of Pipeline and Producer Regulation, the maximum lawful prices for the months of May, June and July, 1982 are issued by the publication of the price tables for the applicable quarter. Pricing tables are found in § 271.101(a) of the Commission's regulations. Table I of § 271.101(a) specifies the maximum lawful prices for gas subject to NGPA sections 102, 103, 106(b)(1)(B), 107(c)(5), 108 and 109. Table II of § 271.101(a) specifies the maximum lawful prices for sections 104 and 106(a) of the NGPA. Table III of § 271.102(c) contains the inflation adjustment factors.

List of Subjects in 18 CFR Part 271

Natural gas.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.

PART 271—CEILING PRICES

§ 271.101 [Amended]

1. Section 271.101(a) is amended by inserting the maximum lawful prices for May, June and July, 1982, in Table I and II.

§ 271.102 [Amended]

2. Section 271.102(c) is amended by inserting the inflation adjustment for the months of May, June and July, 1982 in Table III.

TABLE I—NATURAL GAS CEILING PRICES

[Other than NGPA §§ 104 and 106(a)]

Subpart of part 271	NGPA section	Category of gas	Maximum lawful price per MMBtu for deliveries in									
			Dec. 1978	Jan. 1979	Feb. 1979	Mar. 1979	Apr. 1979	May 1979	June 1979	July 1979	Aug. 1979	Sept. 1979
B	102	New natural gas, certain OCS gas	\$2.078	\$2.096	\$2.116	\$2.136	\$2.156	\$2.177	\$2.198	\$2.220	\$2.244	\$2.268
C	103	New, onshore production wells	1.969	1.980	1.993	2.006	2.019	2.033	2.047	2.062	2.079	2.096
F	106(b)(1)(B)	Alternative maximum lawful price for certain intrastate rollover gas ¹	1.121	1.128	1.136	1.144	1.152	1.160	1.168	1.176	1.185	1.195
G	107(c)(1)	High-cost gas (deep gas) ²	2.078	2.096	2.116	2.136	2.156	2.177	2.198	2.220	2.244	2.268
	107(c)(5)	Gas produced from tight formations ³								4.124	4.158	4.192
H	108	Stripper gas	2.224	2.243	2.264	2.285	2.306	2.329	2.352	2.375	2.400	2.426
I	109	Not otherwise covered	1.830	1.839	1.850	1.861	1.872	1.884	1.896	1.908	1.922	1.936

TABLE I—NATURAL GAS CEILING PRICES—CONTINUED

[Other than NGPA §§ 104 and 106(a)]

Subpart of part 271	NGPA section	Category of gas	Maximum lawful price per MMBtu for deliveries in									
			Oct. 1979	Nov. 1979	Dec. 1979	Jan. 1980	Feb. 1980	Mar. 1980	Apr. 1980	May 1980	June 1980	July 1980
B	102	New natural gas, certain OCS gas	2.292	2.314	2.336	2.358	2.381	2.404	2.428	2.453	2.478	2.504
C	103	New, onshore production wells	2.113	2.128	2.143	2.158	2.173	2.188	2.204	2.221	2.238	2.255
F	106(b)(1)(B)	Alternative maximum lawful price for certain intrastate rollover gas ¹	1.205	1.213	1.221	1.229	1.238	1.247	1.256	1.266	1.276	1.286
G	107(c)(1)	High-cost gas (deep gas) ²	2.292	2.314	2.336	2.358	2.381	2.404	2.428	2.453	2.478	2.504
	107(c)(5)	Gas produced from tight formations ³	4.228	4.256	4.286	4.316	4.346	4.376	4.406	4.442	4.476	4.510
H	108	Stripper gas	2.452	2.475	2.499	2.523	2.548	2.573	2.598	2.625	2.652	2.680
I	109	Not otherwise covered	1.750	1.762	1.774	1.786	1.799	1.812	1.825	1.839	1.853	1.867

TABLE I—NATURAL GAS CEILING PRICES—CONTINUED

[Other than NGPA §§ 104 and 106(a)]

Subpart of part 271	NGPA section	Category of gas	Maximum lawful price per MMBtu for deliveries in								
			Aug. 1980	Sept. 1980	Oct. 1980	Nov. 1980	Dec. 1980	Jan. 1981	Feb. 1981	Mar. 1981	Apr. 1981
B	102	New natural gas, certain OCS gas	2.532	2.560	2.588	2.614	2.640	2.667	2.698	2.729	2.761
C	103	New, onshore production wells	2.274	2.293	2.312	2.329	2.346	2.363	2.384	2.406	2.428
F	106(b)(1)(B)	Alternative maximum lawful price for certain intrastate rollover gas ¹	1.297	1.308	1.319	1.329	1.339	1.349	1.361	1.373	1.385
G	107(c)(5)	Gas produced from tight formations ³	4.548	4.586	4.624	4.658	4.692	4.726	4.768	4.812	4.856
H	108	Stripper gas	2.710	2.740	2.770	2.798	2.826	2.855	2.888	2.922	2.956
I	109	Not otherwise covered	1.883	1.899	1.915	1.929	1.943	1.957	1.975	1.993	2.011

TABLE I—NATURAL GAS CEILING PRICES—CONTINUED

[Other than NGPA §§ 104 and 106(a)]

Subpart of part 271	NGPA section	Category of gas	Maximum lawful price per MMBtu for deliveries in						
			May. 1981	June. 1981	July 1981	Aug. 1981	Sept. 1981	Oct. 1981	Nov. 1981
B	102	New natural gas, certain OCS gas	2.787	2.813	2.840	2.863	2.886	2.909	2.940
C	103	New, onshore production wells	2.444	2.460	2.476	2.488	2.501	2.514	2.533
F	106(b)(1)(B)	Alternative maximum lawful price for certain intrastate rollover gas ¹	1.394	1.403	1.412	1.419	1.426	1.433	1.444
G	107(c)(5)	Gas produced from tight formations ³	4.888	4.920	4.952	4.976	5.002	5.028	5.066
H	108	Stripper gas	2.984	3.012	3.041	3.066	3.091	3.116	3.149
I	109	Not otherwise covered	2.024	2.037	2.050	2.060	2.070	2.080	2.096

TABLE I—NATURAL GAS CEILING PRICES—CONTINUED

[Other than NGPA §§ 104 and 106(a)]

Subpart of part 271	NGPA section	Category of gas	Maximum lawful price per MMBtu for deliveries in							
			Dec. 1981	Jan. 1982	Feb. 1982	Mar. 1982	Apr. 1982	May 1982	June 1982	July 1982
B	102	New natural gas, certain OCS gas	2.971	3.003	3.033	3.063	3.093	3.112	3.132	3.152
C	103	New, onshore production wells	2.552	2.572	2.590	2.608	2.626	2.634	2.642	2.650
F	106(b)(1)(B)	Alternative maximum lawful price for certain intrastate rollover gas ¹	1.455	1.466	1.476	1.486	1.496	1.501	1.506	1.511
G	107(c)(5)	Gas produced from tight formations ³	5.104	5.144	5.180	5.216	5.252	5.288	5.284	5.300
H	108	Stripper gas	3.183	3.217	3.249	3.281	3.314	3.335	3.356	3.377
I	109	Not otherwise covered	2.112	2.128	2.143	2.158	2.173	2.180	2.187	2.194

¹ Section 271.602(a) provides that for certain gas sold under an intrastate rollover contract the maximum lawful price is the higher of the price paid under the expired contract, adjusted for inflation or an alternative Maximum Lawful Price specified in this Table. This alternative Maximum Lawful Price for each month appears in this row of Table I.

² Commencing November 1, 1979, the price of natural gas finally determined to be eligible as deep high-cost gas under section 107(c)(1) of the NGPA is deregulated. (See, Part 272 of the Commission's Regulations.) Prior to that date, the maximum lawful price applicable to deep high-cost gas was the price specified in Subpart B of Part 271.

³ The maximum lawful price for tight formation gas is the lesser of the negotiated contract price or 200% of the price specified in Subpart C of Part 271. The maximum lawful price for tight formation gas applies on or after July 16, 1979. (See, § 271.703 and § 271.204.)

TABLE II.—NATURAL GAS CEILING PRICES: NGPA SECS. 104 AND 106(a)

[Subpart D, Part 271]

Category of natural gas and type of sale or contract	Maximum lawful price per MMBtu for deliveries made in										
	Dec. 1978	Jan. 1979	Feb. 1979	Mar. 1979	Apr. 1979	May 1979	June 1979	July 1979	Aug. 1979	Sept. 1979	Oct. 1979
Post-1974 gas: All producers	\$1.830	\$1.839	\$1.850	\$1.861	\$1.872	\$1.884	\$1.896	\$1.708	\$1.722	\$1.736	\$1.750
1973-1974 Biennium gas:											
Small producer	1.379	1.387	1.398	1.405	1.414	1.424	1.434	1.444	1.456	1.468	1.480
Large producer	1.058	1.064	1.071	1.078	1.085	1.093	1.101	1.109	1.118	1.127	1.136
Interstate Rollover gas: ¹											
Small producer	.702	.715	.715	.715	.715	.715	.715	.715	.715	.715	.715
Large producer	.803	.807	.811	.815	.819	.823	.827	.831	.836	.841	.846
Replacement contract gas or recompletion gas:											
Small producer	.771	.775	.780	.785	.790	.796	.802	.808	.815	.822	.829
Large producer	.593	.596	.600	.604	.608	.612	.616	.620	.625	.630	.635
Flowing gas:											
Small producer	.393	.395	.398	.401	.404	.407	.410	.413	.416	.419	.422
Large producer	.332	.334	.336	.338	.340	.342	.344	.346	.349	.352	.355
Certain Permian Basin gas:											
Small producer	.462	.465	.468	.471	.474	.477	.480	.483	.487	.491	.495
Large producer	.405	.407	.410	.413	.416	.419	.422	.425	.428	.431	.434
Certain Rocky Mountain gas:											
Small producer	.462	.465	.468	.471	.474	.477	.480	.483	.487	.491	.495
Large producer	.393	.395	.398	.401	.404	.407	.410	.413	.416	.419	.422
Certain Appalachian Basin gas:											
North subarea contracts dated after Oct. 7, 1969	.368	.370	.372	.374	.376	.379	.382	.385	.388	.391	.394
Other contracts	.344	.346	.348	.350	.352	.355	.358	.361	.364	.367	.370
Minimum Rate gas: ² All producers	.203	.204	.205	.206	.207	.208	.209	.210	.212	.214	.216
	Nov. 1979	Dec. 1979	Jan. 1980	Feb. 1980	Mar. 1980	Apr. 1980	May 1980	June 1980	July 1980	Aug. 1980	Sept. 1980
Post-1974 gas: All producers	1.762	1.774	1.786	1.799	1.812	1.825	1.839	1.853	1.867	1.883	1.899
1973-1974 Biennium gas:											
Small producer	1.490	1.500	1.510	1.521	1.532	1.543	1.555	1.567	1.579	1.592	1.605
Large producer	1.144	1.152	1.160	1.168	1.176	1.184	1.193	1.202	1.211	1.221	1.231
Interstate Rollover gas: ¹											
Small producer	.715	.715	.728	.728	.728	.728	.728	.728	.728	.728	.728
Large producer	.650	.654	.659	.664	.669	.674	.679	.684	.689	.695	.701
Replacement contract gas or recompletion gas:											
Small producer	.835	.841	.847	.853	.859	.865	.872	.879	.886	.893	.901
Large producer	.639	.643	.647	.652	.657	.662	.667	.672	.677	.683	.689
Flowing gas:											
Small producer	.425	.428	.431	.434	.437	.440	.443	.446	.449	.453	.457
Large producer	.357	.359	.361	.364	.367	.370	.373	.376	.379	.382	.385
Certain Permian Basin gas:											
Small producer	.498	.501	.504	.508	.512	.516	.520	.524	.528	.532	.536
Large producer	.437	.440	.443	.446	.449	.452	.455	.459	.463	.467	.471
Certain Rocky Mountain gas:											
Small producer	.498	.501	.504	.508	.512	.516	.520	.524	.528	.532	.536
Large producer	.425	.428	.431	.434	.437	.440	.443	.446	.449	.453	.457
Certain Appalachian Basin gas:											
North subarea contracts dated after Oct. 7, 1969	.397	.400	.403	.406	.409	.412	.415	.418	.421	.425	.429
Other contracts	.373	.376	.379	.382	.385	.388	.391	.394	.397	.400	.403
Minimum Rate gas: ² All producers	.217	.218	.220	.222	.224	.226	.228	.230	.232	.234	.236
	Oct. 1980	Nov. 1980	Dec. 1980	Jan. 1981	Feb. 1981	Mar. 1981	Apr. 1981	May 1981	June 1981	July 1981	Aug. 1981
Post-1974 gas: All producers	1.915	1.929	1.943	1.957	1.975	1.993	2.011	2.024	2.037	2.050	2.060
1973-1974 Biennium gas:											
Small producer	1.619	1.631	1.643	1.655	1.670	1.685	1.700	1.711	1.722	1.733	1.742
Large producer	1.241	1.250	1.259	1.268	1.279	1.291	1.303	1.311	1.319	1.327	1.334
Interstate Rollover gas: ¹											
Small producer	.728	.728	.728	.741	.741	.741	.743	.748	.753	.758	.762
Large producer	.707	.712	.717	.722	.729	.736	.743	.748	.753	.758	.762
Replacement contract gas or recompletion gas:											
Small producer	.909	.916	.923	.930	.938	.946	.955	.961	.967	.973	.978
Large producer	.685	.700	.705	.710	.716	.722	.729	.734	.739	.744	.748
Flowing gas:											
Small producer	.461	.464	.467	.470	.474	.478	.482	.485	.488	.491	.493
Large producer	.388	.391	.394	.397	.401	.405	.409	.412	.415	.418	.420
Certain Permian Basin gas:											
Small producer	.541	.545	.549	.553	.558	.563	.568	.572	.576	.580	.583
Large producer	.475	.479	.483	.487	.491	.495	.499	.502	.505	.509	.513
Certain Rocky Mountain gas:											
Small producer	.541	.545	.549	.553	.558	.563	.568	.572	.576	.580	.583
Large producer	.461	.464	.467	.470	.474	.478	.482	.485	.488	.491	.493
Certain Appalachian Basin gas:											
North subarea contracts dated after Oct. 7, 1969	.433	.436	.439	.442	.446	.450	.454	.457	.460	.463	.465
Other contracts	.406	.409	.412	.415	.419	.423	.427	.430	.433	.436	.438
Minimum Rate gas: ² All producers	.238	.240	.242	.244	.246	.248	.250	.252	.254	.256	.257
	Sept. 1981	Oct. 1981	Nov. 1981	Dec. 1981	Jan. 1982	Feb. 1982	Mar. 1982	Apr. 1982	May 1982	June 1982	July 1982
Post-1974 gas: All producers	2.070	2.080	2.096	2.112	2.128	2.143	2.158	2.173	2.180	2.187	2.194
1973-1974 Biennium gas:											
Small producer	1.751	1.760	1.773	1.787	1.801	1.813	1.826	1.839	1.845	1.851	1.857
Large producer	1.341	1.348	1.358	1.368	1.378	1.388	1.398	1.408	1.412	1.416	1.420
Interstate Rollover gas: ¹											
Small producer	.768	.770	.776	.782	.788	.793	.798	.804	.807	.810	.813
Large producer	.768	.770	.776	.782	.788	.793	.798	.804	.807	.810	.813

TABLE II.—NATURAL GAS CEILING PRICES: NGPA SECS. 104 AND 106(a)—Continued

[Subpart D, Part 271]

Category of natural gas and type of sale or contract	Maximum lawful price per MMBtu for deliveries made in										
	Sept. 1981	Oct. 1981	Nov. 1981	Dec. 1981	Jan. 1982	Feb. 1982	Mar. 1982	Apr. 1982	May 1982	June 1982	July 1982
Replacement contract gas or recompletion gas:											
Small producer.....	.983	.988	.996	1.004	1.012	1.019	1.026	1.033	1.036	1.039	1.042
Large producer.....	.752	.756	.762	.768	.774	.779	.784	.789	.791	.793	.795
Flowing gas:											
Small producer.....	.495	.497	.501	.505	.509	.513	.517	.521	.523	.525	.527
Large producer.....	.422	.424	.427	.430	.433	.436	.439	.442	.443	.444	.445
Certain Permian Basin gas:											
Small producer.....	.586	.589	.594	.599	.604	.608	.612	.616	.618	.620	.622
Large producer.....	.514	.517	.521	.525	.529	.533	.537	.541	.543	.545	.547
Certain Rocky Mountain gas:											
Small producer.....	.586	.589	.594	.599	.604	.608	.612	.616	.618	.620	.622
Large producer.....	.495	.497	.501	.505	.509	.513	.517	.521	.523	.525	.527
Certain Appalachian Basin gas:											
North subarea contracts dated after Oct. 7, 1969.....	.467	.469	.473	.477	.481	.484	.487	.490	.492	.494	.496
Other contracts.....	.440	.442	.445	.448	.451	.454	.457	.460	.461	.462	.463
Minimum Rate gas: * All producers.....	.258	.259	.261	.263	.265	.267	.269	.271	.272	.273	.274

* The price for interstate rollover gas is the higher of the price listed in this table or the just and reasonable price under the expired contract as adjusted for inflation. (See § 271.402(c)(3)).
 * Prices for minimum rate gas are expressed in terms of dollars per Mcf, rather than MMBtu.

TABLE III—INFLATION ADJUSTMENT

Month of delivery	Factor by which price in preceding month is multiplied
1977:	
May.....	1.00638
June.....	1.00636
July.....	1.00431
August.....	1.00431
September.....	1.00431
October.....	1.00463
November.....	1.00463
December.....	1.00463
1978:	
January.....	1.00597
February.....	1.00597
March.....	1.00597
April.....	1.00889
May.....	1.00889
June.....	1.00889
July.....	1.00581
August.....	1.00581
September.....	1.00581
October.....	1.00581
November.....	1.00581
December.....	1.00581
1979:	
January.....	1.00581
February.....	1.00667
March.....	1.00667
April.....	1.00867
May.....	1.00713
June.....	1.00713
July.....	1.00713
August.....	1.00805
September.....	1.00805
October.....	1.00805
November.....	1.00690
December.....	1.00690
1980:	
January.....	1.00690
February.....	1.00713
March.....	1.00713
April.....	1.00713
May.....	1.00774
June.....	1.00774
July.....	1.00774
August.....	1.00843
September.....	1.00843
October.....	1.00843
November.....	1.00744
December.....	1.00744
1981:	
January.....	1.00744
February.....	1.00904
March.....	1.00904

TABLE III—INFLATION ADJUSTMENT—Continued

Month of delivery	Factor by which price in preceding month is multiplied
April.....	1.00904
May.....	1.00643
June.....	1.00643
July.....	1.00643
August.....	1.00503
September.....	1.00503
October.....	1.00503
November.....	1.00767
December.....	1.00767
1982:	
January.....	1.00767
February.....	1.00690
March.....	1.00690
April.....	1.00690
May.....	1.00311
June.....	1.00311
July.....	1.00311

[FR Doc. 82-11513 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 282

[Docket No. RM79-14]

Order Prescribing Incremental Pricing Acquisition Cost Thresholds Under Title II of the Natural Gas Policy Act

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order prescribing incremental pricing thresholds.

SUMMARY: The Director of the Office of Pipeline and Producer Regulation is issuing the incremental pricing acquisition cost thresholds prescribed by Title II of the Natural Gas Policy Act and 18 CFR 282.304. The Act requires the Commission to compute and publish the threshold prices before the beginning of

each month for which the figures apply. Any cost of natural gas above the applicable threshold is considered to be an incremental gas cost subject to incremental pricing surcharging.

EFFECTIVE DATE: May 1, 1982.

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

SUPPLEMENTARY INFORMATION: Publication of Prescribed Incremental Pricing Acquisition Cost Threshold of the NGPA of 1978, Docket No. RM79-14.

Order of the Director, OPRR

April 22, 1982.

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

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

List of Subjects in 18 CFR Part 282

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

TABLE I—INCREMENTAL PRICING ACQUISITION COST THRESHOLD PRICES

	January	February	March	April	May	June	July	August	September	October	November	December
Calendar year 1980												
Incremental pricing threshold.....	\$1.702	\$1.738	\$1.750	\$1.762	\$1.776	\$1.790	\$1.804	\$1.819	\$1.834	\$1.849	\$1.863	\$1.877
NGPA section 102 threshold.....	2.358	2.381	2.404	2.428	2.453	2.478	2.504	2.532	2.560	2.588	2.614	2.640
NGPA section 109 threshold.....	1.786	1.799	1.812	1.825	1.839	1.853	1.867	1.883	1.899	1.915	1.929	1.943
130 percent of No. 2 fuel oil in New York City threshold.....	7.170	7.260	7.410	7.110	7.380	8.040	7.840	7.380	7.400	7.400	7.450	7.580
Calendar year 1981												
Incremental pricing threshold.....	1.891	1.908	1.925	1.942	1.954	1.967	1.980	1.990	2.000	2.010	2.025	2.041
NGPA section 102 threshold.....	2.667	2.698	2.729	2.761	2.787	2.813	2.840	2.863	2.886	2.909	2.940	2.971
NGPA section 109 threshold.....	1.957	1.975	1.993	2.011	2.024	2.037	2.050	2.060	2.070	2.080	2.096	2.112
130 percent of No. 2 fuel oil in New York City threshold.....	7.610	7.760	8.260	9.010	9.510	9.430	9.360	9.260	8.860	8.700	8.930	8.990
Calendar year 1982												
Incremental pricing threshold.....	2.057	2.071	2.085	2.099	2.106							
NGPA section 102 threshold.....	3.003	3.033	3.063	3.093	3.112							
NGPA section 109 threshold.....	2.128	2.143	2.158	2.173	2.180							
130 percent of No. 2 fuel oil in New York City threshold.....	9.180	9.340	9.470	9.340	9.280							

[FR Doc. 11456 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 82

[Docket No. 81N-0301]

D&C Green No. 6; Listing as a Color Additive in Externally Applied Drugs and Cosmetics

Correction

In FR Doc. 82-8902 appearing on page 14138 in the issue of Friday, April 2, 1982, make the following correction:

On page 14147, first column, the heading for Part 82 now reading "Listing of Certified Provisionally Listed Color, and Cosmetics" should have read "Part 82—Listing of Certified Provisionally Listed Colors and Specifications".

BILLING CODE: 1505-01-M

21 CFR Part 548

Certifiable Peptide Antibiotic Drugs for Animal Use; Soluble Bacitracin Methylene Disalicylate

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by A. L. Laboratories, Inc., providing for safe and effective use of bacitracin methylene disalicylate soluble powder in the drinking water of swine for use in

treatment of swine dysentery associated with *Treponema hyodysenteriae*.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Bureau of Veterinary Medicine (HFV-147), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4317.

SUPPLEMENTARY INFORMATION: A. L. Laboratories, Inc., 452 Hudson Terrace, Englewood Cliffs, NJ 07632, filed a supplemental NADA (65-470) providing for use of bacitracin methylene disalicylate soluble powder in the drinking water of swine for use in treatment of swine dysentery associated with *Treponema hyodysenteriae*. Bacitracin methylene disalicylate soluble powder was the subject of two National Academy of Sciences/National Research Council (NAS/NRC) notices published in the *Federal Register* of July 17, 1970 (DESI 0061 NV; 35 FR 11531) and October 2, 1970 (DESI 0061 NV; 35 FR 15408). The NAS/NRC notices concluded, and FDA concurred, that the product is probably not effective for therapeutic claims in swine. The product is marketed for the following claims: Treatment of bacterial swine enteritis (scours) and as an aid in prevention of bacterial swine enteritis (scours) on a continual-use basis.

A. L. Laboratories, Inc., submitted results of adequate and well-controlled experiments and field trials which demonstrate that the product is safe for animals and effective for the treatment of swine dysentery associated with *Treponema hyodysenteriae* when administered in swine drinking water at a concentration of 1 gram per gallon of water continuously for 7 days or until

signs of dysentery disappear. The revised claim represents a restricted use of the drug within previously approved uses, and a restriction of the time limitations swine are offered the medicated water (14-day maximum). Furthermore, residues resulting from this use of supplemental bacitracin have been shown to be below the currently approved tolerance of the drug. Therefore, this approval poses no increased risk to people exposed to residues of the drug. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), this supplemental NADA has been treated as a category II supplement and did not require a reevaluation of the human food safety data supporting the parent application.

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

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

The Bureau of Veterinary Medicine has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human

environment and that an environmental impact statement therefore will not be prepared. The Bureau's finding of no significant impact and the evidence supporting this finding contained in an environmental assessment (pursuant to 21 CFR 25.31, proposed December 11, 1979; 44 FR 71742) may be seen in the Dockets Management Branch (address above).

List of Subjects in 21 CFR Part 548

Animal drugs, Antibiotics, Peptides.

PART 548—CERTIFIABLE PEPTIDE ANTIBIOTIC DRUGS FOR ANIMAL USE

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 548 is amended in § 548.112a by revising paragraph (a)(1) and by adding a new paragraph (c)(5)(ii)(c) to read as follows:

§ 548.112a Bacitracin methylene disalicylate soluble powder.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* The drug is soluble bacitracin methylene disalicylate with suitable and harmless diluents. It contains the equivalent of 50 grams of bacitracin activity per pound as defined § 430.6(a)(2) of this chapter, except that it contains the equivalent of 200 grams of bacitracin activity per pound as so defined if used as provided for in paragraph (c)(5)(ii)(c) of this section. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the labeled amount of bacitracin. Its loss on drying is not more than 8.5 percent. Its pH is not less than 8.0 and not more than 9.5. The soluble bacitracin methylene disalicylate used conforms to the standards prescribed by § 539.310b(a) of this chapter.

- (c) * * *
- (5) * * *
- (ii) * * *

(c) *Amount per gallon.* One gram.

(1) *Indications for use.* For treatment of swine dysentery associated with *Treponema hyodysenteriae*. Administer continuously for 7 days or until signs of dysentery disappear.

(2) *Limitations.* Prepare a fresh solution daily. Treatment not to exceed 14 days. If symptoms persist after 4 to 5 days consult a veterinarian. Not to be given to swine that weigh more than 250 pounds.

* * * * *

Effective date. This amendment is effective April 27, 1982.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))
 Dated: April 20, 1982.

Robert A. Baldwin,
Associate Director for Scientific Evaluation.
 [FR Doc. 82-11373 Filed 4-26-82; 8:45 am]
BILLING CODE 4160-01-M

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Antibiotic Nitrofurans, and Sulfonamide Drugs in the Feed of Animals

Correction

On page 16320 in the issue for Friday, April 16, 1982, a correction appeared which modified FR Doc. 82-8088 (see 47 FR 12952, March 26, 1982). Unfortunately, the correction contained an error. On page 16321, in the first column, in the third line from the top of the column, "0.22" should have read "0.022".

BILLING CODE 1505-01-M

21 CFR Part 176

[Docket No. 81F-0211]

Indirect Food Additives; Paper and Paperboard Components; Siloxanes and Silicones, Dimethyl, Methylhydrogen, Reaction Products with Polyethylene-Polypropylene Glycol Monoallyl Ether

AGENCY: Food and Drug Administration.
ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of siloxanes and silicones, dimethyl, methylhydrogen, reaction products with polyethylene-polypropylene glycol monoallyl ether as a component of defoamers used in the manufacture of paper and paperboard. This is in response to a food additive petition from Diamond Shamrock Corp.

DATES: Effective April 27, 1982.
 Objections by May 27, 1982.

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

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

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register**

of July 31, 1981 (46 FR 39222), FDA announced that a food additive petition (FAP 1B3563) had been filed by the Diamond Shamrock Corp., P.O. Box 2386 R, Morristown, NJ 07960, proposing to amend § 176.210 (21 CFR 176.210) to provide for the safe use of siloxanes and silicones, dimethyl, methylhydrogen, reaction products with polyethylene-polypropylene glycol monoallyl ether as a component of defoamers used in the manufacture of paper and paperboard.

FDA has evaluated data in the petition and other relevant material and concludes that the proposed use is safe and that § 176.210 should be amended as set forth in this document. In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Bureau of Foods (address above) by appointment with the information contact person listed above. As provided in § 171.1(h)(2), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that document may be seen at the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 176

Food additives; Food packaging; Paper and paperboard.

PART 176—INDIRECT FOOD ADDITIVES: PAPER AND PAPERBOARD COMPONENTS

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72, Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052, May 11, 1981)), Part 176 is amended in § 176.210(d)(3) by alphabetically inserting a new item in the list to read as follows:

§ 176.210 Defoaming agents used in the manufacture of paper and paperboard.

- * * * * *
- (d) * * *
- (3) * * *

Siloxanes and silicones, dimethyl, methylhydrogen, reaction products with

polyethylene-polypropylene glycol monoallyl ether (CAS Reg. No. 71965-38-3).

Any person who will be adversely affected by the foregoing regulation may at any time on or before May 27, 1982, submit to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857; written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall become effective April 27, 1982.

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

Dated: April 16, 1982.

William F. Randolph,
Acting Associate Commissioner for
Regulatory Affairs.

[FR Doc. 82-11372 Filed 4-26-82; 8:45 am]

BILLING CODE 4160-01-M

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

25 CFR Part 700

Commission Operations and Relocation Procedures

AGENCY: Navajo and Hopi Indian
Relocation Commission.

ACTION: Final rule.

SUMMARY: On January 14, 1982, the regulations on Commission operations and relocation procedures were revised, with the exception of the sections on determination of replacement housing payments, differential amounts,

payments for divorced or separated relocatees, and payments to estates. These sections were not included with the rest of the regulations because the Commission was awaiting an opinion from the General Accounting Office. The opinion has been received and the Commission is now taking final action on these sections.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT: Paul M. Tessler, C.F.R. Liaison Officer, Navajo & Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, AZ 86002. Telephone No. (602) 779-3311, Extension 1376, FTS: 261-1376. The principal author is William G. Lavell, General Counsel, Navajo and Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, Arizona, 86002. Telephone No. (602) 779-3311, Extension 1376, FTS: 261-1376.

SUPPLEMENTARY INFORMATION: On March 9, 1981, the Commission published a proposed recodification, revision and expansion of existing regulations contained in 25 CFR Part 700 (45 FR 15720-15743). On January 14, 1982, final rules were published on all sections of the proposed recodification, except the following: § 700.183—Determination of Replacement Housing Payments; § 700.185—Differential Amount; § 700.143—Payments for Divorced or Separated Relocatees and § 700.145—Payments to Estates (47 FR 2089-2112). On December 24, 1981 a revision of § 700.143—Payments for Divorced or Separated Relocatees and § 700.145—Payments to Estates was published for further comment. Comments on this re-publication have been received and analyzed. Most of the comments received from the publication on March 9, 1981, dealt with sections 700.183—Determination of Replacement Housing Payment, and 700.185—Differential Amount. Since the question underlying the proposed change in those sections was then before the General Accounting Office, the Commission decided to wait for an opinion before taking final action on those rules. Such opinion has been received and the Commission is now prepared to take final action on the remaining sections of the proposed revisions published on March 9, 1981.

Most of the comments received concerning the March 9, 1981 publication of the proposed recodification dealt with the proposed changes in § 700.183—Determination of Replacement Housing Payments and § 700.185—Differential Amount. All such comments opposed the proposed change. The opinion received from the General Accounting Office did not in any way detract from

the authority of the Commission to continue the present practice of adding the replacement housing benefit to the amount of money received by the relocatee for any improvements located on the Former Joint Use Area in determining the total amount available for replacement housing. In considering the many comments received, the Commission has decided that the continuation of that practice would best fit the needs of this program. Therefore, §§ 700.183 and 700.185 have been combined and state substantially the same rule that has been practiced up to this time.

Concerning § 700.143—Payments for Divorced or Separated Relocatees and § 700.145—Payments to Estates, the comments received in response to the December 24, 1981 publication were as follows.

One comment dealt primarily with the point that the Commission should allow for courts of competent jurisdiction (particularly tribal courts) to enter appropriate decrees disposing of relocation benefits, where appropriate. This suggestion has been acted upon and the final rule reflects this.

The other comment was concerned with the question of vesting of benefits. It was suggested that such benefits vest upon the signing of the Relocation Contract. Since there was some concern as to whether or not this practice might encourage "sham divorces", the commentator suggested that the Commission adopt a provision to cover the situation similar to the one set forth in IRS Revenue Ruling 76-255. That ruling held that a couple who obtained a year end divorce with the intent of marrying in the next year solely to avoid the tax "marriage penalty" by filing separate returns, are treated by the IRS as being married. The attached regulation as adopted by the Commission sets forth what the Commission will consider as divorce or legal separation. If facts arise which indicate a possible "sham divorce" such matters will be handled on a case by case basis. In view of the customs and traditions of the Navajo Tribe it is not anticipated that this practice will be encountered.

In order to clarify the meaning of vesting in these regulations, a new definition is included as § 700.89—Relocation Contract.

As of the date of publication of this final rule, the Office of Management and Budget has not approved the information collection requirements, if any, related to these regulations. Notice of such approval will be published at a later date.

List of Subjects in 25 CFR Part 700

Relocation assistance, Indians.

Accordingly, Part 700 of title 25 of the Code of Federal Regulations is amended by adding § 700.89 to Subpart A and by adding §§ 700.143 and 700.145 to Subpart C and § 700.183 to Subpart E to read as follows:

PART 700—COMMISSION OPERATIONS AND RELOCATION PROCEDURES**§ 700.89 Relocation contract.**

The Relocation Contract is that contract signed by the head of household in which he/she agrees to purchase an existing house or to construct a new house, the owner of such existing house or the builder of the proposed new house agrees to sell or perform the construction, and the Commission agrees to make payments according to such agreement.

§ 700.143 Payments for divorced or separated relocatees.

General. The following considerations apply to certified eligible heads of household who are legally separated or divorced and intend to establish separate eligibility.

(a) Determination of Benefits. Eligibility for relocation benefits is determined as of the time that the Relocation Contract is signed.

(1) If the divorce or separation took place before benefits were first applied for, the spouse who vacated the habitation will not be eligible for benefits and all relocation benefits will accrue to the spouse remaining in occupancy as head of the household remaining to be relocated.

(2) If both husband and wife are in possession of the habitation at the time that benefits are first applied for, and are divorced or separated prior to signing of a Relocation Contract, both husband and wife may qualify separately for benefits if each meets the requirements of eligibility under these regulations.

(3) If both husband and wife are in possession of the habitation at the time a Relocation Contract is signed but are divorced or separated prior to occupancy of the replacement dwelling, only one benefit will be paid to the household. Such benefits (including the assistance payment, moving expenses and replacement dwelling benefit) and the purchase price of the habitation and improvements may be prorated between husband and wife in such manner as they may agree in writing so long as such proration is consistent with the terms of the Relocation Contract. Such proration may also be made by a court

of competent jurisdiction. In the absence of an agreement between the parties or a court order, any necessary prorations shall be made by the Commission.

(b) For purposes of this section, a head of household shall be considered as married even though living apart from his or her spouse unless legally separated under a decree or separate maintenance.

§ 700.145 Payments to estates.

(a) Relocation benefits can be paid to the estate of a deceased Certified Eligible Head of Household under the following circumstances:

(1) If there is no household requiring relocation pursuant to the Act surviving the deceased head of household:

(i) Compensation for the habitation and other improvements owned by the deceased head of household and the cost of removing personal property from the acquired habitation and other improvements shall be paid to the estate of a deceased head of household, or as otherwise directed by a court of competent jurisdiction.

(ii) No replacement housing benefit or assistance payment (bonus) shall be paid under this circumstance.

(2) Replacement housing benefits may be paid to an estate only when a certified eligible head of household was qualified for such a housing payment pursuant to the Act and signed a Relocation Contract but died before the replacement housing was occupied. The estate of a certified eligible head of household who had not signed a Relocation Contract at the time of his/her death is not eligible for payment of a replacement housing benefit.

(b) If one of a married couple who was a certified eligible head of household dies, the surviving spouse may be paid the same relocation assistance benefits, including replacement housing payments, which the couple would have received had death not occurred. If there is no surviving spouse, a court of competent jurisdiction may appoint a guardian to act for minor members of the household. The Commission shall deal with such guardian and any members of the household who have attained their majority in a manner to effect relocation of the remaining household under these regulations.

§ 700.183 Determination of replacement housing benefit.

(a) *Amount of benefit.* The replacement housing benefit for a certified eligible head of household is an amount not to exceed Fifty Thousand Dollars (\$50,000.00) for a household of three or less and not to exceed Sixty-Six

Thousand Dollars (\$66,000.00) for a household of four or more. Subject to such other requirements of these regulations as may apply, the replacement housing benefit to be paid in each instance shall be either of the following amounts, as appropriate in each case:

(1) The full amount of the replacement housing benefit as set forth above, or as increased or decreased from time to time, if the purchase price of the replacement dwelling, actually acquired and occupied by the displaced person, including the land upon which it is situated, equals or exceeds the sum of the purchase price of the acquired habitation and improvements plus the full replacement housing benefit.

(2) If the purchase price of the replacement dwelling, including the land upon which it is situated, actually acquired and occupied by the displaced person is less than the sum of the purchase price of the acquired habitation and improvements plus the full replacement housing benefit, then the replacement housing benefit shall be that amount, which, when added to the purchase price of the acquired habitation and improvements, equals the purchase price of the replacement dwelling.

(b) The Commission shall, on or before the first Friday in April of each fiscal year, after consultation with the Secretary of the Department of Housing and Urban Development, annually increase, decrease or leave unadjusted the above limitations on replacement housing benefits to reflect changes in housing or development and construction costs, other than costs of land, during the preceding year. In determining whether to increase or decrease the replacement housing benefit limitations set forth above, the Commission shall consider the following:

(1) The most recent percentage rate of increase or decrease in single family housing construction costs reported by HUD. (General Prototype Housing Costs For One to Four Family Dwelling Units).

(2) The most recent Boecht Building Cost Modifier.

(3) The experience of relocatee families in obtaining replacement housing within the current benefits.

(4) The cost of available replacement housing which meets Commission standards as set forth in these regulations.

(5) Such other available information which the Commission deems appropriate and which is relevant to a determination of whether replacement housing benefits should be increased or

decreased to reflect change in housing or development and construction costs during the preceding year.

(c) If the owner retains ownership of his dwelling, moves it from the acquired site, and reoccupies it on a replacement site, the purchase price of the replacement dwelling shall be considered to be the sum of—

- (1) The cost of the replacement site, if any; plus
- (2) The moving and restoration expenses; plus
- (3) The costs, if any, incurred to make the unit a decent, safe, and sanitary replacement dwelling; but not to exceed the above limitation on total replacement home benefits.

(Pub. L. 93-531, 88 Stat. 1712 as amended by Pub. L. 96-305, 94 Stat. 929 (25 U.S.C. 640d))

Hawley Atkinson,

Chairman Navajo and Hopi Indian Relocation Commission.

[FR Doc. 82-11425 Filed 4-26-82; 8:45 am]

BILLING CODE 6820-BB-M

DEPARTMENT OF DEFENSE

Defense Nuclear Agency

32 CFR Part 291a

[DNA Instruction 5400.11]

Privacy Act of 1974

AGENCY: Defense Nuclear Agency.

ACTION: Final rule.

SUMMARY: The Defense Nuclear Agency is amending its rules implementing the Privacy Act to indicate the official within the agency responsible for Privacy Act matters and to correct the file designation for a system of records for which a specific exemption is claimed.

DATES: This final rule is effective May 27, 1982.

FOR FURTHER INFORMATION CONTACT: Robert L. Brittigan; General Counsel; Defense Nuclear Agency; Washington, D.C. 20305; Telephone: (202) 325-7681.

SUPPLEMENTARY INFORMATION: These rule changes were first proposed on September 23, 1980 as a proposed rule (see 45 FR 63004). No public comments have been received and, therefore, the changes are now adopted as a final rule.

List of Subjects in 32 CFR Part 291a
Privacy.

PART 291a—PRIVACY ACT OF 1974

Accordingly, the indicated sections of Part 291a of Title 32 CFR are amended as follows:

§ 291a.4 Responsibilities [Amended]

Change "Chief, Civilian Personnel

Division, Personnel/Administrative Directorate" to "General Counsel".

§ 291a.5 Reports [Amended]

Change "PACV" to "GC".

§ 291a.6 Specific Exemptions [Amended]

Change (a) from "501.01 Personnel Security Files" to "501.01 Security Operations System."

M. S. Healy,

OSD Federal Register Liaison Officer,
Department of Defense.

April 21, 1982.

[FR Doc. 82-11420 Filed 4-26-82; 8:45 am]

BILLING CODE 3810-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 123, 264 and 265

[SWH-FRL-2091-8]

Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities: Liability Requirements

Corrections

In FR Doc. 82-10431 appearing at page 16544 in the issue for Friday, April 16, 1982, make the following changes:

1. On page 16557, first column, under Alternative II, please remove "\$" from Items 2, 3, and 4; and in the second column, under Alternative II, please remove "\$" from Items 4, 5, and 6.

2. On page 16561, third column, beginning with the seventh line, remove "[insert date of publication in the Federal Register]", and insert the following: "April 16, 1982".

BILLING CODE 1505-01-M

40 CFR Parts 60 and 61

[A-3-FRL-2112-1]

New Source Performance Standards and National Emission Standards for Hazardous Pollutants; Delegation of Authority to the State of Delaware

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document amends EPA regulations which state the address of the Delaware Department of Natural Resources and Environmental Control to reflect delegation to the State of Delaware of authority to implement and enforce additional Standards of Performance for New Stationary Sources and National Emission Standards for Hazardous Air Pollutants.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT:

Laurence Budney (3AW12), Environmental Protection Agency, Region III, Curtis Bldg., 6th & Walnut Sts., Philadelphia, PA 19106, Telephone: (215) 597-2842.

SUPPLEMENTARY INFORMATION:

I. Background

On September 22, 1981 and February 3, 1982, John E. Wilson III, Secretary of the Delaware Department of Natural Resources and Environmental Control, submitted requests for delegation of authority to implement and enforce regulations for:

- New Source Performance Standards (NSPS) for stationary gas turbines
- New Source Performance Standards (NSPS) for petroleum refineries
- National Emission Standards for Hazardous Air Pollutants (NESHAP) for vinyl chloride

The request was reviewed and on April 15, 1982 a letter was sent to John E. Wilson III, Secretary, Department of Natural Resources and Environmental Control, approving the delegation and outlining its conditions. The approval letter specified that if Secretary Wilson or any other representatives had any objections to the conditions of the delegation they were to respond within ten (10) days after receipt of the letter. As of this date, no objections have been received.

II. Regulations Affected by This Document

With respect to the authority delegations referred to above, EPA is today amending 40 CFR 60.4 and 61.04, Address, to reflect these delegations. The amended § 60.4 and § 61.04 which state the address of the Delaware Department of Natural Resources and Environmental Control (to which all reports, requests, applications, submittals and communications to the Administrator regarding this subpart must be addressed), is set forth below.

The Administrator finds good cause to make this rulemaking effective immediately without prior public notice since it is an administrative change and not one of substantive content. No additional substantive burdens are imposed on the parties affected. The delegation which is reflected by this administrative amendment was effective on April 15, 1982.

This rulemaking is effective immediately, and is issued under the authority of Sections 111 and 112 of the Clean Air Act, as amended.

The Office of Management and Budget has exempted this action from Executive Order 12291.

III. List of Subjects in 40 CFR Part 60

Air pollution control, Aluminum, Ammonium sulfate plants, Cement industry, Coal, Copper, Electric power plants, Glass and glass products, Grains, Intergovernmental relations, Iron, Lead, Metals, Motor vehicles, Nitric acid plants, Paper and paper products industry, Petroleum, Phosphate, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc.

IV. List of Subjects in 40 CFR Part 61

Air pollution control, Asbestos, Beryllium, Hazardous materials, Mercury, Vinyl chloride.

(42 U.S.C. 7401 et seq.)

Dated: April 15, 1982.

Stephen R. Wassersug,

Director, Air & Waste Management Division.

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

In § 60.4, paragraph (b) is amended by revising subparagraph (I) to read as follows:

§ 60.4 Address.

* * * * *

(b) * * *

(A)-(H) * * *

(I) State of Delaware (for fossil fuel-fired steam generators; incinerators; nitric acid plants; asphalt concrete plants; storage vessels for petroleum liquids; sulfuric acid plants; sewage treatment plants; electric utility steam generating units; stationary gas turbines and petroleum refineries).

Delaware Department of Natural Resources and Environmental Control, Tatnall Building, P.O. Box 1401, Dover, Delaware 19901

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Part 61 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

In § 61.04, paragraph (b) is amended by revising subparagraph (I) to read as follows:

§ 61.04 Address.

* * * * *

(b) * * *

(A)-(H) * * *

(I) State of Delaware (for asbestos, beryllium, mercury and vinyl chloride):

Delaware Department of Natural Resources and Environmental Control, Tatnall

Building, P.O. Box 1401, Dover, Delaware 19901

(FR Doc. 82-11478 Filed 4-26-82; 8:45 am)

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

41 CFR Parts 5-12, 5-18, 5A-12, and 5B-12

Labor Procurement Regulations

AGENCY: General Services Administration.

ACTION: Final rule.

SUMMARY: The General Services Administration Procurement Regulations, Chapter 5, are amended to transfer policies and procedures regarding Labor from Chapter 5A and 5B. This transfer is part of the action to incorporate appropriate material in Chapters 5A and 5B into Chapter 5. The intended effect is to have a single GSA-wide procurement regulation.

EFFECTIVE DATE: May 14, 1982.

FOR FURTHER INFORMATION CONTACT: Philip G. Read, Director, Federal Procurement Regulations Directorate, Office of Acquisition Policy, (202) 523-4755.

CHAPTER 5—GENERAL SERVICES ADMINISTRATION

[APD 2800.2 CHGE 20]

1. The Table of Parts is amended by adding the following entry:

Table of Parts

Part

5-18 Procurement of construction.

PART 5-12—LABOR

2. The Contents of Part 5-12 is amended by adding the following:

Subpart 5-12.6—Walsh-Healey Public Contracts Act

Sec.

5-12.604 Responsibilities of contracting officers.

Subpart 5-12.8—Equal Opportunity in Employment

5-12.800 Scope of subpart.

5-12.801 General.

5-12.803 Basic requirements.

5-12.803-2 Equal Opportunity clause.

5-12.803-9 Notice to bidders regarding preaward equal opportunity compliance reviews.

5-12.804 Exemptions.

5-12.804-2 Specific contracts.

5-12.804-3 Facilities not connected with contracts.

5-12.805-4 Reports and other required information.

5-12.805-5 Compliance reviews.

Sec.

5-12.805-54 Furnishing information to contractors.

5-12.810 Affirmative action compliance programs.

Authority: Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)).

3. Part 5-12 Labor, is amended by adding Subparts 5-12.6 and 5-12.8 as follows:

PART 5-12—LABOR

Subpart 5-12.6—Walsh-Healey Public Contracts Act

§ 5-12.604 Responsibilities of contracting officers.

(a) *Notification to contractors.* Contracting officers shall furnish contractors copies of Department of Labor Form WH 1313, Notice to Employees Working on Government Contracts, when awarding a contract subject to the Walsh-Healey Public Contracts Act. In addition, Form WH 1232, Minimum Wage Determinations under the Walsh-Healey Public Contracts Act (copies available from Department of Labor) has been prepared by the Department of Labor to enable a contractor to ascertain the minimum wage determinations applicable to a particular contract. The Department of Labor will issue amendments to Form WH 1232 as new determinations become effective. Copies of both publications (WH 1313 and WH 1232) should be supplied for each of the contractor's establishments performing on contracts subject to the Walsh-Healey Public Contracts Act.

(b) *Reporting contract awards to Department of Labor.* The original and one copy of Standard Form 99, Notice of Award of Contract, shall be forwarded to the Department of Labor, Employment Standards Administration, Wage and Hour Division, Washington, DC 20210. A copy shall be retained in the procurement file. (Detailed instructions for preparing Standard Form 99 are prescribed by the Department of Labor in Circular Letter No. 2-65, dated December 10, 1965.)

(c) *Violations and complaints.* Information concerning possible violations of the requirements of the Walsh-Healey Public Contracts Act can originate from complaints of injured parties, from officers or employees of the U.S. Government, or otherwise. Any such complaints coming to the attention of the contracting officer shall be considered, together with any other relevant information that is available, in coordination with the Office of General Counsel. Reports of violations shall be prepared and submitted through the

Office of General Counsel to the Department of Labor.

Subpart 5-12.8—Equal Opportunity in Employment

§ 5-12.800 Scope of subpart.

This subpart implements and supplements Subpart 1-12.8, Equal Opportunity in Employment (which implements the rules and regulations of the Secretary of Labor, 41 CFR Part 60-1); and sets forth the GSA Contractors Equal Employment Opportunity Program requirements regarding Government contracts.

§ 5-12.801 General.

Executive Order 12086 (43 FR 49240, October 20, 1978) consolidated the compliance review responsibility for equal opportunity programs into the Department of Labor.

§ 5-12.803 Basic requirements.

§ 5-12.803-2 Equal Opportunity clause.

(a) Executive Order 11246 dated September 24, 1965 (30 FR 12319), as amended by Executive Order 11375 dated October 13, 1967 (32 FR 14303), on equal employment opportunity provides for the inclusion of a clause pertaining to equal opportunity in each Government contract unless the contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor. The clause prescribed in 41 CFR 60-1.4 shall be used.

(b) Government bills of lading may include the Equal Opportunity clause by reference. When this is done, a provision on the Government bill of lading form shall be as follows:

Equal Opportunity

The nondiscrimination clause contained in section 202 of Executive Order 11246, as amended by Executive Order 11375, relative to equal employment opportunity for all persons without regard to race, color, religion, sex, or national origin, and the implementing rules and regulations prescribed by the Secretary of Labor are incorporated herein.

(End of Provision)

(c) The Equal Opportunity provision prescribed in paragraph (b) of this section for use in incorporating the Equal Opportunity clause by reference in Government bills of lading may also be used in: (1) Commercial bills of lading which are to be converted to Government bills of lading; and (2) commercial bills of lading when transporting property of the United States or when the transportation charges will be paid by the Government (either directly to the carrier or to the contractor when the transportation

charges are listed separately on the invoice for the property).

§ 5-12.803-9 Notice to bidders regarding preaward equal opportunity compliance reviews.

A notice of preaward equal opportunity compliance review for inclusion in solicitations which may result in the award of a nonconstruction contract of \$1 million or more is required by § 1-12.803-9 (FPR Temporary Regulation No. 19, September 15, 1970).

§ 5-12.804 Exemptions.

§ 5-12.804-2 Specific contracts.

Requests for exemption from use of the Equal Opportunity clause for specific contracts or categories of contracts shall be submitted with a complete written justification to the Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor.

§ 5-12.804-3 Facilities not connected with contracts.

Requests by contractors and subcontractors for exemption from the Equal Opportunity clause, of facilities not involved in the performance of Government contracts, shall be submitted with a complete written justification to the Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor.

§ 5-12.805 Administration.

§ 5-12.805-4 Reports and other required information.

(a) Nonexempt contractors shall submit information reports on Standard Form 100, Equal Employment Opportunity Employer Information Report EEO-1, to the Joint Reporting Committee with an information copy to the contracting officer within 30 days after award of a contract unless a report has been submitted within the 12-months preceding the award date. Subsequent reports shall be submitted annually on or before March 31 (reference 41 CFR 60-1.7). If additional information is required regarding the submission of the EEO-1 report, contact the OFCCP regional office.

§ 5-12.805-5 Compliance Reviews.

(a) The Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) has the responsibility for compliance reviews and preaward clearances.

(b) Compliance reviews are required for nonconstruction contracts of \$1 million or more. Requests for compliance reviews and for preaward clearances shall be sent at least 30 days in advance of prospective awards, to the

Assistant Regional Administrator, OFCCP, for the region in which the contract is to be performed.

(c) The contracting officer shall contact the Director, OFCCP, to determine what action is required with respect to a prospective contractor who has been placed on the Contract Ineligibility List distributed by OFCCP.

§ 5-12.805-54 Furnishing information to contractors.

Contracting officers, when mailing contract documents to contractors that are subject to the Equal Opportunity clause, shall include appropriate information explaining the contract requirements concerning submission of Employer Information Report forms, notices to labor unions or other organizations of workers, and use of required posters (see § 1-12.805-3).

§ 5-12.810 Affirmative action compliance programs.

(a) *Nonconstruction contractors.* Each contractor and subcontractor who has 50 or more employees and (1) has a contract of \$50,000 or more; and (2) has Government bills of lading which in any 12-month period, total or can reasonably be expected to total \$50,000 or more; or (3) serves as a depository of Government funds in any amount; or (4) is a financial institution which is an issuing and paying agent for U.S. savings bonds and savings notes in any amount, shall develop a written affirmative action compliance program for each of its establishments.

(b) *Construction contractors.* Contractors and subcontractors which hold federal or federally assisted construction contracts in excess of \$10,000 are subject to the requirements of the equal employment opportunity program. The procedures established in 41 CFR Part 60-4 for construction contractors' affirmative action compliance programs shall be followed.

4. The Contents of Part 5-18 is added as follows:

PART 5-18—PROCUREMENT OF CONSTRUCTION

Subpart 5-18.7—Labor Standards for Contracts Involving Construction

Sec.

- 5-18.702-1 Davis-Bacon Act.
- 5-18.702-2 Copeland Act.
- 5-18.702-3 Contract Work Hours and Safety Standards Act.
- 5-18.704 Wage determinations.
- 5-18.704-7 Modification of wage determinations.
- 5-18.705 Administration and enforcement.
- 5-18.705-1 Policy.
- 5-18.705-3 Additional classifications.

- Sec.
 5-18.705-4 Apprentices.
 5-18.705-6 Payrolls and statements.
 5-18.705-7 Posting wage determinations.
 5-18.705-9 Suspensions and deductions of contract payments.

Authority: Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)).

5. Part 5-18 Procurement of Construction is added as follows:

Subpart 5-18.7—Labor Standards for Contracts Involving Construction

§ 5-18.702-1 Davis-Bacon Act.

(a) The rates of wages and fringe benefits as determined by the Secretary of Labor to be currently prevailing in the area of the project are the minimum which can be paid to mechanics and laborers under the contract. Rates determined under the Davis-Bacon Act should not be less than the minimum wage under the Fair Labor Standards Act. Any deviation from this rule shall be referred to the Department of Labor for reconsideration. The contractor is not prohibited from paying wage rates or fringe benefits, or both, in excess of those specified. The Davis-Bacon Act does not apply to employees such as superintendents, office workers, or technical and scientific workers.

(b) Laborers and mechanics employed at the site, whether under the prime contract or a subcontract, must be paid at least weekly and without deduction or subsequent rebate except as authorized by statute or regulation.

(c) Each worker must be assigned an authorized classification which accurately describes the duties performed in conformance with recognized practices in the construction industry and in the area. For example, if a laborer performs the work of a journeyman for any portion of the time employed on the contract, that person must be so classified and receive the wages of a journeyman for that part of the time engaged in work at journeyman level. Employees performing work in more than one capacity, such as three hours a day as a laborer and five hours a day as a carpenter must be classified accordingly and paid the applicable wage rate specified in the contract wage schedule for the specific work performed in each classification. If the contractor fails to show dual classification in such cases, payment shall be required at the higher rate for all hours worked.

(d) In addition to the basic hourly rate of pay, the contractor must pay the specified fringe benefits either in cash to the employee, to an approved fund, plan,

and program for the benefit of the employee, or by a combination thereof, and the contractor must assume (by enforceable commitment) the anticipated cost of providing the bona fide fringe benefits.

(e) Violations of Davis-Bacon provisions may be grounds for termination of the contract.

§ 5-18.702-2 Copeland Act.

(a) *Purpose.* The Copeland (Anti-Kickback) Act (18 U.S.C. 874) prohibits the "kickback" of the employee's wages in any manner to the employer. It states, among other things, that whoever by force, intimidation or threat of procuring dismissal from employment, or by any other manner whatsoever induces any person employed on the contract to give up any part of the compensation to which the employee is entitled under his contract or employment shall be fined not more than \$5,000 or imprisoned not more than 5 years, or both. Regulations of the Secretary of Labor (29 CFR Part 3) have been issued pursuant to the Copeland Act to aid in the enforcement of the Act. These regulations are incorporated by reference in every contract for construction in excess of \$2,000 by means of the Compliance With Copeland Regulations clause of Standard Form 19-A, Labor Standards Provisions Applicable to Contracts in Excess of \$2,000. (See § 1-18.901-19A.)

(b) *Weekly Statements of Compliance.* No deductions may be made from total wages earned by any employee of the contractor or subcontractor who is engaged in the performance of a Government contract unless such deductions are authorized under 29 CFR 3.5 or are approved by the Secretary of Labor pursuant to 29 CFR 3.6, 3.7, and 3.8. Deductions not approved by the Secretary of Labor are prohibited. A weekly statement of compliance in accordance with the requirements of the Copeland Act and implementing Department of Labor regulations must be submitted with the weekly payroll submission required in connection with contracts in excess of \$2,000. The statement may be submitted in the format prescribed in 29 CFR 3.3(b).

§ 5-18.702-3 Contract Work Hours and Safety Standards Act.

This act provides that laborers and mechanics shall receive compensation at a rate of not less than one and one-half times the basic rate of pay for all hours worked in excess of 8 hours in each calendar day or in excess of 40 hours in any work week. In addition to the requirements under § 1-18.702-3, the Act provides that no employer shall

require any laborer or mechanic to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to health standards promulgated by the Secretary of Labor. For violations of the excess hours provisions of the Act, the contractor is liable for restitution of unpaid wages to the employee and for the payment of liquidated damages to the Government at a rate of \$10 per calendar day for each employee who was required or permitted to work overtime hours in violation of the Act. Violation of the safety and health standards provisions of the Act may be cause for cancellation of the contract. For conditions under which a contractor may be relieved of the assessment of liquidated damages, see § 1-18.705-13. Procedures to be followed in withholding funds to cover underpayments to employees are prescribed in § 5-18.705-9.

§ 5-18.704 Wages determinations.

§ 5-18.704-7 Modification of wage determinations.

(a) Should a question arise after award of a contract with respect to the applicability of the wage determination included in the specifications, the contracting officer shall submit through Central Office a request for an advisory opinion from the Solicitor of Labor. The contract may then be modified to incorporate the proper determination, with an equitable adjustment, if necessary, as required by paragraph (b) of this section. (See also § 1-18.704-3.)

(b) Should a contractor allege that a prevailing rate is lower than the rate contained in the wage decision, evidence should be requested to substantiate the allegation. The evidence shall be submitted through Central Office to the Secretary of Labor for a determination as to the correct rate. If the Secretary of Labor concurs in the contractor's allegation, a letter of inadvertence may be issued advising that a lower rate should have been included in the wage determination. The issuance by the Secretary of Labor of a letter of inadvertence, or other modification after award of the contract, does not automatically authorize either a change in the schedule of minimum wage rates or a change in the contract price. The corrected wage rate may be incorporated in the contract only through amendment of the contract by mutual consent or by change order issued by the contracting officer in accordance with the Changes clause of the contract.

(c) An amendment or change order issued in accordance with paragraph (b) of this section shall effect an appropriate reduction in the contract price, unless the contractor demonstrates to the satisfaction of the contracting officer that the bid was computed on the basis of the lower rate, in which case the contract may be modified at no change in price.

§ 5-18.705 Administration and enforcement.

§ 5-18.705-1 Policy.

(a) Administration and enforcement of labor standards provisions in construction contracts shall be accomplished in accordance with the regulations of the Department of Labor, and Subpart 1-18.7 of the Federal Procurement Regulations and this Subpart 5-18.7. An Investigation and Enforcement Manual has been provided by the Department of Labor and distributed to all regional offices for guidance in achieving effective compliance with applicable labor standards.

(b) The contracting officer is responsible for the inclusion of the required labor standards provisions in construction contracts and for making reasonable efforts to ensure compliance therewith.

§ 5-18.705-3 Additional classifications.

(a) When a classification for laborers and mechanics required in the performance of the contract work is not listed in the wage determination incorporated in the contract, the contractor shall submit a proposed classification or reclassification and wage rate, plus fringe benefits, if any, to the contracting officer on GSA Form 2428, Request for Authorization of Additional Classification(s), Rate(s), and Fringe Benefit(s), illustrated at § 5-16.950-2428, together with data to substantiate the establishment of the proposed classification or reclassification and rate. For purposes of establishing prevailing rates, information reflecting wage rates and classifications employed on similar projects in the vicinity may be obtained from the contractors' associations, labor organizations and other contractors.

(b) When the contracting officer approves by signing GSA Form 2428, it may be assumed, for the purpose of checking payrolls, that the additional classification(s) and rate(s) are satisfactory unless GSA is otherwise advised within 30 days from receipt of a report by the Department of Labor. Should a correction or objection be received from the Department at a later

date, a proper adjustment would be necessary.

§ 5-18.705-4 Apprentices.

(a) Apprentices may be employed by contractors or subcontractors on construction projects only when the prime contractor has presented to the contracting officer written evidence that such apprentices are registered, individually, under a bona fide apprenticeship program that is registered with a State apprenticeship agency which is recognized and approved by the Bureau of Apprenticeship and Training, U.S. Department of Labor; or, if no such recognized agency exists in a State, under a program registered directly with the aforesaid Bureau of Apprenticeship and Training. Such evidence, together with the allowable ratio of apprentices to journeymen and the wage rates applicable in the area of the project, shall be submitted by the contractor prior to using apprentices on the project.

(b) When the payrolls indicate that a contractor has classified employees as apprentices without complying with the foregoing requirements, the contractor shall be required to pay such employees at the journeymen's rates applicable to the classification of work they actually performed.

(c) When any bona fide apprentices are employed in excess of the allowable ratio, they will be entitled to journeymen's rates for each day of disproportionate employment on the project. Allowances should be made for journeyman absenteeism due to circumstances beyond the control of the contractor.

(d) Apprentice employment data must be furnished with the first payroll on which each apprentice appears. The payroll must show the period of training and approved wage rate of each apprentice employed.

§ 5-18.705-6 Payrolls and statements.

(a) *Forms of payrolls.* Payrolls are not required to be submitted on any particular form except that the form used must permit verification that the contractor or subcontractor is, in fact, complying with the labor requirements of the contract. The Department of Labor has developed a model payroll form, WH-347, for optional use by contractors and subcontractors (see § 5-16.954-347). This form, which meets all the payroll requirements of the labor standards provisions of the contract, may be purchased in quantity at nominal cost at the Government Printing Office, or it may be used as a guide in obtaining payroll forms from other sources. It is believed it will be useful to

contractors for general recordkeeping purposes and its use is encouraged. These forms are not supplied by the Government, but samples will be furnished in limited numbers for the guidance of contractors and subcontractors. In the event the contractor's own form is used, care must be taken to ensure that all required information is included on the payrolls and that no unauthorized deductions have been made.

(b) *Submission of payrolls and statements of compliance.* Payrolls and statements of compliance are required to be submitted weekly within seven days after the regular payment date of the payroll week covered. The contractor is responsible for ensuring that all payrolls and statements are submitted, including those of all subcontractors. The statement required by the Copeland Act applies to laborers, mechanics and their immediate supervisors (29 CFR 3.3(a)), whereas supervisors, foremen, and technical personnel are not required to be shown on the payrolls.

(c) *Examination of payrolls and statements of compliance.* (1) Contractors' payrolls must contain all data required for verification that the labor requirements of the contract are being met. This will include name of employee, classification, wage rate and fringe benefits, hours worked each day and during the payroll week, total earned, itemized withholdings, and total paid each employee.

(2) Copies of weekly payrolls must be submitted promptly and must be complete. Weekly statements of compliance to meet the requirements of 29 CFR 3.3(b) and the amendment of the Davis-Bacon Act to include fringe benefits, must be submitted, either on the payroll form itself (reverse of WH-347), by executing and attaching Form WH-348 to the payroll, or by other attachment which complies with the WH-347 or 348 format (see § 5-16.954-347 and -348).

(3) Hourly wage rates and fringe benefits paid in cash must be not less than those prescribed by the determination of the Secretary of Labor included in the contract.

(4) For overtime payments, see § 1-18.705-2(c). Fringe benefits are excluded in computing overtime rates. Cash in lieu of fringes is paid at the straight time rate and added after computation of time and one-half of the basic rate.

(5) Payment of specified rate is required and there will be no consideration of an average rate. Payment for the first eight hours at a rate of wage less than that specified is

not permissible even though the payment of double time for overtime results in total payment equal to that required by the contract.

(6) Gross earnings shown on payrolls must total the number of hours worked multiplied by the approved hourly rate of pay, plus fringe benefits if paid in cash.

(7) All classifications listed on the payrolls must conform to the classifications listed in the wage determination of the Secretary of Labor and additional approved classifications, if any.

(8) Employees must be properly classified according to the type of work actually performed. As deemed necessary, sampling for compliance may be performed through the use of progress reports to compare the type of work performed during a certain period with classifications listed on payrolls for corresponding periods.

(9) Operators of rented equipment must be paid not less than the specified rates even though their services are included in the rental rates.

(10) Evidence of registration of apprentices in approved apprenticeship programs must accompany the first payroll on which the apprentice appears.

(11) The number of laborers, helpers and apprentices employed must not be disproportionate to the number of journeymen employed. The permissible ratio of apprentices to journeymen is normally covered in apprenticeship agreements for the area involved.

(d) *Correction of payrolls.* GSA Form 1995, Return of Payroll Document for Correction, illustrated at § 5-16.950-1995, shall be used to return payroll documents which need minor corrections. Payrolls that indicate violations of the contract requirements shall not be returned.

(e) *Nonsubmission of payrolls and statements of compliance.* Failure to submit payrolls and statements of compliance is a failure to submit evidence that laborers and mechanics have been paid. This justifies retention of an amount equal to the estimated labor costs of the work for which no payrolls have been submitted until such time as they have been submitted. (See also § 5-18.705-9.)

(f) *When work is performed personally.* Contractors and subcontractors who personally perform work at the site need not submit statements of compliance and payrolls for their own time. However, they shall submit a statement clearly indicating their contractual relationship, the scope of work performed by them, the dates on which the work was done, that they

received no wages for the labor performed, and that no mechanics or laborers were employed in the performance of the work. A sample of GSA Form 618D, Statement to be Submitted When Work is Performed Personally, illustrated at § 5-16.950-618D, shall be forwarded to the contractor by form letter (GSA Form 618A). Additional forms shall be furnished upon request.

§ 5-18.705-7 Posting wage determinations.

The contractor shall post the wage determination decision of the Secretary of Labor and Notice to Employees Working on Federal or Federally Financed Construction Projects, WHPC Publication 1240, at the site of the work. This information shall be posted in one or more prominent locations where it can be seen by all of the workers and shall remain posted and in legible condition for the duration of the contract work. Any additional classifications and rates approved and made applicable to the contract after issuance of the original decision shall be similarly posted.

§ 5-18.705-9 Suspension and deductions of contract payments.

(a) *General.* Under the Withholding of Funds provision of the contract, when suspected violations occur, the contracting officer may suspend payments due the contractor in amounts equal to wages found to be due employees until either restitution has been made voluntarily by the contractor or subcontractor concerned or deductions against payments due the prime contractor have been processed to the General Accounting Office as provided below. However, the General Accounting Office will not attempt to make adjustments with employees until wage underpayment determinations have become final, the contractor has no further recourse through appeal, or unless the contractor has refused to comply with the determination or has acquiesced in the restitution of underpayments but could not locate the employees to make such restitution.

(b) *Processing funds for payment to employees.* If restitution is not made by the contractor or subcontractor within a reasonable time after the underpayments are called to their attention, prior to final payment, the contracting officer shall issue a final decision outlining the contractor's violations of contract requirements and the action to be taken to comply with contract requirements. If the contractor does not appeal this decision within 30 days, or agrees with the decision but is

unable to locate the employees involved to make restitution, the contracting officer will initiate procedures to deduct appropriate amounts from payments to the contractor.

(c) *Informing employees.* The employees for whom sums have been withheld shall be informed by registered or certified mail, return receipt requested, that they should file their claim with the Comptroller General, Claims Division, General Accounting Office, Washington, DC 20548, setting forth the employee's name, address, classification, name of employer and identification of the project upon which he worked, including the prime contractor's name, the location, title and contract number.

CHAPTER 5A—OFFICE OF ACQUISITION POLICY, GENERAL SERVICES ADMINISTRATION

[APD 2800.3 CHGE 31]

PART 5A-12—LABOR [REMOVED]

1. Part 5A-12 is removed in its entirety as set forth above.

CHAPTER 5B—OFFICE OF ACQUISITION POLICY, GENERAL SERVICES ADMINISTRATION

[APD 2800.4 CHGE 13]

PART 5B-12—LABOR [REMOVED]

2. Part 5B-12 is removed in its entirety as set forth above.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)))

Dated: April 5, 1982.

Philip G. Read,
Acting Assistant Administrator for
Acquisition Policy.

[FR Doc. 82-11514 Filed 4-23-82; 8:45 am]

BILLING CODE 6820-61-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 74

[Gen. Docket No. 81-415; RM-3075; FCC 82-148]

Certain GHz Frequency to TV Auxiliary Broadcast Pickup Stations on a Secondary Basis

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Federal Communications Commission allocates the 38.6-40 GHz band to Television pickup stations on a secondary basis to fixed operations. Because of accelerated growth in

Broadcast Auxiliary allocated bands, it has become necessary to make a further allocation to alleviate the congestion of stations.

EFFECTIVE DATE: May 27, 1982.

FOR FURTHER INFORMATION CONTACT:

Mel Murray, Office of Science and Technology, Spectrum Management Division, Spectrum Utilization Branch, Washington, D.C. 20554, (202) 653-8168; Room 7312.

SUPPLEMENTARY INFORMATION:

List of Subjects

47 CFR Part 2

Frequency allocations, Television.

47 CFR Part 74

Television, Pickup stations.

In the matter of amendment of Parts 2 and 74 of the Commission's Rules and Regulations to allocate the 38.6-40 GHz to TV Auxiliary Broadcast Pickup stations on a secondary basis, Gen. Docket No. 81-415, RM-3075.

Report and Order

Adopted: April 1, 1982.

Released: April 14, 1982.

1. On June 30, 1981, the Commission adopted a notice of proposed rule making (NPRM) which proposed to allow TV Auxiliary Broadcast Pickup stations (hereinafter referred to as TV Pickup stations) to share the 38.6-40 GHz band on a secondary basis.¹ This action was in response to a petition for rule making (RM-3075) filed by CBS Inc.

2. Interested parties were invited to file comments by September 18, 1981, and reply comments by October 19, 1981, respectively. Parties filing comments included American Broadcasting Companies, Inc. (ABC); CBS Inc. (CBS); Joint comments representing Channel Two Television Company, Cosmos Broadcasting Corporation, Cox Broadcasting Corporation, Golden West Broadcasters, Mid-America Television Company and Multimedia, Inc. (Joint Parties); National Association of Broadcasters (NAB); National Cable Television Association (NCTA); and Siemens Corporation (Siemens). Reply comments were filed by ABC and NCTA.

3. In the Notice, the Commission proposed adding a new footnote (NG 123) to the Table of Frequency Allocations (47 CFR 2.106) for the 38.6-40 GHz band. The proposed footnote indicated TV pickup stations may be authorized on a secondary basis to

stations operating in the fixed services.² At the present time, within the United States, this nongovernment band is allocated to Fixed and Mobile services on a shared, coequal primary basis. Under Parts 21 and 94 of the Rules, stations may be authorized in the Point-to-Point Microwave Service and the Private Operational-Fixed Microwave Service, respectively. Although there are relatively few fixed links licensed at the present time, it is anticipated as technology advances that the number of such links will significantly increase.

4. No opposing comments were received in regard to the allocation proposal; however, ABC and CBS requested that TV pickup stations be permitted to share the 38.6-40 GHz band on a co-equal, primary, basis with existing services. ABC lists four reasons for its request. They are (1) there appears to be limited demand for non-broadcast uses in the 38.6-40 GHz band, (2) the likelihood of interference is negligible, (3) coordination of the present limited uses of the 38.6-40 GHz band and TV pickup activities can be successfully achieved through frequency selection priorities and requirements analogous to those found in § 74.403(b) and 74.604(c) of the Rules, and (4) the broadcaster's flexibility and ability to respond rapidly to such news events would be circumscribed by secondary status in the band.

5. CBS indicates that co-equal status would have no adverse impact on existing assignments in the band. It believes that with effective coordination between existing users and TV pickup users, there should be virtually no potential for interference and ample potential for expansion. "Moreover", CBS continues, "it seems illogical to assign television pickup stations a secondary status to fixed links when, as the Commission apparently admits, existing 40 GHz fixed links have had difficulty in providing reliable service, while the links used by television pickup stations are ideally suited for this band. In this regard, CBS again points out that fixed users have made little use of the band".

6. Advocating the Commission's proposal to make TV Pickup stations secondary, Siemens points out that it

² Geneva Radio Regulation No. 139: Stations of a secondary service: (a) Shall not cause harmful interference to stations of primary or permitted services to which frequencies are already assigned or to which frequencies may be assigned at a later date; (b) cannot claim protection from harmful interference from stations of a primary or permitted service to which frequencies are already assigned or may be assigned at a later date; (c) can claim protection, however, from harmful interference from stations of the same or other secondary service(s) to which frequencies may be assigned at a later date.

has developed a new data and voice service for industrial use in this band. It states that for proper operations of its system the environment must be essentially interference free. Siemens claims the secondary status of TV Pickups in this band would ensure that existing fixed facilities and newly developed technologies, as that developed by Siemens, would be afforded the interference-free environment they require for proper operation.

7. Responding to Siemens, ABC in its reply comments charges that Siemens's request is unjustified and unwarranted. ABC points out that there is no indication of any significant demand for implementation and use of Siemens's equipment. It adds that TV Pickup stations are not expected to pose any significant threat of interference to fixed users because of their relatively low power, limited transmission range and use of directive antennas.

8. Implied in the comments is the idea that the 38.6-40 GHz band will remain relatively unused in the future, in particular by fixed users. We believe the contrary to be true. Based on the Commission's records for the past several years, we can affirm that all radio services throughout the spectrum are increasing in numbers of users. Congestion in lower bands places heavier dependence on the higher frequencies to provide needed spectrum. Additionally, advances in technology are being made which permit the use of higher frequencies. This fact is evidenced by CBS and Siemens, each who have developed operational systems for use in the 38.6-40 GHz band. In anticipation of a general increase in numbers of users at these higher frequencies, in particular, 38.6-40 GHz, we maintain it is necessary to afford fixed users protection from the likelihood of interference that may be caused by TV Pickup operations.

9. As was pointed out in the Notice, we do not believe secondary operation of TV Pickups will unduly limit their ability to function in this band. As all parties agree, the technical characteristics of operating in this frequency range enhance each one's ability to protect the other from harmful interference.³ Further, it would seem

³ CBS states on page 3 of its comments that "results of field tests conducted on its equipment indicate that the propagation characteristics at these frequencies, coupled with the performance characteristics of the transmission equipment, contribute significantly to reduced interference potential to other users."

¹ See Notice of Proposed Rule Making, Gen. Docket No. 81-415, 46 FR 37916 (July 23, 1981).

beneficial from an operational viewpoint that TV Pickups, due to their unpredictable transmitting schedule and location, not be required to coordinate with fixed stations. Operating on a secondary basis, TV Pickups would protect, not coordinate with, the fixed stations sharing the band. In summary, we are not persuaded by the arguments presented and, accordingly, are adopting the proposal to make TV Pickups secondary in the 38.6-40 GHz band.

10. The National Cable Association, Inc. (NCTA), which claims to be the principal national trade association of the cable television industry, requests that the 38.6-40 GHz spectrum also be made available to Cable Television Relay Service pickup stations.⁴ NCTA indicates that "cable television is a viable competitor in the provision of ENG and remote television pickup services to the public".⁵ It cites cable systems in Columbus, Cincinnati, and Boston which are using Pickup stations several hours each week. It claims within a year cable systems in Pittsburgh, Houston and Dallas will also utilize Pickup stations. NCTA claims that a factor which will contribute to increased demand for Pickup stations is that "many big cities are now including in their franchise proposals the requirement that the cable operator who secures the franchise must provide for ENG operations on the local origination channels". Another point raised by NCTA is the severe frequency congestion occurring in the 12.7-13.20 GHz band which is shared between the Cable TV and Broadcast Auxiliary Services (BAS) on a co-primary basis. NCTA points out that this is the only band allocated to Cable, whereas BAS also has access to allocations at 1990-2500 MHz and 6875-7125 MHz.

11. As NCTA was the only party commenting on its proposal, we do not believe an adequate record has been established to evaluate its request in this Report and Order. To properly consider NCTA's request would therefore require that the scope of this proceeding be expanded. Further, NCTA filed comments in General Docket No. 81-272 (RM-2667) also requesting expansion of that proceeding to include cable users in the 6425-6525 MHz band.

⁴ A Cable Television Relay Service pickup station is a land mobile CARS station used for the transmission of television signals and related communications from the scenes of events occurring at points removed from cable television studios to cable television studios or headends. (See § 78.5 of the Commission's Rules, 47 CFR 78.5 (1980)).

⁵ An Electronic Newsgathering (ENG) system using a mobile TV camera is a TV auxiliary broadcast pickup station when program information is relayed via a microwave link operating in any of the currently allocated frequency bands.

The Commission will review these requests and if they have merit, we will issue a separate notice to propose the appropriate rule changes. To make these determinations at this time and to expand the scope of this proceeding to accommodate these requests would delay the proposed allocation. We believe that such a delay would be inappropriate and not in the public interest. Therefore, we are proceeding with the issuance of this Report and Order without making any determination at this time in regard to NCTA's request.

Impact of 79 WARC

12. In the Notice, we pointed out that the World Administrative Radio Conference (WARC) in 1979 reallocated the 37.5-39.5 GHz band to Fixed, Fixed-Satellite (space-to-Earth) and Mobile radio services and the 39.5-40.5 GHz band to Fixed, and Fixed-Satellite (space-to-Earth) services.⁶ We suggested that a future rulemaking proceeding would address the implementation and sharing of these services within the United States.

13. Commenting on this point, CBS states that it is premature to adopt hypothetical sharing constraints. It does not know of any current plans for satellite usage and assumes that it might be 20 years before any use is made of the 40 GHz band by the satellite services. Accordingly, CBS feels the issue of sharing with satellites does not need to be addressed now. No other comments with respect to this issue were received.

14. As we stated in the Notice, although we do not know at this time the extent of satellite operations in this band or how they might affect terrestrially based services, we do not anticipate a problem with the sharing of these services. We agree with CBS that it is premature to address the sharing issue now. Accordingly, it will be addressed in a future rulemaking proceeding at the appropriate time.

Technical Standards

15. As indicated in the Notice, we did not propose a bandwidth for TV Pickups in the 38.6-40 GHz band. To permit manufacturers the flexibility to design equipment with a higher degree of spectrum efficiency than has been previously possible, we proposed not to assign channel boundaries. However, to maintain some degree of control over spectrum occupancy, it was proposed

⁶ Article N7/5: Frequency Allocations, *Final Acts of the World Administrative Radio Conference, Geneva, 1979.*

that the carrier frequency be maintained within a tolerance of 0.005 percent.

16. Both CBS and NAB concurred that it would be best not to assign channel boundaries to TV Pickup stations within the 38.6-40 GHz band. CBS indicates that it would like to employ high definition, digitally encoded transmission techniques which require wide bandwidth. As we pointed out in the Notice, we are aware of one manufacturer who has developed equipment capable of transmitting three television channels using FDM/FM in a 100 MHz channel.⁷ With respect to the frequency tolerance proposed, CBS states that tests on their developmental transmission system have shown that a frequency stability of 0.005 percent is readily achieved at 40 GHz.⁸ Accordingly, we are adopting the 0.005% tolerance without at this time imposing a limitation on individual channel bandwidth.

17. Again in the Notice, it was proposed that the rated power output of a transmitter used in a pickup station for this band be limited to 1.5 watts. CBS and Joint Parties both felt the limit to be reasonable and appropriate. NAB, however, did not feel that any limit was necessary. It claims that transmissions with a power output sufficient to carry signals over the relatively short distances contemplated are not likely to cause unreasonable interference with other users of the band. However, the Commission's experience has been that even with a power limit, the tendency has been to operate at the limit regardless of the distance the transmission is to cover. We are therefore concerned that, with no limit, licensees would operate at power levels far in excess of what is required. As a consequence, we are adopting the 1.5 watt limit as proposed. Furthermore, in all cases we expect each license applicant to use only that power level necessary to achieve the needed receiver signal level.

18. Type acceptance of the transmitter associated with a TV Pickup station operating in the 38.6-40 GHz band was proposed to include only those operating in excess of a peak power output of 250 mW. For transmitters with a peak power output of 250 mW or less, type acceptance was not proposed as a

⁷ FDM/FM (Frequency Division Multiplex/Frequency Modulation) is generally considered to be a process by which individual channels are separated in frequency, thereby permitting more than one channel to be carried on a single carrier.

⁸ CBS, Inc. was granted an authorization for a station (K12XHT) in the Experimental Service (Developmental) to carry out the development of equipment operating in the 38.6-40 GHz band.

requirement. Because the propagation characteristics at 40 GHz are such that, assuming identical transmission paths, additional transmitter output power is required to obtain the same transmission performance as that obtained in the currently-allocated television broadcast auxiliary bands, CBS felt the limit should be raised to 500 milliwatts. As CBS points out, an alternate method of improving transmission performance at 40 GHz is to employ higher gain antennas to compensate for the additional path loss at these frequencies. In fact, the developmental transmission system, on which CBS included a technical report, consists of a 50 milliwatt transmitter contained within an enclosure which incorporates a selectable antenna with gains of 16, 30, and 36 dB. With this system, superior performance was consistently achieved over a path length of 3 km. It claims that a 500 milliwatt transmitter would increase this range to about ten km. Based on this information and our need to limit the likelihood of interference from equipment not subject to type acceptance requirements, we are rejecting CBS' counterproposal and are adopting the limit proposed (i.e., 250 mW).

19. As mentioned in the Notice, existing rules pertaining to other technical considerations such as "emission limitations" and "modulation limits" will accordingly be extended to include TV pickups in the 38.6-40 GHz band. These are to be found in Subpart F of Part 74 of the Commission's Rules. We have not proposed, nor are we adopting any performance standards for antennas as it would restrict their flexibility of operation.

20. Pursuant to section 605 of the Regulatory Flexibility Act of 1980, Pub. L. 96-354, we find that the action contained herein will not have a significant economic impact on a substantial number of small businesses.⁹ This spectrum allocation will provide broadcast operators of whatever size the option of operating TV Pickup stations in the 38.6-40 GHz band. This

option already exists in other bands. Moreover, because the use of this spectrum will be on a secondary basis, the effect on existing users will be negligible.

Conclusion

21. For the reasons discussed above, we find that amendment of Part 2 and 74, as set out in the attached Appendix, is in the public interest, convenience, and necessity. Authority for these amendments is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 104(i) and 303(r). Accordingly, it is ordered, that, effective May 27, 1982, 47 CFR Parts 2 and 74 are amended as set forth in the attached Appendix. It is further ordered, that this proceeding is terminated.

22. For questions on matters covered in this document, contact Melvin J. Murray at (202) 653-8168.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

Parts 2 and 74 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

PART 2—FREQUENCY ALLOCATIONS OF RADIO TREATY MATTERS GENERAL RULES AND REGULATIONS

1. In § 2.106, the Table of Frequency Allocations is revised by adding new footnote designator NG 123 in column 7 and the words, Television pickup, in column 9 to the band 38.6-40 GHz, and by adding the text of footnote NG 123, in proper numerical sequence, following the Table, as shown below:

§ 2.106 Table of frequency allocations.

FEDERAL COMMUNICATIONS COMMISSION				
Band (GHz)	Service	Class of Station	Frequency	Nature (of services) (of stations)
7	8	9	10	11
38.6-40 (NG 123).	Fixed, mobile.	Television pickup.		

* * * * *

NG 123 Television pickup stations may be authorized to use frequencies in the band 38.6-40 GHz on a secondary basis to stations operating in the fixed services.

* * * * *

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

1. In § 74.602, paragraph (a) preceding the table of frequencies, is revised to read as follows and subparagraph (a)(2) is revised by inserting a new footnote designated NG 123 as follows:

§ 74.602 Frequency assignment.

(a) The frequencies in the following table are available for assignment to television pickup, television STL, television intercity relay stations and television translator relay stations. Additionally, the band 38.6-40 GHz is available for assignment without channel bandwidth limitation to television pickup stations on a secondary basis to fixed stations.

* * * * *

(2) The following notes to the Table of Frequency Allocations contained in § 2.106 apply to the shared use of the frequency bands shown above:

NG 123 Television pickup stations may be authorized to use frequencies in the band 38.6-40 GHz on a secondary basis to stations operating in the fixed services.

* * * * *

§ 74.636 [Amended]

2. In § 74.636, the table is revised to read as follows:

* * * * *

Band	Power limit	Class of station
A (1990-2500 MHz).....	20 watts.....	Fixed.
	12 watts.....	Mobile.
B (6875-7125 MHz).....	20 watts.....	Fixed.
	12 watts.....	Mobile.
D (12.7-13.25 GHz).....	5 watts.....	Fixed.
	1.5 watts.....	Mobile.
38.6-40 GHz.....	1.5 watts.....	Mobile.

* * * * *

⁹49 Stat. 1164 (September 19, 1980).

3. Section 74.661 is revised by adding a new paragraph (d) to read as follows:

§ 74.661 Frequency tolerance.

* * * * *

(d) The licensee of a Television Pickup station operating in the 38.6-40 GHz band shall maintain the carrier frequency of each authorized transmitter within a tolerance of 0.005 percent.

* * * * *

[FR Doc. 82-11451 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

Proposed Rules

Federal Register

Vol. 47, No. 81

Tuesday, April 27, 1982

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

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

7 CFR Parts 1610 and 1701

Proposed Conversion From Quarterly to Monthly Billing for all new REA and RTB Loans

AGENCY: Rural Electrification Administration, USDA.

ACTION: Proposed rule.

SUMMARY: The Rural Electrification Administration (REA) proposes to amend Appendix A, *REA Bulletin 20-9:320-12, Loan Payments and Statements*, to require monthly, instead of quarterly, debt service payments on all new loans made by REA or the Rural Telephone Bank (RTB). Existing loans will continue to be billed on a quarterly basis unless the borrower agrees to a monthly billing cycle. This proposed revision will expedite the flow of funds into the U.S. Treasury and defer the need for Treasury to borrow.

DATE: Public comments must be received by REA or RTB no later than June 28, 1982.

ADDRESS: Submit comments to Sheldon Chazin, Director, Accounting and Auditing Division, Rural Electrification Administration, Room 4063, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Mr. Sheldon Chazin, Director—Accounting and Auditing Division, above address, telephone number (202) 382-9550. The Draft Impact Analysis describing the options considered in developing this proposed rule and the impact of implementing each option is available on request from the above office.

SUPPLEMENTARY INFORMATION: Pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to amend Appendix A, *REA Bulletin 20-9:320-12, Loan Payments and Statements*, to require debt service payments to be made each month

instead of each quarter on all new loans made by REA or the RTB. This would affect all borrowers receiving loans from REA and RTB after the date the proposed change takes effect. Appropriate revisions would also be made in the form of note used to evidence the REA and RTB loans.

This proposed action has been issued in conformance with Executive Order 12291, Federal Regulation, and has been determined to be "not major." This proposed action is not subject to the Regulatory Flexibility Act or to OMB Circular A-95 review requirements.

Copies of the proposed revision are available upon request from the address indicated above. All written submissions made pursuant to this action will be made available for public inspection during regular business hours at the above address.

(Programs affected in the Catalog of Federal Domestic Assistance include: 10.850—Rural Electrification Loans and Loan Guarantees, 10.851—Rural Telephone Loans and Loan Guarantees, and 10.852—Rural Telephone Bank Loans)

Therefore, it is proposed to amend Appendix A, *REA Bulletin 20-9:320-12*, in accordance with this proposal.

List of Subjects

Administrative practice and procedure, Loan programs, Electric power, Telephone.

Dated: April 20, 1982.

Harold V. Hunter,
Administrator.

[FR Doc. 82-11282 Filed 4-26-82; 8:45 am]

BILLING CODE 3410-15-M

FEDERAL HOME LOAN BANK BOARD

12 CFR Parts 543, 545, 546, 552 and 563

[No. 82-270-A]

Processing of Applications

Dated: April 15, 1982.

AGENCY: Federal Home Loan Bank Board.

ACTION: Proposed rules.

SUMMARY: The Federal Home Loan Bank Board ("Board") is proposing a streamline, approach for processing applications to the Board and a three-level approach for processing merger applications. Under the new system, the

majority of merger applications would be approved, automatically, 30 days after the applicant is notified that the application is complete. Those merger applications which do not meet the automatic-approval criteria would be required either to receive the specific approval of the Board's Principal Supervisory Agent or would be referred to the Board for consideration. This procedure is intended to reduce unnecessary delay in corporate reorganizations which require Board approval.

DATES: Comment by June 15, 1982.

ADDRESS: Send comments to Director, Information Services, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N.W., Washington, D.C. 20552. Comments will be available at this address for public inspection.

FOR FURTHER INFORMATION CONTACT: Gayle L. Radley ((202) 377-6961), Attorney, Office of General Counsel, Federal Home Loan Bank Board, at the above address.

SUPPLEMENTARY INFORMATION: All mergers involving federal savings and loan associations or institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation are subject to Board approval. Section 546.2, 543.2, 545.14(e) and 552.13 of the rules and regulations for the Federal Savings and Loan System (12 CFR 546.2, 543.2, 545.14(e), 552.13) prescribe the rules for applications and mergers of federal savings and loan associations. Section 563.22 of the rules and regulations for Insurance of Accounts (12 CFR 563.22) prescribes similar rules applicable to mergers of institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation.

In specified circumstances, Board approval of mergers may be given by the Board's Principal Supervisory Agent (*i.e.*, the president of the Federal Home Loan Bank of which the resulting association in the proposed merger is a member), pursuant to a limited grant of delegated authority. The current delegation regulations result primarily from Board Resolution No. 80-446 (July 24, 1980; 45 FR 50553).

During the past year, the Board increased the delegation of merger approval authority, significantly liberalizing the criteria under which the

Principal Supervisory Agent may approve mergers. See Board Resolutions Nos. 81-18 (January 30, 1981; 46 FR 9917), 81-90 (March 3, 1981; 46 FR 14727), 81-403 (July 22, 1981; 46 FR 37628) and 82-103 (February 18, 1982; 47 FR 8152). Today, the Board took further action in adopting final amendments to expand the scope of merger approval authority delegated to Principal Supervisory Agents. See Board Resolution No. 82-270, April 15, 1982 (— F.R. —).

Liberalized delegation of authority has helped to facilitate successful mergers. In light of the increasing number of mergers occurring in response to the current economic environment, however, the Board believes that present administrative processing requirements continue to place an unnecessary burden on merging institutions. In order to alleviate that burden and to relieve itself of a largely ministerial task, the Board is now proposing to create a processing system which will significantly reduce application processing time by permitting expeditious approval of the great majority of applications including merger applications. The Board is proposing a new procedure under which applications including most merger applications will be deemed approved 30 days after the Board's Principal Supervisory Agent notifies the applicant that the application is complete, unless a substantial protest has been filed to the application. A protest will be considered substantial only where the reason for the protest is consistent with the regulatory basis for denying the application.

Under the proposed system, merger applications would be deemed to be approved by the Board 30 calendar days after notice is sent by the Principal Supervisory Agent that the application is complete, unless:

- (1) The resulting association requests that supervisory forbearances be granted;
- (2) The Principal Supervisory Agent recommends imposing non-standard conditions on approval of the merger;
- (3) The merger application has been substantially protested;
- (4) The Principal Supervisory Agent raises objections to the merger;
- (5) As a result of the merger, the resulting association will have acquired sufficient deposits to give it the largest share of total deposits in any country or similar political subdivision in which it competes;
- (6) After the merger, the resulting association will have greater total deposits than any other depository institution with which it significantly and directly competes;

(7) After the merger, the resulting association will significantly and directly compete with fewer than eight depository institutions and fewer than two of those institutions will have more total deposits than the resulting association;

(8) Both the acquiring association and a merging association have assets of \$1 billion or greater;

(9) The association which will be the resulting association in the merger has a composite Community Reinvestment Act rating of less than satisfactory, or is otherwise seriously deficient with respect to the Board's nondiscrimination regulations and the deficiencies have not been resolved to the satisfaction of the Principal Supervisory Agent;

(10) The resulting association's net worth would not at least equal the amount required for that association under 12 CFR 563.13 (where goodwill has been included in the resulting association's assets, the applicant must submit an opinion of a certified public accountant, satisfactory to the Principal Supervisory Agent, that its use and value are appropriate under and accounted for by generally accepted accounting principles and in accordance with accounting memoranda issued by the Board's staff);

(11) The merger involves any agreement with the Federal Savings and Loan Insurance Corporation;

(12) The merger would result in the conversion of a mutual association to a stock association;

(13) The Principal Supervisory Agent determines that the financial condition of the resulting association would not satisfy minimum financial standards as determined from time to time by the Board's Office of Examinations and Supervision; or

(14) The merger application involves unusual circumstances or policy questions.

The Principal Supervisory Agent would continue to be authorized to specifically grant approval of mergers eligible for the 30-day automatic approval, and those not eligible for 30-day approval if the reason for ineligibility is the necessity for supervisory forbearances or the imposition of non-standard conditions. In addition, the Principal Supervisory Agent could continue to grant approval in those cases described in (5) through (8) above, if the Principal Supervisory Agent first determines that but for merger, the merging association would not satisfy minimum financial standards as determined from time to time by the Board's Office of Examinations and Supervision, *i.e.*, it is a failing association, and that no equally

desirable merger alternative is available.

Under the proposed procedure, the specific approval of the Board would be required for all mergers not approved automatically or not susceptible to the specific approval of the Principal Supervisory Agent.

To implement the 30-day, automatic approval procedure, the Board is proposing to reduce the time requirements for public notice and protest which are currently contained in the Board's application processing regulations. Under the existing regulations, administrative processing may require up to 53 days for an unprotested application. Under the proposed procedures, the maximum time for unprotested applications would be 27 days.

At present, once the Principal Supervisory Agent advises an applicant to publish notice, the applicant has 15 days to publish. The Board proposes to require the applicant to publish within 10 days after the Principal Supervisory Agent sends notice that the application is complete.

Currently, an applicant must publish notice twice. The Board proposes instead to require only one publication.

Under the current regulations, the public has 10 days after publication to submit comments. In addition, upon request, protestants may be permitted an additional 20 days to submit comments. Protestants also have 10 days after the close of the comment period to request oral argument on the merits of the application. The Board now proposes to reduce the additional time which may be requested to 7 days and require protestants who wish to request oral argument to do so within the initial 10-day period.

Also, under the present regulations, no guidelines are given as to what constitutes a proper reason for filing a protest. The Board proposes that only protests determined to be "substantial" will be considered. A protest will be considered substantial only where the reason for the protest is consistent with the regulatory basis for denying the application.

Finally, under current procedures, applicants have 15 days after the close of the protest period to rebut a protest. The Board proposes to reduce the rebuttal time to 10 days.

These proposals are intended to streamline the review not only of merger applications but all applications which are subject to public notice and protest procedures. The Board believes these changes will reduce the amount of

administrative steps necessary to process all applications.

Regulatory Flexibility Act Certification

Pursuant to section 3 of the Regulatory Flexibility Act, Pub. L. No. 96-354, 94 Stat. 1164 (September 19, 1980), the Board certifies that the proposed amendments would, if promulgated, not have a significant impact on a substantial number of small entities. They would provide for application processing in the least burdensome and most efficient manner, and generally give subject institutions greater flexibility in corporate reorganization. The Board believes that the proposal will benefit small institutions by reducing paperwork and delay.

List of Subjects in 12 CFR Parts 543, 545, 546, 552 and 563

Savings and loan associations,
Mergers, Applications

Accordingly, the Board hereby proposes to amend Parts 543, 545, 546 and 552 of Subchapter C and Part 563 of Subchapter D, Chapter V of Title 12, Code of Federal Regulations as set forth below.

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

PART 543—INCORPORATION, ORGANIZATION, AND CONVERSION

1. Amend § 543.2 by amending the last sentence of paragraph (b) and revising paragraphs (d)(1), (e) (1), (2) and (3), and (f), to read as follows:

§ 543.2 Application for permission to organize.

(b) Form; supporting information.

An application shall be deemed filed when four copies are delivered to the Supervisory Agent; the Supervisory Agent shall notify the applicant in writing that the application is complete and direct the applicant to publish notice pursuant to paragraph (d) of this section when the Supervisory Agent determines that all information required under this paragraph has been submitted.

(d) *Public notice and inspection.* (1) The applicant shall publish notice within 10 days after being notified by the Supervisory Agent that the application is complete. Notice shall be published in a newspaper printed in the English language and having a general circulation in the community in which the home office of the new association is to be located. If the Supervisory Agent determines that the primary language of a significant number of the adult

residents of the community is a language other than English, the Supervisory Agent may require that the notice also be given simultaneously in the appropriate language(s).

(e) *Protest.* Communications and answers to protests shall be submitted only as provided in this paragraph or as requested by the Supervisory Agent or the Board. (1) Within 10 days of the date of publication of notice of application (or 17 days after such date if extension is requested in writing within the 10-day period), any person may file a communication in favor of protest of the application, by furnishing four copies to the Principal Supervisory Agent. If the applicant or any person who has filed a protest pursuant to this paragraph wants to have oral argument heard on the merits of an application, a request for oral argument must be made within this period.

(2) Within 10 days after the filing of a protest, the Principal Supervisory Agent shall advise the protestant and the applicant, in writing, whether the protest is considered "substantial". A protest will be considered substantial only in those instances where the reason for the protest is consistent with the regulatory basis for denial of the application (excluding supervisory considerations).

(3) The applicant may file an answer to any protest until 10 days after the last date for filing of communications by furnishing four copies to the Supervisory Agent;

(f) *Oral argument.* (1) *General.* Oral argument on the merits of an application shall be heard if (i) the applicant or a person who has filed a substantial protest has seasonably requested it pursuant to paragraph (e) of this section; or (ii) the Supervisory Agent, after reviewing the application and other pertinent information, considers oral argument desirable. The Supervisory Agent shall mail notice of the time (which shall be not less than 10 days after such mailing) and place of oral argument to the applicant and persons who filed communications. In the case of protests pertaining to Part 563e of this Chapter, the Supervisory Agent shall ensure that the time and place of any oral argument is reasonably convenient to the protestants.

(2) *Procedure.* The Supervisory Agent, or any other person designated by the Board, may hear and determine all matters relating to the conduct of oral argument. Arguments may be made in person or by authorized representatives and unless otherwise permitted by the Supervisory Agent, shall be based only

on written information previously filed regarding the application. A reasonable time of at least one hour shall be allowed to each side for oral argument. A transcript of the oral argument shall be made and included in the application file.

PART 545—OPERATIONS

2. Revise paragraph (d) of § 545.14, remove paragraphs (e), (f) and (g) and redesignate paragraphs (h), (i), (j), (k), (l), and (m) as new (e), (f), (g), (h), (i), and (j), respectively, to read as follows:

§ 545.14 Branch offices.

(d) *Processing of application.* Processing of an application under this Part shall follow the procedures set forth in § 543.2 (d), (e) and (f) of this Chapter.

(e) *Approval of the Board or Principal Supervisory Agent.* * * *

(f) *Approval of temporary or permanent location.* * * *

(g) *Offices not requiring prior written approval.* * * *

(h) *Application for and maintenance of branch office after conversion, consolidation, purchase of bulk assets or merger.* * * *

(i) *Exclusive agreements prohibited.* * * *

(j) *Effective date; effect on existing applications.* * * *

PART 546—MERGER, DISSOLUTION, REORGANIZATION, AND CONVERSION

3. Amend § 546.2 by revising paragraphs (d) and (h) and by adding paragraph (i), to read as follows:

§ 546.2 Procedure; effective date.

(d)(1) Processing of an application under this section shall follow the procedures set forth in § 543.2 of this Subchapter, except that: (i) the required newspaper publication of notice of application shall be made in the communities in which the home offices of the merging and resulting associations are located; and (ii) applicants may additionally mail such notice to the voting members of each association within the time specified in § 543.2(d).

(2) This paragraph (d) shall not apply to any merger authorized by the Board to be instituted for supervisory reasons.

(3) In approving a merger under paragraph (h) of this section, the Principal Supervisory Agent may approve maintenance of an office of the

merging association as a facility of the resulting association.

(h) Merger applications filed in accordance with the procedures set out in § 543.2 shall be deemed to be approved 30 calendar days after the Board's Principal Supervisory Agent gives notice to the applicant that the application is complete, unless:

(1) The resulting association requests the granting of supervisory forbearances pursuant to paragraph (i)(3) of this section;

(2) The Principal Supervisory Agent recommends the imposition of non-standard conditions prior to approving the merger;

(3) The application has been substantially protested;

(4) The Principal Supervisory Agent raises objections to the merger;

(5) As a result of the merger, the resulting association will have the largest share of total deposits in any county or similar political subdivision in which it competes; "Deposits" includes deposits in any depository institution; "Depository institution" includes savings and loan associations, building and loan associations, homestead associations, cooperative banks, mutual savings banks, commercial banks, and credit unions;

(6) After the merger, the resulting association will have greater total deposits than any other depository institution with which it significantly and directly competes; Institutions which "significantly and directly compete" are those located in the area of competitive overlap upon which the effect of the merger will be direct and immediate;

(7) After the merger, the resulting association will significantly and directly compete with fewer than eight depository institutions and fewer than two of those institutions will have more total deposits than the resulting association;

(8) Both the acquiring association and a merging association have assets of \$1 billion or greater;

(9) The association which will be the resulting association in the merger has a composite Community Reinvestment Act rating of less than satisfactory, or is otherwise seriously deficient with respect to the Board's nondiscrimination regulations and the deficiencies have not been resolved to the satisfaction of the Principal Supervisory Agent;

(10) The resulting association's net worth would not at least equal the amount required for that association under § 563.13 of this Chapter (where goodwill has been included in the

resulting association's assets, the applicant must submit an opinion of a certified public accountant, satisfactory to the Principal Supervisory Agent, that its use and value are appropriate under and accounted for by generally accepted accounting principles and in accordance with accounting memoranda issued by the Board's staff);

(11) The merger involves any agreement with the Federal Savings and Loan Insurance Corporation;

(12) The merger would result in the conversion of a mutual association to a stock association;

(13) The Principal Supervisory Agent determines that the financial condition of the resulting association would not satisfy minimum financial standards as determined from time to time by the Board's Office of Examinations and Supervision; or

(14) The merger application involves unusual circumstances or policy questions.

(i) The specific approval of the Board (including recommending modifications of the plan of merger, consolidation, or purchase of bulk assets) required by paragraph (a) of this section may be given by the Board's Principal Supervisory Agent (as defined in § 545.14(a)(3) of this Chapter) in those cases where the Principal Supervisory Agent:

(1) Has recommended the imposition of non-standard conditions prior to approving the merger;

(2) Notwithstanding the applicability of (h)(5) through (8) of this section, determines that but for the merger, the merging association would not satisfy minimum financial standards as determined from time to time by the Board's Office of Examinations and Supervision, *i.e.*, it is a failing association, and that no equally desirable merger alternative is available;

(3) Has granted any of the following forbearances, with respect to supervisory action:

(i) For purposes of the resulting association's satisfaction of the net-worth calculation of § 563.13(b) of this Chapter, the Principal Supervisory Agent may exclude, for up to a five-year period, operating losses on acquired assets, capital losses sustained by the resulting association upon disposition of acquired assets, acquired scheduled items, and the amount of either (a) the net-worth deficiency at the date of merger, or (b) liabilities, including averaged liabilities, of the acquired association;

(ii) For purposes of calculating the liquidity requirements of §§ 523.11(d) and 523.12 of this Chapter, the Principal

Supervisory Agent may exclude for up to one year, any liquidity deficiency which the acquired association has and, also for one year, any aggregate net withdrawals from the acquired association;

(iii) For purposes of calculating the resulting association's investments under § 545.10(b) of this Subchapter, the Principal Supervisory Agent may exclude the building investments of the acquired association; and

(iv) For the purpose of calculating any holding company net-worth maintenance requirement, the Principal Supervisory Agent may exclude, for up to a five-year period, the assets and liabilities balances of the acquired association.

In order to agree to supervisory forbearances regarding the rules for acquired liabilities and operating losses, the Principal Supervisory Agent must find that without merger, assistance would be required from the Corporation. The Principal Supervisory Agent may approve an application for insurance of accounts and Bank membership filed by an uninsured association merging into a Federal association. The authority to approve mergers under this paragraph (i) is discretionary with the Principal Supervisory Agent. It is expected that when a merger subject to these delegations raises significant issues of law or policy for which the Board has not established a formal position, the Principal Supervisory Agent will refer that merger application to the Board for its consideration. An example of a type of merger which should be referred to the Board is one involving an interstate merger of a Federal association.

PART 552—STOCK ASSOCIATIONS

4. Amend § 552.13 by removing paragraphs (h)(1) and (2), redesignating paragraphs (h)(3), (4), (5) and (6) as new (h)(1), (2), (3) and (4), respectively, and amending new paragraph (h)(3), to read as follows:

§ 552.13 Combinations Involving Charter S associations.

(h) Notice. (1) Notice to stockholders.

(2) Republication. * * *

(3) Procedure; processing of application. Processing of an application under this section shall follow the procedures set forth in § 543.2(d), (e) and (f) of this Chapter.

(4) Supervisory exception. * * *

(i) Exclusive agreements prohibited.

(j) *Effective date; effect on existing applications.* * * *

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 563—OPERATIONS

5. Revise § 563.22, to read as follows:

§ 563.22 Merger, consolidation, or purchase of bulk assets.

(a) No insured institution may at any time increase its accounts of an insurable type as a part of any merger or consolidation with another institution or through the purchase of bulk assets, without application to and approval by the Corporation. Application for such approval shall be upon forms prescribed by the Corporation and such information shall be furnished therewith as the Corporation may require. An applicant shall also comply with section 7A of the Clayton Act (15 U.S.C. 18A) and regulations issued thereunder (16 CFR, Parts 801, 802, and 803).

(b) Processing of an application under this section shall follow the procedures set forth in § 543.2 of this Chapter, except that (1) the required newspaper publication of notice of application shall be made in the communities in which the home offices of the merging and resulting institutions are located; and (2) applicants may additionally mail such notice to the voting members of each institution within the time specified in § 543.2(d).

(c) Paragraph (b) of this section shall not apply to any merger authorized by the Corporation to be instituted for supervisory reasons.

(d) Merger applications filed in accordance with the procedures set out in § 543.2 of this Chapter shall be deemed to be approved 30 calendar days after notice is sent by the Board's Principal Supervisory Agent to the applicant that the application is complete, unless:

(1) The resulting institution requests the granting of supervisory forbearances pursuant to paragraph (e) of this section;

(2) The Principal Supervisory Agent recommends the imposition of non-standard conditions prior to approving the merger;

(3) The application has been substantially protested;

(4) The Principal Supervisory Agent raises objections to the merger;

(5) As a result of the merger, the resulting institution will have the largest share of total deposits in any county or similar political subdivision in which it competes; "Deposits" includes deposits in any depository institution; "Depository institution" includes savings and loan associations, building

and loan associations, homestead associations, cooperative banks, mutual savings banks, commercial banks and credit unions;

(6) After the merger, the resulting institution will have greater total deposits than any other depository institution with which it significantly and directly competes; Institutions which "significantly and directly compete" are those located in the area of competitive overlap upon which the effect of the merger will be direct and immediate;

(7) After the merger, the resulting institution will significantly and directly compete with fewer than eight depository institutions and fewer than two of those institutions will have more total deposits than the resulting institution;

(8) Both the acquiring institution and a merging institution have assets of \$1 billion or greater;

(9) The institution which will be the resulting association in the merger has a composite Community Reinvestment Act rating of less than satisfactory, or is otherwise seriously deficient with respect to the Board's nondiscrimination regulations and the deficiencies have not been resolved to the satisfaction of the Principal Supervisory Agent;

(10) The resulting institution's net worth would not at least equal the amount required for that institution under § 563.13 of this Chapter (where goodwill has been included in the resulting institution's assets, the applicant must submit an opinion of a certified public accountant, satisfactory to the Principal Supervisory Agent, that its use and value are appropriate under and accounted for by generally accepted accounting principles and in accordance with accounting memoranda issued by the Board's staff);

(11) The merger involves any agreement with the Federal Savings and Loan Insurance Corporation;

(12) The merger would result in the conversion of a mutual institution to a stock institution;

(13) The Principal Supervisory Agent determines that the financial condition of the resulting institution would not satisfy minimum financial standards as determined from time to time by the Board's Office of Examinations and Supervision; or

(14) The merger application involves unusual circumstances or policy questions.

(e) The specific approval of the Corporation (including recommending modifications of the plan of merger, consolidation, or purchase of bulk assets) required by paragraph (a) of this section may be given by the Board's

Principal Supervisory Agent (as defined in § 545.14(a)(3) of this chapter) in those cases where the Principal Supervisory Agent:

(1) Has recommended the imposition of non-standard conditions prior to approving the merger;

(2) Notwithstanding the applicability of (d)(5) through (8) of this section, determines that but for the merger, the merging institution would not satisfy minimum financial standards as determined from time to time by the Board's Office of Examinations and Supervision, *i.e.*, it is a failing institution, and that no equally desirable merger alternative is available;

(3) Has granted any of the following forbearances, with respect to supervisory action:

(i) For purposes of the resulting institution's satisfaction of the net-worth calculation of § 563.13(b) of this Part, the Principal Supervisory Agent may exclude, for up to a five-year period, operating losses on acquired assets, capital losses sustained by the resulting institution upon disposition of acquired assets, acquired scheduled items, and the amount of either (a) the net-worth deficiency at the date of merger, or (b) liabilities, including averaged liabilities, of the acquired institution;

(ii) For purposes of calculating the liquidity requirements of §§ 523.11(d) and 523.12 of this Chapter, the Principal Supervisory Agent may exclude, for up to one year, any liquidity deficiency which the acquired institution has and, also for one year, any aggregate net withdrawals from the acquired institution;

(iii) For purposes of calculating the resulting institution's investments under § 545.10(b) of this Chapter, the Principal Supervisory Agent may exclude the building investments of the acquired institution; and

(iv) For the purpose of calculating any holding company net-worth maintenance requirement, the Principal Supervisory Agent may exclude, for up to a five-year period, the assets and liabilities balances of the acquired institution.

In order to agree to supervisory forbearances regarding the rules for acquired liabilities and operating losses, the Principal Supervisory Agent must find that without merger, assistance would be required from the Corporation. The authority to approve mergers under this paragraph is discretionary with the Principal Supervisory Agent. It is expected that when a merger subject to these delegations raises significant issues of law or policy for which the Corporation has not established a

formal position, the Principal Supervisory Agent will refer that merger application to the Corporation for its consideration.

(Section 5 of the Home Owners' Loan Act, 12 U.S.C. 1464; Sections 402, 403, and 407 of the National Housing Act, 12 U.S.C. §§ 1725, 1726, and 1730; Reorg. Plan No. 3 of 1947, 3 CFR 1071 (1943-48 Comp))

By the Federal Home Loan Bank Board.

J. J. Finn,
Secretary.

[FR Doc. 82-11457 Filed 4-26-82; 8:45 am]

BILLING CODE 6720-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 357

[Docket No. 81N-0022]

Weight Control Drug Products for Over-the-Counter Human Use; Establishment of a Monograph

Correction

In FR Doc. 82-4782 appearing at page 8466 in the issue of Friday, February 26, 1982, make the following changes:

(1) On page 8471, third column, under "1. Active Ingredients," "Phenylpropanolamine" should be changed to read, "Phenylpropanolamine".

(2) On page 8471, third column, under "1. Active Ingredients," "Xanthan gum" should be changed to read "Xanthan gum".

(3) On page 8471, third column, under "2. Other Ingredients," "Conicus" should be changed to read, "Cnicus".

(4) On page 8472, first column, in the list of ingredients, "Theronine" should be changed to read "Threonine".

(5) On page 8476, first column, fourth line from the top, "(8) OTC Volume 170050." should be changed to read "(8) OTC Volume 170057."

BILLING CODE 1505-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-10-FRL 2055-3]

Approval and Promulgation of State Implementation Plan: Oregon

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The purpose of this notice is to invite public comment on EPA's

proposal to approve a consolidated permit and emissions trading program for the State of Oregon.

The intended effect of this action is to establish a SIP permitting and emissions trading program that will allow the State of Oregon to issue all the Act's required permits and to approve emissions trading transactions (emission offsets, banking of emission reduction credits, and most alternative emission controls (bubbles)) without the need for case-by-case Federal approval.

DATE: Comments will be accepted until May 27, 1982.

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

Central Docket Section (10A-81-2), West Tower Lobby, Gallery I Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460 Air Programs Branch, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101-3188 State of Oregon, Department of Environmental Quality, 522 SW Fifth, Yeon Building, Portland, Oregon 97207

Comments should be addressed to: Laurie M. Kral, Air Programs Branch M/S 532, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101-3188.

FOR FURTHER INFORMATION CONTACT: David C. Bray, Air Programs Branch, M/S 532, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101-3188, Telephone (206) 442-1980, (FTS) 399-1980.

SUPPLEMENTARY INFORMATION:

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- I. Introduction
- II. Background
- III. Plan Revisions
 - A. Air Contaminant Discharge Permit Rule
 - B. New Source Review Rule
 - C. Plant Site Emission Limit Rule
 - D. Prevention of Significant Deterioration Rule
- IV. Intended Effect of This Action

I. Introduction

Over the past several years the State of Oregon has submitted to EPA, as revisions to the Oregon SIP, a number of amendments to Department of Environmental Quality (DEQ) permit rules for new and existing sources. EPA is today proposing to approve these revisions in order to allow the DEQ to issue the permits required by the Act and to operate an emissions trading program within the context of the Federally-approved SIP. The section entitled "Background" outlines the requirements of the Act regarding new source review, PSD, and emissions trading programs. The section entitled

"Plan Revisions" describes the four DEQ rules which are proposed for approval herein. The section entitled "Intended Effect of This Action" summarizes the actions which EPA is today proposing, describes the intended effects of these actions, and calls for comments.

II. Background

The Act requires in Section 110(a)(2)(D) that each SIP regulate

The modification, construction and operation of any stationary source, including a permit program as required by parts C and D and a permit or equivalent program for any major emitting facility, within such region as necessary to assure (i) that national ambient air quality standards are achieved and maintained, and (ii) a procedure, meeting the requirements of paragraph (4), for review (prior to construction or modification) of the location of new sources to which a standard of performance will apply.

The specific requirements for these programs are contained in sections 110(a)(4), 165, 169, 172 and 173 of the Act and 40 CFR 51.18 and 51.24 of EPA regulations and will not be reiterated herein.

In addition to a permit program, Part C of the Act requires in Section 161 that each SIP contain emission limitations and such other measures as may be necessary to prevent significant deterioration of air quality. The specific requirements for these portions of the PSD program are contained in Sections 162, 163 and 164 of the Act and 40 CFR 51.24 of EPA regulations.

Emissions trading is a regulatory reform measure which is allowed by the Act within the context of the Federally-approved SIP. It currently consists of four programs: (1) Emission offsets for new and modified sources (e.g., as required by section 173(l) of the Act); (2) netting of emissions to determine what constitutes a modified major stationary source or major emitting facility (as required by section 110(a)(2)(D)(i), 165(a), 169(1)(C), and 172(b)(6) of the Act); (3) alternative emission limits (bubbles) for SIP emission limitations established pursuant to sections 110(a)(2)(B), 161 and 172(b)(8) of the Act; and (4) banking (saving for future use) emission reductions in excess of that otherwise required by the SIP. The requirements for emission offsets are contained in 40 CFR 51.18 and for netting in 40 CFR 51.18 and 51.24 of EPA regulations. On April 7, 1982 (47 FR 15076), EPA published a proposed Emission Trading Policy Statement which substantially revises its earlier policies on alternative emission limits and emissions banking programs. This

policy statement constitutes interim criteria for evaluating state emissions trading rules.

III. Plan Revisions

A. Air Contaminant Discharge Permit Rule

Oregon's Air Contaminant Discharge Permit Rules prescribe the requirements and procedures (including a 30-day public comment period) for obtaining permits for the construction, modification and operation of most new and existing stationary sources.

On February 15, 1977, DEQ submitted amendments to the Air Contaminant Discharge Permit Rules (Oregon Administrative Rules, Chapter 340, Division 20, Sections 140 through 185) as a revision to the Oregon SIP. These amendments (1) add provisions for a "minimal source" compliance determination fee; (2) extend indefinitely the requirement for permit filing, application processing, and compliance determination fees; (3) change the maximum duration of a permit from five to ten years; (4) revise the list of air contaminant source categories covered; (5) revise the application processing and annual compliance determination fees, and (6) recodify the rules.

On July 24, 1979, DEQ submitted amendments to the Air Contaminant Discharge Rules (Oregon Administrative Rules, Chapter 340, Division 20, Sections 155 Table A, 165, 175 and 180) as a revision to the Oregon SIP, thereby modifying the February 15, 1977 submittal. These amendments (1) revise the list of air contaminant source categories covered; (2) revise the permit filing, application processing, and annual compliance determination fees; (3) clarify and expand information to be submitted with an application; and (4) clarify the registration exemption.

On May 22, 1981, DEQ submitted changes to the Air Contaminant Discharge Permit Fee Schedule (Oregon Administrative Rules, Chapter 340, Division 20, Section 155, Table A) as a revision to the Oregon SIP, thereby further modifying the February 15, 1977 submittal. The rule changes include (1) revisions to the air contaminant source categories covered; and (2) revisions to the application processing and annual compliance determination fees.

The submitted permit rules and fee schedule meet the requirements of Sections 110(a)(2)(D) and 110(a)(2)(K) of the Act and are consistent with EPA's regulations for new source review (40 CFR 51.18) and "Permit Fee Guideline" (April 1981). Therefore, EPA is proposing

to approve the submitted rule changes as a revision to the existing SIP.

B. New Source Review Rule

On June 20, 1979 DEQ submitted Prevention of Significant Deterioration Rules (Oregon Administrative Rules, Chapter 340, Division 31, Section 100, later recodified as Sections 100 through 190) as revisions to the Oregon SIP. On September 9, 1981 DEQ submitted New Source Review Rules (Oregon Administrative Rules, Chapter 340, Division 20, Sections 220 through 275) as a revision to the Oregon SIP. These NSR rules entirely replaced the previously approved (46 FR 54939, November 5, 1981) Special Permit Requirements for Sources Locating In or Near Nonattainment Areas (Oregon Administrative Rules, Chapter 340, Division 20, Sections 190 through 195) and replaced those portions of the submitted PSD rules pertaining to permit requirements for new or modified major stationary sources (specifically, Oregon Administrative Rules, Chapter 340, Division 31, Sections 105 subsections (1) through (11), (13), (14) and (17) through (22), 125, and 135 through 190).

The NSR rules require that no major source or major modification begin construction without satisfying the NSR rules and receiving an ACDP from DEQ. The rules contain provisions which must be satisfied for sources or modifications proposing to locate in attainment areas (PSD requirements) and in nonattainment areas (Part D requirements).

The NSR rules also provide for Emission Reduction Credit Banking. Actual emission decreases resulting from permanent continuous control of existing sources may be banked for up to ten years by sources, cities, counties or other local jurisdictions. DEQ must approve the banking, allocation and transfer of all emission reduction credits, provided such is in accordance with local comprehensive plans, statewide planning goals, and state laws and rules.

With one exception, the NSR rules comply with the Act's permit requirements for new and modified major stationary sources (Sections 110(a)(2)(D)(i), 165, 169, 171 to 173) and EPA regulations (40 CFR 51.18 and 51.24). That exception is the definition of "nonattainment area" (Oregon Administrative Rules, Chapter 340, Division 20, Section 225, subsection (16)). This definition is not consistent with the Act's definition (Section 171(2)) in that it recognizes only those areas designated by the EQC and not necessarily those identified by the State and promulgated by the Administrator

under Section 107(d) of the Act. The effect of this difference is that some new or modified major stationary sources could be inappropriately exempted from Part D permit requirements (LAER, offsets, etc.). However, DEQ has agreed to revise its definition of "nonattainment area" prior to any future redesignations, to specifically include those areas designated as nonattainment under Section 107(d) of the Act.

The Emission Reduction Credit Banking provisions are consistent with EPA's policies on the subject as described in Section II, "Background." The NSR rules do, however, contain a number of provisions which differ from the specifics of EPA regulations but which are determined to be equivalent. These differences are discussed in a technical support document which is contained in the docket and is available at the locations listed in the "ADDRESSES" section.

The NSR rules contain definitions of the terms "Dispersion Technique" and "Good Engineering Practice Stack Height" (Oregon Administrative Rules, Chapter 340, Division 20, Section 225, Subsections 7 and 11) which are not consistent with recently promulgated EPA regulations on stack heights (47 FR 5864, February 8, 1982). However, DEQ was not previously required to submit such definitions and now has until November 8, 1982 to revise its previous submittal.

EPA is proposing to approve the submitted NSR rules, including the provisions for Emission Reduction Credit Banking, as a revision to the Oregon SIP with the understanding that DEQ will submit a revised definition of "nonattainment area" which includes areas designated under Section 107(d) of the Act. These rules replace the previously approved Special Requirements for Sources Locating In or Near Nonattainment Areas. EPA is taking no action on the definitions of "Dispersion Technique" and "Good Engineering Practice Stack Height" at this time.

C. Plant Site Emission Limit Rule

On September 9, 1981 DEQ submitted, as a revision to the Oregon SIP, new Plant Site Emission Limit rules (Oregon Administrative Rules, Chapter 340, Division 20, Sections 300 through 320) which replaced the previously approved (45 FR 42265, June 24, 1980) rules (Oregon Administrative Rules, Chapter 340, Division 20, Sections 196 and 197).

The new rules require that PSELs be incorporated into each ACDP as a means of managing airshed capacity. Specifically, PSELs will provide the

basis for: (1) Assuring reasonable further progress towards attainment of ambient standards; (2) assuring compliance with ambient standards and PSD increments; (3) administering the emissions trading program (offsets, banking and bubble); and (4) tracking PSD increment consumption. PSELS are based on actual baseline emissions, are established on at least an annual emission basis and a short term period basis, and do not permit emissions in excess of those allowed by any applicable Federal or state regulation or permit condition, except when alternative emission controls (bubble) are specifically approved.

The PSEL rules contain provisions for Alternative Emission Controls (Bubble) so that specific mass emission limitations may be exceeded at emission units within a plant. The rules allow DEQ to approve alternative emission controls for all sources and pollutants as revisions to ACDPs.

The PSEL rules are consistent with the requirements of the Act as they allow increases in actual emissions only if such increases would not exceed applicable emission limitations or cause ambient air quality standards, PSD increments or reasonable further progress to be violated. New sources and modifications to existing sources must still comply with applicable permit requirements. The Alternative Emission Controls provisions are also consistent with the Act in that they allow no net increases in emissions or ambient air quality impacts, require that applicable control technology standards continue to be met, and require that enforceable emission limitations be established. Furthermore, they specify the administrative and technical procedures with enough detail so as to assure that emission trades will not endanger air quality attainment and maintenance. As such, they are consistent with EPA's interim policies on SIP rules for Alternative Emission Controls as described above in Section II, "Background". EPA is therefore proposing to approve the PSEL rules, including the Alternative Emission Controls (Bubble) provisions as revisions to the existing SIP, thereby replacing the previously approved PSEL rules.

D. Prevention of Significant Deterioration Rule

As discussed above in Subsection III.B, "New Source Review Rule", DEQ submitted complete PSD rules on June 20, 1979. On August 28, 1981 the EQC revoked those portions of the 1979 rules which related to permitting and included

them in the consolidated NSR program. However, certain general provisions for managing the PSD program remained in place. These provisions cover (1) PSD SIP review and revision; (2) ambient air (PSD) increments; (3) ambient air ceilings (National Ambient Air Quality Standards); (4) restrictions on (PSD) area classifications; and (5) (PSD area) redesignation procedures. On September 9, 1981 DEQ resubmitted these general PSD rules (Oregon Administrative Rules, Chapter 340, Division 31, Sections 100, 105 subsections (12), (15), and (16), 110, 115, 120, and 130) as a revision to the Oregon SIP, thereby amending the June 20, 1979 submittal.

These rules satisfy the requirements of Sections 162, 163 and 164 of the Act and 40 CFR 51.24 of EPA regulations. EPA is therefore proposing to approve the submitted rules as a revision to the Oregon SIP.

IV. Intended Effect of This Action

In summary, EPA today proposes to: (1) Approve the revisions to the Air Contaminant Discharge Permit Rules which were submitted on February 15, 1977, July 24, 1979 and May 22, 1981; (2) approve, with the understanding that DEQ will submit a revised definition of "nonattainment area", the New Source Review Rules which were submitted on September 9, 1981 (thereby replacing the previously approved Special Permit Requirements of Sources Locating In or Near Nonattainment Areas); (3) approve the Plant Site Emission Limit Rules which were submitted on September 9, 1981 (thereby replacing the previously approved PSEL rules); (4) approve the Prevention of Significant Deterioration Rules submitted on June 20, 1979 and amended on September 9, 1981; and (5) take no action at this time on the definitions of "Dispersion Technique" and "Good Engineering Practice Stack Height" included in the New Source Review Rules which were submitted on September 9, 1981. A technical support document which further describes the basis for EPA's proposed approval and documents the equivalency of the Oregon program to Federal requirements is contained in the docket and is available at the locations listed in the "ADDRESSES" section.

There are two intended effects of this proposed action: (1) To recognize that only DEQ issued permits (satisfying the Air Contaminant Discharge Permit and New Source Review rules) are necessary for the construction or modification of stationary sources as required by Sections 110, Part C (PSD) and Part D (pertaining to nonattainment areas) of the Act; and (2) to recognize that most

emissions trading actions, approved by DEQ in accordance with the New Source Review Rules (netting, offsets or banking) or Plant Site Emission Limit Rules (alternative emission limits (bubbles)) and incorporated in Air Contaminant Discharge Permits, are revisions to the Federally-approved SIP at the time of permit issuance and do not require case-by-case EPA approvals.

Consistent with EPA policy on alternative emission controls as described above in Section II, "Background", alternative emission limits (bubbles) which involve large trades of sulfur dioxide or total suspended particulates must still be submitted for case-by-case EPA approval in order to revise the Federally-approved SIP. Specifically, EPA policy states that alternative emission limits (bubbles) for sulfur dioxide or total suspended particulates which: (1) Involve trades where the sum of the increases in emissions exceeds 100 tons per year; and (2) require dispersion modeling to adequately assess the impact of the traded emissions on ambient air quality; must be submitted as individual SIP revisions. The DEQ program requires dispersion modeling for alternative emission limits when necessary to demonstrate ambient equivalency, but provides no criteria specifying when modeling is or is not required. Therefore, when the sum of the increases in emissions exceeds 100 tons per year, sulfur dioxide and total suspended particulate trades must be submitted to EPA as revisions to the Oregon SIP. To accomplish this effect, EPA proposes to add the following language to 40 CFR Part 52, Subpart MM:

Emission limitations and other provisions contained in Air Contaminant Discharge Permits issued by the State in accordance with the provisions of the Federally-approved Air Contaminant Discharge Permit Rules (OAR 340-20-140 through 185), New Source Review Rules (OAR 340-20-220 through 275) and Plant Site Limitations Rules (OAR-20-300 through 320), except Alternative Emission Limits (Bubble) for sulfur dioxide or total suspended particulates which involve trades where the sum of the increases in emissions exceeds 100 tons per year, shall be the applicable requirements of the Oregon SIP (in lieu of any other provisions) for the purposes of Section 113 of the Clean Air Act and shall be enforceable by EPA and by citizens in the same manner as other requirements of the SIP.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator has certified that SIP approvals under Sections 110 and 172 of the Act will not have a significant economic impact on a

substantial number of small entities (46 FR 8709, January 27, 1981). Portions of this action constitute SIP approvals under Sections 110 and 172 within the terms of the January 27, 1981 certification. The remaining portions of this action constitute SIP approvals under Section 161 of the Act. Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator will, if approved, certify that SIP approvals under Section 161 of the Act will not have a significant impact on a substantial number of small entities.

Under Executive Order 12291, EPA must judge whether a regulation is major and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not judged to be major since it merely approves actions taken by the State and does not establish any new requirements.

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

Interested parties are invited to comment on all aspects of these proposed revisions to the Oregon SIP. Comments should be submitted, preferably in triplicate, to the address listed in the front of this Notice. Public comments postmarked by May 27, 1982, will be considered in any final action EPA takes on this proposal.

(Secs. 110(a), 160 to 169, 171 to 173, 301(a), Clean Air Act (42 U.S.C. 7410(a), 7470 to 7479, 7501 to 7503 and 7601(a)))

List of Subjects in 40 CFR Part 52

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

Dated: February 9, 1982.

L. Edwin Coate,

Acting Regional Administrator.

[FR Doc. 82-11458 Filed 4-26-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 123

[SW-4-FRL-2073-3]

Georgia's Application for Interim Authorization, Phase II, Components A and B, Hazardous Waste Program; Public Hearing and Comment Period

Correction

In FR Doc. 82-6883 appearing on page 10861 in the issue of Friday, March 12, 1982, in the third column, second full paragraph from the top, last line, "207" should read "267".

BILLING CODE 1505-01-M

GENERAL SERVICES ADMINISTRATION

Transportation and Public Utilities Service

41 CFR Part 101-41

U.S. Government Bill of Lading; Standard Form; Correction

AGENCY: General Services Administration.

ACTION: Proposed rule; correction.

SUMMARY: Correction notices are used to correct or amend Standard Form (SF) 1103's, Government Bills of Lading; SF 1131's, Government Transit Bills of Lading; and SF 1203's, Government Bills of Lading—Privately owned Personal Property. Correction notice DD Form 1352 is widely used throughout DOD and several civil agencies, while correction notice GSA Form 2922 has seen little use and only within GSA. This proposed rule would eliminate the GSA Form 2922, convert DD Form 1352 to a SF and specify its use by all government agencies. The proposal to combine these two forms was a DOD employee suggestion intended to eliminate duplication and effect economies by reducing the number of forms used by Government agencies to correct Government bills of lading (GBL).

DATE: Comments must be received by May 27, 1982.

ADDRESS: Written comments should be sent to General Services Administration (TACP), Chester A. Arthur Building, Washington, D.C. 20406.

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

SUPPLEMENTARY INFORMATION: General Services Administration (GSA) surveyed its regional offices, several civil agencies, and Headquarters, Department of the Army, to ascertain what forms are used to correct GBL's. GSA regional offices use GSA Form 2922 and the military departments use a DOD form, DD Form 1352. GSA found that two of the civil agencies also use DD Form 1352 to correct or amend their GBL's. The other agencies either reissue GBL's, or correct them through pen and ink changes or by letter. The employee's suggestion included recommendations by two DOD activities to approve the suggestion to have one standard form. Your comments to the proposed rule and illustrated form are invited.

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

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

Dated: April 6, 1982.

Allan W. Beres,
Commissioner.

BILLING CODE 6820-AM-M

GOVERNMENT BILL OF LADING CORRECTION NOTICE		DATE NOTICE PREPARED
1. GBL NUMBER	2. DATE GBL WAS ISSUED	3. TOTAL WEIGHT SHOWN ON GBL
4. ORIGIN (Name of shipping point shown on GBL.)	5. DESTINATION (As shown in "Destination" block on GBL.)	
3. ROUTE (Complete routing shown on GBL.)	7. ISSUING OFFICE (As shown on GBL under "For Use Of Issuing Office.")	
8. TO: (Name and address of carrier/activity to which directed, including ZIP code.)		9. Complete items 9a, b and c only when correction is made after transportation charges have been paid.
		a. D.O. VOUCHER NUMBER
		b. D.O. VOUCHER DATE
		c. D.O. SYMBOL
10. FROM: (Full name and address of the activity initiating the notice, including ZIP code.)		
11. BILL OF LADING NOW READS (Show the information as it reads prior to correction.)	12. CORRECT BILL OF LADING TO READ (Show how the corrected information should read.)	
13. AUTHORITY FOR CORRECTION (Tariff and item numbers; classification and item number; or other authority for making the change.)		
14. REMARKS (Pertinent information not otherwise provided on the form. If more space is required, use reverse side of this form.)		
15. INFORMATION COPY TO (Name and address, including ZIP code.)	16. SIGNATURE AND TITLE OF INITIATING OFFICIAL	
	17. CARRIER REPRESENTATIVE'S SIGNATURE (requires when notice is initiated by shipper and transportation charges are affected.)	

STANDARD FORM (-82)
 PRESCRIBED BY GSA, FPMR (41CFR) 101-41.3

**FEDERAL COMMUNICATIONS
COMMISSION**
47 CFR Ch. I
[BC Docket No. 82-187; FCC 82 166]
**Implementation of the Plan for AM
Broadcasting in Region 2**
AGENCY: Federal Communications
Commission.

ACTION: Public notice regarding notice of
inquiry.

SUMMARY: The FCC seeks the comments of interested persons concerning steps needed to implement the Final Acts of the Administrative Conference on Medium Frequency Broadcasting in Region 2, Rio de Janeiro 1981.

The Rio Conference agreed on measures by countries of the Western Hemisphere to protect each others' AM broadcast services from objectionable interference. The United States, as a signatory, is reviewing the need for changes in its rules affecting AM broadcasting and the need for changes in bilateral and multilateral agreements which have hitherto governed mutual protection by the United States and neighboring countries or their AM broadcast services.

The Commission will consider the comments in evaluating the need to inaugurate rule making, and in preparing for the conduct of bilateral discussions with neighboring countries concerning the ways in which it may be mutually desirable to adapt the general provisions of the Rio Final Acts to conditions in North America.

DATE: Comments are requested by June 30, 1982; but the proceeding will remain open for supplementing comments thereafter.

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

FOR FURTHER INFORMATION CONTACT:
Louis C. Stephens, Broadcast Bureau,
(202) 632-7792 (Legal); or
Larry W. Olson, Broadcast Bureau, (202)
254-3394 (Engineering).

SUPPLEMENTARY INFORMATION: In the matter of an inquiry begun on implementation of plan for AM broadcasting in Region 2 (BC Docket No. 82-187).

The Commission has begun an inquiry on steps needed to apply the principles, standards and procedures set out in the Final Acts of The Administrative Conference on Medium Frequency (AM) Broadcasting in Region 2 (western hemisphere) to AM radio broadcast allocations in the United States.

In signing those Final Acts at Rio de Janeiro on December 19, 1981, the U.S. and most of the other countries of the Western Hemisphere manifested their intention to apply the agreed upon protection standards henceforth in acting upon applications for additional stations and facilities changes on the 107 channels allocated to AM broadcasting.

The steps involved in implementation of the Region 2 Plan are:

- Verification and correction of the data in the Region 2 Plan of AM assignments;
- Resolution of interference among assignments in the portion of the Plan designated as List B;
- Negotiation of bilateral agreements and arrangements with neighboring countries;
- Changes to the domestic AM rules resulting from the Rio Final Acts and bilateral agreements; and
- Methods for dealing with interference from stations in non-signatory countries, principally Cuba.

The Commission specifically asked for comments to address:

- Specific errors in present or proposed assignments;
- Recommendations as to provisions that the new or revised bilateral agreements between the U.S. and its neighbors should include;
- Desirability of continuing or changing the present classification of AM stations and the rules affecting them, the desirability of using bracketed curves for departure angles, and the conformance of the present frequency tolerance with the tolerance provided for the Rio Final Acts;
- Ways the Commission could most effectively offset interference caused by Cuba as a non-signatory of the Rio Final Acts; and
- Appropriateness of establishing AM allocations requirements for Puerto Rico, the U.S. Virgin Islands and perhaps Hawaii differing from those applied to mainland stations.

The Commission said it welcomed the participation of the Advisory Committee on Radio Broadcasting.

Initial comments are due by June 30, 1982, so that the FCC may take them into account as it proceeds with the bilateral discussions with neighboring countries, the formulation of new or revised agreements with them and the inauguration of rulemaking proceedings needed to introduce appropriate rule changes reflecting the new and evolving patterns of mutual protection by Region 2 countries of each others' AM services. Thereafter, the record will remain open for the submission of additional comments and data.

For more information contact Louis Stephens, (202) 632-7792, on legal matters and Larry W. Olson, (202) 254-3394, on engineering matters.

Action by the Commission April 1, 1982, by Notice of Inquiry (FCC 82-166). Commissioners Fowler (Chairman), Quello, Washburn, Fogarty, Jones, Dawson and Rivera.

Note.—Because of the ongoing effort to minimize publishing costs, the Notice of Inquiry will not be printed herein. However, copies may be obtained from the distribution centers listed in the Office of Public Affairs, Rm. 202, 1919 M St., NW., Washington, D.C. 20554. In addition, a copy is available for review in the FCC Library, Rm. 639.

William J. Tricarico,
Secretary.
Federal Communications Commission,
April 2, 1982.

[FR Doc. 82-10563 Filed 4-26-82; 8:45 am]
BILLING CODE 6712-01-M

47 CFR Part 73
[BC Docket No. 82-211; RM-4052]
**FM Broadcast Station in Pearl City,
Hawaii; Proposed Changes in Table of
Assignments**
AGENCY: Federal Communications
Commission.

ACTION: Proposed rule.

SUMMARY: This action proposes to assign Class C FM Channel 270 to Pearl City, Hawaii, in response to a petition filed by Pearl City Broadcasting Company. The assignment could provide Pearl City with a first local aural service.

DATES: Comments must be filed on or before June 7, 1982, and reply comments on or before June 22, 1982.

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

FOR FURTHER INFORMATION CONTACT:
Nancy V. Joyner, Broadcast Bureau,
(202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Pearl City, Hawaii), BC Docket No. 82-211, RM-4052.

Adopted: April 14, 1982.

Released: April 21, 1982.

1. A petition for rule making was filed by Pearl City Broadcasting Company ("petitioner"), requesting allocation of Channel 270¹ to Pearl City, Hawaii, as

¹Petitioner initially requested allocation of Channel 282 to Pearl City. However, by subsequent

that community's first assignment. Petitioner states that it will apply for the channel, if assigned. The assignment can be made consistent with the minimum distance separation requirements of § 73.207 of the Commission's Rules. The proposal must also conform with the technical requirements of § 73.1030(c)(1)-(5) of the Rules regarding protection for the Commission's monitoring station in Waipahu, Oahu, Hawaii.

2. Pearl City (1980 population not listed),² in Honolulu County (population 762,874),³ is located approximately 16 kilometers (10 miles) northwest of Honolulu, Hawaii. It has not local service.

3. Petitioner states that Pearl City is located near historic Pearl Harbor, and is an important center for the defense of the United States. Petitioner asserts too, that Pearl City is a growing community, with military, commercial and private construction on the increase.

4. In justification for its proposal, petitioner states that since the terrain surrounding Pearl City is rugged, a Class C channel is requested to minimize the effects of shadowing and diminution of signal strength. Further, it asserts that the preclusive effect of the instant proposal is non-existent since numerous channels are available in the area.

5. In view of the above, and in order to provide a first local aural service to Pearl City, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules, as follows:

City	Channel No.	
	Present	Proposed
Pearl City, Hawaii		270

6. The Commission's authority to institute rule making proceedings, showing required, cut-off procedures, and filing requirements are contained in the attached Appendix and are incorporated by reference herein.

Note.—A showing of continuing interest is required by paragraph 2 of the Appendix before a channel will be assigned.

letter, petitioner advised that Channel 262 had recently been proposed for assignment to Honolulu, Hawaii, in BC Docket No. 82-124 (RM-3782). Under the circumstances, it revised its proposal to request assignment of Channel 270 in lieu of Channel 262 in an attempt to prevent delay in initiating a first local service to its community while not impeding the assignment of an additional channel to Honolulu.

²The 1970 Census reported a population of 19,552. However, petitioner indicates that the current population of Pearl City is in excess of 22,000.

³Population figure was derived from the 1980 U.S. Census, Advance Report.

7. Interested parties may file comments on or before June 7, 1982, and reply comments on or before June 22, 1982, and are advised to read the Appendix for the proper procedures.

8. The Commission has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to rule making proceedings to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules. See, Certification that sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply to Rule Making to Amend §§ 73.202(b), 73.504 and 73.606(b) of the Commission's Rules, 46 FR 11549, published February 9, 1981.

9. For further information concerning this proceeding, contact Nancy V. Joyner, Broadcast Bureau, (202) 632-7792. However, members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel assignments. An *ex parte* contact is a message (spoken or written) concerning the merits of a pending rule making other than comments officially filed at the Commission or oral presentation required by the Commission. Any comment which has not been served on the petitioner constitutes an *ex parte* presentation and shall not be considered in the proceeding. Any reply comment which has not been served on the person(s) who filed the comment to which the reply is directed constitutes an *ex parte* presentation and shall not be considered in the proceeding.

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

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

Appendix

PART 73—RADIO BROADCAST SERVICES

1. Pursuant to authority found in sections 4(i), 5(d)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and §§ 0.204(b) and 0.281(b)(6) of the Commission's Rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's Rules and Regulations, as set forth in the Notice of proposed Rule Making to which this Appendix is attached.

2. *Showings Required.* Comments are invited on the proposal(s) discussed in the Notice of Proposed Rule Making to

which this Appendix is attached. Proponent(s) will be expected to answer whatever questions are presented in initial comments. The proponent of a proposed assignment is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this Notice, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to assign a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the Notice of Proposed rule Making to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See § 1.420(a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of § 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, N.W., Washington, D.C.

[FR Doc. 82-11448 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 81-635; RM-3731]

FM Broadcast Station, Havelock, N.C.; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Withdrawal of Proposed rule.

SUMMARY: This action grants a motion to withdraw the petition for rule making to substitute FM Channel 284 for 285A at Havelock, North Carolina, in response to a request by the proponent, Musicradio of North Carolina, Inc. Musicradio's request resulted from stated expressions of interest in the proposal by other parties.

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

FOR FURTHER INFORMATION CONTACT: Nancy V. Joyner, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Havelock, North Carolina), BC Docket No. 81-635, RM-3731.

Report and Order; Proceeding Terminated

Adopted: April 12, 1982.

Released: April 21, 1982.

1. The Commission has before it for consideration the Notice of Proposed Rule Making, 46 FR 47478, published September 28, 1981, in response to a petition filed by Musicradio of North Carolina, Inc. ("petitioner"), licensee of broadcast Stations WCPQ(AM) and WMSQ(FM) (Channel 285A), in Havelock, North Carolina. Petitioner seeks the substitution of Class C FM Channel 284 for Channel 285A, and modification of its license for WMSQ(FM) to specify operation on Channel 284.

2. In response to the Notice, comments were filed by the petitioner in which it reaffirmed its intention to apply for the channel, if assigned as proposed.

Supporting comments were also filed by Carl D. Long ("Long"); Carteret Broadcasting Company, Inc. ("Carteret"), licensee of Station WMBJ(FM), Morehead City, North Carolina; and WINFAS, Inc. ("WINFAS").¹ The latter two comments, while asserting their interest in applying for the channel, also oppose the proposed license modification for Station WMSQ(FM).

3. As we pointed out in the Notice, in accordance with the Commission policy established in *Cheyenne, Wyoming*, 62 F.C.C. 2d 63 (1976), if any other person expressed an interest in the proposed Class C channel at Havelock, the proposed modification could not be made and the channel, if assigned, would be open for competing applications.

4. In response to the various expressions of interest in applying for Channel 284 if assigned to Havelock, petitioner filed a motion to withdraw its request, citing as authority the Commission's decision in *Bonita Springs and Homestead, Florida*, 45 R.R. 2d 1585 (1979). There, the Commission held that a licensee may withdraw its proposal in the face of other parties having expressed an interest in applying for the proposed facility. Petitioner has chosen this alternative rather than contend with the uncertainties of a comparative evaluation. See, also, *Statesboro, Georgia*, 40 R.R. 2d 1021 (1977). We have decided to take that course here and permit the withdrawal, as requested.

5. In a related matter, we had previously placed a 3.5 kilometer (2.2 miles) northwest site restriction on Channel 285A at Hertford, North Carolina, in order to accommodate the Havelock proposal. See BC Docket No. 80-246 (RM-3614), Memorandum Opinion and Order, 46 FR 46326, published September 18, 1981. This site restriction was an additional limitation from the 1.6 kilometer (1 mile) location northwest of Hertford, as set forth in the Report and Order, 46 FR 23928, published April 29, 1981. In view of the dismissal of the Havelock proceeding herein, the additional site restriction imposed on the Hertford assignment is

¹ Another comment expressing interest was submitted by Charles F. Thomas, and an informal comment in opposition was submitted by Emerald Communications, Inc. ("Emerald"), permittee of Channel 270, Newport, North Carolina. However, neither comment was accompanied by a certificate of service, and therefore constitutes *ex parte* communications pursuant to §§ 1.1201(f) and (g) and 1.1229 of the Commission's Rules. (See, Policies and Procedures Regarding Ex Parte Communications During Informal Rule Making Proceedings, 78 F.C.C. 2d 1384 (1980).) Since service was not effectuated, the comments of Thomas and Emerald cannot be considered.

no longer necessary. The original restriction set forth in the Report and Order (1.6 kilometers (1 mile) east of Hertford) is reinstated.

6. In view of the above considerations, and in accordance with the authority contained in sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.281 and 0.204(b) of the Commission's Rules, it is ordered, That the motion to withdraw the petition for rulemaking in RM-3731, filed by Musicradio of North Carolina, Inc. is granted.

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

8. For further information concerning the above, contact Nancy V. Joyner, Broadcast Bureau, (202) 632-7792. Federal Communications Commission.

Roderick K. Porter,
Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-11450 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 81-840; RM-3929]

TV Broadcast Station in Wadena, Minn.; Proposed Changes in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Withdrawal of proposed rule.

SUMMARY: This action dismisses a petition filed by WCCO Television, Inc. to assign UHF television Channel 42 to Wadena, Minnesota. Petitioner indicates that due to recent developments it is not longer interested in operating a station to serve Wadena.

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

FOR FURTHER INFORMATION CONTACT: Nancy V. Joyner, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Television.

In the matter of Amendment of § 73.606(b), Table of Assignments, Television Broadcast Stations. (Wadena, Minnesota), BC Docket No. 81-840, RM-3929.

Report and Order; Proceeding Terminated

Adopted: March 29, 1982.

Released: April 5, 1982.

1. The Commission has before it for consideration a Notice of Proposed Rule

Making, 46 FR 61301, published December 16, 1981, in response to a petition filed by WCCO Television, Inc. ("petitioner"), proposing the assignment of UHF Television Channel 42 to Wadena, Minnesota, as that community's first commercial television assignment.

2. On March 10, 1982, petitioner submitted a letter requesting dismissal of its petition, stating that due to recent supervening occurrences, it is no longer supportive of the proposal. Therefore, since no other party has indicated an interest, the petition shall be dismissed.

3. In view of the above, it is ordered, That the petition filed by WCCO Television, Inc., proposing the assignment of UHF television Channel 42 to Wadena, Minnesota, is hereby dismissed.

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

5. For further information concerning the above, contact Nancy V. Joyner, Broadcast Bureau, (202) 632-7792.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-11449 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1102

[Ex Parte No. 290 (Sub-2)]

Railroad Cost Recovery Procedures

AGENCY: Interstate Commerce Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: In a previous rulemaking in this proceeding the Commission adopted a cost recovery index in accordance with the requirements of the Staggers Rail Act. In response to petitions, the Commission is reopening this proceeding to seek comments on new all-inclusive cost recovery index filed by the Association of American Railroads, and on other indexing and related issues.

DATES: Comments are due on or before June 11, 1982.

ADDRESS: An original of all comments and 15 copies should be sent to: Room 5340, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT:

Raymond Hobbs (202) 275-6780,

or

Leslie J. Selzer (202) 275-7627.

Copies of the full Commission decision, with appendices, are available from: The Office of the Secretary, Room 2215, Interstate Commerce Commission, Washington, D.C. 20423, (202) 275-7428.

SUPPLEMENTARY INFORMATION: In Ex Parte 290 (Sub-No. 2), *Railroad Cost Recovery Procedures*, 364 I.C.C. 841 (served April 17, 1981 46 FR 22594, April 20, 1981), the Commission adopted a cost recovery index in accordance with the requirements of section 203 of the Staggers Rail Act of 1980 (codified at 49 U.S.C. 10707a). In response to petitions filed by the National Industrial Traffic League, The Fertilizer Institute, and the Proctor and Gamble Company, the Commission is reopening Ex Parte No. 290 (Sub-No. 2) and requesting comments on several issues. These issues are: (1) the new "all-inclusive" index recently submitted by the Association of American Railroads (AAR); (2) the current cost components and forecasting method; (3) the AAR's

use of a wage additive to recover the revenue shortfall resulting from underestimates of the wage index, and related issues; (4) the Commission's index audit procedures; and (5) the 1-day notice provision for the effectiveness of cost recovery rate increases.

These issues are discussed in the Commission decision. Copies of the decision, with appendices, are available from the Commission. Additionally, copies of the petitions and replies are available for inspection at the Commission in the Office of the Secretary.

It does not appear that this action will significantly affect the quality of the human environment or the conservation of energy resources. However, comments on these issues are also invited. A Regulatory Flexibility Act analysis or certification will be prepared in conjunction with a Notice of Proposed Rulemaking, if one results from this Advance Notice. At this point, however, we simply invite comment on the impact of the issues here addressed on small entities.

List of Subjects in 49 CFR Part 1102

Railroads, Freight.

This notice is issued under the authority of 49 U.S.C. 10321, 10707a and 5 U.S.C. 553 and 559.

Dated: April 19, 1982.

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

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-11384 Filed 4-26-82; 8:45 am]

BILLING CODE 7035-01-M

Notices

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Task Force on Federalism and Preservation; Public Hearing

AGENCY: Advisory Council on Historic Preservation.

ACTION: Public Hearing on Preservation and Federalism.

DATE: May 11, 1982, 9:30 am-12:00 p.m.

FOR FURTHER INFORMATION CONTACT:

Peter H. Smith, Advisory Council on Historic Preservation, 1522 K Street, NW., Washington, D.C. 20005, 202-254-3974.

SUPPLEMENTARY INFORMATION: The Task Force on Federalism and Preservation of the Advisory Council on Historic Preservation will hold a public hearing on its work in the historic Cash Room of the main Treasury Building, 15th and Pennsylvania Avenue, NW., Washington, D.C. on May 11, 1982, from 9:30 a.m. to approximately 12 noon.

The hearing, which will be chaired by the Chairman of the Task Force, Governor J. Joseph Garrahy of Rhode Island, will explore the issues involved in federalism and preservation for Federal, State and local governments as well as the private sector. The first phase of the work of the Task Force concentrated on the Federal-State roles in the national preservation program and a report on this subject was issued in late 1981. The Task Force has identified a wide-range of issues for examination in its final report. These include: The Purpose and Nature of Federal Preservation; The Roles of State, Local and Federal Governments in Preservation; Funding for Preservation; Federal Agency Program Goals can be Facilitated Through Preservation Activities; Preservation Concerns of Local Governments; Historic Preservation Involvement of the Private Sector, and Tax Incentives for Preservation. The Council particularly

encourages public participation in the work of the Task Force. Representatives of Federal, State and local governments, private organizations and individuals are invited to express their views on the subject of federalism and preservation. To facilitate scheduling please contact Peter H. Smith at 202-254-3974 prior to the meeting.

Dated: April 22, 1982.

Robert R. Garvey, Jr.,

Executive Director.

[FR Doc. 82-11412 Filed 4-26-82; 8:45 am]

BILLING CODE 4310-10-M

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

Whallonsburg Critical Area Treatment R.C. & D. Measure, New York; Finding of No Significant Environmental Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a finding of no significant impact.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Whallonsburg RC&D Measure, Essex County, New York.

FOR FURTHER INFORMATION CONTACT: Paul A. Dodd, State Conservationist, Soil Conservation Service, James M. Hanley Federal Building, 100 S. Clinton Street, Room 771, Syracuse, New York 13260, telephone (315) 423-5521.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Paul A. Dodd, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The measure concerns critical area treatment. The planned works of improvement include clearing, grading,

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installing heavy rock riprap along the streambank, and seeding.

The Notice of Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various Federal, State, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment are on file and may be reviewed by contacting Paul A. Dodd.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the Federal Register (May 27, 1982).

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program. Office of Management and Budget Circular A-95 regarding state and local clearinghouse review of Federal and federally assisted programs and projects is applicable)

Dated: April 20, 1982.

Paul A. Dodd,

State Conservationist.

[FR Doc. 82-11411 Filed 4-26-82; 8:45 am]

BILLING CODE 3410-16-M

CIVIL RIGHTS COMMISSION

Virginia Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Virginia Advisory Committee to the Commission will convene at 10:00 a.m. and will end at 5:00 p.m. on May 20, 1982, at the John Marshall Hotel, Fifth and Franklin Streets, in the Roof Garden, Richmond, Virginia, 23219. The purpose of this meeting will be to discuss program plans and activities for the remainder of Fiscal Year 1982 and a forum conducted by the Subcommittee on migrant and seasonal farmworkers.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Rev. Curtis W. Harris, 209 Terminal Street, Hopewell, Virginia, 23860, (804) 458-7404 or the Mid-Atlantic Regional Office, 2120 L Street, Suite 510, Washington, D.C., 20037, (202) 254-6670.

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

Dated at Washington, D.C., April 22, 1982.
John I. Binkley,
Advisory Committee Management Officer.
 [FR Doc. 82-11399 Filed 4-26-82; 8:45 am]
 BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 187]

Approval for Expansion of Foreign-Trade Zone No. 23, Buffalo, N.Y., Within the Buffalo Customs Port of Entry

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) adopts the following order:

Whereas, the County of Erie, New York, Grantee of Foreign-Trade Zone No. 23, has applied to the Board for authority to expand its general-purpose zone project in Buffalo to include a site in the Oak-Michigan Industrial Corridor and a site at the former American Standard plant, within the Buffalo Customs port of entry;

Whereas, the application was accepted for filing on July 28, 1981, and notice inviting public comment was given in the Federal Register on August 5, 1981 (46 FR 39868);

Whereas, an examiners committee has investigated the application in accordance with the Board's regulations and recommends approval;

Whereas, the expansion is necessary to provide zone services to new tenants whose operations cannot be accommodated within existing zone space; and

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby orders:

That the Grantee is authorized to expand its zones in accordance with the application filed July 28, 1981. The Grantee shall notify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operations. The authority given in this Order is subject to settlement locally by the District Director of Customs and the District

Army Engineer regarding compliance with their respective requirements relating to foreign-trade zones.

Signed at Washington, D.C. this 16th day of April 1982.
Macolm Baldrige,
Secretary of Commerce, Chairman and Executive Officer, Foreign-Trade Zones Board.

Attest:
John J. Da Ponte, Jr.,
Executive Secretary.
 [FR Doc. 82-11391 Filed 4-26-82; 8:45 am]
 BILLING CODE 3510-25-M

[Order No. 188]

Approval for Relocation of Foreign-Trade Zone No. 9, Honolulu, Hawaii, Within the Honolulu Customs Port of Entry

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) adopts the following order:

Whereas, the Hawaii Department of Planning and Economic Development, on behalf of the State of Hawaii, Grantee of Foreign-Trade Zone No. 9, has applied to the Board for authority to relocate its general-purpose zone from Pier 39 to Pier 2/Fort Armstrong in Honolulu, within the Honolulu Customs Port of entry;

Whereas, the application was accepted for filing on October 19, 1981, and notice inviting public comment was given in the Federal Register on October 26, 1981 (46 FR 52157);

Whereas, an examiners committee has investigated the application in accordance with the Board's regulations and recommends approval;

Whereas, the relocation will provide a larger facility able to accommodate a growing demand for zone services and will further the State's Honolulu Harbor redevelopment plan; and

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby orders:

That the Grantee is authorized to relocate its zone in accordance with the application filed October 19, 1981 (Docket 17-81). The Grantee shall notify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operations. The authority given in this Order is subject

to settlement locally by the District Director of Customs and the District Army Engineer regarding compliance with their respective requirements relating to foreign-trade zones.

Signed at Washington, D.C. this 16th day of April 1982.
Malcolm Baldrige,
Secretary of Commerce, Chairman and Executive Officer, Foreign-Trade Zones Board.

Attest:
John J. Da Ponte, Jr.,
Executive Secretary.
 [FR Doc. 82-11392 Filed 4-26-82; 8:45 am]
 BILLING CODE 3510-25-M

International Trade Administration

Proposed Voluntary Guidelines for State and Local Governments and Private Sector Organizations Engaged in Standards Development, Product Testing and Certification Systems, Pursuant to Title IV on Technical Barriers to Trade (Standards) (Pub. L. 96-39) of Trade Agreements Act of 1979

AGENCY: International Trade Administration, Commerce.

ACTION: Proposed Voluntary Guidelines.

SUMMARY: This Notice complies with Section 403 of the Trade Agreements Act of 1979 which requires the President to take reasonable measures to ensure that state and local governments and private standards organizations conform to rules equivalent to those established under the act for federal agencies engaged in standards-related activities.

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

ADDRESS: Office of Trade Policy, Room 3031, International Trade Administration, Department of Commerce, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Ms. Robin R. Layton, Office of Trade Policy, Room 3031, International Trade Administration, Department of Commerce, Washington, D.C. 20230 (202) 377-3681.

Nancy Morgan,
International Economist.

Voluntary Guidelines for State and Local Governments and Private Sector Organizations Engaged in Standards Development, Product Testing and Certification Systems

Introduction

One result of the recent "Tokyo Round" of Multilateral Trade Negotiations (MTN) held under the

General Agreement on Tariffs and Trade (GATT) is the "Agreement on Technical Barriers to Trade", popularly known as the Standards Code, which became effective January 1, 1980. The Standards Code aims to promote the use of standards as facilitating trade and to prevent standards, testing and certification systems from become technical barriers to trade. To achieve these goals the Code establishes international rules concerning the procedures by which standards and certification systems are prepared, adopted and applied, and by which products are tested for conformity with standards. The provisions of the Code are binding only on central government bodies, but signatories are required to "take such reasonable measures as may be available to them" to ensure compliance by regional, state, local and private organizations.

The legislation implementing the Standards Code in the United States is Title IV of the Trade Agreements Act of 1979 (P.L. 96-39), which establishes rules for federal agencies engaged in standards-related activities. Section 403 of this legislation requires the President to take reasonable measures to ensure that state and local governments and private standards organizations conform to equivalent rules. To this end, the voluntary procedural guidelines presented below have been prepared for state and private bodies involved in three types of activity: developing standards, testing products and operating certification systems. Many state governments and private organizations already use substantially identical procedures. They are, therefore, in compliance with the sense of Congress that "standards-related activity should not create unnecessary obstacles to the foreign commerce of the United States."

Additional information concerning the Standards Code and the Trade Agreements Act of 1979 is available from: Trade Advisory Center, Room 3036, Department of Commerce, Washington, D.C. 20230.

The following procedural guidelines are intended to help state and local government and private standards-setting and certifying organizations ensure that their activities do not create unnecessary obstacles to the foreign commerce of the United States. For purposes of these guidelines, a standards-setting or certifying organization refers to both state and local government agencies and private organizations.

Standards Development

1. Before preparing a new standard or revising an existing one, a standards-setting organization should determine whether any relevant international standards exist or are in preparation. If appropriate, an international document should be used in preparing the new standard. The National Center for Standard and Certification Information ("Center") at the U.S. Department of Commerce (202/921-2587) provides information on existing or developing international standards. If the standards-setting organization decides that use of the international standard is inappropriate, the reasons why an international standard is not used should be included in the docket maintained on the draft standard. The Standards Code recognizes the following reasons for not using the international standard:

- National security requirements;
- Prevention of deceptive practices;
- Protection of human health or safety, animal or plant life or health, or the environment;
- Fundamental climatic or other geographical factors;
- Fundamental technological problems.

The Standards Code does not require that regional standards be taken into consideration. Regional standards are those prepared by organizations whose membership is limited to only some national bodies.

2. Private standards developing organizations are encouraged to participate to the fullest extent possible in the development of international standards. Depending on the rules of the private international standards organization, participation should be arranged through the U.S. member body. Some international organizations recognize only one member body. For example, the American National Standards Institute (ANSI) is the U.S. member body in the International Organization for International Standardization (ISO) and the International Electrotechnical Commission (IEC).

3. Standards should be formulated in terms of performance criteria rather than design characteristics wherever possible. This means, for example, specifying the level of performance that a product must achieve under defined conditions rather than specifying its physical form or materials of construction.

4. When draft standards are developed, interested parties in other countries should be informed and afforded the opportunity to comment, as detailed below. This does not apply if

international standards are used to prepare the new standards or if the standards will not have a significant effect on the trade of other countries.

4.1 When proposing a new standard or revising an existing standard, announce the proposed action so as to notify interested parties in the U.S. and other countries. For organizations that do not publish their own standards actions, this can be accomplished by submitting draft standards to a standards coordinating or developing body which publishes such standards actions. The "ANSI Reporter," put out by the American National Standards Institute (ANSI) and "Standardization News," by the American Society for Testing and Materials (ASTM), are examples of the publications of major U.S. standards organizations.

4.2 Copies of proposed standards should be provided if they are requested to any interested party in foreign countries. Whenever possible, the differences between the draft standards and the international standard should be identified. A reasonable fee may be charged for this service, including the cost of airmail postage to overseas recipients.

4.3 In order to allow adequate time for interested parties to comment, a period of at least 45 days should be allowed for the submission of comments. Comments and other information received should be taken into account in the further processing of the proposed standard.

5. Once adopted, a standard should be published promptly so that interested parties can become familiar with it. In the case of a technical regulation, a reasonable interval should be allowed between publication and entry into force, so that producers will have time to adapt their products or methods of publication to the requirements.

Certification Systems

6. When rules of certification systems are developed, interested parties in foreign countries should be informed and afforded the opportunity to comment. The procedures suggested below are much the same as those listed for draft standards and, as with standards, they are not necessary if the proposed rules will not have a significant effect on the trade of other countries.

6.1 When proposing a new certification system or revising an existing system, announce the proposed system so as to notify interested parties in the U.S. and other countries. For organizations that do not publish their own rules of certification, this can be

accomplished by submitting the proposed rules to an organization which publishes such actions. The Underwriters Laboratories, Inc. is one such organization.

6.2 Copies of the proposed rules of certification systems should be provided, if they are requested, to any interested parties. A reasonable fee may be charged for this service, including the cost of airmail postage to overseas recipients.

6.3 In order to allow adequate time for interested parties to comment, a period of at least 45 days should be allowed for the submission of comments. Comments and other information received should be taken into account in the further processing of the proposed rules.

7. If a state agency or private organization maintains a certification system, it should allow imported products to be certified as long as the suppliers are able to fulfill the requirements of the system. This includes receiving the mark of the system, if any, under the same conditions that affect domestic products. The certifying organization should treat imported products the same as domestic products.

Product Testing

8. When testing is required to determine compliance with technical regulations or standards, the testing agency or organization should treat imported products the same as domestic products. There may, however, be situations when it is not possible to test foreign products on the same basis as U.S. products because of incomparable conditions. For example, if a foreign country uses a pesticide on produce which the United States does not allow, then it may be necessary to test imported produce for a pesticide residue while it would not be necessary to test U.S. produce.

8.1 Test methods and administrative testing procedures should be no more complicated or time-consuming for imported products than they are for U.S. products.

8.2 Any fees charged for testing imported products should be calculated in the same manner as those charged for U.S. products.

8.3 The sites of testing facilities and the selection of samples for testing should not cause unnecessary inconvenience to importers, exporters, or their agents.

8.4 Results of tests should be made available to the importer, exporter or their agents, if requested.

8.5 Confidential information about imported products should be respected

the same way as it is for domestic products.

9. Whenever possible, testing or certifying organizations are encouraged to accept test results or certification marks from their counterpart organizations in other countries or even accept self-certification from producers in other countries. Because test methods vary, it may be necessary to hold consultations between the testing or certifying organizations in the importing and exporting countries in order to reach a mutually satisfactory arrangement.

Disputes

10. If a standards or certification organization in the United States has a problem with a foreign governmental or private standard or certification system, it should bring its complaint to the attention of the GATT Affairs Division of the Office of the U.S. Trade Representative, Washington, D.C. 20506, (202/395-3063). The Office of the U.S. Trade Representative will then work with its counterpart government agency in the country in question to arrange a mutually satisfactory solution.

11. In the reverse situation, if a foreign country that is a signatory to the Standards Code has a problem with a U.S. state or local government or private standard-setting or certifying organization, the Office of the U.S. Trade Representative would receive it according to its specific procedures. This includes cooperating with the domestic parties involved in order to reach a mutually satisfactory solution.

[FR Doc. 82-11460 Filed 4-26-82; 8:45 am]

BILLING CODE 3510-25-M

Elemental Sulphur From Canada; Preliminary Results of Administrative Review of Antidumping Finding and Intent To Revoke in Part

AGENCY: U.S. Department of Commerce, International Trade Administration.

ACTION: Notice of preliminary results of administrative review of antidumping finding and intent to revoke in part.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping finding on elemental sulphur from Canada. The review covers three of the 41 known exporters of this merchandise to the United States currently covered by the finding and the period December 1, 1980 through September 15, 1981. All sales by Home Oil Company, Ltd., Sulconam, Inc., and Irving Oil, Ltd., were made at not less than fair value during the above period.

There is no indication of any sales at less than fair value since that time.

As a result of this review the Department intends to revoke the finding with respect to these three firms. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT: Jonathan Seiger or Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-2704/2496).

SUPPLEMENTARY INFORMATION:

Background

On September 15, 1981, the Department of Commerce ("the Department") published in the Federal Register the preliminary results of its first administrative review of and tentative determination to partially revoke the antidumping finding on elemental sulphur from Canada (46 FR 45789). For Home Oil Company, Ltd. and Irving Oil, Ltd., the review covered the period July 1, 1978 through November 30, 1980. For Sulconam, Inc., the review covered the period January 1, 1979 through November 30, 1980. Prior Treasury review disclosed no sales at less than fair value by Sulconam for the period July 1, 1978 through December 31, 1978. On April 5, 1982, the Department published the final results of the administrative review and announced its intent to conduct the next Administrative review by the end of December 1982 (47 FR 14507). As required by section 751 of the Tariff Act of 1930 ("the Tariff Act") the Department has now conducted that administrative review.

Scope of the Review

Imports covered by the review are shipments of elemental sulphur, currently classifiable under item 415.4500 of the Tariff Schedules of the United States Annotated (TSUSA).

The Department knows of a total of 41 exporters to the United States of elemental sulphur from Canada currently covered by the finding, three of which are covered by this notice. This review covers the period December 1, 1980 through September 15, 1981, the date of the Department's tentative determination to revoke the finding with respect to Home Oil Company, Ltd., Sulconam, Inc., and Irving Oil, Ltd.

United States Price

In calculating United States price the Department used purchase price, as defined in section 772 of the Tariff Act.

For Irving Oil and Sulconam purchase price was based on the F.O.B. packed delivered price to unrelated purchasers. Where applicable, we deducted U.S. and Canadian inland freight charges. In the case of Home Oil, purchase prices were ex-factory, packed prices. No other adjustments were claimed or allowed.

Foreign Market Value

In calculating foreign market value the Department used home market price, as defined in section 773 of the Tariff Act, since sufficient quantities of such or similar merchandise (at least 8.8 percent of total sales and at least 95.8 percent of sales for export to countries other than the U.S.) were sold in the home market to provide a basis for comparison. In the cases of Home Oil and Irving Oil, foreign market values are ex-factory, packed prices. In the case of Sulconam, foreign market values are F.O.B. packed delivered prices. Where applicable, we made a deduction for Canadian inland freight. No other adjustments were claimed or allowed.

Preliminary Results of the Review

As a result of our comparison of United States price to foreign market value, we preliminarily conclude that there were no sales at less than fair value by Home Oil Company, Ltd., Sulconam, Inc., and Irving Oil, Ltd. for the period December 1, 1980 through September 15, 1981. There is no indication of any sales at less than fair value by these three firms since September 15, 1981.

As provided for in § 353.54(e) of the Commerce Regulations, all three firms have agreed in writing to an immediate suspension of liquidation and reinstatement of the finding if circumstances develop which indicate that elemental sulphur produced by these firms and thereafter imported into the United States is being sold by them at less than fair value.

Intent To Revoke in Part

As a result of our review we intend to revoke the finding on elemental sulphur from Canada with regard to these three companies. If the finding is partially revoked it shall apply to unliquidated entries by these three firms entered, or withdrawn from warehouse, for consumption on or after September 15, 1981. Interested parties may submit written comments on these preliminary results within 30 days of the date of publication of this notice and may request disclosure and/or a hearing within 10 days of the date of publication. Any hearing, if requested, will be held 30 days after the date of publication of this notice or on the first

working day thereafter. Any request for an administrative protective order must be made within 5 days of the date of publication. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing. The Department will issue appraisal instructions for these exporters directly to the Customs Service.

This administrative review, intent to revoke, and notice are in accordance with sections 751(a)(1) and (c) of the Tariff Act (19 U.S.C. 1675(a)(1), (c)) and §§ 353.53 and 353.54 of the Commerce Regulations (19 CFR 353.53, 353.54).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

April 19, 1982.

[FR Doc. 82-11461 Filed 4-26-82; 8:45 am]

BILLING CODE 3510-25-M

Foreign Availability Subcommittee of the Computer Systems Technical Advisory Committee; Open Meeting

AGENCY: International Trade Administration.

SUMMARY: The Computer System Technical Advisory Committee was initially established on January 3, 1973, and rechartered on September 18, 1981 in accordance with the Export Administration Act of 1979 and the Federal Advisory Committee Act. The Subcommittee was approved for continuation on October 5, 1981 pursuant to the charter of the Committee. The Foreign Availability Subcommittee was formed to ascertain if certain kinds of equipment are available in non-COCOM and Communist countries, and if such equipment is available, then to ascertain if it is technically the same or similar to that available elsewhere.

TIME AND PLACE: May 19, 1982, at 1:30 p.m. The meeting will take place at the Main Commerce Building, Room 3104, 14th Street and Constitution Ave., N.W., Washington, D.C.

AGENDA:

General Session

- (1) Opening remarks by the Subcommittee Chairman.
- (2) Presentation of papers of comments by the public.
- (3) Review of the Foreign Availability Certification Group proposal status.
- (4) Discussion of the agenda for 1982.

PUBLIC PARTICIPATION: The meeting will be open for public observation and a limited number of seats will be available. To the extent time permits members of the public may present oral

statement to the Subcommittee. Written Statements may be submitted at any time before or after the meeting.

FOR FURTHER INFORMATION OR COPIES OF THE MINUTES CONTACT:

Mrs. Margaret A. Cornejo, Committee Control Officer, Office of Export Administration, Room 2613, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: 202-377-2583.

Dated: April 20, 1982.

Vincent F. DeCain,

Acting Director, Office of Export Administration.

[FR Doc. 82-11462 Filed 4-26-82; 8:45 am]

BILLING CODE 3510-25-M.

Joint Meeting of Computer Systems Technical Advisory Committee and Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee; Closed Meeting

AGENCY: International Trade Administration.

SUMMARY: The Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee and the Computer Systems Technical Advisory Committee were initially established on January 3, 1973, and rechartered on September 18, 1981, in accordance with the Export Administration Act of 1979 and the Federal Advisory Committee Act.

The Committees, where they have expertise in such matters, advise the Office of Export Administration with respect to questions involving (A) technical specifications and policy issues relating to those specifications which are of concern to the Department, (B) worldwide availability of products and systems, including quantity and quality, and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to computer systems, peripherals, components and related test equipment, or technology, and (D) exports of the aforementioned commodities subject to unilateral and multilateral controls which the United States establishes or in which it participates including proposed revisions of any such controls.

TIME AND PLACE: May 20, 1982, at 1:00 p.m. The meeting will take place at the Main Commerce Building, Room 3836, 14th Street and Constitution Ave., NW., Washington, D.C.

The Committees will meet only in Executive Sessions to discuss matters properly classified under Executive Order 12065, dealing with the U.S. and

COCOM control program and strategic criteria related thereto.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 29, 1981, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In The Sunshine Act, Pub. L. 94-409, that the matters to be discussed in the Executive Sessions should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1) and are properly classified under Executive Order 12065.

A copy of both of the Notice of Determinations to close meetings or portions thereof is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 5317, U.S. Department of Commerce, Telephone: 202-377-4217.

FOR FURTHER INFORMATION OR COPIES OF THE MINUTES CONTACT:

Mrs. Margaret A. Cornejo, Committee Control Officer, Office of Export Administration, Room 2613, U.S. Department of Commerce, Washington, D.C. 20230. Telephone: 202-377-2583.

Dated: April 22, 1982.

Vincent F. DeCain,

Acting Director, Office of Export Administration.

[FR Doc. 82-11463 Filed 4-26-82; 8:45 am]

BILLING CODE 3510-25-M

Computer Systems Technical Advisory Committee; Partially Closed Meeting

AGENCY: International Trade Administration.

SUMMARY: The Computer Systems Technical Advisory Committee was initially established on January 3, 1973, and rechartered on September 18, 1981, in accordance with the Export Administration Act of 1979 and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration with respect to questions involving (A) technical specifications and policy issues relating to those specifications which are of concern to the Department, (B) worldwide availability of products and systems, including quantity and quality, and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to computer systems or technology, and (D) exports of the aforementioned commodities subject to

unilateral and multilateral controls which the United States establishes or in which it participates including proposed revisions of any such controls.

TIME AND PLACE: May 20, 1982, at 9:00 a.m. The meeting will take place at the Main Commerce Building, Room 3836, 14th Street and Constitution Ave., N.W., Washington, D.C.

AGENDA:

General Session

- (1) Opening remarks by the Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Report on the current work program of the subcommittees:
 - (a) Foreign Availability;
 - (b) Hardware; and
 - (c) Licensing Procedures.
- (4) New business.

Executive Session

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

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

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 29, 1981, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In The Sunshine Act, Pub. L. 94-409, that the matters to be discussed in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1) and are properly classified under Executive Order 12065.

A copy of the Notice of Determination to close meetings or portions thereof is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 5317, U.S. Department of Commerce, Telephone: 202-377-4217.

FOR FURTHER INFORMATION OR COPIES OF THE MINUTES CONTACT:

Mrs. Margaret A. Cornejo, Committee Control Officer, Office of Export Administration, Room 2613, U.S.

Department of Commerce, Washington, D.C. 20230. Telephone: 202-377-2583.

Dated: April 21, 1982.

Vincent F. DeCain,

Acting Director, Office of Export Administration.

[FR Doc. 82-11464 Filed 4-26-82; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

North Pacific Fishery Management Council; its Scientific and Statistical Committee and its Advisory Panel; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The North Pacific Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94-265), has established a Scientific and Statistical Committee (SSC) and an Advisory Panel (AP) to assist the Council in carrying out its responsibilities under the Act. The Council, its SSC and AP will hold separate public meetings.

DATES: The Council meeting will convene at approximately 9 a.m., on Wednesday, May 19, 1982, in the Trattoria of the Westward Hilton Hotel, Third Avenue at E Street, Anchorage, Alaska, and adjourn at about 5 p.m., on Thursday, May 20, 1982. The SSC meeting will convene at approximately 9:30 a.m., on Monday, May 17, 1982, and adjourn on Tuesday, May 18, in the Council's Headquarters Conference Room, at 333 West Fourth Avenue, Suite 32, Anchorage, Alaska. The AP will meet from 9 a.m. to 5 p.m., on Tuesday, May 18, 1982, in the Kenai Room of the Westward Hilton Hotel. The meetings may be lengthened or shortened depending upon progress on the agenda, and

Proposed agenda: Council—A detailed agenda will be sent to the public around April 30, 1982. The Council will hear reports on domestic and foreign fisheries, enforcement and surveillance, the Japanese high seas driftnet fisheries and joint venture operations. The Council intends to discuss the status of the moratorium on entry into the halibut fishery and a draft policy for review of foreign permit applications by the Council's ad hoc permit review committee. The Council will also hear a report on the walk-through of the Bering/Chukchi Sea Herring Fishery Management Plan (FMP) with National Marine Fisheries

Service central office staff (Washington, D.C.); discuss the State of Alaska position on the need for the FMP and the State's request to withdraw the plan from Secretarial review or begin the amendment process. The Council will also review actions taken by the Alaska Board of Fisheries in setting State regulations for the 1982 king crab season for compliance with the joint statement of principles for king crab management and the Bering Sea/Aleutian Islands King Crab FMP. Proposed schedules for amendment #8 to the Tanner Crab Off Alaska FMP and redrafting of the Tanner Crab FMP into a framework document will also be discussed.

The Council is scheduled to complete final action on amendment #11 to the Gulf of Alaska Groundfish FMP, which includes proposals to allow only hook and line gear for sablefish east of 140°W; close the sablefish fishery from November 15 to March 15, Gulf-wide; establish domestic reporting requirements and a new method for specifying groundfish domestic annual harvest and establishing reserves. The Gulf of Alaska groundfish plan development team will report on potential problems of local stock depletion in the eastern Gulf. The Council will discuss an amendment to increase domestic annual harvest for pollock in the central Gulf and the rejection by the Secretary of Commerce of part 5 of amendment #8, which would have given the Regional Director authority to resolve gear conflicts.

The Council will review amendment #1 to the Bering Sea/Aleutian Islands Groundfish FMP before resubmission to Secretarial review, discuss a fishery development zone amendment and an amendment to lower the prohibited species catch for chinook salmon according to schedule.

The Council may also consider applications from ships of foreign nations and various contracts. The Council will review proposals received for a study of halibut hook and line limited entry and possibly award the contract.

SSC and AP. Same as Council.

FOR FURTHER INFORMATION :

North Pacific Fishery Management Council, P.O. Box 3126DT, Anchorage, Alaska 99510, Telephone: (907) 274-4563.

Dated: April 22, 1982.

Jack L. Falls,

Chief, Administrative Support Staff, National Marine Fisheries Service.

[FR Doc. 82-11477 Filed 4-26-82; 8:45 am]

BILLING CODE 3510-22-M

National technical Information Service

Government-Owned Inventions; Availability for Licensing

The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

Technical and licensing information on specific inventions may be obtained by writing to: Office of Government Inventions and Patents, U.S. Department of Commerce, P.O. Box 1423 Springfield, Virginia 22151.

Please cite the number and title of inventions of interest.

Douglas J. Campion,

Office of Government Inventions and Patents, National Technical Information Service, U.S. Department of Commerce.

SN 6-050,100 Anti-Neoplastic 1,4-Bis-(Substituted Aminoalkyl Amino)-Anthraquinones. Filed 19 Jun 79 by Dept. of HHS. Patent 4,310,666 issued 1/12/82. Inventor: Robert K. Zee-Cheng et al.

SN 6-075,385 Open Surface Flotation Method. Filed 13 Sep 79 by Dept. of Interior. Patent 4,302,051 issued 3/24/1981. Inventor: Dan M. Bass et al.

SN 6-085,450 Modified Sulfur Cement. Filed 16 Oct 79 by Dept. of Commerce. Patent 4,311,826 issued 1/19/82. Inventor: William C. McBee et al.

SN 6-092,102 Polymer Alloy Blood Compatible Surface. Filed 7 Nov 79 by Dept. of HHS. Patent 4,312,920 issued 1/26/82. Inventor: William S. Pierce et al.

SN 6-114,536 Mounting Block to Rotate Coal Cutter Bits. Filed 23 Feb 80 by Dept. of Interior. Patent 4,302,053 issued 24 Nov 81. Inventor: Wallace Roepke et al.

SN 6-118,959 Triangular Shaped Cutting Head for Use with a Longwall Mining Machine. Filed 6 Feb 80 by Dept. of Interior. Patent 4,303,277 iss. 12/1/81. Inventor: Wallace Roepke et al.

SN 6-126,108 Absorbed Dose Water Calorimeter. Filed 29 Feb 80 by Dept. of HHS. Patent 4,312,224 issued 2/26/82. Inventor: Steve R. Domen.

SN 6-134,008 Control of Parasitic Ticks. Filed 26 Mar 80 by Dept. of Agriculture. Patent 4,310,547 issued 1/12/82. Inventor: LaWanda Hunt et al.

SN 6-147,690 Method for Measuring

the Ionic Activities in Water with a Differential Pressure Transducers. Filed 7 May 80 by Dept. of Interior. Patent 4,301,676 issued 11/24/81. Inventor: Nev A Gokcen.

SN 6-206,246 Amine Flotation of Chromite from Acidic Pulps. Filed 12 Nov 80 by Dept. of Interior. Patent 4,311,584 issued 1/19/82. Inventor: Gregory E. Smith et al.

SN 6-186,871 Flame Retarding Cellulosic Materials with Sodium or Potassium Thiocyanate. Filed 12 Sep. 80. Patent 4,302,345 issued 11/24/81. Inventor: Robert J. McCarter.

SN 6-923,837 Dewatering of Slimes. Filed 12 Jul 78. Patent 4,303,532 issued 12/1/81 by Dept. of Interior. Inventor: Annie G. Smelley et al.

SN 6-300,830 Long Wavelength Acoustic Flowmeter. Filed 10 Sept 81 by NBS. Inventor: James Potzick et al.

[FR Doc. 82-11378 Filed 4-26-82; 8:45 am]

BILLING CODE 3510-04-M

COPYRIGHT ROYALTY TRIBUNAL

1978 Cable Royalty Fees Distribution (CRT 79-1)

AGENCY: Copyright Royalty Tribunal (Tribunal).

ACTION: Notice.

The United States Court of Appeals for the District of Columbia Circuit in the consolidated appeals from the Tribunal's final determination in the distribution of the 1978 cable royalty fees affirmed all but one of the Tribunal's royalty allocations. The Court remanded on procedural grounds the Tribunal's disposition of the claim of National Public Radio. The Court did not find that the Tribunal had violated any statutory or agency procedural requirements but concluded that the record presented questions of a possible violation of such requirements.

The Tribunal in its previous consideration of the National Public Radio claim has been divided. The Tribunal has resolved that the further proceedings on the National Public Radio claim directed by the Court of Appeals shall be conducted exclusively on the substance of the National Public Radio Claim. The Tribunal has further resolved that at 2:00 p.m. May 26, 1982 at a location to be announced it will hear oral argument on the following questions:

Does the record of the 1978 distribution proceeding support an award of 0.25% to National Public Radio, or shall no award be

made to National Public Radio and the 0.25% be allocated as provided in the Tribunal's final order?

Any 1978 royalty claimant with an interest in this issue who wishes to make arguments to the Tribunal shall notify the Tribunal of such intention not later than May 5, 1982, and shall further notify the Tribunal of the position such claimant will assert. Briefs on this issue may be submitted not later than May 18, 1982. Reply briefs may be submitted not later than May 24, 1982.

Commissioner Frances Garcia,

Chairman.

April 22, 1982.

[FR Doc. 82-11390 Filed 4-26-82; 8:45 am]

BILLING CODE 1410-07-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Intelligence School Panel of the National Defense University and the Defense Intelligence School

Pursuant to the provisions of Subsection (d) Section 10 of Pub. L. 92-463, as amended by Section 5 of Pub. L. 94-409, notice is hereby given that a partially closed meeting of the Defense Intelligence School Panel of the Board of Visitors of the National Defense University and the Defense Intelligence School will be held on-site at the School in Washington, D.C. on 10, 11 May 1982.

Morning sessions on 10, 11 and 12 May 1982 will be devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the United States Code and will therefore be closed to the public. Subject matter will be concerned with specialized instructional requirements and related curricular content.

April 21, 1982.

M. S. Healy,

OSD Federal Register Liaison Officer,
Department of Defense.

[FR Doc. 82-11393 Filed 4-26-82; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[ERA Case No. 54015-2390-04, 05-82]

Jersey Central Power and Light Company; Disclosure of Information

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of disclosure of information.

SUMMARY: In connection with proposed prohibition orders to powerplants owned by Jersey Central Power and Light Company (units identified as Sayreville Generating Station units nos. 4 and 5), pursuant to sections 301(b) and 701(b) of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.*, as amended, the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) received a request for the disclosure of the following information developed and prepared by contractors for DOE. ERA has decided to release the requested information and has placed a copy of the following in the public record of the proceeding.

Draft Environmental Impact Report

(Battelle—August 1981)

Final Draft Fuel Scenario Identification

Report (Battelle—December 1980)

Final Draft Environmental Regulations

Technical Report (Battelle—April

1981)

Final Draft Engineering Analysis

Technical Report (Battelle—April

1981)

Final Draft Fuel Supply and

Transportation Analysis Technical

Report (Battelle—July 1981)

Financial Capability Report

(Ultrasystems, Inc.—February 1981)

FOR FURTHER INFORMATION CONTACT:

Steven A. Frank, Fuels Conversion Division, Fuels Programs, Economic Regulatory Administration, Department of Energy, Forrestal Building, 1000 Independence Avenue, S.W., Room GA-093, RG-62, ERA Case No. 54015-2390-04, 05-82, Washington, D.C. 20585, (202) 252-4708.

(Department of Energy Organization Act, Pub. L. 95-91 (42 U.S.C. 7101 *et seq.*) as amended by Pub. L. 95-509 Pub. L. 95-619, Pub. L. 95-620 and Pub. L. 95-621; Powerplant and Industrial Fuel Use Act of 1978, Pub. L. 95-620 (42 U.S.C. 8301 *et seq.*); E.O. 11790, 39 FR 23185 (June 25, 1974); E.O. 12009, 42 FR 46267 (September 15, 1977); Freedom of Information Act, Pub. L. 89-554 (5 U.S.C. 552) as amended by Pub. L. 90-23, Pub. L. 93-502, Pub. L. 94-409, and Pub. L. 95-454; DOE Freedom of Information Regulations, 10 CFR Part 1004, 44 FR 1908 (January 8, 1979))

Issued in Washington, D.C. on April 20, 1982.

James W. Workman,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 82-11376 Filed 4-26-82; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. RA82-18-000]

Placid Oil Co.; Filing of Petition for Review Under 42 U.S.C. 7194

April 22, 1982.

Take notice that Placid Oil Company on April 16, 1982 filed a Petition for Review under 42 U.S.C. 7194(b) (1977 Supp.) from an order of the Secretary of Energy (Secretary).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a petition to intervene. However, any such person wishing to be a participant is requested to file a notice of participation on or before May 6, 1982, with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a petition to intervene on or before May 6, 1982, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.40(e)(3)).

A notice of participation or petition to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through John McKenna, Office of General Counsel, Department of Energy, Room 6H-025, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-11444 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. GP82-30-000]

Railroad Commission of Texas; NGPA Section 102 Determination; Natomas North America, Inc.; Jones No. 1 Well; JD81-43076; Application for Withdrawal of Final Eligibility Determination

Issued: April 22, 1982.

On March 24, 1982 Natomas North America, Inc. (Natomas) filed with the Federal Energy Regulatory Commission (Commission) an application for withdrawal of final eligibility determination for the Jones No. 1 Well pursuant to the Commission's authority under the Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C. 3301-3432 (Supp. IV 1980).

Natomas states that the Texas Railroad Commission made an affirmative determination that the subject well qualified as a new, onshore well under section 102(c)(1)(B)(i) of the NGPA and that the determination became final on September 5, 1981, forty-five days after the Commission received notice pursuant to § 275.202(a) of the Commission's regulations. Natomas further states that an error was made based upon a clerical mistake in a 2.5 mile radius map which did not indicate other marker wells within 2.5 miles of the Jones No. 1 Well. However, a more complete 2.5 mile radius map clearly indicated that there was at least one marker well within the 2.5 mile radius of the subject well. Finally, Natomas states that no sales have been made at section 102 price to the purchaser, Northwestern Natural Gas Company, and therefore no refunds are due.

With respect to the question of refunds arising out of Natomas' request for withdrawal of final well category determination, notice is hereby given that whether refunds will be required is a matter subject to the review and final decision of the Commission.

Any person desiring to be heard or to protest this petition should file, on or before May 27, 1982, with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, a protest or a petition to intervene in accordance with § 1.8 or 1.10 of the Commission's Rules of Practice and Procedure. All protests

filed with the Commission will be considered, but will not make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding or to participate as a party in any hearing must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-11443 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ES82-49-000]

South Carolina Public Service Authority; Application

April 23, 1982.

Take notice that on April 16, 1982, South Carolina Public Service Authority (Applicant) filed an application seeking a disclaimer of Commission jurisdiction or, in the alternative, an order reserving all jurisdictional questions but authorizing the sale of up to \$185 million of Revenue Bonds.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 11, 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. 82-11445 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

[Volume 638]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: April 22, 1982.

JD NO	JA (AKT)	FILE NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
OHIO DEPARTMENT OF NATURAL RESOURCES								

-AMERICAN PETROEL INC								
8225924		3416726887	RECEIVED: 04/01/82	JA: OH	HELEN E MCHAHAN #1	RAVEN ROCK	41.0	
8225925		3401320341	RECEIVED: 04/01/82	JA: OH	A POLIVKA #1 AA-3	PULTNEY	20.0	COLUMBIA GAS TRAN
8225926		3401320343	107-DV		DAVID WISE #1 AA-4	PULTNEY	20.0	COLUMBIA GAS TRAN
8225927		3401320410	107-DV		RONALD RICE #3 AA-5	EAST RICHLAND	20.0	COLUMBIA GAS TRAN
-ATLAS ENERGY GROUP INC								
8225928		3415521979	RECEIVED: 04/01/82	JA: OH		BROOKFIELD	29.0	COLUMBIA GAS TRAN
-BANDS COMPANY INC								
8225931		3407523328	107-TF		CASTLE #4	HARDY	3.0	COLUMBIA GAS TRAN
8225932		3407523329	107-TF		CASTLE #5	HARDY	2.0	COLUMBIA GAS TRAN
8225934		3407523394	107-TF		JOHN MILLER #2	HARDY	1.0	COLUMBIA GAS TRAN
8225929		3407522328	107-TF		POLLS #1	MECHANIC	2.5	COLUMBIA GAS TRAN
8225930		3407522868	107-TF		STUTZMAN #2	MECHANIC	1.5	COLUMBIA GAS TRAN
8225933		3407523391	107-TF		WENGERD #8	HARDY	2.0	COLUMBIA GAS TRAN
-BELDEN & BLAKE & CO #79								
8225937		3401921512	RECEIVED: 04/01/82	JA: OH		BROWN	36.5	
8225936		3401921488	103		117-TF E & E SHECKLER - 1-341164	BROWN	36.5	
8225938		3401921533	103		107-TF J & V EBNER 1-341148	ROSE	36.5	
-BELDEN & BLAKE AND CO #77								
8225935		3401921412	RECEIVED: 04/01/82	JA: OH	L & S MIDAY COMM -2-341175	BROWN	36.5	
-BERRESFORD ENTERPRISES INC								
8225940		3412122678	RECEIVED: 04/01/82	JA: OH		JACKSON	0.0	
8225939		3403124192	107-DV		CLYDE A CORNER #2	MONROE	0.0	
-BLAUSER WELL SERVICE INC								
8225941		3410522170	RECEIVED: 04/01/82	JA: OH	RICK & LINDA HAWKINS #1	LEBANON	10.0	COLUMBIA GAS TRAN
-BOWES OIL & GAS CO								
8225942		3410319570	RECEIVED: 04/01/82	JA: OH	J W SUTTLE #1-50	SHARON	0.0	COLUMBIA GAS TRAN
-BROWN PETROLEUM CORP								
8225943		3407523620	RECEIVED: 04/01/82	JA: OH	BOWES #1 1957	KILLBUCK	250.0	COLUMBIA GAS TRAN
-BUCKEYE OIL PRODUCING CO								
8225945		3409921331	RECEIVED: 04/01/82	JA: OH	CARPENTER #3	BERLIN	20.0	COLUMBIA GAS TRAN
8225944		3411122473	107-DV		JOHN R WACK #1	SENECA	5.0	COLUMBIA GAS TRAN
-C J WARREN OIL COMPANY								
8226154		3411925698	RECEIVED: 04/01/82	JA: OH	RAYMONC SNYDER #1	NEWTON	0.0	
8226156		3412725124	107-TF		FOSTER #1	MADISON	5.4	FORAKER GAS CO IN
8226155		3411925770	107-TF		MORRIS-FRANCIS #2	NEWTON	0.0	
-CALTEK MINERALS CORP								
8225963		3416724998	RECEIVED: 04/01/82	JA: OH	SKINNER #1	BELLS RUN	23.8	COLUMBIA GAS TRAN
8225949		3411121883	107-DV		ARTHUR HEARN #1	BENTON	7.3	RIVER GAS CO
8225950		3411121909	107-DV		DAVID EARLEY #1	WOODSFIELD	1.4	COLUMBIA GAS TRAN
					DONALD LAFFERRE #1			

JD. NO	JA. DKT	ART. NO	D. SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PHOL	FURCHASER
8225955		3416724527	107-DV		EDWIN PRYOR ETAL #1	ARCHERS FORK	375.0	COLUMBIA GAS TRAN
8225962		3416724803	107-DV		GEORGE MOORE #1	LULOW	18.3	COLUMBIA GAS TRAN
8225954		3416724396	107-DV		HAZEL G EDWARDS #1	FRANKLIN	0.0	COLUMBIA GAS TRAN
8225952		3416722026	107-DV		JAMES HOUGE #1	FRANKLIN	0.0	COLUMBIA GAS TRAN
8225956		3416724579	107-DV		KENNETH WARD #1	BLOOMFIELD	1.3	COLUMBIA GAS TRAN
8225959		3416724615	107-DV		KENNETH WARD #1-A	NEWPORT	1.8	COLUMBIA GAS TRAN
8225958		3416724614	107-DV		KENNETH WARD #2-A	NEWPORT	1.3	COLUMBIA GAS TRAN
8225957		3416724606	107-DV		NORMAN CASTO ETUX #1	ARCHERS FORK	1.3	COLUMBIA GAS TRAN
8225953		3416724982	107-DV		PAULINE GALE #1	NEWPORT	7.3	COLUMBIA GAS TRAN
8225960		3416724630	107-DV		U S A (ROACH AND RISHEL)	ARCHERS FORK	1.6	COLUMBIA GAS TRAN
8225961		3416724648	107-DV		U S A MARY BAXTER #1	ARCHERS FORK	290.0	COLUMBIA GAS TRAN
8225951		3411121997	107-DV		VIRGEL WEBB #1	FRANKLIN	18.3	COLUMBIA GAS TRAN
-CARL E SMITH PETROLEUM INC			RECEIVED:	04/01/82	JA: OH			
8226103		3400922224	107-DV		JAMES F WILLIAMS #228	CAPTHAGE	7.2	COLUMBIA GAS TRAN
8226102		3400922223	107-DV		LARRY WILLIAMS #225	CARTHAGE	6.0	COLUMBIA GAS TRAN
-CHANCE PETROLEUM CORPORATION			RECEIVED:	04/01/82	JA: OH			
8225964		3400721876	103		CARNEY #1	NEW LYME	2.0	
8225965		3400721901	103		SUMMER-CLOSE #1	NEW LYME	3.1	
-CLINTON OIL CO			RECEIVED:	04/01/82	JA: OH			
8225972		3413322817	103		107-TF COWAN FARMS UNIT #1-595	KENT	10.0	
8225970		3411925931	103		107-TF GEORGE SCHWEITZER #1-630	TRINWAY	10.0	
8225971		3411926075	103		107-TF HOWARD-HUEY #2-645	ZANESVILLE WEST	10.0	
8225968		3403121904	108		M W C D #1		10.0	COLUMBIA GAS TRAN
8225967		3403123085	108		M W C D #2		10.0	COLUMBIA GAS TRAN
8225973		3415723282	103		107-TF REIDL #1-621	SUGARCREEK	10.0	
8225973		3415723282	103		ROBERT MCNICHOLS #1		10.0	COLUMBIA GAS TRAN
8225966		3403122071	108		SINGER-MATESICH #1		10.0	COLUMBIA GAS TRAN
8225969		3411924879	108		RECEIVED:			
-OHC ENERGY INC			RECEIVED:	04/01/82	JA: OH			
8225946		3416923096	103		107-TF COTTLE #1	PLAIN	5.0	
8225947		3416923097	103		107-TF MAURER #1	PLAIN	5.0	
8225948		3416923098	103		107-TF WHITFORD #1	PLAIN	5.0	
-COASTAL PETROLEUM CORP			RECEIVED:	04/01/82	JA: OH			
8225974		3410322784	107-TF		ALGER-NOZDERKA #1	SHARON	9.0	COLUMBIA GAS TRAN
-DAVIS FRAC TANKS & SUPPLY			RECEIVED:	04/01/82	JA: OH			
8225975		3412121497	108		M B KEITH #1		0.0	EAST OHIO GAS CO
-DERBY OIL & GAS CORP			RECEIVED:	04/01/82	JA: OH			
8225977		3407523324	103		107-TF L & I STUTZMAN #1	SALT CREEK	12.0	COLUMBIA GAS TRAN
8225976		3407523323	103		107-TF V & S KURTZ #1	SALT CREEK	12.0	COLUMBIA GAS TRAN
-DERRICK PETROLEUM INC			RECEIVED:	04/01/82	JA: OH			
8225978		3403124389	103		AARON BAKER #1	PERRY	0.0	COLUMBIA GAS TRAN
8225979		3403124406	103		MARY MCKEE #1	PERRY	0.0	COLUMBIA GAS TRAN
-DIAMOND SHAMROCK CORPORATION			RECEIVED:	04/01/82	JA: OH			
8225980		3408520304	103		107-TF #C-3	EAST PAINESVILLE TOWN	25.0	EAST OHIO GAS CO
8225982		3408520314	103		107-TF DIAMOND SHAMROCK #C-9	PAINESVILLE	30.0	EAST OHIO GAS CO
8225981		3408520305	103		107-TF MANTLE-EAST #C-4	EAST PAINESVILLE TOWNS	25.0	
-DONNELLY GAS & OIL CORP			RECEIVED:	04/01/82	JA: OH			
8225983		3411521921	107-TF		COULSON M-1	MAN	20.0	AMERICAN ENERGY S
-EAGLE MOUNTAIN ENERGY CORP			RECEIVED:	04/01/82	JA: OH			
8225984		3411522764	103		107-TF TOWNSEND #2	MC CONNELLSVILLE	20.0	COLUMBIA GAS TRAN
-ELLIS GAS CO			RECEIVED:	04/01/82	JA: OH			
8225985		3408720224	107-DV		GLENN ELLIS #1	WINDSOR	12.0	COLUMBIA GAS TRAN
-ENERGEX OIL & GAS CORP			RECEIVED:	04/01/82	JA: OH			
8225986		3416320645	103		107-TF C VENARD #2	SWAN TOWNSHIP	30.0	COLUMBUS GAS TRAN

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JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-ENERGY DEVELOPMENT CORP		3402920584	RECEIVED:	04/01/82	JA: OH B W DYE WELL #1		6.0	EAST OHIO GAS CO
8225987			RECEIVED:	04/01/82	JA: OH MERRILL #2		0.0	COLUMBIA GAS TRAN
-ENERGY UNLIMITED INC		3400922477	RECEIVED:	04/01/82	JA: OH SAGER #2		0.0	COLUMBIA GAS TRAN
8225988		3416725716	RECEIVED:	04/01/82	JA: OH SCHLOSS #1		0.0	COLUMBIA GAS TRAN
8225990		3400922488	RECEIVED:	04/01/82	JA: OH WINLAND #1		0.0	COLUMBIA GAS TRAN
8225989		3416726508	RECEIVED:	04/01/82	JA: OH LCP B-3		1.5	PARAMOUNT TRANSMI
8225991		3407322531	RECEIVED:	04/01/82	JA: OH 107-TF GATCHELL #1		0.0	RUSH
-ESTATE OF BARTON A HOLL		3415723630	RECEIVED:	04/01/82	JA: OH 107-TF HERBERT & WESTON #1		0.0	CLAY
8226006		3415723631	RECEIVED:	04/01/82	JA: OH 107-TF MATHews & LAHMERS #1		0.0	CLAY
-EVERFLOW EASTERN INC		3415723654	RECEIVED:	04/01/82	JA: OH 107-TF NUSSDORFER-OWENS #1		0.0	CLAY
8225993		3415723632	RECEIVED:	04/01/82	JA: OH 107-TF TOH #1		0.0	ELLSWORTH
8225994		3409921349	RECEIVED:	04/01/82	JA: OH HAROLD FORSHEY #1		25.0	LIBERTY
8225996		3416725709	RECEIVED:	04/01/82	JA: OH 107-DV		2.4	STARK CERAMICS
8225995		3415123072	RECEIVED:	04/01/82	JA: OH 107-TF R CRILEW #1		250.0	EAST CANTON
8225998		3412122727	RECEIVED:	04/01/82	JA: OH BIG "C" RANCH #3		10.0	COLUMBIA GAS TRAN
-FREDERICK PETROLEUM CORP		3400922379	RECEIVED:	04/01/82	JA: OH ROBERT A BOBO #1A		4.3	COLUMBIA GAS TRAN
8226000		3405300018	RECEIVED:	04/01/82	JA: OH WARNER 34-053-C-0018 14		4.3	COLUMBIA GAS TRAN
-G W F CORP		3405300061	RECEIVED:	04/01/82	JA: OH WARNER 34-053-J-0061 14		4.3	COLUMBIA GAS TRAN
8226001		3405320058	RECEIVED:	04/01/82	JA: OH WARNER 34-053-20058		0.0	COLUMBIA GAS TRAN
-GEORGE N WARNER		3412725295	RECEIVED:	04/01/82	JA: OH CANNIFF #2		0.0	COLUMBIA GAS TRAN
8226151		3412725297	RECEIVED:	04/01/82	JA: OH GUILLIAMS #2		0.0	COLUMBIA GAS TRAN
8226153		3410521833	RECEIVED:	04/01/82	JA: OH DENNIS SAELENS #1		5.4	COLUMBIA GAS TRAN
8226152		3413321782	RECEIVED:	04/01/82	JA: OH SUGARBUSH GOLF #1		0.3	NELSON
-GREENLAND 81-1		3410522115	RECEIVED:	04/01/82	JA: OH CHARLES NEECE #1		4.0	COLUMBIA GAS TRAN
8226002		3410522117	RECEIVED:	04/01/82	JA: OH HARRY OSBORNE #1		3.0	COLUMBIA GAS TRAN
8226003		3410522118	RECEIVED:	04/01/82	JA: OH HARRY OSBORNE #2		3.0	COLUMBIA GAS TRAN
-HERALD OIL & GAS CO		3410522039	RECEIVED:	04/01/82	JA: OH MARIE STEINER #2		4.0	COLUMBIA GAS TRAN
8226004		3410522199	RECEIVED:	04/01/82	JA: OH MARIE STEINER #3		4.0	COLUMBIA GAS TRAN
-INLAND DRILLING CO INC		3403124040	RECEIVED:	04/01/82	JA: OH AUDRA SCHEETZ UNIT #1-15		2.0	COLUMBIA GAS TRAN
8226007		3407523026	RECEIVED:	04/01/82	JA: OH RAYMOND SCHEUFLE UNIT #1		3.0	COLUMBIA GAS TRAN
-J D DRILLING CO		3407523025	RECEIVED:	04/01/82	JA: OH RAYMOND SCHEUFLE UNIT #1-4		3.0	COLUMBIA GAS TRAN
8226010		3407521995	RECEIVED:	04/01/82	JA: OH RALPH WEAVER #1		10.0	COLUMBIA GAS TRAN
8226011		3410321086	RECEIVED:	04/01/82	JA: OH BARTTER JOHN H #1		1.0	COLUMBIA TRANSMIS
8226012		3411925327	RECEIVED:	04/01/82	JA: OH MEYER #1		1.5	NEWTON
8226013		3403124557	RECEIVED:	04/01/82	JA: OH KAESGEN #1		5.0	SPRING MOUNTAIN
-JERRY MOORE INC			RECEIVED:	04/01/82	JA: OH			
8226026			RECEIVED:	04/01/82	JA: OH			
8226028			RECEIVED:	04/01/82	JA: OH			
8226627			RECEIVED:	04/01/82	JA: OH			
-JOHN C MASON			RECEIVED:	04/01/82	JA: OH			
8226024			RECEIVED:	04/01/82	JA: OH			
-JOHN F WILLIAMS			RECEIVED:	04/01/82	JA: OH			
8226157			RECEIVED:	04/01/82	JA: OH			
-JOHN G FORAKER			RECEIVED:	04/01/82	JA: OH			
8225999			RECEIVED:	04/01/82	JA: OH			
-JONSU OIL CORP			RECEIVED:	04/01/82	JA: OH			
8226008			RECEIVED:	04/01/82	JA: OH			
-LANDPROVEST INC			RECEIVED:	04/01/82	JA: OH			

JD NO	JA OKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8226014		3415923186	107-TF		MACFARLAND #1	CAMBRIDGE	100.0	
-LAUDERMAN OIL & GAS DRILLING			RECEIVED:	04/01/82	JA: OH			
8226015		3411122074	107-DV		BERNARD CLINE #1	CENTER	1840.0	RIVER GAS CO
8226016		3411122335	107-DV		BERNARD CLINE #2 (KELLY)	CENTER	1932.0	RIVER GAS CO
-LEADER EQUITIES INC			RECEIVED:	04/01/82	JA: OH			
8226017		3411925163	107-TF		FERGUSON #1	MONROE	15.0	
8226018		3411925179	107-TF		ROSS #4	MONROE	15.0	
-LOMAK PETROLEUM INC			RECEIVED:	04/01/82	JA: OH			
8226019		3413322660	107-TF		SOLERA #1	SHALERSVILLE	8.0	PARK OHIO
-H B OPERATING CO INC			RECEIVED:	04/01/82	JA: OH			
8226022		3415723660	103		FIDDLER #1	DOVER	27.4	REPUBLIC STEEL CO
8226021		3415723600	103		POLEN #1	SANDY	36.5	REPUBLIC STEEL CO
8226020		3415723595	103		ROY RICE #4	SANDY	27.4	REPUBLIC STEEL CO
-MCCORMICK OIL & GAS CO			RECEIVED:	04/01/82	JA: OH			
8226023		3411522628	107-TF		HAINES #2	MORGAN	200.0	
-MID-CON OIL COMPANY			RECEIVED:	04/01/82	JA: OH			
8226025		3418924352	103		VELMA COOPERIDER #1	GLENFORD	0.0	COLUMBIA GAS TRAN
-NORMACK INDUSTRY INC			RECEIVED:	04/01/82	JA: OH			
8226029		3416922307	107-TF		ELIZ RAMSIER #1	MILTON GAS	120.0	COLUMBIA GAS TRAN
8226030		3416922331	107-TF		NOAH ZIMMERLY #1	MILTON GAS	120.0	COLUMBIA GAS TRAN
-NATIONAL PETROLEUM CORP			RECEIVED:	04/01/82	JA: OH			
8226032		3410721236	107-TF		JRT CO #1	LENOX	15.0	OHIO GAS CO
8226033		3410721237	107-TF		JRT CO #2	JEFFERSON	15.0	OHIO GAS CO
8226036		3410721445	107-TF		KENYON NELSON #3	JEFFERSON	15.0	OHIO GAS CO
8226031		3410721146	107-TF		KENYON NELSON #4	JEFFERSON	15.0	OHIO GAS CO
8226034		3410721254	107-TF		ZORMAN #1	LENOX	15.0	OHIO GAS CO
8226035		3410721411	103		107-TF ZORMAN HEMERY PORT #4	LENOX	15.0	OHIO GAS CO
-NATIONAL PRODUCTION CORPORATION			RECEIVED:	04/01/82	JA: OH			
8226058		3412121929	108		ANTILL #1	9.5	NATIONAL GAS & OI	
8226053		3412121749	108		BECKETT #1	6.1	NATIONAL GAS & OI	
8226041		3412120076	108		BETTS (ARICK #1)	211.0	NATIONAL GAS & OI	
8226042		3412123209	108		BUCKEY HAYES LEASE #1	2.4	NATIONAL GAS & OI	
8226037		3411322828	108		CONSOLIDATED COAL #1	4.0	NATIONAL GAS & OI	
8226056		3412120927	108		FOGLE #1	4.7	NATIONAL GAS & OI	
8226041		3412121063	108		GALLAGHER #1	2.1	NATIONAL GAS & OI	
8226060		3412120932	108		HANNA COAL CO #1	6.5	NATIONAL GAS & OI	
8226049		3412120582	108		HEDDLESON (OHIO POWER #1)	4.2	NATIONAL GAS & OI	
8226044		3412122214	108		HESSON #1	2.6	NATIONAL GAS & OI	
8226051		3412121706	108		JAMES H #1	6.2	NATIONAL GAS & OI	
8226043		3412120209	108		JAMES LEASE #1	2.6	NATIONAL PRODUCTI	
8226059		3412120931	108		KINNEEN #1	6.2	NATIONAL GAS & OI	
8226046		3412120412	108		NAU LEASE #1	7.8	NATIONAL GAS & OI	
8226047		3412120420	108		NAU LEASE #1	3.8	NATIONAL GAS & OI	
8226038		3411322830	108		NEWTON (STATE OF OHIO) #1	3.6	NATIONAL GAS & OI	
8226055		3412120824	108		PFEFFER #1	5.5	NATIONAL GAS & OI	
8226045		3412120397	108		REED #1	5.3	NATIONAL GAS & OI	
8226050		3412120824	108		REED ETAL #1	4.9	NATIONAL GAS & OI	
8226057		3412120612	108		SPERRY LEASE #1	5.4	NATIONAL GAS & OI	
8226048		3412120928	108		UNION CARBIDE #1	1.5	NATIONAL GAS & OI	
8226039		3412120529	108		VILLAGE OF CALDWELL #1	1.4	NATIONAL GAS & OI	
8226054		3411322831	108		WARFIELD #2	1.6	NATIONAL GAS & OI	
8226052		3412120775	108		WILEY #1	2.2	NATIONAL GAS & OI	
8226052		3412120730	108		WIPER #1	1.5	NATIONAL GAS & OI	
-NEW FRONTIER EXPLORATION INC			RECEIVED:	04/01/82	JA: OH			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8226072		3416923047	103	107-TF	FLOYD MILLER #4	CHIPPENA	18.0		
8226073		3416923077	103	107-TF	FLOYD MILLER #7	CHIPPENA	20.0	AMERICAN ENERGY S	
8226064		3401921417	103	107-TF	FRED WHITEMAN #1	ORANGE	18.0		
8226065		3405923165	103	107-TF	HAROLD LEPAE #2	CENTER	18.0	COLUMBIA GAS TRAN	
8226066		3405923167	103	107-TF	HAROLD LEPAE #4	CENTER	22.0		
8226062		3403324364	103	107-TF	JAMES SIEGRIST #3	WASHINGTON	18.0		
8226363		3403324365	103	107-TF	JAMES SIEGRIST #4	WASHINGTON	18.0		
8226070		3412122557	103	107-TF	JOSEPH CROCK #1	ENOCH	20.0		
8226067		3406720468	103	107-TF	ROBERT AMOS #2	NORTH	18.0		
8226061		3403124141	107-TF		ROBERT DIXON #1	BEDFORD	20.0		
8226071		3415723604	103	107-TF	WILLIAM CARLISLE #1	WARWICK	18.0	AMERICAN ENERGY S	
8226068		3406720494	103	107-TF	WILLIAM CRIMM #1	NORTH	18.0		
8226069		3406720495	103	107-TF	WILLIAM CRIMM #2	NORTH	16.0		
				RECEIVED:	04/01/82	JA: OH			
-NUCORP ENERGY COMPANY									
8226075		3400721513	103	107-TF	CUNNINGHAM #1	NEW LYME	18.3	OHIO GAS CO	
8226074		3400721443	103	107-TF	MILLS #2	CHERRY VALLEY	21.9	OHIO GAS CO	
8226076		3400721551	103	107-TF	MONTGOMERY UNIT #1	NEW LYME	54.8	OHIO GAS CO	
				RECEIVED:	04/01/82	JA: OH			
-OHIO NATURAL FUEL CO									
8226077		3416922983	107-TF		R & S HOFSTETTER #1-A	DALTON	20.0	COLUMBIA GAS TRAN	
				RECEIVED:	04/01/82	JA: OH			
-OILTECH INC									
8226079		3407522807	107-TF		BRUMME #3	MECHANIC	0.0	COLUMBIA GAS TRAN	
8226078		3407522317	107-TF		ERNEST PAPAY #1	MECHANIC	0.0	COLUMBIA GAS TRAN	
				RECEIVED:	04/01/82	JA: OH			
-OPEX INC									
8226080		3412725290	103	107-TF	KROFT #1	GRATIOT	1.2	NATIONAL GAS & OI	
				RECEIVED:	04/01/82	JA: OH			
-OXFORD OIL CO									
8226084		3411924273	107-RT		CHARLES SEE #1	UNION	14.0	COLUMBIA GAS TRAN	
8226082		3408924243	103		DAVID HITE #1	WASHINGTON	10.0	NOT YET DETERMINE	
8226081		3407522163	107-RT		EMANUEL MILLER UNIT #1	PAINT	4.0	COLUMBIA GAS TRAN	
8226085		3411925271	103	107-TF	PAUL THOMPSON #1	CROOKSVILLE	10.0		
8226083		3411521733	107-RT		SHIRLEY SAVAGE #1	YORK	14.0	COLUMBIA GAS TRAN	
				RECEIVED:	04/01/82	JA: OH			
-POMINEX INC									
8226087		3409921433	103	107-TF	NICHOLS #1	COLUMBIANA	16.0		
				RECEIVED:	04/01/82	JA: OH			
-POMSTONE CORP									
8226088		3403123548	103	107-RT	PAUL ZINKON #1-A	ADAMS	4.0		
				RECEIVED:	04/01/82	JA: OH			
-QUAKER STATE OIL REFINING CORP									
8226089		3400922270	107-DV		SUGAR CREEK COAL & FINING CO #1	DOVER	335.1		
				RECEIVED:	04/01/82	JA: OH			
-REPUBLIC MINERAL CORP									
8226097		3416726466	107-DV		J PERRY SR #3	SIMMONS	2.3	COLUMBIA GAS OF 0	
8226095		3416726464	107-DV		JOHN PERRY JR #2	SIMMONS	1.9	COLUMBIA GAS OF 0	
8226096		3416726465	107-DV		JOHN PERRY SENIOR #2	SIMMONS	1.3	COLUMBIA GAS OF 0	
8226090		3416725428	107-DV		LINSCOTT #3	SIMMONS	11.7	COLUMBIA GAS OF 0	
8226093		3416726437	107-DV		LINSCOTT #5	SIMMONS	1.1	COLUMBIA GAS OF 0	
8226091		3416725621	107-DV		MARTIN #3	SIMMONS	5.1	COLUMBIA GAS OF 0	
8226092		3416726355	107-DV		MCOMMEL #1	SIMMONS	1.7	COLUMBIA GAS OF 0	
8226094		3416726463	107-DV		WATSON #4	SIMMONS	6.5	COLUMBIA GAS OF 0	
				RECEIVED:	04/01/82	JA: OH			
-RICHARD W ULLMAN									
8226124		3411522671	103		ROBERT WILLIAMS #1	EAGLEPORT	106.0	COLUMBIA GAS TRAN	
				RECEIVED:	04/01/82	JA: OH			
-RIMCO OPERATING INC									
8226098		3416922611	103	107-TF	L SIGLER #3	CHESTER	12.0	COLUMBIA GAS TRAN	
8226099		3416922834	103	107-TF	LLOYD #1	CHESTER	12.0	COLUMBIA GAS TRAN	
				RECEIVED:	04/01/82	JA: OH			
-SENECA ENERGY CORP									
8226100		3403124416	107-TF		ARTHUR HUGHES #1	KILLBUCK	10.0	COLUMBIA GAS TRAN	
8226101		3403124417	107-TF		DAVID BROWN #1	KILLBUCK	16.0	COLUMBIA GAS TRAN	

JD NO	JA DKT	API NO	D	SFC(1)	SEC(2)	WELL NAME	RECEIVED	JA	OH	FIELD NAME	PROD	PURCHASER
-SMYTHCO INC												
8226104		3410322186		103	107-TF	ECKART #1	04/01/82	JA:	OH	SHARON	20.0	COLUMBIA GAS OF O
-STOCKER&SITLER INC												
8226105		3416320649		107-TF	BOOTH LEASE #1		04/01/82	JA:	OH	CLINTON	61.0	COLUMBIA GAS TRAN
-SUPERIOR PETROLEUM INC												
8226111		3411122043		107-DV	ACKERMAN #1					MALAGA	25.0	TEXAS EASTERN TRA
8226113		3411122242		107-DV	CHRISTMAN #2					MALAGA	25.0	TEXAS EASTERN TRA
8226117		3411122469		107-DV	F BROWN #1					MALAGA	25.0	TEXAS EASTERN TRA
8226116		3411122469		107-DV	F BROWN #2					MALAGA	25.0	TEXAS EASTERN TRA
8226112		3411122125		107-DV	GALLAGHER #2					MALAGA	25.0	TEXAS EASTERN TRA
8226115		3411122251		107-DV	GALLAGHER #3					MALAGA	25.0	TEXAS EASTERN TRA
8226107		3401320392		107-DV	HAGAN #2					SOMERSET	25.0	TEXAS EASTERN TRA
8226106		3401320371		107-DV	HARPER #2					WAYNE	25.0	TEXAS EASTERN TRA
8226110		3401320438		107-DV	HOSKINSON #1					WAYNE	25.0	TEXAS EASTERN TRA
8226119		3411122482		107-DV	HUDSON #1					MALAGA	25.0	TEXAS EASTERN TRA
8226118		3411122477		107-DV	THORNBERRY #1					MALAGA	25.0	TEXAS EASTERN TRA
8226109		3401320424		107-DV	TROY #1					SOMERSET	25.0	TEXAS EASTERN TRA
8226108		3401320423		107-DV	TROY #2					SOMERSET	25.0	TEXAS EASTERN TRA
8226114		3411122250		107-DV	WARD #2					MALAGA	25.0	TEXAS EASTERN TRA
-TIGER OIL INC												
8226120		3412122683	D	RECEIVED:	04/01/82			JA:	OH	ELK	0.0	COLUMBIA GAS TRAN
-TIME ENERGY INC												
8226122		3405922258		108	GEORGE STOFFEL #2					CLAY	10.0	COLUMBIA GAS TRAN
8226123		3412121786		108	MILLER #5 LTD					GUERNSEY	18.3	WEIRTON STEEL
-TOWNER PETROLEUM CO												
8226125		3408323011		103	RECEIVED:	04/01/82				OLIVE	20.3	EAST OHIO GAS CO
8226129		3405922258		108	ALLEN W-19					BERLIN	30.0	EAST OHIO GAS CO
8226147		3413321420		108	S GREATHOUSE OH-2							
8226142		3416723681		108	RECEIVED:	04/01/82						
8226137		3416723676		108	107-TF	AHART/REED UNIT #2						
8226138		3416723561		108	B MACCAULEY #1							
8226139		3416723562		108	CHRISTOPHER #1							
8226135		3416723563		108	CHRISTOPHER #2							
8226140		3416723559		108	FARLEY #1							
8226143		3416723554		108	GUSTKE #1							
8226141		3416723675		108	GUSTKE #2							
8226126		3416723677		108	GUSTKE #3							
8226132		3416723675		108	GUSTKE #4							
8226146		3416723679		108	GUSTKE #5							
8226145		3416723679		108	GUSTKE #8							
8226148		3416724462		108	107-TF	H BROWN #1				BERLIN	4.0	GAS TRANSPORT INC
8226150		3416724461		108	107-TF	MARTIN UNIT #2				PALMYRA	30.0	GAS TRANSPORT INC
8226133		3413322670		103	RECEIVED:	04/01/82						
8226146		3416723680		108	MITCHEM #1							
8226145		3416723679		108	MITCHEM #2							
8226149		3416724462		108	POULTON #1							
8226148		3416724461		108	POULTON #2							
8226150		3416724480		108	POULTON #3							
8226133		3413322693		103	RECEIVED:	04/01/82						
8226134		3413322697		103	THOMAS #10					PALMYRA	30.0	GAS TRANSPORT INC
8226127		3409921423		103	107-TF	THOMAS #14				PALMYRA	30.0	GAS TRANSPORT INC
8226130		3413322604		103	107-TF	TOFILSKI UNIT #1				BERLIN	36.0	GAS TRANSPORT INC
8226128		3413321085		108	107-TF	TWARK UNIT #2				PALMYRA	30.0	GAS TRANSPORT INC
8226131		3413321085		108	WAGNER #1							
8226136		3413322612		103	107-TF	WALTERS #1				DEERFIELD	30.0	THE EAST OHIO GAS
8226144		3416723560		108	RECEIVED:	04/01/82						
8226144		3416723678		108	107-TF	WILSON #1						
-W H PATTON DRILLING CO												
8226086		347523252	D	RECEIVED:	04/01/82					HARDY	8.0	GAS TRANSPORT INC
-WILLIAM F HILL												
8226005		3475232677		103	RECEIVED:	04/01/82				GREEN	6.0	GAS TRANSPORT INC
8226005		3475232677		103	VERDA L CARPENTER #1							

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 May 12, 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. 82-11446 Filed 4-26-82; 8:45 am]

BILLING CODE 6717-01-M

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JU NO	JA DKT	API NO	D SEC (1)	SEC (2)	WELL NAME	FIELD NAME	FROD	PURCHASER
8226378	13301	3514722051	103	RECEIVED:	KETCHUM II WELL I	NORTH WANN (BARTLESVI	767.0	CITIES SERVICE GA
-AN-SON CORPORATION					04/01/82			
8226327	13253	35047220610	103	RECEIVED:	COMBS #1	W NORMAN	36.5	SUN GAS CO
8226328	13254	3504521118	103	RECEIVED:	OSBORNE #1	LAVERTY	23.0	
-AN-SON CORPORATION								
+8226405	13591	3536100000	103	RECEIVED:	WRIGHT #1	N E LEGUIRE	14.9	TRANSOK PIPE LINE
-ANADARKO PRODUCTION COMPANY					04/01/82			
8226321	13272	3500320841	103	RECEIVED:	WILT B-1	ALINE	6.3	AMINOIL USA INC
-ANDOVER OIL COMPANY								
8226366	16449	3501722106	103	RECEIVED:	ROTHER #10-4	180.0	DELHI GAS PIPELIN	
-ARCO OIL AND GAS COMPANY					04/01/82			
8226349	13445	35047221619	103	RECEIVED:	C DIVELY #61	GARBER	3.7	
8226354	13440	3504722214	103	RECEIVED:	C DIVELY #62	GARBER	3.7	
8226355	13439	3504722189	103	RECEIVED:	C K WALKER (SO) #40	GARBER	3.7	
8226356	13438	3504722467	103	RECEIVED:	C K WALKER SO #42	GARBER	3.7	
8226353	13441	3504722190	103	RECEIVED:	DAVID HOITSON #33	GARBER	3.7	
8226352	13442	3504722230	103	RECEIVED:	DICK METSCHER #29	GARBER	3.7	
8226351	13443	3504722021	103	RECEIVED:	L E CREWS #34	GARBER	3.7	
8226350	13444	35047221545	103	RECEIVED:	R M HARTLEY #67	GARBER	3.7	
8226347	13447	3504722213	103	RECEIVED:	R M HARTLEY #68	GARBER	3.7	
8226326	13256	3502520390	103	RECEIVED:	SMALTS UNIT #6	GARBER	3.7	
8226348	13446	3504722264	103	RECEIVED:	WILLIAM WINDLER #22	MIDWELL	16.3	PHILLIPS PETROLEU
-ASTRO DRILLING CO					04/01/82			
8226371	13457	3504921415	103	RECEIVED:	BARNES #1-4	S E ELMORE CITY PROSP	11.5	
8226372	13455	3504921549	103	RECEIVED:	SPEED #1-29	S E ELMORE CITY PROSP	16.0	
-BOSWELL ENERGY CORP								
8226381	13467	3508121205	103	RECEIVED:	WILSON #1-11	NE STROUD	6.0	KERR MCGEE CORP
-C & T RESOURCES					04/02/82			
8226393	12838	3511100000	103	RECEIVED:	ARNOLD #2-27	MORRIS DIST	6.0	PHILLIPS PETROLEU
-CARL E GUNGOLL								
8226403	13582	3504700000	108	RECEIVED:	MINTON #1	SOUTH DRUMMOND	8.1	EXXON
-CIMARRON PETROLEUM CORPORATION								
8226395	13224	3513921449	103	RECEIVED:	CPC #159 LEHMAN	SOONER TREND	150.0	PHILLIPS PETROLEU
-CLARK RESOURCES INC					04/02/82			
8226373	13451	3504722711	103	RECEIVED:	PRIBIL 34-1	SOONER TREND	20.0	CITIES SERVICE GA
-COLOMA PETROLEUM INC					04/01/82			
8226370	13458	3504722816	103	RECEIVED:	CROMWELL #1-A	SOONER TREND	73.0	OKLAHOMA GAS & EL
-COLOMA PETROLEUM INC								
8226382	13468	3504722273	103	RECEIVED:	MELVIN #1	SOONER TREND	5.0	PANHANDLE EASTERN
-CUNNINGHS OIL CO					04/01/82			
8226374	11521	3507322447	103	RECEIVED:	SIMMONS "B" 1-31	S W REEDING	6.0	CONOCO INC
-D & H OIL INC					04/01/82			
8226324	13260	3504721657	103	RECEIVED:	BONNETT #1	SW GARBER	15.0	ARCO OIL & GAS CO
8226325	13259	3504722523	103	RECEIVED:	LANG #1	ARCO OIL & GAS CO	6.0	ARCO OIL & GAS CO
-DANSON OIL CORPORATION								
8226396	13464	3515100000	103	RECEIVED:	CHAMBERLAIN 2-23	AVARD NW	30.0	DELHI GAS PIPELIN
8226397	13465	3515121160	103	RECEIVED:	EDEN 2-9	AVARD NW	18.0	PRODUCER'S GAS CO
-DAWN ENERGY CO								
8226369	13573	3515321168	103	RECEIVED:	SALISBURY #1-11	SOUTHWEST SHARON	250.0	NORTHERN NATURAL
-DYCO PETROLEUM CORPORATION					04/02/82			
8226400	13477	3512920539	103	RECEIVED:	USA #1-22	HARBURG	200.0	MISSISSIPPI RIVER
-EXXON CORPORATION								
8226379	13460	3500722054	103	RECEIVED:	E FICKEL UNIT #2	MOCANE-LAVERNE	111.0	COLORADO INTERSTA

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WELL NAME	SEC(1)	SEC(2)	WELL NAME	RECEIVED:	JA:	OK	FIELD NAME	PROD	PURCHASER	
-F C D LTD	35	4722747	04/02/82	103	JA:	OK	SOUTH GARBER	54.8	ARCO OIL & GAS CO	
-FRED HARRIS	35	11720665	04/01/82	103	JA:	OK	LAUDERDALE	60.0	H J D CATTLE CO I	
-GREAT WESTERN LAND CO INC	35	11720665	04/01/82	103	JA:	OK	LYONS-QUINN	3.6	PHILLIPS PETROLEU	
-GULF OIL CORPORATION	35	5937556	04/01/82	103	JA:	OK	LOVEDALE NW	18.0	MICHIGAN WISCONSI	
-HADSON PETROLEUM CORP	35	5121049	04/01/82	103	JA:	OK	RINGWOOD	0.0	PIONEER GAS PRODU	
-HALLIBURTON OIL PRODUCING COMPANY	35	9322311	04/01/82	103	JA:	OK	RINGWOOD	0.0	PIONEER GAS PRODU	
-HANOVER MANAGEMENT CO	35	3924457	04/02/82	107-OP	JA:	OK	ARAPAHO	720.0	TRANSWESTERN PIPE	
-HARPER OIL COMPANY	35	3924572	04/02/82	102-2	JA:	OK	WICKHAM RANCH	547.0	DELHI GAS PIPELIN	
-HAZLEWOOD OIL & GAS CO	35	1292605	04/02/82	102-4	JA:	OK	SHO-VEL-TUM	8.3	9.0	TRANSWESTERN PIPE
-HESTON OIL CO	35	4321185	04/02/82	102-4	JA:	OK	SM VIC	450.0	INTERMORTH INC	
-INTERNORTH INC	35	4520763	04/01/82	103	JA:	OK	EAST LAUTON	27.0	MANN ENGINEERING	
-J C HESTER JR	35	3120600	04/02/82	103	JA:	OK	SOONER TREND	80.6	EXXON USA	
-J L THOMAS ENGINEERING INC	35	7122231	04/01/82	103	JA:	OK	TONKAWA	20.0	SUN GAS CO	
-JEFFERSON-WILLIAMS ENERGY CORP	35	1922631	04/01/82	103	JA:	OK	N ORR	40.0	AMINOIL USA INC	
-JONES & PELLOW OIL CO	35	9321094	04/01/82	108	JA:	OK	N E CEDARDALE	20.0	MICHIGAN-WISCONSI	
-JOSEPH I ONEILL JR	35	5920493	04/01/82	108	JA:	OK	MOCANE-LAVERNE	5.0	MICHIGAN-WISCONSI	
-KANSAS GAS PURCHASING	35	5121150	04/02/82	102-4	JA:	OK	S E LAVERNE	20.0	NORTHERN NATURAL	
-KEITH F WALKER	35	7100000	04/01/82	108	JA:	OK	WATONGA-CHICKASHA	200.0		
-KENNEDY & MITCHELL INC	35	8570020	04/02/82	103	JA:	OK	BLACKWELL	0.0	CITIES SERVICE GA	
-Kaiser-Francis Oil Company	35	821065	04/02/82	103	JA:	OK	UNDESIGNATED C SE SEC	500.0	NORTHERN NATURAL	
-L & N EXPLORATION INC	35	4520870	04/02/82	103	JA:	OK	UNDESIGNATED SE SE SE	200.0	PANHANDLE EASTERN	
-L & T OIL & GAS INC	35	8121508	04/02/82	102-2	JA:	OK	UNDESIGNATED C NW SEC	500.0	PANHANDLE EASTERN	
-LARIO OIL & GAS COMPANY	35	3222241	04/01/82	103	JA:	OK	S E ARLINGTON	1168.0	EL PASO NATURAL G	
-LINCOLN ROCK CORP	35	4921620	04/01/82	103	JA:	OK	SOONER TREND	106.0	PHILLIPS PETROLEU	
							WEST WHITEBEAD	267.0	WARREN PETROLEUM	

#1-36 TJM

JD NO	DATE	BUYER	SELLER	SEC(1)	SEC(2)	WELL NAME	PROF	PURCHASER
8226358	13475		350852511	103	CLINTON #3			
-M FRANK & BETTY L WATSON				RECEIVED: 04/02/82	JAS: OK			5.0 CIMARRON TRANSMIS
8226407	13599		350370000	103	HOWARD LWASE WELL #3			
-MACKELLAR INC				RECEIVED: 04/01/82	JAS: OK			36.5 KERR - MCGEE CORP
8226364	13379		3510320769	103	COLE #1			
8226362	13341		3507322932	103	MITCHELL #1			1.0 ARCO OIL & GAS CO
8226363	13380		3510320735	103	STERMER #1			0.0 CITIES SERVICE GA
-MCALLISTER AND MAPLES				RECEIVED: 04/01/82	JAS: OK			1.0 ARCO OIL & GAS CO
8226345	04207		3513120675	102-2	LOGSDON #1			1250.0 DIAMOND S GAS GAT
8226343	04209		3513120737	102-2	LOGSDON #3			1250.0 DIAMOND S GAS GAT
8226344	04208		3513120738	102-2	LOGSDON #4			1250.0 DIAMOND S GAS GAT
-NEW TREND RESOURCES INC				RECEIVED: 04/01/82	JAS: OK			
8226365	13377		3510720885	103	HAMILTON #1-A			120.0
-NIELSON ENTERPRISES INC				RECEIVED: 04/02/82	JAS: OK			490.0 COLORADO INTERSTA
8226386	13483		3500722086	103	DURFEY 1-14			
-NOVA EMERGY CORPORATION				RECEIVED: 04/02/82	JAS: OK			0.2 SUN GAS CO
8226412	16492		3502727206	102-2	POLK #2-11			
-O F DUFFIELD				RECEIVED: 04/01/82	JAS: OK			50.0 DIAMOND *S* GAS S
8226367	16418		3513122551	102-2	ALEXANDER 29-3			50.0 DIAMOND *S* GAS S
8226368	16417		3513122497	102-2	ALEXANDER 29-5			
-QUANAH CO				RECEIVED: 04/01/82	JAS: OK			145.0 COLORADO GAS COMP
8226357	13436		3508121228	103	JONDAHL #1			
-RAINBOW VENTURES				RECEIVED: 04/01/82	JAS: OK			54.8 PIONEER GAS PRODU
8226319	13285		3509322171	103	MONTCASTLE 6-1 LTD			
-RALPH E PLOTNER OIL & GAS INVEST				IN RECEIVED: 04/01/82	JAS: OK			10.0 MOBIL OIL CORP
8226377	13429		3501721529	103	BEYER #1			
-RAY LONDON				RECEIVED: 04/01/82	JAS: OK			20.0 AMINOIL USA INC
8226330	13242		3501922237	103	RAY LONDON #6 WARD			
-RESOURCES INVESTMENT CORPORATION				RECEIVED: 04/02/82	JAS: OK			0.0 SUN GAS CO
8226404	13586		3502720451	103	WESTINGHOUSE #2			
-REX R MOORE JR				RECEIVED: 04/01/82	JAS: OK			0.0 SUN GAS CO
8226342	09989		3510920340	103	WILSON #1			
-SOUTHLAND ROYALTY CO				RECEIVED: 04/01/82	JAS: OK			125.0 NORTHERN NATURAL
8226322	13265		3513921293	103	WIGGAINS #1-36			
-STRIP OIL CO INC				RECEIVED: 04/02/82	JAS: OK			734.0
8226387	13593		3504722421	103	ANNA GREGG #2			
-SULLIVAN AND CO				RECEIVED: 04/02/82	JAS: OK			1.0
8226410	15886		3508121772	102-4	BALES #2			12.0 MICHIGAN WISCONSI
-TENNECO OIL COMPANY				RECEIVED: 04/01/82	JAS: OK			1.8 COLORADO GAS COMP
8226320	13276		3515320165	108	ALEXANDER GARVIE #4-33			
-THE WIL-MC OIL CORP				RECEIVED: 04/01/82	JAS: OK			1.2 PHILLIPS PETROLEU
8226376	13342		3503722903	103	FACTOR #2-A			2.4 PHILLIPS PETROLEU
-THOMAS P SHAW				RECEIVED: 04/01/82	JAS: OK			20.0 AMINOIL USA INC
8226356	13058		3509120151	108	DE BOUSE #1-13			
8226335	13057		3509121145	108	JOHNNY JACOBS #1-12			10.0 MICHIGAN WISCONSI
-TRANSIERRA EXPLORATION CORP				RECEIVED: 04/02/82	JAS: OK			1.8 COLORADO GAS COMP
8226401	13444		3510321416	103	GUS WOLLARD #2			
-UNION OIL COMPANY OF CALIF				RECEIVED: 04/02/82	JAS: OK			1.2 PHILLIPS PETROLEU
8226406	13593		3505900000	108	SHUMAN #1-26			2.4 PHILLIPS PETROLEU
-WESTERN OIL RESOURCES LTD				RECEIVED: 04/01/82	JAS: OK			20.0 AMINOIL USA INC
8226333	13223		3511720910	103	WJ 1-05			
8226332	13222		3511720970	103	WJ 1-08			10.0 MICHIGAN WISCONSI
-WHITHAR EXPLORATION CO				RECEIVED: 04/02/82	JAS: OK			293.8 MID-AMERICA GAS L
								3.7 MID-AMERICA GAS L

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FIELD NAME
 PURCHASER
 EAST OF ANTIOCH
 6.0 BUCKEYE NATURAL G

SEC(1) SEC(2) WELL NAME
 103 MCDANIEL #1-14
 RECEIVED: 04/01/82 JA: PA

APR NO JA DKT
 8226409 15611
 PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES

APR NO	JA DKT	SEC(1)	SEC(2)	WELL NAME	RECEIVED	JA	PA	FIELD NAME	PURCHASER
8226258	10892	102-4		C & K COAL CO #1	04/01/82	JA: PA		MARSH CREEK	256.0 TEXAS EASTERN TRA
8226259	11054	102-4		EARL H WEIMER GAS UNIT #1	04/01/82	JA: PA		RICE RUN	747.0 TEXAS EASTERN TRA
8226314	10900	102-2		CHARLES B AUSTIN #2 (#42)				EDINBORO	25.0 NATIONAL FUEL GAS
8226315	10931	102-2		D LAIRD M PACK #41				EDINBORO	12.0 NATIONAL FUEL GAS
8226316	10903	102-2		H ADAMS #2 (NO 35)				EDINBORO	15.0 NATIONAL FUEL GAS
8226317	10905	102-2		T MILLER #1 #38				EDINBORO	10.0 NATIONAL FUEL GAS
8226262	11050	102-2		BAIRD WALLACE #1	04/01/82	JA: PA		FRENCH CREEK	50.0 TENNESSEE GAS PIP
8226266	11051	107-TF		BAIRD WALLACE #1				FRENCH CREEK	50.0 TENNESSEE GAS PIP
8226261	11048	102-2		JOHN MOORE #1				FRENCH CREEK	50.0 TENNESSEE GAS PIP
8226265	11049	107-TF		JOHN MOORE #1				FRENCH CREEK	50.0 TENNESSEE GAS PIP
8226260	11046	102-2		LYLE STEVENS #1				EAST FAIRFIELD	50.0 TENNESSEE GAS PIP
8226264	11047	107-TF		LYLE STEVENS #1				EAST FAIRFIELD	50.0 TENNESSEE GAS PIP
8226263	11052	102-2		MARGARET LIPPERT #2				WAYNE	50.0 TENNESSEE GAS PIP
8226267	11053	107-TF		MARGARET LIPPERT #2				WAYNE	50.0 TENNESSEE GAS PIP
8226267	11053	RECEIVED:		04/01/82	JA: PA				
8226269	11078	103		CLAY G STROHM 1209-2				MONTGOMERY	30.0 TEXAS EASTERN TRA
8226268	11077	102-2		JOSEPH H MOORE 818-4				MONTGOMERY	30.0 TEXAS EASTERN TRA
8226270	11028	103		GEORGE MYERS #1				MONTGOMERY	25.5 COLUMBIA GAS TRAN
8226275	11095	RECEIVED:		04/01/82	JA: PA				
8226274	7334	108		CARL WATSON #1				WASHINGTON	0.0 T W PHILLIPS GAS
8226273	11092	108		J B DUNLAP #1 (52A)				CANOE	1.5 T W PHILLIPS GAS
8226271	11090	RECEIVED:		04/01/82	JA: PA				
8226272	11091	103		ACME MACHINE INC #184-1				FROSTBURG	25.0 T W PHILLIPS GAS
8226273	11092	103		CLARENCE MURRAY JR #179-1				FROSTBURG	30.0
8226276	11114	RECEIVED:		04/01/82	JA: PA				
8226282	11016	102-2		WILLIAM GRESOCK #180-1				FROSTBURG	15.0
8226281	10987	107-TF		C SAEGER #588-1				CAMBRIDGE SPRINGS	0.0 COLUMBIA GAS TRAN
8226277	11015	107-TF		CURTZE-SCARLETT #578-1				CAMBRIDGE SPRINGS	0.0 COLUMBIA GAS TRAN
8226283	11017	102-2		JOHN SHOWMAN #589-1				EDINBORO NORTH	0.0 NATIONAL FUEL GAS
8226280	10986	107-TF		JOHN SHOWMAN #589-1				EDINBORO NORTH	0.0 COLUMBIA GAS TRAN
8226279	10985	107-TF		M ARNEMAN #582-1				EDINBORO NORTH	0.0 COLUMBIA GAS TRAN
8226278	10982	107-TF		P OSTERBERG #587-2				EDINBORO NORTH	0.0 NATIONAL FUEL GAS
8226294	11071	RECEIVED:		04/01/82	JA: PA				
8226290	11064	107-TF		V MAHAN #570-1				EDINBORO NORTH	0.0 NATIONAL FUEL GAS
8226291	11065	107-TF		C SAEGER #588-1				EDINBORO NORTH	0.0 COLUMBIA GAS TRAN
8226295	11072	107-TF		BLEICHER #1-56				CONNEAUTVILLE	30.0 COLUMBIA GAS TRAN
8226284	11059	103		BLOOD #1-75				LINESVILLE - MEDINA S	35.0 COLUMBIA GAS TRAN
8226287	11060	107-TF		BLOOD #2-93				LINESVILLE - MEDINA S	35.0 COLUMBIA GAS TRAN
8226289	11063	107-TF		CARLSON #1-58				CONNEAUTVILLE MEDINA	0.0 COLUMBIA GAS TRAN
8226292	11066	107-TF		D J O'DONNELL #1				CONNEAUTVILLE - MEDIN	0.0 COLUMBIA GAS TRAN
8226297	11074	107-TF		D J O'DONNELL #1				CONNEAUTVILLE - MEDIN	0.0 COLUMBIA GAS TRAN
8226286	11070	107-TF		FERM #1-7A				CONNEAUTVILLE - MEDIN	41.0 COLUMBIA GAS TRAN
		107-TF		GALLAHER #1-54				CONNEAUTVILLE - MEDIN	40.0 COLUMBIA GAS TRAN
		107-TF		HEALD #1-57				CONNEAUTVILLE - MEDIN	30.0 COLUMBIA GAS TRAN
		103		HOLLENBECK #1				CONNEAUTVILLE - MEDIN	0.0 COLUMBIA GAS TRAN

JD NO	JA DAT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROL	PURCHASER
8226293	11059	3703921343	107-TF	HOLLENECK #1	CONNEAUTVILLE - MEDIN	C-0	COLUMBIA GAS TRAN	
8226296	11073	3703920811	107-TF	LOPER #1-55	CONNEAUTVILLE - MEDIN	C-0	COLUMBIA GAS TRAN	
8226285	11061	3703921360	103	R STEIDER #1	CONNEAUTVILLE - MEDIN	C-0	COLUMBIA GAS TRAN	
8226288	11062	3703921360	107-TF	R STEIDER #1	CONNEAUTVILLE - MEDIN	0-0	COLUMBIA GAS TRAN	
-NORTHWEST NATURAL GAS CO								
8226300	10909	3704921444	RECEIVED:	04/01/82	JAS: PA	C-0	NATIONAL FUEL DIS	
8226301	10910	3704921556	107-TF	ARLO & VIVIAN POTTER #1	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226303	10912	3703921280	107-TF	ARLO & VIVIAN POTTER #2	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226304	10913	3703921281	107-TF	CARL & BARBARA TIMKO #1	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226312	10923	3703920799	107-TF	CARL & BARBARA TIMKO #2	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226310	10919	3703920813	107-TF	DAVID & FELICIDAD GUIANEN #1	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226306	10915	3703921305	107-TF	EDWARD BOBULA #1	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226309	10918	3703920945	107-TF	FRANK J KNAPP (TROYER)	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226302	10911	3703921279	107-TF	FRED & JEANNE MOON #2	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226311	10922	3703921338	107-TF	HENRY & KATHERINE RIPPERT #3	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226305	10914	3703921275	107-TF	JOHN & BILLIE GRUNDE #2	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226299	10916	3703921278	107-TF	JOHN HEPAK JR #1	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226308	10917	3703921303	107-TF	JOHN PAUL & MARY KULIK #2	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226313	10924	3703920961	107-TF	JOSEPH & BARBARA NEIDERMEYER #2	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226298	10907	3703921277	107-TF	LAWRENCE & BETTY MILLER #2	CONNEAUT	C-0	NATIONAL FUEL DIS	
8226318	10441	3706326586	103	PHILIP & BARBARA HAUSKAN #1	CONNEAUT	C-0	NATIONAL FUEL DIS	
-UNION DRILLING INC								
8226318	10441	3706326586	RECEIVED:	04/01/82	JAS: PA	C-0	NATIONAL FUEL DIS	
CHERRYHILL TOWNSHIP								
8226318	10441	3706326586	103	EDWARD & EDITH SOKEL #3	0737	C-0	COLUMBIA GAS TRAN	

JD NO	JA DAT	API NO	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROL	PURCHASER
UTAH DIVISION OF OIL, GAS, & MINING								
-J C THOMPSON								
8226159	K-133-3	4301930317	RECEIVED:	04/01/82	JAS: UT	2-2	NORTHWEST PIPELIN	
-THE ANSCHUTZ CORPORATION								
8226160	K-126-5	4304330159	RECEIVED:	04/01/82	JAS: UT	2000-0	NATURAL GAS PIPEL	
** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, ALBUQUERQUE, NM								
-AMOCO PRODUCTION CO								
8226210	NM-1094-82	3004522928	RECEIVED:	04/02/82	JAS: NM 4	197-0	EL PASO NATURAL G	
8226236	NM-0168-82	3004525222	103	ANNIE L ELLIOTT "C" #7	BLANCO - FRUITLAND	30-0	AMOCO GAS CO	
8226237	NM-169-82	3004524863	103	GALLEGOS CANYON UNIT #134F	BASIN DAKOTA	30-0	EL PASO NATURAL G	
8226182	NM-1996-81	3003906065	108	GALLEGOS CANYON UNIT #168E	BASIN DAKOTA	19-0	EL PASO NATURAL G	
-BOVD OPERATING COMPANY								
8226167	NM-3717-81-E	3000560586	RECEIVED:	04/02/82	JAS: NM 4	5-3	TRANSWESTERN PIPE	
8226166	NM-3717-81	3000564586	102-4	BLAKEMORE FEDERAL #1	EAST BITTER LAKE (WOL	35-3	TRANSWESTERN PIPE	
-CAULKINS OIL CO								
8226195	NM-2003-81-C	3003922604	RECEIVED:	04/02/82	JAS: NM 4	10-0	EL PASO NATURAL G	
-CAULKINS OIL COMPANY								
8226184	NM-1998-81-F	3003922602	RECEIVED:	04/02/82	JAS: NM 4	15-0	GAS CO OF NEW MEX	
8226183	NM-1998-81-A	3003922602	103	BREECH B 123 E	BASIN DAKOTA	10-0	GAS CO OF NEW MEX	
8226186	NM-1999-81-B	3003922603	103	BREECH C 123 E	BLANCO MESA VERDE	20-0	GAS CO OF NEW MEX	
8226185	NM-1999-81-A	3003922603	103	BREECH C 323 E	BLANCO MESA VERDE	10-0	GAS CO OF NEW MEX	
8226187	NM-2000-81-A	3003922669	103	BREECH C 689 E	BLANCO MESA VERDE	10-0	GAS CO OF NEW MEX	
8226188	NM-2000-81-A	3003922669	103	BREECH C 689 E	BLANCO MESA VERDE	15-0	GAS CO OF NEW MEX	
8226189	NM-2001-81-A	3003922669	103	BREECH E 64 M	BLANCO MESA VERDE	10-0	GAS CO OF NEW MEX	
8226190	NM-2001-81-F	3003922660	103	BREECH E 64 M	BASIN DAKOTA	15-0	GAS CO OF NEW MEX	
8226191	NM-2002-81-A	3003922605	103	BREECH F 4 M	BLANCO MESA VERDE	10-0	GAS CO OF NEW MEX	

JD NO	JA DKT	AFT NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROL	PURCHASER
8226192	NM-2002-81-B	3003922605	103		BREECH F 4 M	BASIN DAKOTA	15.0	GAS CO OF NEW MEX
8226194	NM-2003-81-P	3003922604	103		SANCHEZ 1 E	BASIN DAKOTA	15.0	EL PASO NATURAL G
8226193	NM-2003-81-A	3003922604	103		SANCHEZ 1E	BLANCO MESA VERDE	10.0	EL PASO NATURAL G
	-CHACE OIL COMPANY INC			RECEIVED: 04/02/82	JA: NM 4			
8226213	NM-0130-81	3003922819	103		JICARILLA 70-12	SOUTH LINDRITH GALLUP	36.0	EL PASO NATURAL G
8226214	NM-0131-81	3003922815	103		JICARILLA 70-14	SOUTH LINDRITH GALLUP	48.0	EL PASO NATURAL G
8226215	NM-0132-82	3003922826	103		JICARILLA 71-6	SOUTH LINDRITH GALLUP	45.0	EL PASO NATURAL G
	-CONOCO INC			RECEIVED: 04/02/82	JA: NM 4			
8226209	NM-0071-82	3001522738	103		FEDERAL 34 #1	SPRINGS	406.0	GAS CO OF NEW MEX
8226208	NM-0065-82	3002526265	103		HAWK A #7	NMFU - BLINEBRY OIL &	31.0	GETTY OIL CO
	-DOME PETROLEUM CORP			RECEIVED: 04/02/82	JA: NM 4			
8226199	NM-0019-82	3004320506	103		DOMES TESO 23 #1	WILDCAT	14.6	SOUTHWEST GAS COR
	-EL PASO EXPLORATION CO			RECEIVED: 04/02/82	JA: NM 4			
8226201	NM 0051-82	3003922556	103		JICARILLA 123 C #29	BASIN DAKOTA	110.0	NORTHWEST PIPELIN
8226206	NM 0059-82	3003922557	103		JICARILLA 123 C #30	BASIN DAKOTA	110.0	NORTHWEST PIPELIN
	-EL PASO NATURAL GAS COMPANY			RECEIVED: 04/02/82	JA: NM 4			
8226207	NM-0063-82	3004525256	103		ATLANTIC #19	BLANCO PICTURED CLIFF	110.0	EL PASO NATURAL G
8226177	NM-1496-81	3004521095	108		PIERCE A #2	BLANCO-PICTURED CLIFF	22.0	EL PASO NATURAL G
8226234	NM-0161-82-A	3003922646	103		RINCON UNIT #223	LARGO CHACRA	25.0	EL PASO NATURAL G
8226235	NM-0161-82-B	3003922646	103		RINCON UNIT #223	BLANCO MESAVARDE	50.0	EL PASO NATURAL G
8226202	NM 0052-82	3003922802	103		SAN JUAN 27-4 UNIT #141	BLANCO MESAVARDE	200.0	EL PASO NATURAL G
8226203	NM 0053-82	3003922803	103		SAN JUAN 27-4 UNIT #142	BLANCO MESAVARDE	200.0	EL PASO NATURAL G
8226204	NM 0054-82	3003922804	103		SAN JUAN 27-4 UNIT #143	BLANCO MESAVARDE	200.0	EL PASO NATURAL G
8226205	NM 0055-82	3003922805	103		SAN JUAN 27-4 UNIT #144	BLANCO MESAVARDE	110.0	EL PASO NATURAL G
8226165	NM-0631-81	3003920820	108		SAN JUAN 27-5 UNIT #175	SOUTH BLANCO-PICTURED	20.0	EL PASO NATURAL G
8226162	NM-0037-81PB	3003922820	108-PB		SAN JUAN 27-5 UNIT #175	SOUTH BLANCO PICTURED	120.0	NORTHWEST PIPELIN
8226176	NM 1279-81-A	3003922400	103		SAN JUAN 29-7 UNIT #111M	BASIN DAKOTA	120.0	EL PASO NATURAL G
	-EXXON CORPORATION			RECEIVED: 04/02/82	JA: NM 4			
8226223	NM-0149-82	3000520817	103		PIERCE FEDERAL #1	TOMAHAWK SAN ANDRES	1.0	
8226222	NM-0148-82	3000520818	103		WATTAM FEDERAL #1	TOM-TOM SAN ANDRES	1.0	
8226221	NM-0147-82	3000520812	103		WATTAM FEDERAL #3	TOM-TOM SAN ANDRES	1.0	
	-FLORIDA GAS EXPLORATION COMPANY			RECEIVED: 04/02/82	JA: NM 4			
8226175	NM-1266-81	3001523579	102-4		ROSS DRAW UNIT #1C	ROSS DRAW	530.0	
	-GENERAL AMERICAN OIL COMPANY OF TEX			RECEIVED: 04/02/82	JA: NM 4			
8226196	NM 2004-81	3001523914	103		KEELY "C" #55	GRAYBURG-JACKSON	3.0	PHILLIPS PETROLEU
	-GETTY OIL COMPANY			RECEIVED: 04/02/82	JA: NM 4			
8226220	NM-0146-82	3003922721	103		JICARILLA "C" NO 29	OTERO CHACRA	50.0	EL PASO NATURAL G
	-JEROME P MCHUGH			RECEIVED: 04/02/82	JA: NM 4			
8226216	NM-0133-82	3003922689	103		APACHE #1E	BASIN DAKOTA/WILDHORS	273.0	NORTHWEST PIPELIN
8226217	NM-0134-82	3003922691	103		APACHE #3E	BASIN DAKOTA/WILDHORS	66.0	NORTHWEST PIPELIN
8226218	NM-0135-82	3003922688	103		APACHE #5E	BASIN DAKOTA	225.0	NORTHWEST PIPELIN
	-MCCLELLAN OIL CORPORATION			RECEIVED: 04/02/82	JA: NM 4			
8226181	NM-1990811-2	3000561043	102-4		"P2" FEDERAL #1 NM-14294	WILDCAT (ABO)	110.0	TRANSWESTERN PIPE
	-MERRION OIL & GAS CORP			RECEIVED: 04/02/82	JA: NM 4			
8226200	NM 0047-82	3003922823	103		WARREN G 35-2	DEVILS FORK GALLUP	164.0	EL PASO NATURAL G
	-NORTHWEST PIPELINE CORPORATION			RECEIVED: 04/02/82	JA: NM 4			
8226232	NM-0159-82-A	3003922778	103		ROSA 85 DK	BASIN DAKOTA	4.0	NORTHWEST PIPELIN
8226233	NM-0159-82-B	3003922778	103		ROSA 85 MV	BLANCO MESAVARDE	203.9	NORTHWEST PIPELIN
8226212	NM-0112-82	3003922703	103		SAN JUAN 29-5 #41A	BLANCO MESAVARDE	196.1	NORTHWEST PIPELIN
8226211	NM-0106-82	3003922709	103		SAN JUAN 30-5 #81	BASIN DAKOTA	74.3	NORTHWEST PIPELIN
8226231	NM-0157-82-B	3003922729	103		SAN JUAN 30-5 12A MV	BLANCO MESAVARDE	89.0	NORTHWEST PIPELIN
8226230	NM-0157-82-A	3003922729	103		SAN JUAN 30-5 12A FC	GOBERNADOR PICTURED C	0.0	NORTHWEST PIPELIN
8226228	NM-0153-82	3003922748	103		SAN JUAN 31-6 6A	BLANCO MESAVARDE	110.4	NORTHWEST PIPELIN

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JD JC JA JKT APT NO SEC(1) SEC(2) WELL NAME

8226229	NM-0154-82	3003922749	103	RECEIVED:	04/02/82	JA: NM 4	SAN JUAN 31-6 7A	BLANCO MESAVERDE	199.3	NORTHWEST PIPELIN
8226226	NM-0152-82-A	3003925082	103	RECEIVED:	04/02/82	JA: NM 4	SAN JUAN 32-7, #75 FC	SOUTH LOS PINOS PICTU	206.6	NORTHWEST PIPELIN
8226227	NM-0152-82-E	3004525082	103	RECEIVED:	04/02/82	JA: NM 4	SAN JUAN 32-7 75MV	BLANCO MESAVERDE	164.9	NORTHWEST PIPELIN
8226161	NM-0031-F1CR	3004510692	108-ER	RECEIVED:	04/02/82	JA: NM 4	GRENIER #8	AZTEC PICTURED CLIFFS	0.0	SOUTHERN UNION GA
-SUPERIOR OIL CO				RECEIVED:	04/02/82	JA: NM 4	GOVERNMENT "M" #2	SOUTH BELL LAKE	0.0	
-SUPRON ENERGY CORPORATION				RECEIVED:	04/02/82	JA: NM 4	CITY OF FARMINGTON 1-E	BASIN DAKOTA	7.6	SOUTHERN UNION GA
8226225	NM-0151-82	3004524987	103	RECEIVED:	04/02/82	JA: NM 4	FEDERAL A 2-E	BASIN DAKOTA	645.0	SOUTHERN UNION GA
8226224	NM-0150-82	3004524986	103	RECEIVED:	04/02/82	JA: NM 4	SEVEN RIVERS REEF	UNDESIGNATED	36.5	CONOCO INC
-WALLEN PRODUCTION CO				RECEIVED:	04/02/82	JA: NM 4	TONTO # 9Y	SO TONTO (YATES)	18.2	CONOCO INC
8226168	NM-0794-81	3002525420	102-4	RECEIVED:	04/02/82	JA: NM 4	WALLEN TONTO #10 #NM-073240	UNDESIGNATED	36.5	CONOCO INC
8226172	NM-0798-81	3002527190	102-4	RECEIVED:	04/02/82	JA: NM 4	WALLEN TONTO #3 #C73240	UNDESIGNATED	36.5	CONOCO INC
8226179	NM-1839-81	3002526290	102-4	RECEIVED:	04/02/82	JA: NM 4	WALLEN TONTO #4 #MC73240	UNDESIGNATED	36.5	CONOCO INC
8226169	NM-0795-81	3002525589	102-4	RECEIVED:	04/02/82	JA: NM 4	WALLEN TONTO #5 NM C73240	UNDESIGNATED	36.5	CONOCO INC
8226170	NM-0796-81	3002525590	102-4	RECEIVED:	04/02/82	JA: NM 4	WALLEN TONTO #6 NM #073240	UNDESIGNATED	36.5	CONOCO INC
8226171	NM-0797-81	3002525589	102-4	RECEIVED:	04/02/82	JA: NM 4	WALLEN TONYON #11 NM-073240	UNDESIGNATED	36.5	CONOCO INC
8226173	NM-0799-81	3002525591	102-4	RECEIVED:	04/02/82	JA: NM 4	ALLISON "CO" FEDERAL #5	UND BOYD MORROW	0.0	TRANSWESTERN PIPE
8226180	NM-1840-81	3002527371	102-4	RECEIVED:	04/02/82	JA: NM 4	RODEN FEDERAL "6D" #1	WILD CAT	21.9	EL PASO NATURAL G
-YATES PETROLEUM CORPORATION				RECEIVED:	04/02/82	JA: NM 4	ELLIOTT FEDERAL COPY #2	EUMONT YATES 7 RIVERS	54.8	EL PASO NATURAL G
8226165	NM-0298-81	3001523145	102-4	RECEIVED:	04/02/82	JA: NM 4	FEDERAL #2	WILD CAT	146.0	EL PASO NATURAL G
8226164	NM-0299-81	3001523370	102-4	RECEIVED:	04/02/82	JA: NM 4	ASBURY 1-34	EAST BINGER	0.0	OKLAHOMA NATURAL
-ZIA ENERGY INC				RECEIVED:	04/02/82	JA: NM 4	EAST BINGER UNIT #46-2			
8226197	NM-2032-81	3002504345	108	RECEIVED:	04/02/82	JA: OK 4				
8226174	NM-1181-81	3002516339	102-4	RECEIVED:	04/02/82	JA: OK 4				
-AMAX PETROLEUM CORPORATION				RECEIVED:	04/02/82	JA: OK 4				
8226219	OKS-0137-82	3511122715	103	RECEIVED:	04/02/82	JA: OK 4				
-PHILLIPS PETROLEUM COMPANY				RECEIVED:	04/02/82	JA: OK 4				
8226198	OKA-2043-81	351521144	103	RECEIVED:	04/02/82	JA: OK 4				

BILLING CODE 8717-01-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 May 12, 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. 82-11447 Filed 4-26-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket Nos. ER82-325-000, ER81-749-000]

Montaup Electric Co.; Order Accepting for Filing Supplemental Rates, Granting Intervention, Denying Motions To Reject, Granting Waiver, Consolidating Dockets, and Establishing Procedures

Issued April 20, 1982.

On September 4, 1981, Montaup Electric Company (Montaup) tendered for filing revised rates (M-7 rates) for firm power service to two affiliated and three non-affiliated wholesale customers.¹ On November 3, 1981, this Commission, in Docket No. ER81-749-000, accepted Montaup's rate increase

¹The two affiliated customers of Montaup are Blackstone Valley Electric Company and Eastern

for filing, suspended the rates for one day to become effective subject to refund on November 5, 1981, and initiated a hearing on the justness and reasonableness of Montaup's rates. On February 19, 1982, Montaup submitted a supplement to its original filing in Docket No. ER81-749-000. In the instant docket, Montaup has proposed a supplemental rate increase in the form of a surcharge to the proposed M-7 rates. The proposed surcharge would increase revenues by approximately \$4,165,000 (2%) above the level which would be produced by the M-7 rates during the calendar year 1982 test period.² The surcharge reflects the inclusion of \$18.9 million of Construction Work in Progress (CWIP) in rate base under the severe financial difficulty exception set forth in § 2.16(b) of this Commission's regulations, 18 CFR 2.16(b). Montaup requests waiver of the prospective only requirement under § 2.16(b) with respect to the inclusion of CWIP in rate base under the severe financial difficulty exception and permission to implement the surcharge effective April 20, 1982, subject to refund.

Notice of the filing was issued on February 26, 1982, with responses due on or before March 15, 1982.

On March 11, 1982, the Attorney General of the State of Massachusetts filed a protest. The Attorney General indicates that the intent of this protest is not to argue the propriety of including CWIP in rate base. Rather, the thrust of the Attorney General's protest is directed at Montaup's request that the Commission make "special exception" for Montaup which would allow the company to begin collecting CWIP charges prior to hearing and before resolution of the Commission's generic CWIP rulemaking in Docket No. Rm81-38 (July 27, 1981). In addition, the Attorney General contends that the question of whether a financial emergency exists is a question which can only be answered after a hearing on the matter.³ In the alternative, the Massachusetts Attorney General

Edison Company. Montaup's three non-affiliated customers are Newport Electric Corporation, Pascoag Fire District and the Town of Middleborough (Middleborough Gas and Electric Department).

²The surcharge consists of an additional monthly demand charge of \$0.58155/kW for all customers except Middleborough for which the additional charge would be \$0.52349/kW. The lower rate to Middleborough is designed to reflect the 100% demand ratchet in Middleborough's contract; the remaining contracts contain 80% demand ratchets.

³The Massachusetts Attorney General points to 18 CFR 2.16(b) which states, *inter alia*:

In no event shall a utility collect amounts related to CWIP under this subsection prior to the issuance

requests that in the event the Commission accepts the proposed surcharge for filing, Montaup's request for waiver of the prospective only requirement set forth in § 2.16(b) of the Commission's regulations be denied and the proposed rates become effective only after a hearing.

On March 15, (as amended on March 25) 1982, the Rhode Island Division of Public Utilities and Carriers and the Attorney General of Rhode Island filed a petition to deny and dismiss the company's supplemental filing in the instant docket. The Rhode Island petitioners, who are participants in Docket No. ER81-749-000, contend that the company itself concedes that it may not satisfy the severe financial difficulty exception but nonetheless seeks not only a "liberalized" reinterpretation of that standard but also a waiver of § 2.16(b) of the Commission's regulations. In addition, they argue that since the Commission currently has under consideration a proposed rulemaking which may change the standards for inclusion of CWIP in rate base, granting the company's request at this time, absent clear and convincing evidence that an emergency currently exists and that no less severe solution would provide relief, would be "totally out of line." Finally, they contend that if CWIP relief were granted, Massachusetts customers would receive "additional benefits at the expense of Rhode Island customers" because Montaup's parent, Eastern Edison Company, is Massachusetts utility.

On March 15, 1982, Montaup's three non-affiliated customers, Newport Electric Corporation, Pascoag Fire District and the Town of Middleborough (Customers) filed a petition to intervene protesting Montaup's proposed CWIP surcharge. Customers raise the same arguments as those set forth by the Rhode Island Attorney General in requesting rejection of Montaup's instant filing. In addition, Customers claim that the company's request to implement CWIP-related rates on the grounds that Eastern Edison may suffer a downgrading of its debt securities below investment grade is an inadequate basis to warrant a finding by the Commission that the company has satisfied the severe financial difficulty exception set forth in § 2.16(b) of the regulations. Customers note that Montaup is currently not in an imminent cash flow crisis, thus, in their view, precluding CWIP-related relief under

of a final order on rehearing approving inclusion of such amounts in rate base.

present Commission standards. Further, Customers contend that "speculative dangers" do not justify waiver of the prospectively only requirement of § 2.16(b).

Customers also note in their pleading that they are partial requirements customers⁴ and that their current forecasts call for a reduction in Montaup's supply of power to each of the members as a result of their purchasing entitlements in generating units under construction.⁵ Customers argue that under these circumstances, it would be inequitable to force them to invest in Montaup's construction program because (1) the Customers already share the pecuniary burdens associated with construction of the units, and (2) with a lesser dependence on Montaup for future power requirements, the full benefit of Montaup's investment in the relevant generating units will not be realized by Customers.

On March 15, 1982, the Commission's trial staff filed comments supporting Montaup's request for waiver of the prospective-only requirements of § 2.16(b). The trial staff states that its comments and proposed procedure are intended to ensure that Montaup could be granted timely relief, if any relief was appropriate, by means of a flexible Commission procedure. Trial staff asserts that good cause exists to waive the prospective-only requirement of § 2.16(b) for several reasons. First, they indicate that Montaup is one of only a few electric utilities with 100% of its sales of power subject to the jurisdiction of this Commission. As such, the trial staff submits that Montaup has only this Commission to look to for rate relief. Second, trial staff indicates that Montaup's filing demonstrates a low bond rating, low internal cash flow, a high percentage of AFUDC, and low market to book ratios. Third, trial staff indicates that its primary concern is that Eastern Edison, which issues the bonds and preferred stock used to finance the company's construction, is a BBB-utility that "is apparently in danger, of being downgraded below investment grade if no CWIP relief is forthcoming."⁶ Trial

staff suggests that this apparent danger flows from a Standard and Poor's statement made on July 13, 1981, which indicated that maintenance of Montaup's BBB-rating "will be heavily dependent upon the timeliness of an affirmative request to include CWIP in rate base." The upshot of trial staff's comments centers on its concern that without a waiver of the prospective-only requirement of § 2.16(b) tied to a five month suspension and expedited hearing, which it claims would fully protect all customers, Eastern Edison and thus Montaup could experience a subsequent downgrading below the minimum security rating which would "seriously hamper Montaup's ability to raise capital and inevitably lead to increases in the cost of such capital."

Trial staff recognizes in its comments that in El Paso Electric Company, 15 FERC ¶61,318, p. 61,693 (June 30, 1981), the Commission determined it appropriate to maintain the *status quo ante* pending further Commission action on its Notice of Proposed Rulemaking in Docket No. RM81-38. To avoid any prejudice to the parties, the Commission decided to set for hearing CWIP applications which would otherwise be summarily rejected under existing Commission precedent and to phase the CWIP issue to follow the rulemaking proceeding. This procedure was designed, in part, to allow individual utilities to go forward on their CWIP applications cognizant of the applicable standards to be developed through public notice and comment on the proposed rulemaking.⁷ Nevertheless, trial staff submits that the application and circumstances of Montaup "differ markedly" from other cases in which the interim procedures have been applied. In support of their recommendation, trial staff attempts to distinguish Montaup from the five utilities where the interim El Paso procedures had been instituted at the time its comments were filed.⁸

In the alternative, the trial staff has recommended two other options which it claims would be fair to both Montaup and its customers. The first alternative

preferred stock. Eastern Edison Company, its parent, issues such securities.

⁷ Those cases in which the El Paso procedures have been applied are as follows: Oklahoma Gas & Electric Company, Docket No. ER82-258-000, issued March 30, 1982; Maine Public Service Company, 18 FERC ¶61,195 (March 1, 1982); Public Service Company of Oklahoma, 18 FERC ¶61,011 (January 8, 1982); Florida Power & Light Company, 16 FERC ¶61,168 (September 2, 1981); Central Power & Light Company, 16 FERC ¶61,072 (July 27, 1981).

⁸ In Appendix A to its comments, trial staff listed five indicies for evaluating whether a utility is experiencing severe financial difficulty: (1) Bond Rating, (2) FERC Jurisdiction, (3) AFUDC/Earnings, (4) Interest Coverage Ratio, and (5) Internal Cash Generation.

would provide for waiver of the prospective-only requirement in § 2.16(b), but the hearing would be expedited without any requirement that the Commission act within five months. Trial staff suggests that the problem with this approach is that ratepayers would be required to bear the burden of paying CWIP rates before a final Commission order. Under the second option, waiver of the prospective-only requirement of § 2.16(b) would not be granted, but the Commission would order an expedited hearing. The trial staff suggests that under this last alternative, it would be appropriate to set a date certain by which a final Commission order would be issued in order to demonstrate to all parties the Commission's interest in acting expeditiously.

On March 26, 1982, an untimely protest and petition to intervene was filed by the Coalition for Consumer Justice (Coalition), which states that many of its members are retail residential customers of Blackstone Valley Electric Company. Coalition urges that good cause exists to accept its untimely petition since Montaup filed the CWIP surcharge as a supplement to its rate filing in Docket No. ER81-749-000, a proceeding to which Coalition is a party. Coalition states that it was unaware that a new docket number would be assigned to the CWIP surcharge filing and that it would be required to intervene separately in such a docket.

On the merits, Coalition states that Montaup has not demonstrated a need for extraordinary CWIP relief, and contends that any CWIP relief should be governed by the pending rulemaking proceeding.

On March 29, 1982, Montaup filed an answer to the timely-filed protests and to the trial staff's comments. Montaup reiterates its financial difficulties and contends that a waiver of the prospective-only provision of § 2.16(b) is essential to prevent a downgrading during reevaluation of Edison Electric's bond rating in May, 1982, prior to a \$25 million bond offering now scheduled for June. The Company insists that its requested relief will not subvert either the Commission's present § 2.16 policy or its generic rulemaking proceeding.

Discussion

Initially, we find that participation in this proceeding by the petitioners is in the public interest. Accordingly, we find good cause to grant all the petitions to intervene.

Under the Commission's existing standards, a utility seeking to include

⁴ Montaup's contracts with Customers are contract demand arrangements which provide for the supply of specific amounts of firm power for a forecasted period in the future.

⁵ Some of the purchased entitlements in generating units under construction are the same units in which the company has entitlements and for which the company is seeking assistance through its CWIP surcharge application.

⁶ Montaup is the generation and transmission branch of the Eastern Utilities Associates (EUA) System. It issues no common stock publicly. All common securities issuances are made by EUA. Montaup also does not issue any long-term debt or

CWIP in the rate base⁹ must demonstrate clearly and convincingly that it is experiencing severe financial difficulty which cannot be alleviated by traditional forms of rate relief without materially increasing the cost of electricity.¹⁰ However, as noted, we have initiated a rulemaking proceeding on the CWIP issue in order to reassess the current standards. To maintain the *status quo ante* and avoid any prejudice to rate case participants pending further Commission action on the rulemaking, we have, as noted, set for hearing several CWIP applications which would otherwise have been disposed of summarily under existing precedent, but we have phased the CWIP issue to follow the rulemaking proceeding.¹¹

The first question, then, is whether Montaup has made a threshold showing of severe financial hardship sufficient to warrant setting Montaup's CWIP request for hearing under the current standards of § 2.16.¹² Specifically, Montaup itself requests clarification as to whether its claim of the imminent danger of Edison Electric's bond ratings being downgraded below investment grade, if proved at a hearing, would constitute a showing of severe financial hardship under § 2.16.

In Order No. 555,¹³ which established § 2.16, the Commission addressed certain circumstances which it envisioned as constituting a showing of "severe financial difficulty which cannot be otherwise alleviated without materially increasing the cost of electricity to consumers":

In particular, we envision a situation in which the rate of return necessary to enable the utility to maintain its credit and attract capital in accordance with the standards of the *Bluefield* decision would be materially in excess of the cost of capital for otherwise similar utilities. Such a circumstance might arise, for example, where the exigencies of

the utility's construction program are such as to reduce its interest coverage to such an extent that additional capital cannot be raised at reasonable rates and that an amount of earnings sufficient to attract capital would require a rate of return on equity substantially in excess of the cost of equity capital to otherwise similar electric utilities. Under such circumstances, it would be to the benefit of the consumer if the additional earnings necessary to attract capital were permitted by way of a return on CWIP rather than by way of an inflated return on the traditional rate base since the former treatment would eventually be reflected in a lower rate base by way of reduced AFUDC allowance, while the latter would not. 56 FPC 2946.

We find that Montaup, unlike other recent CWIP applicants, has made a threshold showing sufficient to warrant an immediate hearing under the existing standards of § 2.16. We shall therefore deny the motion to reject, consolidate Docket No. ER82-328-000 with Docket No. ER81-749-000 and set the CWIP surcharge for hearing.

We believe that Montaup has made a preliminary showing of severe financial stress in which capital cannot be raised at reasonable rates and that other regulatory relief would be less beneficial to the consumer than the allowance of the requested 16 percent of CWIP in rate base. Our decision is based on the unique circumstances that Montaup is 100 percent under the jurisdiction of this Commission¹⁴ coupled with financial indicators such as Montaup's low internal cash flow (13 percent) low market to book ratio (70 percent), high percentage of CWIP to net plant in service (106 percent) and of AFUDC to total earnings (over 100 percent), and the claimed possibility that Montaup's parent may have its bond rating downgraded below investment grade.

We agree with Montaup that our action is initiating a hearing on Montaup's claim for CWIP relief under § 2.16 in no way subverts or prejudices the ongoing rulemaking proceeding in

Docket No. RM81-38. In that proceeding, we are addressing the question of a generic, mechanical rule to be based on the operations of and to be applied to the wholesale rates of the electric utility industry as a whole. Such a broad-based undertaking should not operate to preclude an individual utility from making a showing under the existing standards on a case-by-case basis. Where, as here, a threshold showing has been made under the current standards, the ordering of an evidentiary hearing is appropriate.

The second question before us, then, is whether we should grant Montaup's request to waive the prospective-only requirement of § 2.16(b) and allow Montaup to collect its proposed CWIP surcharge, subject to refund, in advance of a final Commission determination on the merits. The trial staff supports this request for waiver, although it also recommends a five month suspension. The intervenors all oppose the waiver.

In Order No. 555, the Commission stated that, since financial relief CWIP was an extraordinary remedy that would rarely be granted, it could only be collected prospectively from the date of an order on rehearing of a Commission order granting CWIP relief. In RM81-38, the Commission is reevaluating this prospective-only provision. Without predicting the outcome of the rulemaking on this question, we find that the particular facts and circumstances of Montaup's situation warrant an exception to the current policy of granting prospective-only CWIP relief.

A number of factors lead us to this conclusion. First, Montaup asserts that Eastern Edison's bonds will be reevaluated in May of this year, prior to the planned bond issuance in June. If rate relief is needed to prevent a downgrading at that time, it must come prior to the bond reevaluation. Even with an expedited hearing, a final order on rehearing cannot possibly issue prior to the rating reevaluation. Thus, prospective-only CWIP relief, if any, would come too late to be effective.¹⁵ Coupled with this is the previously mentioned fact that only this Commission can provide rate relief for Montaup's bulk power supply business. Thus, there is no pending retail rate relief for Montaup's construction-related financial stress that could affect the bond rating reevaluation. Finally, we

¹⁴ There is no possibility that rate relief in another jurisdiction will alleviate Montaup's construction-related financial distress. The circumstance of such retail relief has, in the past, affected the Commission's determination § 2.16 *Cf.*, *El Paso Electric Co. v. FERC*, No. 80-1763, slip opinion at 14542, where the United States Court of Appeals for the Fifth Circuit agreed with the Commission that it would be inconsistent with the policies underlying Order No. 555 for the Commission "to close its eyes to other aspects of a utility's operations in determining if a company suffers severe financial distress warranting such extraordinary relief." In other words, it is appropriate and relevant for the Commission to consider a utility's non-jurisdictional operations in evaluating the company's financial situation. Conversely, we believe that it is appropriate under § 2.16 to take into account the fact that a utility has no non-jurisdictional operations that could provide relief for its construction-related financial difficulties.

¹⁵ We note that Montaup has previously sought CWIP relief through a request for an expedited rulemaking in Docket No. RM81-33, which request was denied. Thus, there arises no question that the utility has deliberately waited until the last moment to make extraordinary relief necessary.

⁹ Other than pollution control and fuel conversion CWIP.

¹⁰ 18 CFR 2.16(b)(3).

¹¹ See, note 7, *supra*.

¹² The Commission recognizes that where good cause exists, it may waive its regulations. We also recognize that in *Louisiana Power and Light*, Opinion No. 110, 14 FERC ¶ 61,075, p. 61,114 (January 28, 1981), this Commission stated that "Order No. 555 is a general statement of policy" which "does not establish a binding norm." We are also mindful that an administrative agency has a right to change a given policy when it finds that such change is in the public interest. *Consolidated Gas Supply Corp. v. F.P.C.*, 520 F.2d 1176 (D.C. Cir. 1975); *Greater Boston Television Corp. v. FCC*, 444 F.2d 841, 852 (D.C. Cir. 1970), *cert. denied*, 403 U.S. 923 (1971). Indeed, "within the limits imposed by the requirement of reasoned decisionmaking, the Commission is free to modify or even reverse its established policy." *Id.*

¹³ Docket No. RM75-13, "Order Adopting in Part Construction Work in Progress Rulemaking and Terminating Proceedings," issued November 8, 1976, 56 FPC 2939.

find important the fact that Montaup has requested only 16% of its average CWIP in rate base. In light of the combination of these factors, we believe that permitting the limited CWIP surcharge to be collected, subject to refund, is necessary if any timely relief is to be provided to Montaup. We note that the refund provision will protect Montaup's customers in the event that it is ultimately determined that Montaup is not entitled to any CWIP relief under § 2.16(b). However, if Montaup receives no timely relief and, as a result, Eastern Edison's bond rating is downgraded below investment grade, there will be no means of undoing the resulting harm to the planned bond issuance and to Montaup's ability to go forward with its construction program at reasonable costs.

For the reasons set out above, we also believe that a five month suspension period would defeat the purposes of waiving the prospective-only rule of § 2.16(b). Therefore, we will suspend the rate for one day and order a hearing on the CWIP surcharge to be expedited to the extent that a decision on the requested CWIP relief and on rate of return will be reached prior to an initial decision on other cost of service issues.

Finally, Montaup asks the Commission to find that the company's ability to meet the formula proposed by the Commission in Docket No. RM81-38 is a pertinent consideration. We believe that Montaup is free to offer any evidence which it considers relevant to justify the relief it seeks under the current standards of § 2.16(b). However, we note that the formula set forth in Docket No. RM81-38 is, at this time, only a proposal which the Commission is in the process of evaluating; it may or may not be adopted after evaluation of the comments.

The Commission orders:

(A) The motions to reject Montaup's CWIP surcharge filing are hereby denied.

(B) Montaup's request for waiver of the prospective-only provision of § 2.16(b) is hereby granted.

(C) Montaup's filing in Docket No. ER82-325-000 is hereby accepted for filing and suspended for one day to become effective, subject to refund, on April 21, 1982.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and

Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning Montaup's CWIP surcharge application.

(E) Docket Nos. ER82-325-000 and ER81-749-000 are hereby consolidated for purposes of hearing and decision.

(F) The hearing on the CWIP surcharge filing shall be phased and expedited as discussed in the body of this order.

(G) The Petitioners in Docket No. ER82-325-000 are hereby permitted to intervene in this proceeding subject to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act; Provided, however, that participation by such intervenors shall be limited to the matters set forth in the petitions to intervene; and provided, further, that the admissions of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders entered by the Commission in this proceeding.

(H) The administrative law judge designated to preside in Docket No. ER1-749-000 shall convene a conference at the earliest convenience of the parties for purposes of establishing a procedural schedule which will allow a Commission decision to be reached on the CWIP phase of this case as discussed above.

(I) The Secretary shall promptly publish this order in the Federal Register.

By the Commission,
Kenneth F. Plumb,
Secretary.

[FR Doc. 82-11355 Filed 4-26-82; 8:45 am]
BILLING CODE 6717-01-M

Office of Hearings and Appeals

Issuance of Decisions and Orders, Week of March 15 Through March 19, 1982

During the week of March 15 through March 19, 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

BPM, Ltd., March 15, 1982, HFA-0040

BPM, Ltd. filed an Appeal from a denial by the Director of the Special Investigation Division 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 the Director was correct in his determination that the

firm's request did not adequately describe the documents sought. However, the Director's determination was found to be deficient since it did not extend to BPM an opportunity to confer with Special Investigations personnel in an effort to reformulate the request in a satisfactory manner as is required by 10 CFR 1004.4(c)(2). Accordingly, the Appeal was granted in part and the Director was instructed to assist BPM in formulating any new FOIA request that it might wish to submit.

Louisiana Land and Exploration Company, March 17, 1982, BEA-0562

Louisiana Land & Exploration Company filed an Appeal from the Entitlement Notice issued during the month of December 1980. 45 F.R. 85502 (December 29, 1980). In its submission LL&E challenged the validity of the methodology used by the Economic Regulatory Administration's Office of Petroleum Operations to correct reporting errors in the Entitlements Program with respect to a correction for a reporting error which the firm made for its crude oil runs to stills for the month of September 1980. In considering the applicable regulations the DOE found that although the ERA is permitted some discretion in making corrections for entitlements reporting errors certain factors which should have been considered were not considered in the case of LL&E. The DOE therefore granted LL&E's Appeal and directed that \$934,675 of additional entitlements be issued to the firm on the Clean-up Entitlements Notice.

Paul Lamberth & Associates, Inc., March 17, 1982, HFA-0036

Paul Lamberth & Associates, Inc. filed an Appeal from a partial denial by the DOE Inspector General 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 the withheld documents were intra-agency drafts and were therefore exempt from mandatory disclosure pursuant to Exemption 5. The DOE also found that it was not in the public interest to release the drafts.

Stanley R. Steinberg, March 16, 1982, HFA- 0004

Stanley R. Steinberg filed an Appeal from a partial denial of access to records by the Director of the office of International Program Support within the Office of International Affairs. In his determination the Director denied access to three documents concerning a fire at the Ras Tanura oil refinery in Saudi Arabia on August 22, 1979, claiming that the documents were properly classified and should be kept secret in the interest of national foreign policy considerations. In considering the Appeal, the DOE found that the information which Steinberg sought could be released without disclosure of classified material. Accordingly, the Appeal was granted and the material was released to Steinberg.

Remedial Order

Exxon Company, U.S.A., March 18, 1982, BRO-0177

Exxon Company, U.S.A. filed a Statement of Objections to a Proposed Remedial Order (PRO) issued to the firm on May 14, 1979 by the Houston Branch Office of the Office of Special Counsel for Compliance (OSC). In the PRO, OSC found that during the period February through May 1974 Exxon improperly included in its cost banks \$3,952,000 of "premium incentives" for benzene and toluene calculated pursuant to 10 CFR 212.82(f)(3), 39 FR 4466 (1974), amended in 39 FR 7429 (1974). In considering Exxon's objections, the DOE rejected Exxon's contentions that (i) the special benzene and toluene pricing regulations could be construed to permit the banking of unused "premium incentives;" (ii) a construction of the benzene and toluene pricing regulations which prohibited the banking of unused premiums violated the requirement of the Emergency Petroleum Allocation Act of 1973, 15 U.S.C. 751 *et seq.*, that refiners be allowed a dollar-for-dollar passthrough of increased product costs; and (iii) that the enforcement section was barred by the Texas statute of limitations. Accordingly, Exxon's Statement of Objections was denied and the DOE issued the PRO as a final Remedial Order.

Requests for Exception

Champlin Petroleum Company, March 15, 1982, BXE-1487, and DEX-0185

On October 6, 1980, Champlin Petroleum Company filed an Application for Exception from the provisions of 10 CFR Part 212, Subpart D, in which the firm sought an extension of exception relief to continue to sell certain quantities of the crude oil which it produces from the Fault Block II Unit at upper tier ceiling price levels. In considering the request, the DOE found that exception relief was necessary to provide a financial incentive to continue crude oil production operations at the property. Accordingly, exception relief was granted.

Oklahoma Refining Company, March 15, 1982, BEE-0926

Oklahoma Refining Company filed an Application for Exception from the provisions of 10 CFR 211.67 (the Entitlements Program) in which the firm requested that the DOE increase the number of entitlements issued to it in each Entitlements Notice published during the period August 1979 through May 1980 in order to reduce the firm's average post-entitlements crude oil cost to the level of other domestic refiners. In considering the request, the DOE found that although Oklahoma Refining Company enjoyed significantly lower access to price-controlled crude oil than the average domestic refiner and experienced during the period for which relief is sought a substantial crude oil cost disparity *vis-a-vis* the average refiner, the firm had not suffered a greater adverse impact than many other refiners and the nature and extent of the firm's cost disadvantage had not significantly impeded its operations. Consequently, the DOE concluded that Oklahoma Refining Company had not incurred either an irreparable injury or an unfair distribution of burdens which would warrant exception relief on either a retroactive or prospective basis. Accordingly, exception relief was denied.

Placid Oil Company, March 17, 1982, BEE-1584

Placid Oil Company filed an Application for Exception from the provisions of 10 CFR Part 212, Subpart D in which the firm sought to determine the amount of upper tier crude oil it produced during December 1980 and January 1981 without regard to a current cumulative deficiency regulation. In considering the request, the DOE found that the firm failed to show that exception relief was essential in order to maintain production, that its extraction operation was endangered, or that it was subject to a unique adverse impact as a result of the current cumulative deficiency regulation. Accordingly, exception relief was denied. (The important issue discussed in the Decision and Order is the nature of the showing required in order to receive exception relief from the current cumulative deficiency regulations.)

Request for Stay

Gulf Oil Corporation, March 17, 1982, HES-0002

Gulf Oil Corporation filed an Application for Stay from the requirement that it purchase additional entitlements determined pursuant to the provisions of a Decision issued to the firm on November 24, 1982. In considering the Application, the DOE determined that the firm had not made an adequate showing that it met the criteria for the approval of stay relief. Gulf's stay request was therefore denied.

Motion for Discovery

Leese Oil Company, March 18, 1982, BRD-1338

On September 9, 1981, Leese Oil Company filed a Motion for Discovery in connection with its Statement of Objections to a Proposed Remedial Order issued to the firm on September 22, 1980. In its Motion for Discovery, Leese requested documents and depositions relating to certain complaints which had been filed against the firm. The DOE found that Leese had not shown that the discovery it requested was necessary to obtain relevant and material evidence or that such discovery would not unduly delay the proceeding. The DOE also found that the Motion was filed in an untimely manner. Accordingly, Leese's Motion for Discovery was denied.

Interlocutory Order

State of New York; State of Michigan; State of California, March 16, 1982, HRZ-0020, HRZ-0021

The States of New York, Michigan and California filed pursuant to 10 CFR 194(b), Requests to Participate in enforcement proceedings against Shell Oil Company. The States seek to represent the interests of those citizens in their states who purchased motor gasoline from Shell during the period for which overcharges are alleged in the distribution of any refunds which Shell may be ordered to make. In considering the Requests the DOE found that the States had met the requirements of standing and would be allowed to participate in the enforcement proceedings with respect to the refund issue.

Supplemental Order

Marathon Oil Company, March 15, 1982, HRX-0016

This proceeding relates to a Proposed Remedial Order (PRO) issued to the Marathon Oil Company (Marathon) on July 23, 1980. As a result of a decision issued by the Temporary Emergency Court of Appeals in the case of *Gulf Oil Corp. v. DOE*, 3 Fed. Energy Guidelines ¶26,353 (Temp. Emer. Ct. App. 1982), this decision dismisses the portions of the PRO that allege that during the period January 1975 through October 1978 Marathon overstated its costs by \$3,315,404 as a result of its practice of treating interaffiliate transfers of NGLs and NGLPs as "first sales."

Protective Orders

The following firms filed Applications for Protective Orders. The applications, if granted, would result in the issuance by the DOE of the proposed Protective Order submitted by the firm. The DOE granted the following applications and issued the requested Protective Orders as Orders of the Department of Energy:

Company name	Case No.
Ashland Oil, Inc. and Chevron U.S.A., Inc.	HEJ-0008.
Marathon Oil Company and Landmark, Inc., Office of Solicitor.	HRJ-0010.

Dismissals

The following submissions were dismissed without prejudice:

Company name	Case No.
Clark, Garner C.	BRD-0050; BRH-0050.
Culpepper Oil Company	HRO-0010.

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 and Pennsylvania Ave., N.W., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management; Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: April 19, 1982.

George B. Breznay,
Director, Office of Hearings and Appeals.

[FR Doc. 82-11377 Filed 4-26-82; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-53036; TSH FRL 2111-2]

Premanufacture Notices; Monthly Status Report for March 1982

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(d)(3) of the Toxic Substances Control Act (TSCA) requires EPA to issue a list in the Federal Register at the beginning of each month reporting the premanufacture notices (PMNs) pending before the Agency and the PMNs for which the review period has expired since publication of the last monthly summary. This is the report for March 1982.

DATE: Written comments are due no later than 30 days before the applicable

notice review period ends on the specific chemical substance. Nonconfidential portions of the PMNs may be seen in Rm. E-106 at the address below between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

ADDRESS: Written comments are to be identified with the document control number "[OPTS-53036]" and the specific PMN number should be sent to: Document Control Officer (TS-793), Management Support Division, Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M Street, SW., Washington, DC 20460, (202-382-3532).

FOR FURTHER INFORMATION CONTACT: Kirk Maconaughey, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-208, 401 M Street, SW., Washington, DC 20460, (202-382-3746).

SUPPLEMENTARY INFORMATION: The monthly status report published in the Federal Register as required under section 5(d)(3) of TSCA (90 stat. 2012 (15 U.S.C. 2504)), will identify: (a) PMNs received during March; (b) PMNs received previously and still under review at the end of March; (c) PMNs for which the notice review period has ended during March; (d) chemical substances for which EPA has received a notice of commencement to manufacture during March; and (e) PMNs for which the review period has been suspended. Therefore, the March 1982 PMN Status Report is being published.

Dated: April 19, 1982.

Woodson W. Bercaw,
Acting Director, Management Support Division.

Premanufacture Notices Monthly Status Report, March 1982

I. 74 PREMANUFACTURE NOTICES RECEIVED DURING THE MONTH

PMN No.	Identity/generic name	FR citation	Expiration date
82-167	Generic name: Disubstituted benzene.....	47 FR 10900 (3/12/82).....	May 30, 1982
82-168	Generic name: Urethane of substituted alkanols and a diisocyanate.....	47 FR 10900 (3/12/82).....	May 31, 1982
82-169	Generic name: Polymer of alkyl and polyfluoroalkyl acrylates.....	47 FR 10900 (3/12/82).....	Do.
82-170	Generic name: 1,6-hexanediolic acid, polymer with 1,2-ethanediol, 1,3-benzenedicarboxylic acid, 1,4-benzenedicarboxylic acid, and 1,6-hexanediol.....	47 FR 10900 (3/12/82).....	Do.
82-171	Generic name: Aromatic substituted triazine disazo dye, tetrasodium salt.....	47 FR 10900 (3/12/82).....	June 1, 1982
82-172	Generic name: Chromophore substituted poly-(oxyalkylene).....	47 FR 10900 (3/12/82).....	June 2, 1982
82-173	Generic name: Borate esters-mixture.....	47 FR 10901 (3/12/82).....	Do.
82-174	Generic name: Substituted acrylamide polymer.....	47 FR 10901 (3/12/82).....	June 1, 1982
82-175	Generic name: Borate ester.....	47 FR 11957 (3/19/82).....	June 3, 1982
82-176	Generic name: Epoxy functional polysiloxane/silica resin.....	47 FR 11957 (3/19/82).....	Do.
82-177	Generic name: Metal salt of sulfur analog of carboxy alkyl.....	47 FR 11957 (3/19/82).....	June 6, 1982
82-178	Generic name: Disubstituted butanamide.....	47 FR 11957 (3/19/82).....	Do.
82-179	Generic name: Disubstituted thioic acid ester.....	47 FR 11957 (3/19/82).....	Do.
82-180	Generic name: Disubstituted benzene.....	47 FR 11957 (3/19/82).....	Do.
82-181	Generic name: Polymers of benzoic acid, dimethylethanolamine, epoxidized soybean oil, neopenyl glycol, propylene glycol phthalic anhydride, trimellitic anhydride.....	47 FR 11958 (3/19/82).....	June 7, 1982
82-183	Generic name: Polymers of acrylic acid, hydroxyethyl methacrylate, methylmethacrylate, phthalic anhydride, trimellitic anhydride, neodecanoic acid, 2,3-epoxypropyl ester.....	47 FR 11958 (3/19/82).....	Do.
82-185	Generic name: Fatty acids, esters with a polyol.....	47 FR 11958 (3/19/82).....	Do.
82-186	Generic name: Substituted alkyl amine.....	47 FR 11958 (3/19/82).....	Do.
82-187	Generic name: Modified polymer of alkenic acid, alkenic ester and substituted alkenic esters.....	47 FR 11958 (3/19/82).....	Do.
82-188	Generic name: Modified polymer of alkenic acid, alkenic ester and substituted alkenic esters.....	47 FR 11958 (3/19/82).....	Do.
82-189	Generic name: Benzene 2-[(hexahydro-2,4,8-tri-oxopyrimidyl)azoz]-5-(2-benzothiazolyl)sulfonic acid.....	47 FR 11958 (3/19/82).....	June 8, 1982
82-190	Generic name: Metal containing 2-hydroxy alkyl benzoate.....	47 FR 11958 (3/19/82).....	Mar. 29, 1982
82-191	Generic name: Metal containing 2-hydroxy alkyl benzoate.....	47 FR 11958 (3/19/82).....	Do.
82-192	Generic name: Metal containing 2-hydroxy alkyl benzoate.....	47 FR 11958 (3/19/82).....	Do.
82-193	Generic name: Reaction product of a substituted benzene formaldehyde and inorganic acid.....	47 FR 11958 (3/19/82).....	Apr. 13, 1982
82-194	Generic name: Reaction product of a substituted benzene formaldehyde and inorganic acid.....	47 FR 11958 (3/19/82).....	Do.
82-195	Generic name: Reaction product of a substituted benzene formaldehyde and inorganic acid.....	47 FR 11958 (3/19/82).....	Do.
82-196	Generic name: Polyalkylene glycol alkyl glycidyl ether.....	47 FR 11959 (3/19/82).....	June 9, 1982
82-197	Generic name: Polyoxyalkylene aryl alkyl phenyl ether.....	47 FR 11959 (3/19/82).....	Do.
82-198	Generic name: Modified polyurethane of a substituted alkene diol and a diisocyanate.....	47 FR 11959 (3/19/82).....	Do.
82-199	Generic name: Poly-imidazoline derivative.....	47 FR 11959 (3/19/82).....	Do.
82-200	Triaryl phosphate residue.....	47 FR 11959 (3/19/82).....	Do.
82-201	Generic name: Dodecanyl-oleyl-capryl-succinimide.....	47 FR 13037 (3/26/82).....	June 10, 1982
82-202	Generic name: Dimer fatty acid, propionic acid, dicarboxylic acid, ethylene diamine, diamine.....	47 FR 13037 (3/26/82).....	June 13, 1982
82-203	Generic name: Bisphenol A-epichlorohydrin resin-mixed acrylic polymer.....	47 FR 13037 (3/26/82).....	Do.
82-204	Generic name: Di-abietamide.....	47 FR 13037 (3/26/82).....	June 14, 1982
82-205	Generic name: Polyetherpolyol reaction with toluene diisocyanate hydroxypropyl acrylate blocked.....	47 FR 13038 (3/26/82).....	Do.
82-206	Reaction product of (9,12 octadecadienoic acid, dimer, polymer with 2,5 furandione) with tallow diamine.....	47 FR 13038 (3/26/82).....	June 15, 1982
82-207	OC-hydro-w-hydroxy-poly (oxy-1,2 ethanediyl), polymer with 3,5-dimethyl-1H-pyrazole.....	47 FR 13038 (3/26/82).....	Do.
82-208	OC-hydro-w-hydroxy-poly (oxy(methyl)-1,2 ethanediyl), polymer with 3,5-dimethyl-1H-pyrazole.....	47 FR 13038 (3/26/82).....	Do.
82-209	Generic name: Polymer from disubstituted monocycle and disubstituted alkanes.....	47 FR 13038 (3/26/82).....	Do.
82-210	Generic name: Disubstituted benzene.....	47 FR 13038 (3/26/82).....	June 14, 1982
82-211	Generic name: Disubstituted butanamide salt.....	47 FR 13038 (3/26/82).....	Do.
82-212	Generic name: Disubstituted benzene.....	47 FR 13038 (3/26/82).....	Do.
82-213	Generic name: Disubstituted benzene.....	47 FR 13038 (3/26/82).....	Do.
82-214	Generic name: Benzoxazole carbocyanine.....	47 FR 13038 (3/26/82).....	June 15, 1982
82-215	Generic name: Halogenated silicon magnesium oxo-titanium alkoxides.....	47 FR 13038 (3/26/82).....	Do.
82-216	Adduct of 1,3-bis(isocyanatomethyl)-cyclohexane with 2-ethyl-2(hydroxymethyl)-1,3-propanediol.....	47 FR 13038 (3/26/82).....	Do.
82-217	2-methoxy-1,4 naphthalenedione.....	47 FR 13038 (3/26/82).....	Do.
82-218	Generic name: Di-arylamine.....	47 FR 14218 (4/2/82).....	June 17, 1982

I. 74 PREMANUFACTURE NOTICES RECEIVED DURING THE MONTH—Continued

PAN No.	Identity/generic name	FR citation	Expiration date
82-219	Generic name: Polyetherpolyol reaction with isophorone diisocyanate—HEA blocked	47 FR 14218 (4/2/82)	Do.
82-220	Generic name: Polymer of linear glycols and aromatic dicarboxylic acids	47 FR 14218 (4/2/82)	Do.
82-221	Generic name: Disubstituted benzene	47 FR 14218 (4/2/82)	Do.
82-222	Generic name: Disubstituted benzene	47 FR 14218 (4/2/82)	Do.
82-223	Generic name: Polyester-urethane	47 FR 14218 (4/2/82)	June 20, 1982.
82-224	Generic name: Neutralized reaction products of fatty acid derivatives and a substituted alkyl ester	47 FR 14218 (4/2/82)	Do.
82-225	Generic name: Neutralized reaction products of fatty acid derivatives and a substituted alkyl ester	47 FR 14218 (4/2/82)	Do.
82-226	Generic name: Substituted phenyl, substituted naphthalenyl azo dye	47 FR 14219 (4/2/82)	June 21, 1982.
82-227	2-propanamide, N-[3-(dimethylamino)propyl]-, polymer with diethylenbenzene and 2,2-bis[(2-propenloxy)methyl]-1-butanol	47 FR 14219 (4/2/82)	June 23, 1982.
82-228	1-propanaminium, N,N,N-trimethyl-3-[(1-oxo-2-propenyl)amino]-, chloride, polymer with diethylenbenzene and 2,2-bis[(2-propenloxy)methyl]-1-butanol	47 FR 14219 (4/2/82)	Do.
82-229	1-propanaminium, N,N,N-trimethyl-3-[(1-oxo-2-propenyl)amino]-, hydroxide, polymer with diethylenbenzene and 2,2-bis[(2-propenloxy)methyl]-1-butanol	47 FR 14219 (4/2/82)	Do.
82-230	1-propanaminium, N,N,N-trimethyl-3-[(1-oxo-2-propenyl)amino]-, sulfate, polymer with diethylenbenzene and 2,2-bis[(2-propenloxy)methyl]-1-butanol	47 FR 14219 (4/2/82)	Do.
82-231	Generic name: Laurylsulfate salt of substituted p-diazo diphenylamine, polymer with formaldehyde	47 FR 14219 (4/2/82)	June 24, 1982.
82-232	Generic name: Thiophosphate	47 FR 15407 (4/9/82)	June 27, 1982.
82-233	Generic name: Organic salt of phosphorus	47 FR 15407 (4/9/82)	Do.
82-234	Generic name: Modified aromatic diisocyanate with aliphatic triol	47 FR 15407 (4/9/82)	Do.
82-235	Generic name: Allyglycidyl ether alcohol resin	47 FR 15407 (4/9/82)	June 28, 1982.
82-236	Generic name: Polymer of an alkoxyated alkyl heteromonocycle and polymethylene polyphenylene isocyanate	47 FR 15407 (4/9/82)	Do.
82-237	Generic name: Bis-substituted urea	47 FR 15407 (4/9/82)	Do.
82-238	N-substituted phenyl-N,N'-dialkyl urea	47 FR 15407 (4/9/82)	Do.
82-239	Generic name: Substituted unsaturated alcohol	47 FR 15407 (4/9/82)	Do.
82-240	Generic name: Substituted unsaturated alcohol	47 FR 15407 (4/9/82)	Do.
82-241	Penta(oxy-1,2-ethanedyl), alpha-(carboxy-methyl)-omega-hydroxy-, C ₁₂₋₁₈ linear primary-alkyl ethers	47 FR 15407 (4/9/82)	June 29, 1982.
82-242	Suspended		

II. 95 PREMANUFACTURE NOTICES RECEIVED PREVIOUSLY AND STILL UNDER REVIEW AT THE END OF THE MONTH

PAN No.	Identity/generic name	FR citation	Expiration date
82-23	Generic name: Polyhalogenated aromatic alkylated hydrocarbon	47 FR 3595 (1/26/82)	May 14, 1982.
82-82	Generic name: Hybrid urethane	47 FR 5933 (2/9/82)	May 5, 1982.
82-63	Generic name: Substituted benzene sulfonamide	47 FR 6363 (2/11/82)	May 3, 1982.
82-64	Generic name: Polyamide-acrylic resin	47 FR 6364 (2/11/82)	Do.
82-65	Generic name: Polymer of vegetable oil acids, alkane diols, and carbomonocyclic anhydrides	47 FR 6364 (2/11/82)	Do.
82-66	Generic name: Modified polymer of styrene alkyl methacrylate and a substituted alkyl methacrylate	47 FR 6364 (2/11/82)	Do.
82-67	Generic name: Disubstituted carbomonocycle	47 FR 6364 (2/11/82)	Do.
82-68	Generic name: Polymer of diphenylmethane diisocyanate and hydroxy alkyl ethers	47 FR 6365 (2/11/82)	May 4, 1982.
82-69	Generic name: Polymer of diphenylmethane diisocyanate and hydroxy alkyl ethers	47 FR 6365 (2/11/82)	Do.
82-70	d-[(1,3-dioxolan-2-ylmethoxy)imino]benzene-acetonitrile	47 FR 7311 (2/18/82)	Do.
82-71	Generic name: Alkyl aryl amino polyol	47 FR 7311 (2/18/82)	May 5, 1982.
82-72	Generic name: Alkenic acid ester of a halogenated alkyl aryl ether	47 FR 7311 (2/18/82)	Do.
82-73	O-acetylated anionic heteropolysaccharide of D-glucose, 6-deoxy L-mannose and D-glucuronic acid	47 FR 7486 (2/19/82)	May 6, 1982.
82-74	Generic name: Carbomonocyclic diester	47 FR 7486 (2/19/82)	Do.
82-75	Generic name: Substituted pyridinium bromide	47 FR 7487 (2/19/82)	Do.
82-76	Petroleum resin, polymer with mixed vegetable oil acids; 1,3-isobenzofuradione; and 2,2-bis(hydroxymethyl)-1,3-propanediol	47 FR 7487 (2/19/82)	Do.
82-77	Generic name: Higher alkyl acrylate-copolymer	47 FR 7487 (2/19/82)	Do.
82-78	Generic name: Alkyl acrylate alkylmethacrylate polymer	47 FR 7487 (2/19/82)	May 9, 1982.
82-79	Generic name: Resorcinol modified phenoxy-S resin	47 FR 7487 (2/19/82)	Do.
82-80	Generic name: Resorcinol modified phenoxy-S resin	47 FR 7488 (2/19/82)	Do.
82-81	Generic name: Polyurethane from aromatic isocyanate and alkanols	47 FR 7489 (2/19/82)	Do.
82-82	Alpha-methyl glucoside propoxylate	47 FR 7752 (2/22/82)	Do.
82-83	Alpha-methyl glucoside propoxylated ethoxylated	47 FR 7752 (2/22/82)	Do.
82-84	Generic name: Alkylthio metallic mercaptan	47 FR 7753 (2/22/82)	Do.
82-85	Generic name: Aromatic sulfonate salt	47 FR 7753 (2/22/82)	May 10, 1982.
82-86	A mixture of 1-amino-8-naphthol-4,6-disulfonic acid and its mono and disodium salts	47 FR 7753 (2/22/82)	Do.
82-87	Octadecyl docosenate	47 FR 7753 (2/22/82)	Do.
82-89	Generic name: (Dialkylaminophenylazo) azobenzene sulfonic acid	47 FR 8677 (3/1/82)	May 12, 1982.
82-90	Generic name: Siloxanes and silicones, amino-alkyl me, di-me	47 FR 8677 (3/1/82)	Do.
82-91	Octanoic acid, heptyl ester	47 FR 8840 (3/2/82)	May 11, 1982.
82-92	Octanoic acid, decyl ester	47 FR 8841 (3/2/82)	Do.
82-93	Octanoic acid, dodecyl ester	47 FR 8841 (3/2/82)	Do.
82-94	Octanoic acid, tetradecyl ester	47 FR 8841 (3/2/82)	Do.
82-95	Octanoic acid, hexadecyl ester	47 FR 8841 (3/2/82)	Do.
82-96	Decanoic acid, butyl ester	47 FR 8841 (3/2/82)	Do.
82-97	Decanoic acid, pentyl ester	47 FR 8841 (3/2/82)	Do.
82-98	Decanoic acid, isopentyl ester	47 FR 8841 (3/2/82)	Do.
82-99	Decanoic acid, hexyl ester	47 FR 8841 (3/2/82)	Do.
82-100	Decanoic acid, heptyl ester	47 FR 8841 (3/2/82)	Do.
82-101	Decanoic acid, octyl ester	47 FR 8841 (3/2/82)	Do.
82-102	Decanoic acid, tetradecyl ester	47 FR 8841 (3/2/82)	Do.
82-103	Decanoic acid, hexadecyl ester	47 FR 8841 (3/2/82)	Do.
82-104	Decanoic acid, octadecyl ester	47 FR 8841 (3/2/82)	Do.
82-105	Dodecanoic acid, propyl ester	47 FR 8841 (3/2/82)	Do.
82-106	Dodecanoic acid, butyl ester	47 FR 8841 (3/2/82)	Do.
82-107	Dodecanoic acid, isobutyl ester	47 FR 8841 (3/2/82)	Do.
82-108	Dodecanoic acid, pentyl ester	47 FR 8841 (3/2/82)	Do.
82-109	Dodecanoic acid, heptyl ester	47 FR 8841 (3/2/82)	Do.
82-110	Tetradecanoic acid, propyl ester	47 FR 8842 (3/2/82)	Do.
82-111	Tetradecanoic acid, isobutyl ester	47 FR 8842 (3/2/82)	Do.
82-112	Tetradecanoic acid, pentyl ester	47 FR 8842 (3/2/82)	Do.

II. 95 PREMANUFACTURE NOTICES RECEIVED PREVIOUSLY AND STILL UNDER REVIEW AT THE END OF THE MONTH—Continued

PMN No.	Identity/generic name	FR citation	Expiration date
82-113	Tetradecanoic acid, isopentyl ester	47 FR 8842 (3/2/82)	May 1, 1982
82-114	Tetradecanoic acid, hexyl ester	47 FR 8842 (3/2/82)	May 11, 1982
82-115	Tetradecanoic acid, heptyl ester	47 FR 8842 (3/2/82)	Do.
82-116	Tetradecanoic acid, octyl ester	47 FR 8842 (3/2/82)	Do.
82-117	Hexadecanoic acid, propyl ester	47 FR 8842 (3/2/82)	Do.
82-118	Hexadecanoic acid, pentyl ester	47 FR 8842 (3/2/82)	Do.
82-119	Hexadecanoic acid, isopentyl ester	47 FR 8842 (3/2/82)	Do.
82-120	Hexadecanoic acid, hexyl ester	47 FR 8842 (3/2/82)	Do.
82-121	Hexadecanoic acid, heptyl ester	47 FR 8842 (3/2/82)	Do.
82-122	Hexadecanoic acid, decyl ester	47 FR 8842 (3/2/82)	Do.
82-123	Hexadecanoic acid, dodecyl ester	47 FR 8842 (3/2/82)	Do.
82-124	Octadecanoic acid, propyl ester	47 FR 8842 (3/2/82)	Do.
82-125	Octadecanoic acid, pentyl ester	47 FR 8842 (3/2/82)	Do.
82-126	Octadecanoic acid, isopentyl ester	47 FR 8842 (3/2/82)	Do.
82-127	Octadecanoic acid, heptyl ester	47 FR 8842 (3/2/82)	Do.
82-128	Generic name: Naphthalenesulfonic acid, 5-phenylazo-8-toluidino azo	47 FR 8675 (3/1/82)	May 17, 1982
82-129	Generic name: Esterified copolymer of a vinyl compound and an unsaturated carboxylic acid	47 FR 8675 (3/1/82)	Do.
82-130	Generic name: Nitrobenzene sulfonate	47 FR 8675 (3/1/82)	Do.
82-131	Generic name: Zinc-containing alkenyl carboxamide	47 FR 8675 (3/1/82)	May 18, 1982
82-132	Generic name: Terpene ester	47 FR 8676 (3/1/82)	Do.
82-133	Generic name: Substituted cyclopentadiene	47 FR 8676 (3/1/82)	Do.
82-134	Propenoic acid/methylenebutanedioic acid copolymer sodium salt	47 FR 8676 (3/1/82)	Do.
82-135	Polymer of 2-propenoic acid and methylenebutane-dioic acid	47 FR 8676 (3/1/82)	Do.
82-136	Generic name: Disubstituted heteromonocycle	47 FR 8842 (3/2/82)	May 19, 1982
82-137	Generic name: Substituted amine complex	47 FR 8843 (3/2/82)	May 20, 1982
82-138	Generic name: Trisubstituted phenol	47 FR 8843 (3/2/82)	Do.
82-139	Polymer of hexanedioic acid and 2-(methylamino) ethanol	47 FR 8843 (3/2/82)	Do.
82-140	Generic name: Oxirane (chloromethyl) polymer with 2-(substituted)ethyl amine fractionation forecuts, methyl oxirane and oxirane	47 FR 10073 (3/9/82)	May 23, 1982
82-141	Adduct of bis (isocyanatomethyl) benzene with 2-ethyl-2 (hydromymethyl)-1,3-propane-diol	47 FR 10074 (3/9/82)	May 24, 1982
82-142	Generic name: Isocyanate terminated polyether prepolymer	47 FR 10074 (3/9/82)	Do.
82-143	Generic name: Heterocyclic-phenyl azo substance	47 FR 10074 (3/9/82)	Do.
82-144	Generic name: Heterocyclic-alkoxyphenyl azo substance	47 FR 10074 (3/9/82)	Do.
82-145	Generic name: Modified polyester polyurethane from substituted alkanediols, alkanedioic acid, and diisocyanate	47 FR 10074 (3/9/82)	Do.
82-146	Generic name: Acrylic copolymer	47 FR 10075 (3/9/82)	Do.
82-147	Generic name: Organorhodium complex	47 FR 10075 (3/9/82)	Do.
82-148	Generic name: Ethylene interpolymer	47 FR 10075 (3/9/82)	Do.
82-149	Generic name: Trisubstituted phenol	47 FR 10075 (3/9/82)	Do.
82-150	Polymer of methyl methacrylate	47 FR 10075 (3/9/82)	May 25, 1982
82-151	Generic name: Polymer of aliphatic and aromatic diacids and an aliphatic diol	47 FR 10076 (3/9/82)	Do.
82-152	Generic name: Fatty acids, tall oil, polymers with alicyclic glycol, phthalic anhydride and trimethylol propane	47 FR 10076 (3/9/82)	Do.
82-153	Generic name: Alkyl (substituted aryl) alkylate	47 FR 10076 (3/9/82)	Do.
82-154	Generic name: Alkyl (substituted aryl) alkylate	47 FR 10076 (3/9/82)	Do.
82-155	Generic name: Polyether alkyl esters	47 FR 10076 (3/9/82)	May 26, 1982
82-156	Generic name: Disubstituted-6,13-dichloro-4,11-triphenodioxazine disulfonic acid	47 FR 10900 (3/12/82)	Do.

82-88 Voided.

NOTE.—PMNs 82-155 thru 82-165 are suspended due to problems with chemical identity.

III. 73 PREMANUFACTURE NOTICES FOR WHICH THE NOTICE REVIEW PERIOD HAS ENDED DURING THE MONTH. (EXPIRATION OF THE NOTICE REVIEW PERIOD DOES NOT SIGNIFY THAT THE CHEMICAL HAD BEEN ADDED TO THE INVENTORY.)

PMN NO.	Identity/generic name	FR citation	Expiration date
81-608	Polyethylene glycol di-2-ethylhexoate	46 FR 60496 (12/10/81)	Mar. 1, 1982
81-609	Methoxy polyethylene glycol 2-ethylhexoate	46 FR 60496 (12/10/81)	Do.
81-610	Generic name: Urethane acrylate	46 FR 60496 (12/10/81)	Do.
81-611	Generic name: Modified polyurethane from a diisocyanate, substituted alkane diol and mixed polyether diols	46 FR 60496 (12/10/81)	Do.
81-612	Generic name: Polyester of a polybasic fatty acid and polyoxyethylated polypropylene glycol	46 FR 60497 (12/10/81)	Do.
81-613	Generic name: Alkyl Glucoside	46 FR 60497 (12/10/81)	Do.
81-614	Generic name: Polyester urethane acrylate-blocked	46 FR 60497 (12/10/81)	Do.
81-615	Generic name: Aryl amine, epoxide polymer	46 FR 60497 (12/10/81)	Do.
81-616	1,7-naphthalenedisulfonic acid, 4-benzamido-5-hydroxy-6-((2-sulfoxyethyl)sulfonyl)-1-sulfo-naphthalen-2-yl)azo-, tetrasodium salt	46 FR 60498 (12/10/81)	Mar. 3, 1982
81-617	Generic name: Substituted benzene sulfonic acid derivative	46 FR 60981 (12/14/81)	Do.
81-618	Generic name: Trisubstituted cellulose	46 FR 60981 (12/14/81)	Do.
81-619	Generic name: Trisubstituted cellulose salt	46 FR 60981 (12/14/81)	Do.
81-620	Generic name: Silicon substituted organic amine	46 FR 60982 (12/14/81)	Do.
81-621	Generic name: Polyester of propanediol, adipic acid, phthalic anhydride, aromatic aliphatic ester	46 FR 60982 (12/14/81)	Mar. 4, 1982
81-622	Fumaric acid, maleic anhydride, isophthalic acid polymer or propylene glycol and ethylene glycol	46 FR 61350 (12/16/81)	Mar. 3, 1982
81-623	Generic name: Copolymer of alkyl acrylates and methacrylates	46 FR 61530 (12/16/81)	Mar. 7, 1982
81-624	Generic name: Modified polyester from alkane-dioic acid, substituted alkane triol a carbomonocyclic acid	46 FR 61530 (12/16/81)	Do.
81-625	Generic name: Blocked isocyanate	46 FR 61505 (12/17/81)	Mar. 8, 1982
81-626	Ethylene glycol acrylate trimellitate	46 FR 61505 (12/17/81)	Mar. 3, 1982
81-627	Polymer of ethylene glycol acrylate mellitate and bisphenol-A epichlorohydrin	46 FR 61505 (12/17/81)	Mar. 8, 1982
81-628	Adduct of toluene diisocyanate with 2-hydroxyethyl acrylate and caproic acid	46 FR 61506 (12/17/81)	Do.
81-629	Polymer of linseed oil, polymer with maleic anhydride and pentaerythritol, formaldehyde polymer with 4-(1,1-dimethylethyl) phenol, methyl phenol, and 4-nonyl phenol	46 FR 61506 (12/17/81)	Do.
81-630	Generic name: Poly(ester)-Co-poly(ether)	46 FR 62312 (12/23/81)	Mar. 9, 1982
81-631	Generic name: Polymer of mixed alkyl acrylates and methacrylates	46 FR 62312 (12/23/81)	Mar. 10, 1982
81-632	Generic name: Methacrylate copolymer	46 FR 62312 (12/23/81)	Mar. 11, 1982
81-633	Generic name: Hydroxy alkyl borate	46 FR 62313 (12/23/81)	Do.
81-634	Generic name: Protein associated biopolymer	46 FR 62313 (12/23/81)	Mar. 14, 1982
81-635	Generic name: Metal salt of the coupling product of amino naphthalene sulfonic acid and B-oxynaphthoic acid	46 FR 62313 (12/23/81)	Do.

III. 73 PREMANUFACTURE NOTICES FOR WHICH THE NOTICE REVIEW PERIOD HAS ENDED DURING THE MONTH. (EXPIRATION OF THE NOTICE REVIEW PERIOD DOES NOT SIGNIFY THAT THE CHEMICAL HAD BEEN ADDED TO THE INVENTORY.)—Continued

PMN NO.	Identity/generic name	FR citation	Expiration date
81-638	Generic name: Metal salt of the coupling product of amino naphthalene sulfonic acid and B-oxynaphthoic acid.	46 FR 62314 (12/23/81)	Do.
81-637	Generic name: Saturated dicarboxylic acid diamine polyamine.	46 FR 62314 (12/23/81)	Do.
81-638	Generic name: Polyether reaction product with toluene diisocyanate-methacrylate terminated.	46 FR 62687 (12/28/81)	Mar. 15, 1982.
81-639	Generic name: Aliphatic acid ester.	46 FR 62688 (12/28/81)	Do.
81-640	Generic name: Disubstituted phenol.	46 FR 62929 (12/29/81)	Mar. 16, 1982.
81-641	Generic name: Substituted tetradecanoic acid derivative.	46 FR 62929 (12/29/81)	Do.
81-642	Terpolymer of dimethyl diallyl ammonium.	46 FR 63107 (12/30/81)	Mar. 18, 1982.
81-645	Generic name: Organic salts of tertiary aliphatic amines.	47 FR 337 (1/5/82)	Mar. 22, 1982.
81-646	Generic name: Organic salts of tertiary aliphatic amines.	47 FR 337 (1/5/82)	Do.
81-647	Generic name: Organic salts of tertiary aliphatic amines.	47 FR 337 (1/5/82)	Do.
81-648	Generic name: Tetrasubstituted benzamide.	47 FR 337 (1/5/82)	Do.
81-649	Generic name: Tetrasubstituted benzene.	47 FR 338 (1/5/82)	Do.
81-650	Polymer of hexanedioic acid and 2,2'-iminobis-ethanol.	47 FR 338 (1/5/82)	Do.
81-651	Generic name: Tetrasubstituted benzene.	47 FR 338 (1/5/82)	Do.
81-652	Generic name: Carboxylic diisocyanate.	47 FR 1019 (1/8/82)	Mar. 23, 1982.
81-656	Generic name: Halogenated nitrotoluene.	47 FR 1020 (1/8/82)	Do.
81-657	Generic name: N-alkylated toluidine derivative.	47 FR 1020 (1/8/82)	Do.
81-658	Generic name: Halogenated toluene derivative.	47 FR 1020 (1/8/82)	Do.
81-659	3-carboxy-4-((4-(2-methoxy-5-(2-hydroxysulfonyloxy) ethylsulfonyl) phenyl) aminocarbonyl) phenylazo)-1-(4-sulphophenyl-5-pyrazolone sodium salt.	47 FR 1021 (1/8/81)	Mar. 28, 1982.
81-662	Generic name: Substituted propionamide.	47 FR 1021 (1/8/82)	Do.
81-663	Generic name: Alkali metal salt of substituted benzoate.	47 FR 1021 (1/8/82)	Do.
81-664	Generic name: Modified polyester from a substituted alkanediol, carbomonoicyclic acids and carbomonoicyclic anhydride.	47 FR 1022 (1/8/82)	Do.
81-665	Generic name: Substituted pyran.	47 FR 1022 (1/8/82)	Do.
81-666	Generic name: Cycloalkyl aralkyl ether.	47 FR 1411 (1/13/82)	Mar. 29, 1982.
81-667	Generic name: Substituted furan.	47 FR 1411 (1/13/82)	Do.
81-668	Generic name: Ester-diol.	47 FR 1412 (1/13/82)	Do.
81-669	Benzene, ar-bromoethenyl-, polymer with diethenylbenzene.	47 FR 1412 (1/13/82)	Do.
81-670	Generic name: Modified polymer of styrene, alkenoic acid, alkenoic ester and substituted alkenoic esters.	47 FR 1412 (1/13/82)	Do.
81-671	Phenyl mercury neodecanoate.	47 FR 1412 (1/13/82)	Do.
81-672	Phenyl acetic acid hydrazide.	47 FR 1412 (1/13/82)	Do.
81-673	Generic name: Polyester from vegetable oil acids, alkane triol, carbomonoicyclic anhydride and carbomonoicyclic acid.	47 FR 1413 (1/13/82)	Do.
81-674	Generic name: Metal containing 2-hydroxy alkyl benzoate.	47 FR 1413 (1/13/82)	Do.
81-675	Generic name: Acrylic copolymer.	47 FR 1413 (1/13/82)	Do.
81-676	Generic name: Acrylic copolymer.	47 FR 1413 (1/13/82)	Do.
81-677	Generic name: Acrylic copolymer.	47 FR 1413 (1/13/82)	Do.
81-678	Generic name: Acrylic copolymer.	47 FR 1413 (1/13/82)	Do.
81-679	Generic name: Acrylic copolymer.	47 FR 1413 (1/13/82)	Do.
81-680	3,3-dimethylbicyclo (2.2.1) heptane-2-carboxylic acid.	47 FR 1410 (1/13/82)	Mar. 30, 1982.
81-681	Decanoic acid, octyl ester.	47 FR 1410 (1/13/82)	Do.
81-682	Octanoic acid, heptyl ester.	47 FR 1411 (1/13/82)	Do.
81-683	Generic name: Polymer of 1,1'-methylene bis (4-isocyanatocyclohexane); a polymer of ε-caprolactone and an ethylene glycol derivative; 2-butanone oxime; and a polyalkyl hydroxy substituted heterocycle.	47 FR 1414 (1/13/82)	Mar. 31, 1982.
81-684	Generic name: Polymer of 1,1'-methylene bis (4-isocyanatocyclohexane); a polymer of ε-caprolactone and an ethylene glycol derivative; and a substituted alkane.	47 FR 1414 (1/13/82)	Do.
81-190	Generic name: Metal containing 2-hydroxy alkyl benzoate.	47 FR 11958 (3/19/82)	Mar. 29, 1982.
81-191	Generic name: Metal containing 2-hydroxy alkyl benzoate.	47 FR 11958 (3/19/82)	Do.
81-192	Generic name: Metal containing 2-hydroxy alkyl benzoate.	47 FR 11958 (3/19/82)	Do.

*PMNs 81-653, 81-654, and 81-655 were voided.

IV. 38 CHEMICAL SUBSTANCES FOR WHICH EPA HAS RECEIVED NOTICES OF COMMENCEMENT TO MANUFACTURE

PMN No.	Chemical identification	FR citation	Date of commencement
80-105	Monoethanolamine salt of 1-hydroxyethylidene-1,1-diphosphonic acid.	45 FR 41059 (6/17/80)	Mar. 2, 1982.
80-106	Diethanolamine salt of 1-hydroxyethylidene-1,1-diphosphonic acid.	45 FR 41059 (6/17/80)	Do.
80-107	Triethanolamine salt of 1-hydroxyethylidene-1,1-diphosphonic acid.	45 FR 41060 (6/17/80)	Do.
80-178	Generic name: Isocyanate terminated urethane prepolymer.	45 FR 52445 (8/7/80)	Mar. 19, 1982.
80-182	Generic name: Alkanedioic acids mixed alkanolamines salt.	45 FR 54426 (8/15/80)	Feb. 10, 1982.
80-316	Generic name: Dialkyltin-diricinolate.	45 FR 83020 (12/17/80)	Mar. 19, 1982.
80-360	2-propanol, 1-methoxy-acetate.	46 FR 12308 (2/13/81)	Feb. 25, 1982.
81-9	Generic name: Silylated phosphonate.	46 FR 11352 (2/6/81)	Oct. 1981.
81-16	Generic name: Reaction product of an epoxy resin and a substituted amine.	46 FR 13018 (2/19/81)	May 22, 1981.
81-79	Generic name: Polyurethane from substituted alkanols and an aromatic diisocyanate.	46 FR 19313 (3/30/81)	Feb. 5, 1982.
81-161	Generic name: Polyacrylate.	46 FR 24988 (5/4/81)	Dec. 14, 1981.
81-232	Generic name: Substitutedalkanoic acid derivative.	46 FR 30885 (6/11/81)	Feb. 8, 1982.
81-233	Generic name: Substitutedalkanoic acid.	46 FR 30885 (6/11/81)	Oct. 21, 1981.
81-235	Generic name: Disubstitutedalkanoic acid.	46 FR 30886 (6/11/81)	Feb. 22, 1982.
81-307	Alkylphenol-formaldehyde tackifying resin.	46 FR 39213 (7/31/81)	Sept. 29, 1981.
81-316	Generic name: Quarternary ammonium derivative of an unsaturated amide.	46 FR 37324 (7/20/81)	Nov. 21, 1981.
81-321	Generic name: 1,3-Benzendicarboxylic acid, polymer with substituted alkane and 2-ethyl-2-(hydroxymethyl)-1,3-propanediol.	46 FR 37968 (7/23/81)	Oct. 9, 1981.
81-325	Starch, diethylaminoethyl hydrochloride, 2-sulfo-2-carboxyethyl ether, calcium salt.	46 FR 39578 (7/28/81)	Oct. 14, 1981.
81-381	Generic name: Substituted phenyl butenone.	46 FR 42191 (8/19/81)	Feb. 22, 1982.
81-386	Generic name: Polymer of vinyl acetate and acrylate esters.	46 FR 44049 (9/2/81)	Mar. 2, 1982.
81-399	Generic name: Polymer of propenoic acid, alkyl propenoates, and glycol monomethacrylate.	46 FR 44049 (9/2/81)	Mar. 1, 1982.
81-422	Generic name: Polymer of alkylpropenoate, propenoic acid, substituted propenoic acid, and vinyl benzene.	46 FR 45999 (9/16/81)	Mar. 15, 1982.
81-442	Generic name: Benzyl ester.	46 FR 47004 (9/23/81)	Dec. 15, 1981.
81-445	Polyglycidyl-m-xylenediamine.	46 FR 47004 (9/23/81)	Feb. 26, 1982.
81-450	Generic name: Di(ary)polyhalosemi-metal.	46 FR 47005 (9/23/81)	Feb. 2, 1982.
81-456	2-carbomethoxybenzene sulfonyl chloride.	46 FR 47295 (9/25/81)	Feb. 16, 1982.

IV. 38 CHEMICAL SUBSTANCES FOR WHICH EPA HAS RECEIVED NOTICES OF COMMENCEMENT TO MANUFACTURE—Continued

PMN No.	Chemical identification	FR citation	Date of commencement
81-476	Generic name: Substituted mercaptophosphate	46 FR 48754 (10/2/81)	Mar. 16, 1982
81-481	Generic name: Polymer of linear glycols, aliphatic dicarboxylic acid, and aromatic dicarboxylic acid	46 FR 48752 (10/2/81)	Mar. 15, 1982
81-482	Generic name: Polymer of linear glycols, aliphatic dicarboxylic acid, and aromatic di-(tri)carboxylic acids	46 FR 48753 (10/2/81)	Do.
81-484	Generic name: Aromatic diazo dye	46 FR 48979 (10/5/81)	Feb. 24, 1982
81-491	Generic name: Amine salt of a phosphonic acid	46 FR 49945 (10/8/81)	Mar. 18, 1982
81-492	1,3-bis(1-methylethenyl)benzene	46 FR 49945 (10/8/81)	Feb. 1, 1982
81-507	Generic name: Isocyanate functional polyester	46 FR 50410 (10/13/81)	Feb. 10, 1982
81-513	Generic name: N-alkylhalogenatedbenzylamine	46 FR 50840 (10/15/81)	Feb. 8, 1982
81-544	Generic name: Benzenesulfonic acid, 4-[4-[(2-hydroxy-1-naphthalenyl)azo]phenyl]azo]-salt	46 FR 54792 (11/4/81)	Mar. 22, 1982
81-547	1,4-bis(1-methylethenyl)benzene	46 FR 55001 (11/5/81)	Feb. 8, 1982
81-580	Poly(oxy-1,2-ethanediyl, alpha-(carboxymethyl)-omega-(4-nonylphenoxy)	46 FR 57127 (11/20/81)	Mar. 2, 1982
81-633	Generic name: Hydroxy alkenyl borate	46 FR 62313 (12/23/81)	Mar. 11, 1982

V. 17 PREMANUFACTURE NOTICES FOR WHICH THE REVIEW PERIOD HAS BEEN SUSPENDED

PMN No.	Identity/generic name	FR citation	Date suspended
80-137	Benzeneamine, 4,4'-methylene bis [N-(1-methyl-butylidene)]	45 FR 48243 (7/18/80)	Sept. 22, 1980
80-138	Benzeneamine, 4,4'-Methylene bis [N-(1-methyl-butylidene)]	45 FR 48243 (7/18/80)	Sept. 22, 1980
80-146	Phosphorodithioic acid, C,C'-di-(isohexyl, isooheptyl, isooctyl, isononyl, isodecyl) mixed esters, zinc salt	45 FR 49153 (7/23/80)	Sept. 17, 1980
80-147	Phosphorodithioic acid, C,C'-di-(isohexyl, isooheptyl, isooctyl, isononyl, isodecyl) mixed esters	45 FR 49153 (7/23/80)	Do.
80-264	Generic name: Benzeneamine, [N-(1-methyl-hexylidene)-N-(1-methyl butylidene)-4,4'-methylene bis]	45 FR 73127 (11/4/80)	Dec. 24, 1980
81-534	2,3-epoxycyclohexanone	46 FR 53522 (10/29/81)	Nov. 2, 1981
81-558	4-hydroxy-3-(5-(2-hydroxysulfonyloxy)ethyl-sulfonyl)-2-methoxyphenylazo]-7-succinyl-amino-2-naphthalenesulfonic acid disodium salt	46 FR 55146 (11/6/81)	Jan. 27, 1982
81-559	5-Acetylamino-4-hydroxy-3-(2-hydroxy-4-(2-hydroxy-sulfonyl) ethylsulfonyl)-5-methyl-phenylazo]-2,7-naphthalenedisulfonic acid trisodium salt complex	46 FR 55146 (11/6/81)	Do.
81-561	4-[4-[(2-hydroxysulfonyloxy)ethylsulfonyl]-5-methyl-2-methoxyphenylazo]-3-methyl-1-(3-sulfonylphenyl)-5-pyrazolone disodium salt	46 FR 55146 (11/6/81)	Do.
81-580	Poly(oxy-1,2-ethanediyl), alpha-(carboxy-methyl)-omega-(4-nonylphenoxy)	46 FR 57127 (11/20/81)	Feb. 2 thru 16, 1982
81-643	Generic name: Cationic acrylamide copolymer	46 FR 63107 (12/30/81)	Feb. 19, 1982
81-644	Generic Name: Cationic acrylamide copolymer	46 FR 63107 (12/30/81)	Do.
81-660	4-hydroxy-3-(2-methoxy-5-methyl-4-(2-(hydroxy-sulfonyloxy)ethylsulfonyl)phenylazo)-1-naphthalene sulfonic acid disodium salt	47 FR 1021 (1/8/82)	Mar. 28, 1982
81-661	4-hydroxy-3-(2-methoxy-5-methyl-4-(2-(hydroxy-sulfonyloxy)ethylsulfonyl)phenylazo)-6-(3-sulfonylphenyl)amino-2-naphthalenesulfonic acid trisodium salt	47 FR 1021 (1/8/82)	Do.
82-46	Polymer from 1-propanesulfonic acid, 2-methyl-2-((1-oxo-2-propenyl)amino), formamide, N-ethenyl, 2-propenamide	47 FR 5328 (2/4/82)	Feb. 2 thru 9, 1982
82-182	Polymers of bisphenol, epichlorohydrin, styrene, phenol, formaldehyde	47 FR 11958 (3/19/82)	Mar. 15, 1982
82-184	Polymers of phenol, formaldehyde, propylene-oxide, polyvinyl alcohol	47 FR 11958 (3/19/82)	Do.

FR Doc. 82-11275 Filed 4-26-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 16912; Gen. Docket No. 80-398]

Action in Docket Case; Further Comment Sought To Aid Planning for 1983 Broadcast Satellite RARC

March 30, 1982.

The Commission is seeking further public comment to aid in formulating U.S. positions to be presented at the 1983 Region 2 Administrative Radio Conference of the International Telecommunication Union for planning the 12 GHz broadcast-satellite service.

The planning efforts, being coordinated among the Commission, the National Telecommunications and Information Administration and the State Department, focus on how best to safeguard short- and long-term U.S. direct broadcast satellite (DBS) interest at the 1983 Region 2 conference. The Commission is conducting a parallel

proceeding to establish domestic DBS rules.

In previous actions in this proceeding the FCC addressed basic service requirements, technical specifications and sharing criteria, planning principles and procedures and the need for an advisory committee to assist the Commission in preparing for the conference. The advisory committee was established and has been working on a final report of the conference recommendations that is due next month.

Basically, the Commission addresses three broad issues:

- The desirability of adopting a flexible, block allotment approach to planning, as opposed to rigid, detailed a priori planning;
- The technical parameters upon which any plan should be based;
- The technical criteria for sharing among broadcast-satellite service (BBS) providers and between BSS and the other services sharing the allocations.

The Commission discusses the development of positions on many aspects of these issues and requests further comment on others.

Comments are due by May 21 and replies by June 11, 1982.

Action by the Commission March 25, 1982, by Third Notice of Inquiry (FCC 82-139). Commissioners Fowler (Chairman), Quello, Washburn, Fogarty, Jones, Dawson and Rivera with Commissioner Washburn issuing a separate statement.

For more information contact Edward R. Jacogs at (202) 653-8102.

William J. Tricarico,
Secretary, Federal Communications Commission.

Note.—Because of the ongoing effort to minimize publishing costs, the Notice of Inquiry will not be printed herein. However, copies are available from distribution centers listed in the Office of Public Affairs, Room 202, 1919 M St., N.W., Washington, D.C. 20554.

In addition, a copy is available for viewing in the FCC Dockets Reference Room (239).

[FR Doc. 82-11394 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

Radio Advisory Committee Meets May 4, 1982

A meeting of the Advisory Committee on Radio Broadcasting will be held at 9:30 a.m., Tuesday, May 4, 1982, at 1229 20th Street, N.W., Washington, D.C., in Room A-110.

The matters on the agenda are:

- Receipt and consideration of the Report of the Subgroup on Technical Matters relating to implementation of the Final Acts of the 1981 Rio de Janeiro Administrative Conference on AM Broadcasting in the Western Hemisphere;
- FM: Performance characteristics of FM receivers; and allocation principles.
- Other business.

If the participants so desire, the meeting, if it is not conclude on May 4, 1982, may be recessed for resumption at such subsequent time and place as may be decided at the May 4 session.

For additional information contact Mr. Louis C. Stephens, Chairman of the Advisory Committee, at FCC Headquarters, (202) 632-7792.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 82-11395 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

Advisory Committee on Preparations for the ITU 1983 Region 2 Broadcasting Satellite Service Planning Conference

April 22, 1982.

Meeting

Monday, May 10, 1982, 9 a.m., Federal Communications Commission, 1229 20th Street, N.W., Room A-110, Washington, D.C.

Agenda

- (1) Approval of Agenda.
- (2) Presentation and Approval of Report of Sub-Group 3.
- (3) Presentation and Approval of Executive Summary Report as it relates to Sub-Group 3 Report and Activities.
- (4) Preview of remaining Committee Tasks.
- (5) Other Business.
- (6) Adjournment.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 82-11415 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

Commission Schedules en Banc Meeting for Parties To Submit Views on A.T. & T.'s Migration Strategy

April 22, 1982.

The Commission has received information from various sources suggesting that the American Telephone and Telegraph Company (AT&T) has adopted a strategy to promote the sale of its customer-premises equipment (CPE) which may not be consistent with the interests of monopoly subscribers or with the public interest generally. State regulatory commissions and the House Subcommittee on Telecommunications, Consumer Protection and Finance have gathered factual material, company documents and testimony which seem to indicate a systematic effort by AT&T to raise the tariffed rates on its old electromechanical terminal equipment while at the same time waging an intensive sales campaign for its electronic equipment. The majority staff report of the House Subcommittee on Telecommunications, Consumer Protection and Finance refers to AT&T's apparent efforts as the "Installed Base Migration Strategy" (IBMS) (see Committee Print 97-V; November 3, 1981). Trade publications and the financial press also have devoted attention to the phenomenon (see, e.g., *The Wall Street Journal*, April 24, 1981). The Commission itself has observed from its own records that certain types of AT&T's terminal equipment have been retired at unprecedented rates during the past two years.

Since an "Installed Base Migration Strategy" could be harmful to customers and could have anticompetitive effects, it is a matter of concern to the Commission. To assist the Commission in determining the public interest issues and in developing an appropriate policy stance, we will give interested parties an opportunity to express their views on the migration strategy. For this purpose an open Commission meeting has been scheduled on May 18, 1982. In particular, the Commission encourages interested parties to address the following questions:

- (1) Is AT&T employing an improper migration strategy, and if so, what specifically does it entail?
- (2) Is AT&T's migration strategy harmful to the public interest, and if so, in what way?
- (3) What, if anything, can and should the Commission do in regard to AT&T's migration strategy?

The results of the en banc meeting will assist the Commission in developing appropriate policy positions in other related proceedings dealing with CPE such as the annual depreciation

re-prescriptions, Computer II Implementation and decisions which the Commission will be required to make as a consequence of the proposed AT&T and Department of Justice settlement agreement. Parties may wish to comment on the relation of IBMS to these proceedings.

Any party interested in making a statement before the Commission should file a notice of intent to participate by April 26, 1982. If there are more speakers than can be accommodated in one day, the Commission will select individuals to speak who are representative of a wide variety of interests. The Commission will issue a public notice by April 29, 1982, identifying the individuals selected to speak.

Each party selected to address the Commission will be required to submit a written statement by May 11, 1982. Other interested parties may also submit written statements by May 11, 1982, and these statements also will be considered by the Commission in formulating its views. All written statements should be addressed to the Secretary, FCC, 1919 M Street, N.W., Washington, D.C. 20554.

We will allocate time to each speaker based upon the response to this public notice.

The meeting will commence at 10 a.m., May 18, 1982, in the Commission meeting room, 856, 1919 M Street, N.W., Washington, D.C.

For further information contact Theodore Boll, (202) 632-7084.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 82-11416 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

[BC Docket No. 82-215 etc.; File No. BPCT-810827KF etc.]

Edward M. Johnson, et al.; Order Designating Applications for Consolidated Hearing on Stated Issues

Adopted: April 14, 1982.

Released: April 22, 1982.

In re Applications of Edward M. Johnson, Athens, Georgia, BC Docket No. 82-215, File No. BPCT-810827KF; Georgia Mountain Corp., Athens, Georgia, BC Docket No. 82-216, File No. BPCT-811124KF; Sunbelt Television, Inc., Athens, Georgia, BC Docket No. 82-217, File No. BPCT-811124KK, for construction permit.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has before it the above-captioned mutually exclusive

applications for authority to construct a new commercial television broadcast station on Channel 34, Athens, Georgia.

2. The effective radiated visual power, antenna heights above average terrain and other technical data submitted by the applicants indicates that there would be a significant difference in the size of the areas and populations which would be served by each of the proposals. Consequently, for the purpose of comparison, the areas and populations which would be within the predicted Grade B contours, together with the availability of other television service of Grade B or greater intensity, will be considered under the standard comparative issue, for the purpose of determining whether comparative preferences should accrue to one or more of the applicants.

3. Since no determination has been reached that the tower height and location proposed by each of the applicants would not constitute a hazard to air navigation, an issue regarding this matter is required.

Edward M. Johnson

4. The applicant estimates that he will require \$230,530 to construct and operate for three months. The balance sheet which Johnson submitted does not conform to the requirements of Section III, page 2, paragraph 2(a), FCC Form 301, because it is not dated, does not provide a complete analysis of the composition of assets and liabilities, and does not segregate current liabilities from long-term liabilities as required by the instructions for Section III. Johnson has submitted a letter from City and County Bank Knox County, Tennessee, purporting to make available a loan of up to \$2,000,000. This bank letter, however, is specifically limited to use in connection with a proposal by Johnson to construct an experimental television station in Knoxville, Tennessee. Consequently, the applicant does not appear to have any funds available and an appropriate issue will be specified.

Georgia Mountain Broadcasting

5. The applicant estimates that \$1,882,235 will be required to construct and operate for three months as proposed. To finance the proposal, applicant relies on a letter from The Citizens and Southern National Bank. Terms of the loan are not indicated in the letter. Therefore, the loan cannot be considered as a source of financing, and an issue will be specified to determine the source and availability of \$1,882,235.

Sunbelt Television, Inc.

6. In its engineering statement, the applicant states that it will use a

directional antenna oriented at 5 degrees True. No horizontal plane pattern has been submitted as required by Section 73.685 of the Commission's Rules and Section V-C, paragraph 7(b), FCC Form 301. The proposed service contours are essentially circular, suggesting the use of an omnidirectional antenna. The Commission's staff is unable to reconcile this discrepancy and it is not possible, therefore, to ascertain the correct coverage. Accordingly, an appropriate issue will be specified.

7. The applicant estimates that \$4,204,000 will be required to construct and operate for three months as proposed. To finance the proposal, applicant relies upon: (1) A \$900,000 loan from the Citizens and Southern National Bank; (2) A letter from Inbank. In (1) above, the bank requires the personal guarantees of Claude Williams, Jr. and Dr. Robert E. Dicks, principals in Sunbelt. The principals have not indicated a willingness to guarantee the loan. In (2) above, no terms have been set. Therefore, neither bank loan can be considered to be available. An issue will be specified to determine the source and availability of \$4,204,000.

Conclusion and Order

8. Except as indicated in the issues set out below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

9. Accordingly, it is ordered, That pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding to be held before an Administrative Law Judge at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine, with respect to Edward M. Johnson, Georgia Mountain Corporation and Sunbelt Television, Inc., whether there is a reasonable possibility that the tower height and location proposed by each would constitute a hazard to air navigation.

2. To determine, with respect to Edward M. Johnson:

(a) The source and availability of \$230,530;

(b) Whether in light of the evidence adduced pursuant to (a) above, applicant is financially qualified.

3. To determine, with respect to Georgia Mountain Broadcasting:

(a) The source and availability of \$1,882,235;

(b) Whether, in light of the evidence adduced pursuant to (a) above, applicant is financially qualified.

4. To determine, with respect to Sunbelt Television, Inc.:

(a) Whether the applicant proposes to use a directional antenna and, if so, the correct predicted service contours;

(b) The source and availability of \$4,204,000;

(c) Whether, in light of the evidence adduced pursuant to (b) above, applicant is financially qualified.

5. To determine which of the proposals, on a comparative basis, would best serve the public interest.

6. To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

10. It is further ordered, That the Federal Aviation Administration is made a party to the proceeding with respect to issue 1.

11. It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, shall within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

12. It is further ordered, That the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and Section 73.3594 of the Commission's Rules, give notice of the hearing within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the rules.

Federal Communications Commission.

Larry D. Eads,
Chief, Broadcast Facilities Division,
Broadcast Bureau.

[FR Doc. 82-11414 Filed 4-26-82; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL HOME LOAN BANK BOARD

Fidelity Savings & Loan Association, San Francisco, Calif.; Appointment of Receiver

Notice is hereby given that pursuant to the authority contained in section 406(c)(1) of the National Housing Act, as amended (12 U.S.C. 1729(c)(1) (1976)), the Federal Savings and Loan Insurance Corporation accepted the tender of the Savings and Loan Commissioner of the State of California of the appointment as

receiver for Fidelity Savings and Loan Association, San Francisco, California, for the purpose of liquidation, effective April 13, 1982.

Dated: April 22, 1982.

J. J. Finn,
Secretary.

[FR Doc. 82-11476 Filed 4-26-82; 8:45 am]
BILLING CODE 6720-01-M

Fidelity Savings and Loan Association, San Francisco, California; Appointment of Receiver

Notice is hereby given that pursuant to the authority contained in section 406(c)(2) of the National Housing Act, as amended (12 U.S.C. 1729(c)(2) (1976)), the Federal Home Loan Bank Board appointed the Federal Savings and Loan Insurance Corporation as sole receiver for Fidelity Savings and Loan Association, San Francisco, California effective April 13, 1982.

Dated: April 22, 1982.

J. J. Finn,
Secretary.

[FR Doc. 82-11475 Filed 4-26-82; 8:45 am]
BILLING CODE 6720-01-M

FEDERAL MARITIME COMMISSION

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10327; or may inspect the Agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after the date of the **Federal Register** in which this notice appears. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United

States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No. T-4041.

Filing party: Carmen J. Febre Claudio, Acting General Counsel, Puerto Rico Ports Authority, G.P.O. Box 2829, San Juan, Puerto Rico 00938.

Summary: Agreement No. T-4041, between the Puerto Rico Ports Authority (Authority) and the Rice Growers Association of California, Inc. (Rice Growers), provides that the Authority, as lessor, authorizes the Rice Growers (as lessee) to construct certain proposed improvements to the berthing facilities in the Catano Waterfront at Rice Growers' own expense. Rice Growers will use these facilities for loading and discharging rice and will pay rental to the Authority according to a mutually agreed formula. The term of the agreement is 5 years, with renewal options of 2 additional 5 year periods.

Agreement No. 8220-10.

Filing party: Jeffrey F. Lawrence, Esq., Billig, Sher & Jones, P.C., 2033 K Street, N.W., Suite 300, Washington, D.C. 20006.

Summary: Agreement No. 8220-10 has been filed to modify the basic agreement of the North Atlantic/Israel Eastbound Freight Conference. This amendment would permit member lines to establish special tariff rates on Israel Ministry of the Defense cargoes or cargoes of any Israeli corporation owned or controlled by the Israel Ministry of Defense. It would also establish special independent action rules with respect to such cargoes which could be implemented when the entire conference did not agree on special Ministry of Defense rates.

Agreements Nos. 9214-30 and 7770-23.

Filing party: Howard A. Levy, Esq., Suite 727, 17 Battery Place, New York, New York 10004.

Summary: Agreements Nos. 9214-3 and 7770-23 modify, respectively, the basic agreements of the North Atlantic Continental Freight Conference and the North Atlantic French Atlantic Freight Conference to cancel unanimous voting requirements concerning rate and other matters published in the agreements' European Continental inland tariff.

Agreement No. 10281-2.

Filing party: Howard A. Levy, Esq., 17 Battery Place, Suite 727, New York, New York 10004.

Summary: Agreement No. 10281-2 amends the Memorandum of Housekeeping Arrangement of the

Trans-Atlantic Associated Freight Conferences (TAAFC) in two separate respects: Firstly, as the TAAFC Executive Committee is now comprised of a representative appointed by each carrier party to the signatory associations, the agreement's voting provision is being amended to reflect the fact that each carrier member, in lieu of each signatory association member, shall have one vote. Previously, the Executive Committee was comprised of one representative appointed by each signatory association. Secondly, the agreement is being amended to expressly authorize the Administrator of TAAFC to execute amendments for and on behalf of TAAFC and/or its signatory associations at the direction of the Executive Committee.

Agreement No. 10390-1.

Filing party: Nathan J. Bayer, Esquire, Freehill, Hogan & Mahar, 80 Pine Street, New York, New York 10005.

SUMMARY: Agreement No. 10390-1 modifies the basis agreement of the United States Atlantic & Gulf-Ecuador Freight Conference by raising the level of liquidated damages, which may be assessed by the neutral body against a member line, from \$10,000.00 to \$50,000.00 for breaches of the basic agreement, and by raising the security deposit from \$25,000.00 to \$50,000.00, all for the purpose of strengthening the self-policing provisions of the basic agreement.

Agreement No. 10407.

Filing party: Roy G. Bowman, Esq., Bowman Conner Touhey & Thornton, P.C., 2828 Pennsylvania Avenue, N.W., Washington, D.C. 20007.

SUMMARY: Agreement No. 10407, among Delta Steamship Lines, Inc., Farrell Lines, Inc. and Nigerian National Shipping Line, Ltd., would authorize the lines to discuss matters of interest in the function and development of the Nigeria-United States trade and to exchange data relevant thereto for a period of two years. Notice of Agreement No. 10407 was originally published in the **Federal Register** on December 5, 1980, and considered by the Commission at its meeting of May 27, 1981. Further consideration was deferred at the request of the parties and the suggestion of the Department of State. The parties have now requested that consideration of Agreement No. 10407 be resumed. Accordingly, and in view of the time elapsed since publication of its original notice, notice of Agreement No. 10407 is hereby republished.

By Order of the Federal Maritime Commission.

Dated: April 21, 1982.

Francis C. Hurney,

Secretary.

[FR Doc. 82-11465 Filed 4-26-82; 8:45 am]

BILLING CODE 6730-01-M

Calcutta, Bangladesh/U.S.A. Pool Agreement; Cancellation

Filing party: Charles F. Fischer, Chairman, Calcutta and Bangladesh/U.S.A. Pool Agreement New York Governing Committee, 10 Rector Street, New York, New York 10006.

Summary: On April 9, 1982, the Commission received notice of the determination by the parties to Agreement No. 10333, the Calcutta, Bangladesh/U.S.A. Pool Agreement, to terminate that agreement, effective immediately. Agreement No. 10333, together with Agreement No. 10333-2 which established individual carrier pool shares, was made the subject of an investigation and hearing in Docket No. 81-39, served June 17, 1981, Administrative Law Judge Seymour Glanzer presiding. Agreement No. 10333-2 was subsequently withdrawn by the parties. Agreement No. 10333, as amended, will be cancelled effective April 9, 1982, the date notice of termination was received by the Commission. Docket No. 81-39 remains pending until acted upon by Judge Glanzer or the Commission.

Red Sea and Gulf of Aden/U.S.A. Conference; Cancellation

Filing party: Charles F. Fischer, Chairman, Red Sea and Gulf of Aden/U.S.A. Conference, 19 Rector Street, New York, New York 10006.

Agreement No. 8558.

Summary: On April 15, 1982, the Commission received notice to cancel Agreement No. 8558, the Red Sea and Gulf of Aden/U.S.A. Conference agreement. The agreement will be cancelled effective April 15, 1982, the date the notice of cancellation was received by the Commission. By Order of the Federal Maritime Commission.

Dated: April 21, 1982.

Francis C. Hurney,

Secretary.

[FR Doc. 82-11466 Filed 4-26-82; 8:45 am]

BILLING CODE 6730-01-M

Independent Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to

section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(c)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Renn F. LaMaster, Inc., 131 E. Enid, Key Biscayne, FL 33149, Officer: Renn F. LaMaster, Sole Officer

American Overseas Transport, Ltd., 254 Edgebrook, Wood Dale, IL 60191, Officer: Rolf Bruns, Sole Officer.

By the Federal Maritime Commission.

Dated: April 21, 1982.

Francis C. Hurney,

Secretary.

[FR Doc. 82-11467 Filed 4-26-82; 8:45 am]

BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 1165]

Melvin Export Shipping (Mrs. Lillian A. Melvin, d.b.a.) Order of Revocation

On April 12, 1982, Melvin Export Shipping (Mrs. Lillian A. Melvin, d.b.a.), 3790 N.W. South River Drive, Miami, FL 33159 surrendered her independent ocean freight forwarder License No. 1165 for revocation.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), section 10.01(e) dated November 12, 1981;

It is ordered, that Independent Ocean Freight Forwarder License No. 1165 issued to Melvin Export Shipping (Mrs. Lillian A. Melvin, d.b.a.) be revoked effective April 12, 1982, without prejudice to reapplication for a license in the future.

It is further ordered, that a copy of this Order be published in the Federal Register and served upon Melvin Export Shipping (Mrs. Lillian A. Melvin, d.b.a.).

Albert J. Klingel, Jr.,

Director, Bureau of Certification and Licensing.

[FR Doc. 82-11468 Filed 4-26-82; 8:45 am]

BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 2453]

TVA Enterprises, Inc.; Order of Revocation

On April 13, 1982, TVA Enterprises, Inc. 2712 Maine Avenue, Long Beach, CA 90806 surrendered its Independent Ocean Freight Forwarder License No. 2453 for revocation.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (Revised), § 10.01(e) dated November 12, 1981;

It is ordered, that Independent Ocean Freight Forwarder License No. 2453 issued to TVA Enterprises, Inc. be revoked effective April 13, 1982, without prejudice to reapplication for a license in the future.

It is further ordered, that a copy of this Order be published in the Federal Register and served upon TVA Enterprises, Inc.

Albert J. Klingel, Jr.,

Director, Bureau of Certification and Licensing.

[FR Doc. 82-11469 Filed 4-26-82; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

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, N.W., Atlanta, Georgia 30303:

1. *First Community Bancshares of Tifton, Inc.*, Tifton, Georgia; to become a bank holding company by acquiring 100 percent of the voting shares of The Farmers Bank of Tifton, Tifton, Georgia. Comments on this application must be received not later than May 20, 1982.

B. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Bancorp of Northwestern Indiana*, Goodland, Indiana; to become a bank holding company by acquiring 80 percent or more of the voting shares of Goodland State Bank, Goodland, Indiana. Comments on this application must be received not later than May 20, 1982.

C. Federal Reserve Bank of St. Louis (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Southern Bancshares, Inc.*, Fairview Heights, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of Southern Illinois Bank, Fairview Heights, Illinois. Comments on this application must be received not later than May 20, 1982.

D. Federal Reserve Bank of Minneapolis (Lester G. Gable, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Evansville Bancshares, Inc.*, Evansville, Minnesota; to become a bank holding company by acquiring 81.33 percent of the voting shares of Farmers State Bank, Evansville, Minnesota. Comments on this application must be received not later than May 12, 1982.

E. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Borger First Corporation*, Borger, Texas; to become a bank holding company by acquiring 80 percent or more of the voting shares of First National Bank of Borger, Texas. Comments on this application must be received not later than May 20, 1982.

Zapata Bancshares, Inc., Zapata, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of First National Bank of Zapata, Zapata, Texas. Comments on this application must be received not later than May 20, 1982.

Board of Governors of the Federal Reserve System, April 21, 1982.

Dolores S. Smith,
Assistant Secretary of the Board.

[FR Doc. 82-11379 Filed 4-26-82; 8:45 am]

BILLING CODE 8210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 82F-0107]

Springborn Institute for Bioresearch, Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.
ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that the Springborn Institute for Bioresearch, Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of polymer modifiers formulated from hexanedioic acid, 1,3-benzenedimethanamine and α -(3-aminopropyl)- ω -(3-aminopropoxy) polyoxyethylene in Nylon 6 film intended for use in contact with food.

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

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 2B3625) has been filed by the Springborn Institute for Bioresearch, Inc., Spencerville, OH 45887, proposing that the food additive regulations be amended to provide for the safe use of polymer modifiers in Nylon 6 film complying with § 177.1500 (21 CFR 177.1500), intended for use in contact with food. The polymer modifiers are formulated from hexanedioic acid, 1,3-benzenedimethanamine and α -(3-aminopropyl)- ω -(3-aminopropoxy) polyoxyethylene.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 20, 1982.

Sanford A. Miller,
Director, Bureau of Foods.

[FR Doc. 82-11374 Filed 4-26-82; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 79N-0015; DESI 11316]

Methdilazine and Trimeprazine Preparations for Oral Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

Correction

In FR Doc. 82-8848 appearing on page 14223 in the issue of Friday, April 2, 1982, make the following corrections:

On page 14224, first column, in the 22nd line of the second complete paragraph, "5:568" should have read "4:568".

Also on page 14224, in the third column, in the first line of the third complete paragraph, "October 21, 1980" should have read "October 21, 1970".

BILLING CODE 1505-01-M

Social Security Administration

Low Back Pain—Assessment of Disability; Availability of Grants

Announcement of the Availability of Grant Funds

The Commissioner of Social Security announces that competing applications will be accepted for new research grants authorized under section 702 of the Social Security Act. This announcement concerns Social Security's research priority for Fiscal Year (FY) 1982.

Program Purpose

This research is intended to add to existing knowledge and to improve methods and techniques for the management, administration, and effectiveness, of disability programs.

Priority Research Area—SSA—002

The purpose of this project is to encourage research on the role of pain in low back impairments in relation to the degree of disability. A need exists to understand better the association between organic damage and alteration in the spine and assessment of pain, the relationship of pain to limitations in functional capacity and work disability, and the disability standards under various public programs.

The project(s) should involve the evaluation of pain in persons with low back impairments to assess their physiological status, the relationship between pain and impairment, and the implications for functional and work incapacity. Pain clinics affiliated with universities would seem best suited to conduct these evaluations in order to encourage the required research effort. The population to be studied should include persons who recently applied for disability benefits under Social Security Disability Insurance or Supplemental Security Income for the disabled. A grant applicant must show evidence of an agreement with one or more State agencies making disability determinations on disability applicants stating that the agency(ies) will encourage recent disability applicants with low back impairments to participate in the study conducted at the

pain clinic. Each "referral" will be voluntary and a refusal will not disadvantage the individual's application for benefits in any regard. This approach should result in cases of persons with relatively new complaints of pain supplementing cases of persons selected for study from current pain clinic clients or from other sources.

Disorders of the spine can be the basis for a determination that a work disabling impairment exists where there are objective observations present to evaluate the claim. For example, Social Security Administration (SSA) regulations state requirements for the documentation of specific findings of history, physical examination, and pertinent findings for evaluation of disability caused by low back impairment. Since pain is subjective and efforts to date to understand and measure pain have been extremely limited, objective assessments of pain are not widely available. Often an objective observation of the spine reveals no noticeable abnormality yet pain persists for the individual, making it difficult to assess the extent of disabling impairment. Current literature on spinal pain reveals an overall lack of understanding and objective measurement of pain. Hopefully, documentation of pain and associated conditions, intensive observation, and therapy may provide new sources which may lead to a better understanding of both the dynamics and consequences of pain. This information may be useful to various public agencies in the development or revision of standards for the consideration of pain in evaluating impairments, in assessing the rule of pain in functional incapacity and the ability or inability to work, and in the diagnosis and treatment of painful impairments.

Availability and Duration of Funding

The project will be financed under the authority of Section 702 of the Social Security Act. SSA anticipates allocating \$150,000 of FY 1982 funds for this project which will be awarded to one or more applicants. Applications will be accepted for multi-year projects. Grants are awarded for a period of one year's duration, but may be continued on a noncompetitive basis for more than one year if the grantee demonstrates acceptable progress, funds are available, and the research activity has continuing relevance.

The Application Process

1. *Availability of application forms.* Application kits which contain the prescribed application forms are available from: *Social Security*

Administration, Division of Contracts and Grants Management, OMBP, Grants Management Branch, Room L2102, West Low Rise, 6401 Security Boulevard, Baltimore, Maryland 21235. Telephone: (301) 594-0284, Lawrence H. Pullen, Chief, Grants Management Branch.

When requesting an application kit, the applicant should specify section 702 of the Social Security Act and refer to this announcement to insure receipt of the proper application.

2. *Additional information.* For questions concerning project development, please contact Dr. Henry Brehm, Office of Research and Statistics, SSA, OP, Room 2-F-2, Meadows East Building, 6401 Security Boulevard, Baltimore, Maryland 21235, Telephone (301) 594-0473.

3. *Application submission.* To be considered for these section 702 grants, all applications must be submitted on the standard forms provided by the Division of Contracts and Grants Management. The application shall be executed by an individual authorized to act for an applicant agency and to assume for the agency the obligations imposed by the terms and conditions of the grant.

As part of the project title (page 1 of the application form SSA-96, item 7) the applicant must clearly indicate the application submitted is in response to this announcement and must reference the unique project identifier (i.e., SSA-002, etc.).

4. *Grantee share of the project costs.* Grant recipients receiving assistance to conduct section 702 projects are expected to contribute towards the project costs for each year that funding is requested. Generally, five (5) percent of the total costs is considered acceptable. No grant will be awarded that covers 100 percent of the project's costs.

5. *Application consideration.* Applications are initially screened for their relevance to this announcement. If judged irrelevant, the applications are returned to the applicants. Relevant applications are reviewed and evaluated by a review panel of not less than three experts. A written assessment of each application is made.

Eligible Applicants

Any State or local government and public or private nonprofit organization or agency (including an educational institution) may apply.

Application approval. Following the approval of the applications selected for funding, grant awards will be issued within the limits of Federal funds available. The grant award(s) will be issued in July 1982. The official award

document is the Notice of Grant Award. It will provide the amount of funds awarded, the purpose of the award, the terms and conditions of the award, the budget period for which support is given, the total project period of which support is contemplated, and the total grantee participation.

Criteria for Review and Evaluation of Applications

Competing applications will be reviewed and evaluated against the following criteria:

1. Do the qualifications of the project personnel indicate they are capable of competently performing their assigned tasks? Is the project's organization, i.e., who will be responsible for what portions of the project and the lines of authority within the organization, appropriate for the proposed research? (20 points)

2. Does the applicant organization have adequate facilities and resources to plan, conduct, and complete the project? (20 points)

3. Is the design of the project adequate and feasible for the proposed research as indicated by the appropriateness of the work statement and the technical approach to the area of inquiry, which include clarity of goals, use of scientifically valid methods and data, and the scheduling of tasks and milestones? (30 points)

4. Is the budget detailed with justifications and explanations for the requested amounts? Are the costs reasonable and adequately described? Is the procedure planned in an effective manner (in a cost-benefit sense)? (10 points)

5. How closely do the project objectives fit those of the announcement? Are plans for using the project results and the schedule of times for completing the various phases of the project and preparing reports to be submitted appropriate? (20 points)

Closing Dates

The closing date for receipt of applications in response to this announcement will be June 28, 1982.

Applications may be mailed or personally delivered to: Social Security Administration, OMBP, Division of Contracts and Grants Management, Grants Management Branch, Room 2101 West Low Rise, 6401 Security Boulevard, Baltimore, Maryland 21235.

Applications must be received by the Division of Contracts and Grants Management, Grants Management Branch, by the above closing date to be considered. Personally delivered applications are accepted during normal

working hours of 8:30 a.m. to 5:00 p.m., Monday through Friday. An application will be considered to be received on time if mailed by first class mail (registered, certified, or express mail) not later than the closing date (as evidenced by a legible U.S. Postal Service postmark). Private metered postmarks will not be considered acceptable as proof of timely mailing. Applications submitted by any means other than by mailing first class through the U.S. Postal Service shall be considered as acceptable only if physically received at the above address before close of business on or before the deadline date. Applications which are not received on time will not be considered for funding.

A-95 Notification Process. These programs are not covered by the requirements of OMB Circular A-95.

(Catalog of Federal Domestic Assistance Program No. 13.812—Assistance Payment-Research)

Dated: April 21, 1982.

John A. Svahn,

Commissioner of Social Security.

[FR Doc. 82-11417 Filed 4-26-82; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[PHX 075488 etc.]

Arizona; Order Providing for Opening of Public Lands

April 16, 1982.

1. In exchanges of lands made under the provisions of Section 8 of the Act of June 28, 1934 (48 Stat. 1272, as amended, 43 U.S.C. 315g) the following lands have been reconveyed to the United States under the serial number listed below:

Gila and Salt River Meridian, Arizona

PHX 075488

T. 25 N., R. 16 W.,

Sec. 32, SW $\frac{1}{4}$, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

Sec. 36.

T. 25 N., R. 17 W.,

Secs. 2, 16, 32 and 36.

T. 25 N., R. 18 W.,

Secs. 16, 32 and 36.

PHX 075603

T. 7 N., R. 11 W.,

Sec. 15.

PHX 077272

T. 19 N., R. 17 W.,

Sec. 16, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 24 N., R. 17 W.,

Sec. 2, Lot 4.

PHX 078039

T. 1 N., R. 14 W.,

Sec. 2, S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$.

T. 3 N., R. 5 W.,

Sec. 32.

T. 3 N., R. 6 W.,

Sec. 36, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 3 N., R. 7 W.,

Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,

Sec. 36, N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,

S $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 7 N., R. 11 W.,

Sec. 27, S $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 11 N., R. 16 W.,

Sec. 16, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

PHX 079390

T. 27 N., R. 20 W.,

Sec. 20, SE $\frac{1}{4}$ SW $\frac{1}{4}$,

Sec. 30, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

PHX 080856

T. 27 N., R. 20 W.,

Sec. 28, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

PHX 084402

T. 14 N., R. 15 W.,

Sec. 16.

T. 14 N., R. 16 W.,

Sec. 32, NE $\frac{1}{4}$.

T. 15 N., R. 12 W.,

Sec. 36, N $\frac{1}{2}$.

T. 15 N., R. 14 W.,

Sec. 16.

T. 17 N., R. 16 W.,

Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 19 N., R. 16 W.,

Sec. 36, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

A 3735

T. 11 S., R. 29 E.,

Sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$,

Sec. 16.

The areas described aggregate

approximately 12,491 acres in Graham,

Maricopa, Mohave and Yuma Counties.

2. At 10 a.m. on May 31, 1982, the lands described in paragraph 1 shall be open to operation of the public lands generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws. All valid applications received at or prior to 10 a.m. on May 31, 1982, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10 a.m. on May 31, 1982, the following described lands will be open to location and entry under the mining laws (Ch. 2, Title 30 U.S.C.), and the mineral leasing laws:

Phoenix 079390

T. 27 N., R. 20 W., GSR Mer., Arizona,

Sec. 20, SE $\frac{1}{4}$ SW $\frac{1}{4}$,

Sec. 30, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

A 3735

T. 11 S., R. 29 E.,

Sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$,

Sec. 16.

4. Inquiries concerning the lands should be addressed to the Bureau of Land Management, Department of the Interior, 2400 Valley Bank Center, Phoenix, Arizona 85073 (602-261-3706).

Mario L. Lopez,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 82-11419 Filed 4-26-82; 8:45 am]

BILLING CODE 4310-84-M

[OR 17526]

Baker District Office, Oregon; Realty Action—Land Exchange

April 19, 1982.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action OR 17526, Exchange of public and private lands in Baker County, Oregon.

SUMMARY: The following described lands have been determined to be suitable for disposal by exchange under section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716.

Willamette Meridian, Oregon

T. 10 S., R. 45 E.,

Sec. 10, E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 14, W $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 15, ALL;

Sec. 22, N $\frac{1}{2}$.

Aggregating 1,120 acres of public land.

Exchange for these lands, the United States Government will acquire the surface estate in the following described lands:

Willamette Meridian, Oregon

T. 10 S., R. 45 E.,

Sec. 11, E $\frac{1}{2}$ SW $\frac{1}{4}$; and

Sec. 5, Lots 1, 2, and 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$; and

Sec. 14, NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 10 S., R. 46 E.,

Sec. 4, Lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ and

W $\frac{1}{2}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$.

Aggregating 1,112.55 acres of private land.

DATES: Until June 14, 1982, interested parties may submit comments to the District Manager, Bureau of Land Management, Federal Building, P.O. Box 987, Baker, Oregon 97814. Any adverse comments will be evaluated by the State Director, who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become the final determination of this Department.

FOR FURTHER INFORMATION CONTACT:

Information related to this exchange, including the environmental assessment and land report, is available for review at the Baker District Office, Federal Building, Baker, Oregon 97814.

SUPPLEMENTARY INFORMATION: The proposed exchange is to acquire non-federal land that will provide for wildlife habitat and livestock grazing in conjunction with adjacent public lands. The proposed exchange will benefit public needs and improve manageability of public lands.

The values of the land are approximately equal; full equalization of value will be achieved by payment to the United States by Donald B. Martin of funds in an amount not to exceed 25 percent of the total value of the lands to be transferred out of Federal ownership.

The exchange will be made subject to:

1. A reservation to the United States of a right-of-way for ditches or canals constructed by the authority of the United States in accordance with 43 U.S.C. 945, for the lands being transferred out of Federal ownership.

2. The reservation to the United States of all minerals in the lands being transferred out of Federal ownership.

3. All valid existing rights (e.g. rights-of-way, easements and leases of) record.

This exchange is consistent with Bureau of Land Management policies and planning and has been discussed with state and local officials. A determination has been made that the public interest will be well served by completion of the exchange.

Gordon R. Staker,
District Manager.

[FR Doc. 82-11380 Filed 4-26-82; 8:45 am]
BILLING CODE 4310-84-M

[U-4069]

Utah; Termination of Classification for Multiple-Use Management

1. Pursuant to the authority delegated by Bureau Order No. 701 dated July 23, 1964 (29 FR 10526), the Bureau of Land Management Multiple-Use Classification Order Serial No: U-4069 published in the Federal Register March 5, 1968, Vol. 33, No. 44, Page 4146 is hereby terminated.

The public lands involved aggregate 527,000 acres in Utah, Duchesne, Uintah and Carbon Counties.

2. The classification order segregated the public lands from appropriation under the agricultural land laws (43 U.S.C. Pts. 7 and 9; 25 U.S.C. 334), and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). At 10:00 a.m. on May 25, 1982, the lands shall be open to the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law.

Inquires concerning the lands should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, University Club Building, 136 East South Temple, Salt Lake City, Utah 84111.

Dated: April 15, 1982.

Roland G. Robison,
State Director.

[FR Doc. 82-11407 Filed 4-26-82; 8:45 am]
BILLING CODE 4310-84-M

Utah; Wilderness Inventory Decision on Link Flats Instant Study Area Now in Effect

ACTION: Notice.

SUMMARY: This notice announces that the original wilderness inventory decision on Link Flats Instant Study (ISA) is now in effect.

On June 18, 1980, a Federal Register notice was published stating that the wilderness inventory decision on Link Flats ISA was not in effect due to a protest received on that decision. The original decision was published in the Federal Register on May 5, 1980, which was that Link Flats ISA lacked wilderness characteristics and that it would be recommended to the Secretary of the Interior as nonsuitable for wilderness designation. On March 11, 1982, a Federal Register notice was published indicating that the protest had been answered and that the decision as originally published would become effective 30 days after that publication if no appeal was received. No appeal has been received, therefore, this decision is now in effect.

FOR FURTHER INFORMATION CONTACT:
Kent Biddulph, Utah BLM State Office,
(801) 524-4257.

Dated: April 10, 1982.

Roland G. Robison,
State Director.

[FR Doc. 82-11408 Filed 4-26-82; 8:45 am]
BILLING CODE 4310-84-M

Fish and Wildlife Service

Endangered Species Permit; Receipt of Application

Applicant: Sedwick County Zoo,
Wichita, KS

The applicant requests a permit to import one female Sumatran orangutan (*Pongo pygmaeus abeli*) from the Rotterdam Zoo, The Netherlands for enhancement of propagation.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the U.S. Fish and Wildlife Service, Federal Wildlife Permit Office, P.O. Box 3654, Arlington, VA 22203.

This application has been assigned file number PRT 2-9046. Interested persons may comment on this application within 30 days of the date of this publication by submitting written data, views, or arguments to the above address. Please refer to the file number when submitting comments.

Dated: April 23, 1982.

R. K. Robinson,
Chief, Branch of Permits Federal, Wildlife Permit Office.

[FR Doc. 82-11470 Filed 4-26-82; 8:45 am]
BILLING CODE 4310-55-M

Issuance of Permit for Marine Mammals; Alaska Department of Fish and Game

On March 15, 1982, a notice was published in the Federal Register (47 FR 11114), that an application had been filed with the Fish and Wildlife Service by the Alaska Department of Fish and Game for a permit to take 60 walrus (*Odobenus rosmarus divergens*) to determine feeding habits.

Notice is hereby given that on April 15, 1982, as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the Fish and Wildlife Service issued a permit PRT 2-6354, to the Alaska Department of Fish and Game subject to certain conditions set forth therein.

The permit is available for public inspection during normal business hours at the Fish and Wildlife Service's Office in Room 601, 1000 N. Glebe Road, Arlington, Virginia.

Dated: April 23, 1982.

R. K. Robinson,
Chief, Branch of Permits, Federal Wildlife Permit Office.

[FR Doc. 82-11471 Filed 4-26-82; 8:45 am]
BILLING CODE 4310-55-M

Minerals Management Service

Oil and Gas and Sulphur Operations in the Outer Continental Shelf; Amoco Production Co. (U.S.A.)

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Amoco Production Company (USA) has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS-G 0971 and 1880, Blocks 261 and 264, East Cameron Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Minerals Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: April 20, 1982.

Lowell G. Hammons,

Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-11409 Filed 4-26-82; 8:45 am]

BILLING CODE 4310-31-M

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before April 16, 1982. Pursuant to § 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, U.S. Department of the Interior, Washington, DC 20243. Written comments should be submitted by May 12, 1982.

Carol D. Shull,

Acting Keeper of the National Register.

ARIZONA

Maricopa County

Scottsdale, Titus, Frank, House, 1310 N. Hayden Rd.

CALIFORNIA

Imperial County

Plaster City vicinity, Archeological Site No. 4-Imp-322 (Yuha Geoglyph) SW of Placer City

Plaster City vicinity, Yuha Basin Discontiguous District, S of Placer City

San Bernardino County

Baker vicinity, Aiken's Wash National Register District, E of Baker

Ivanpah vicinity, Camp Rock Spring,

Johannesburg vicinity, CA-SBr-1008A, CA-SBr-1000B and CA-SBr-1008C

KENTUCKY

Fayette County

Lexington, Northside Residential Historic District, 337-371 N. Limestone, 400-465 N. Limestone and 356 Morris St. (boundary increase)

Kenton County

Covington, John W. Hubbard (sternwheeler) Greenup St.

Oldham County

LaGrange, McMahan House, 203 Washington St.

MARYLAND

Baltimore (independent city)

Baltimore Manufacturing Company, 1205 Bank St.

MICHIGAN

Houghton County

Houghton, Douglass House, Shelden Ave. and Isle Royale St.

MISSISSIPPI

Adams County

Natchez vicinity, Kingston Methodist Church, SE of Natchez

Claiborne County

Lorman vicinity, Alcorn State University Historic District, Alcorn State University campus

NEVADA

Clark County

Boulder City, Boulder Dam Hotel, 1305 Arizona St.

NEVADA

Nye County

TONOPAH MULTIPLE RESOURCE AREA.

This area includes: Tonopah and vicinity, Bartlett, George A., House, McQuillan and Booker Sts.; Bass Building, 119 St. Patrick; Boak, Cada C., House, Ellis St.; Board and Batten Cottage, Prospect St.; Board and Batten Miners Cabin, Oddie Ave.; Brann Boardinghouse, Bryan St.; Brokers Exchange (Tonopah Divide Mining Company Building, 209-251 Brougner; Brougner-Govan Block, Main St.; Brown, Hugh H., House, 129 Ellis St.; Burdick, E. E., House, 248 Prospect St.; Butler, Jim, Mining Company Stone Row Houses, 314 Everett Ave.; Campbell and Kelly Building, Corona and Main Sts.; Clinton, Charles, Stone Row

House, 151 Central; Combellack Adobe Row House, Central St.; Curtis, Uri B., House, 169 Booker St.; Curtis, Uri B., House (Tasker L. Oddie House) Ellis St.; Dunham, Samuel C., House, Belmont Ave.; Frame Cottage, 183 Prospect St.; Golden, Frank, Block, Brougner and Main Sts.; Gregovich, John, House, 101 Summit; Kendall, Zeb, House, 159 University Ave.; Masterson, Dr. J. R., House (Fred Chapman House) Ohio Ave. and 2nd St.; McDonald, Irving, House, 191 Booker; McKim, H. A., Building, Main and Oddie St.; Nevada-California Power Company Auxiliary Power Building, Knapp and Cutting; Nevada California Power Company Substation, Knapp and Cutting Sts.; Nye County Courthouse, McCulloch St.; Nye County Mercantile Company Building, 147 Main St.; Oddie, Clarence, House, 101 McCulloch; Progress Bakery, Water St.; Raycraft, Arthur, House, Booker St.; Ross, William and Adella, House, 179 University Ave.; St. Marks P. E. Church, 210 University Ave.; Sawle, Judge W.A., House, 155 Central St.; Second Palace Hotel, 120 Main St.; Shaw, Cal, Adobe Duplex, 129 Central; Shaw, Cal Stone Row House, Central St.; Shields, E. R., House, 351 St. Patrick; Smith Block, Main St.; Smith, J. E., Stone Duplex, 415 Florence; State Bank and Trust Company Building, 102 Brougner; Stenson Block, Main St.; Stone House, Charles St.; Stone House, University and Tonopah Sts.; Stone Jail Building and Row House, Water St.; Tonopah-Extension Mining Company Power Building, Main St.; Tonopah Mining Company Building, Main St.; Tonopah Mining Company Cottage, Queen St.; Tonopah Mining Company House, Queen St.; Tonopah Public Library, 171 Central; Tonopah Volunteer Firehouse and Gymnasium, Brougner and Burro Sts.; U.S. Post Office, 201 Main St.; Verdi Lumber Company Buildings, Main St.; Water Company of Tonopah Building, Burro and Brougner Aves.; and Wieland Brewery Building, Mineral St.

Washoe County

Reno, Wingfield, George, House, 219 Court St.

NEW MEXICO

Bernalillo County

Albuquerque, McCanna-Hubbell Building, 418-424 Central, SW.

OHIO

Allen County

LIMA MULTIPLE RESOURCE AREA. This area includes: Lima, Adgate Block, 300-306 S. Main St.; Cahill, Beck and R. C., Buildings, 200-206 S. Main St.; Dorsey Building, 208 S. Main St.; Elks Lodge, 138 W. North St.; First National Bank and Trust Building, 43-53 Public Sq.; Holland Block, 112-116 E. High St.; Hotel Argonne, 201 N. Elizabeth St.; Klaus Block, 401-405 N. Main St.; Lima Cleaning and Pressing Company, 436-438 S. Main St.; Armory (La Tisona Building), 440 S. Main St.; Linneman Building, 210-212 S. Main St.; Martin Block and Kibby Block, 140-146 S. Main St.; Neal Clothing (Turners') (Warlies

Flower Shop, 74 Public Sq.; *Ohio Theatre*, 122 W. North St.; *Renz Block*, 320 N. Main St.; *Union Block No. 28-38 Public Sq.*; *U.S. Post Office*, 362 W. High St.; *Wheeler Building*, 131-135 W. Market St.

Hamilton County

Cincinnati, *Gilbert Row*, 2152-2166 Gilbert Ave.

Richland County

Mansfield, *Ohio State Reformatory*, Olivesburg Rd.

Shelby County

Montra, *Emanuel Lutheran Church of Montra*, Montra Rd.

OREGON

Jackson County

Medford, *McCredie, William, House*, 2606 Old Stage Rd. (proposed move)

SOUTH CAROLINA

Richland County

Columbia, *COLUMBIA MULTIPLE RESOURCE AREA* (additions). This area includes: *Bethel A.M.E. Church*, 1528 Sumter St.; *Building at 303 Saluda Avenue*; *Columbia Mills Building*, on the Congaree River;

York County

Rock Hill, *Anderson House*, 227 Oakland Ave.

SOUTH DAKOTA

ROCK ART IN THE SOUTHERN BLACK HILLS THEMATIC RESOURCES.

Reference—see individual listings under Custer, Fall River and Pennington Counties.

Custer County

Site No. 39 Cu 91 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Cu 510 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Cu 511 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Cu 512 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Cu 513 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Cu 514 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Cu 515 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Cu 516 (*Rock Art in the Southern Black Hills Thematic Resources*)

Fall River County

Site No. 39 FA 7 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 44 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 58 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 75 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 79 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 91 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 277 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 389 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 554 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 676 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 677 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 681 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 684 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 685 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 FA 687 (*Rock Art in the Southern Black Hills Thematic Resources*)

Pennington County

Site No. 39 Pn 57 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Pn 108 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Pn 438 (*Rock Art in the Southern Black Hills Thematic Resources*)

Site No. 39 Pn 439 (*Rock Art in the Southern Black Hills Thematic Resources*)

TENNESSEE

Dickson County

Sylvia vicinity, *Shule, Peter Paul, Barn*, Denny Rd.

VERMONT

Franklin County

Fletcher, *Fletcher Union Church*, SR 1

Rutland County

Pittsford, *Pittsford Green Historic District*, Main St.

Windham County

Guilford, *Christ Church*, Melendy Rd. and U.S. 5

Guilford, *Guilford Center Meetinghouse*, Guilford Center Rd.

WASHINGTON

King County

Seattle, *Harvard-Belmont District*, Bellevue Pl., Broadway, Boylston and Harvard Aves. Seattle, *Nihon Go Gakko*, 1414 S. Weller St.

Thurston County

Olympia, *Mottman Building*, 101-105 N. Capitol Way

Whatcom County

Bellingham, *Flatiron Building*, 1311-1319 Bay St.

WISCONSIN

Bayfield County

Bayfield, *Reiten Boatyard*, Broad St. on the Waterfront

Crawford County

Prairie du Chien vicinity, *Reed, Alfred, Mound Group* (47Cr311) W of Prairie du Chien

Winnebago County

Oshkosh, *Daily Northwestern Building* 224 State St.

Oshkosh, *Lutz, Robert, House*, 1449 Knapp St.

[FR Doc. 82-11314 Filed 4-26-82; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 311 (Sub-4)]

Motor Carriers; Modification of Motor Carrier Fuel Surcharge Program; Correction

AGENCY: Interstate Commerce Commission.

ACTION: Change in owner-operator fuel reimbursement figure; correction to effective date.

SUMMARY: In the notice published at 47 FR 17129, April, 21, 1982, the Commission decreased the owner-operator reimbursement figure from 13 to 12.5 cents per mile. That notice contained an error in the effective date for that decrease. Ten working days from publication in the Federal Register would make the decrease effective on May 5, 1982 instead of May 4, 1982. This error appears under **EFFECTIVE DATE** in the second column and in the second paragraph of the Supplementary Information.

EFFECTIVE DATE: The decision published on April 21, 1982 will be effective on May 5, 1982 (which is 10 working days from its publication in the Federal Register).

FOR FURTHER INFORMATION CONTACT:

Lee Alexander (202) 275-7723
Ted Kalick (202) 274-6446
Alan Rothenberg (202) 275-7597
Richard Shullaw (202) 275-7639
Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-11385 Filed 4-26-82; 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.

By the Commission, Review Board Number 3, Members Krock, Joyce and Dowell.

Dated: April 20, 1982.

Agatha L. Mergenovich,
Secretary.

MC-F-14835, filed March 30, 1982. PACIFIC INTERMOUNTAIN EXPRESS CO. (PIE) (P.O. Box 8004, Walnut Creek, CA 94596)—Control—VANGUARD CONTRACT CARRIER, INC. (VCC) (P.O. Box 9285, Walnut Creek, CA 94598). Representative: H. Beatty Chadwick, IU International Corporation, 1500 Walnut St. 18-N, Philadelphia, PA 19102. PIE seeks authority to control VCC upon the institution of operations by VCC under the certificate in No. MC-15796. PIE is a motor carrier subsidiary of IU Transportation Services, Inc. which, in turn, is wholly-owned by IU International Corporation, which itself controls two motor carriers. IU Transportation Services, Inc. and IU International Corporation have joined in the application, seeking to control VCC through the transaction.

MC-F-14832, filed March 25, 1982. Applicant: AMERICAN CARRIERS, INC., 9393 West 110th Street, Overland Park, KS 66210—Continuance in Control—ATLANTIC TRANSPORT SERVICE, INC., 1300 South French Avenue, Sanford, FL 32771. Representative: Harold H. Clokey, 9393 West 110th Street, Overland Park, KS 66210. American Carriers, Inc. (ACI), a non-carrier holding company, seeks to continue in control of Atlantic Transport Service, Inc. The operating rights to be controlled are contained in Certificates issued to ATS in MC-154780, and Sub numbers thereunder, which authorize the transportation of *general commodities* (except Classes A and B explosives), over irregular routes between points in GA, FL, MS, TN, SC, NC, AL, and KY, on the one hand, and, on the other, points in the U.S.

ACI is controlled by American Commercial, Inc. (ACL), a non-carrier holding company, which is controlled by Texas Gas Transmission Corporation (TGT). ACL and TGT join in the application to continue-in-control of ATS.

The subsidiaries of ACI which are subject to the Act, are American Freight System, Inc., (MC-144678), and Midwest Coast Transport, Inc. (MC-111812), both motor common carriers, collectively authorized to transport general and

specific commodities over irregular routes between points in the U.S. ¹

[FR Doc. 82-11388 Filed 4-23-82; 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.

¹ This notice does not purport to be a complete description of the operating rights of the carriers involved.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC-FC-79456. By decision of April 7, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board No. 3 approved the transfer to Barry E. Swineford, d.b.a. Barry E. Swineford & Sons, of Sunbury, PA of permit No. MC-143734 issued to Calvin Dragano, Inc., of Milton, PA authorizing: *Tin plate scraps*, from Vineland, NJ and points in that part of PA east of U.S. Hwy 15 to the facilities of Vulcan Materials Co. at Sparrows, Point, MD under continuing contract(s) with Vulcan Materials. Applicant's representative: Wm. Harvey Wiest, P.O. Box 791, Sunbury, PA 17801. TA lease is sought. Transferee is not a carrier.

MC-FC-79685. By decision of April 7, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to M. L. Langley, d.b.a. N.A.T.C.O. of Certificate Nos. 119349 (Sub-Nos. 7, 13, 14, 18, 26, 27, 29, 34, 36, 37, 38, 39, 40, 41, 42, and Permit No. MC-133867 and No. MC-133867 (Sub-No. 10) issued to Starling Transport Lines, Inc. authorizing the transportation of chemicals, petroleum products and bananas to various points in the United States and other commodities limited to transportation to or from a named facility of specific points or counties. Applicants' representative: Dwight L. Koerber, Jr., Esquire, P.O. Box 1320, 110 North Second Street, Clearfield, PA 16830.

MC-FC-79700. By decision of 4-12-82 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to MID-AMERICAN COACHES, INC., of Washington, MO, of Certificate No. MC-149294 issued December 28, 1981, to Jerry C. Eldridge, d.b.a. Q-City Road Runner Bus Service authorizing the transportation of passenger and their baggage, in the same vehicle with passengers, in charter operations, beginning and ending at points in Adams County, IL, and extending to points in the United States (including AK, but excluding HI). Applicant's representative is: Stephen G. Neuman, Hawkins, Brydon, and Swearingen, P.O. Box 456, Jefferson City, MO 65102.

MC-FC-79712. By decision of April 7, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to CLIFTON, A. RATHBURN, JR., and individual, of East Calais, VT, of Certificate No. MC-151008, issued to STEWART C. SILVER, of Hardwick, VT, which authorizes the transportation of *lumber and wood products*, between

points in Caledonia County, VT, on the one hand, and, on the other, points in St. Lawrence County, NY, Norfolk County, MA, Coos County, NH, and Fairfield County, CT, and points in NJ. Representative: Thelma R. Corey, 157 Barre Street, Montpelier, VT 05602.

Notes.—TA has not been filed. Transferee is not a carrier.

MC-FC-79715. By decision of April 7, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to PLYCON VAN LINES, INC., of Huntington, NY, of Certificate No. MC-78926 (Sub-No. 3), issued to CTC VAN LINES, INC., of Springfield Gardens, NY, which authorizes the transportation of *household goods*, as defined by the Commission, between New York, NY, on the one hand, and, on the other, points in FL east of Rte 75 and south of Rte 24. Representative: Bruce J. Robbins, 18 East 48th Street, New York, NY 10017.

Notes.—TA has not been filed. Transferee is not a carrier.

MC-FC-79717. By decision of April 9, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to CROSS COUNTRY LEASING, INC., of La Crosse, WI of Certificate No. MC-720 and Sub-Nos. 4, 8, 9, 10, 12, 16, 17, 18, 20, 21, 23, 24, 27, 29, 31, 32, 36, 39, 41, 42, 43, 46F, 49F, 50F, 51F, 54F, 55F, 58F, 59F, 61F, 64F, 65F, 66F, 67F, 70F, 71F, 74F, 75F, 76F, 77F, 79F, 80F, 81F, 82F, 83F, 84F, 85F, 86F, 87F, and 88F, issued to BIRD TRUCKING COMPANY, INC., of Waupun, WI authorizing general and specified commodities between named points in the United States. Applicant's representative: Charles L. Redel, 212 Exchange Bldg., La Crosse, WI 54601. TA lease is not sought. Transferee is not a carrier.

MC-FC-79719. By decision of April 7, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board No. 3 approved the transfer to B&Z TRUCKING COMPANY, INC., d.b.a. B&Z TRUCKING COMPANY, of Markesan, WI, Permit No. MC-146848 (Sub-No. 2F), issued on November 6, 1980, to Arden Boelter and Wolter Nowatzki; a partnership, doing business as Nobe Trucking of Markesan of Markesan, WI, authorizing the transportation of (1) *expandable polystyrene distribution materials and expandable polystyrene packaging materials* from Markesan, WI to points in IL, IN, IA, MI, MN, and OH, and (2) *materials and supplies used in the manufacture and distribution of the commodities named in (1) above*, from points in IL, IN, IA, MI, MN, and OH to Markesan, WI. Applicant's

representative: Arden Zimmerman, Rural Route 3, Markesan, WI 53946.

MC-FC-79723. By decision of April 12, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to CONVENANT, INC. of Ft. Wayne, IN of permit No. MC-143138 (Sub 1) issued to HERITAGE SYSTEMS of Fort Wayne, IN, authorizing operations as a contract carrier, transporting employees of Consolidated Rail Corporation and their baggage, between Fort Wayne and their baggage, between Fort Wayne, IN, on the one hand, and, on the other, points along Consolidated Rail Corporation right-of-way in IL and OH, under continuing contract(s) with Consolidated Rail Corporation, Western Region, of Chicago, IL. Applicant's representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. TA lease is not sought. Transferee is not a carrier.

MC-FC-79727. By decision of April 12, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to Eagle Lines, Inc., of Bluefield, WV, of Certificate No. MC-144990 Sub 2 issued to RAC Enterprises, Ltd. dba Good Time Charters, of Bluefield, WV, authorizing passengers and their baggage, in the same vehicle with passengers, in charter operations, between points in Logan, McDowell, Mercer, Mingo, and Wyoming Counties, WV, and Bland Buchanan, Carroll, Giles, Grayson, Montgomery, Russell, Wythe, and Tazewell Counties, VA, on the one hand, and, on the other, points in the U.S. (except AK and HI). Applicant's representative: Robert B. Walker, 915 Penn. Bldg., 425 13th St., N.W., Washington, D.C. 20004. TA lease is not sought. Transferee is a carrier.

MC-FC-79728. By decision of April 12, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to Bailey's Express, Inc., of Hyattsville, MD of Certificate No. MC-85413 and Subs 12, 13, and 14 issued to Long's Express, Inc., of Richmond, VA authorizing general commodities (with exceptions) between points in DE, GA, NC, SC, MD, PA, TN, VA, and DC, and over a network of regular routes in VA, serving named intermediate and off-route points. Applicant's representative: Edward N. Button, 635 Oak Hill Ave., Hagerstown, MD 21740. TA lease is sought. Transferee is a carrier.

MC-FC-79735. By decision of April 12, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the

transfer to A&A TOW SERVICE, INC., of Kansas City, KS, of Certificate No. MC-116555, issued to PETE'S TOW SERVICE, INC., of Kansas City, MO, which authorizes the transportation of *wrecked and disabled motor vehicles*, between Kansas City, MO, on the one hand, and, on the other, points in KS. Representative: D. S. Hulst, P.O. Box 225, Lawrence, KS 66044.

Note.—TA has not been filed. Transferee is not a carrier.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-11383 Filed 4-26-82; 8:45 am]
FILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Applications; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the Federal Register on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the Federal Register issue of December 3, 1980, 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of \$10.00.

Amendments to the request for authority are not allowed. Some of the applicants 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 question) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action

significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

Please direct status inquiries to the Ombudsman's Office, (202) 275-7326.

Volume No. OP1-70

Decided: April 16, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Parker not participating.)

MC 155830 (Sub-1), filed April 1, 1982. Applicant: ENERGY TRUCKING CORPORATION, P.O. Box 30970, Lafayette, LA 70503. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205; (601) 948-8820. Transporting (1) for or on behalf of the United States Government, *General Commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (2) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, and (3) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

MC 161371, filed April 5, 1982. Applicant: JEFF PEEDE SALMON, d.b.a. SUNDANCE ENTERPRISES, P.O. Box 749, U.S. #1 North, Wake Forest, NC 27587. Representative: Elizabeth W. Connell (same address as applicant) (919) 556-5548. Transporting (1) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs, *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, and (2) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

Volume No. OP1-72

Decided: April 20, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 148490 (Sub-16), filed April 8, 1982. Applicant: C. & N. EVANS TRUCKING COMPANY, INC., Route 2, Box 39E, Stoneville, NC 27408. Representative: E. Stephen Heasley, Suite 500, 1919 Pennsylvania Ave., N.W., Washington, DC 20006; (202) 828-5015. Transporting for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 152610 (Sub-3), filed April 13, 1982. Applicant: RAVEN DISTRIBUTORS, INC., 6705 E. Marginal Way S., Seattle, WA 98108. Representative: Jim Pitzer, 15 S. Grady Way, Suite 321, Renton, WA 98055-3273; (206) 235-1111. As a broker of *general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 161421, filed April 8, 1982. Applicant: DAVID'S ECONOMOVE INC., 210 Hillsboro Street, P.O. Box 614, Fayetteville, NC 28302. Representative: David A. Harlow, P.O. Drawer 1210, Fayetteville, NC 28302; (919) 483-4990. Transporting *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S.

MC 161490, filed April 13, 1982. Applicant: WILLIAM H. SPANSWICK, d.b.a. SPANSWICK ASSOCIATES, 10 St. Thomas St., Enfield, CT 06082. Representative: James M. Burns, 1383 Main St., Suite 413, Springfield, MA 01103; (413) 781-8205. As a broker of

general commodities (except household goods), between points in the U.S.

Volume No. OP2-76

Decided: April 15, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Parker not participating.)

MC 139843 (Sub-18), filed April 5, 1982. Applicant: VERNON G. SAWYER, P.O. Box 847, Bastrop, LA 71220. Representative: Barry Weintraub, Suite 510, 8133 Leesburg Pike, Vienna, VA 22180; 703-442-8330. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret material and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 161223, filed March 26, 1982. Applicant: BASIL JULE SMEESTER, JR., d.b.a. SMEESTER ASSOCIATED, P.O. Box 103, Iron Mountain, MI 49801. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202; 502-589-5400. Transporting (1) *shipments weighing 100 pounds or less*, if transported in a motor vehicle in which no one package exceeds 100 pounds, (2) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials and sensitive weapons and munitions), and (3) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs) *agricultural limestone and fertilizers and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 161323, filed April 1, 1982. Applicant: T. A. S., SR. ENTERPRISES, INC., Route 2 Box 188, Eagle, WI 53119. Representative: Ronald E. Laitsch, 108 S. Second Street, Watertown, WI 53094; (414) 261-9725. As a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 161353, filed April 5, 1982. Applicant: MICHEL WAREHOUSING CORPORATION, Stenersen Le., Cockeysville, MD 21030. Representative: Walter T. Evans, 4304 East-West Hwy., Bethesda, MD 20814; 301-657-2636. As a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

Volume No. OP2-80

Decided: April 19, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Fortier not participating.)

MC 159833 (Sub-1), filed April 12, 1982. Applicant: HAROLD DEAN LOFLIN d.b.a. H & D CARGO CARRIERS, Rt. # 3, Box 768, Noah Town Rd., Thomasville, NC 27360. Representative: Harold Dean Loflin (same address as applicant); 919-476-3413. Transporting (1) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (2) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, and (3) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

MC 161402, filed April 6, 1982. Applicant: SPIRIT VALLEY TRUCKING, Star Rte. Box 252, Spirit Lake, ID 83869. Representative: C. Jack Pearce, 1000 Connecticut Ave. NW., Suite 1200, Washington, D.C. 20036; 202-785-0048. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 161403, filed April 6, 1982. Applicant: HARRIS BROWN, INC., 200 Rex Craft Bldg., Vine St. at Rte. 81, Avoca, PA 18641. Representative: Harris R. Brown (same address as applicant), 717-655-9601. As a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

Volume No. OP3-064

Decided: April 20, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 147915 (Sub-9), filed April 12, 1982. Applicant: RUSSO MOTOR EXPRESS, INC., P.O. Box 21, Keim Blvd. and Bridge Plaza, Commerce Square, Burlington, NJ 08016. Representative: Robert R. Harris, 1730 M St., N.W., Suite 501, Washington, D.C. 20036, (202) 296-2900. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between Toms River, NJ, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Note.—The purpose of this application is to substitute motor carrier for abandoned rail carrier service.

Note.—Applicant intends to tack this authority with its existing authority.

MC 161135, filed March 22, 1982. Applicant: MAJESTIC MESSENGER SERVICE, INC., 160 Eileen Way, Syosset, NY 11791. Representative: Anthony Mastroianni, 9 Popular St., Westbury, NY 11590, (516) 333-1711. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

MC 161444, filed April 12, 1982. Applicant: DANNY HARBEN, d.b.a. HARBEN TRUCKING, Star Route, Dawsonville, GA 30534. Representative: Anthony L. Keenan, 1385 Iris Dr., Conyers, GA 30208; (404) 922-6200. Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 161454, filed April 12, 1982. Applicant: KENNETH L. RISHEL, R.D. #1, Seven Valleys, PA 17360. Representative: Kenneth L. Rishel (same address as applicant); (717) 428-3241. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

Volume No. OP4-144

Decided: April 19, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 97257 (Sub-4), filed April 9, 1982. Applicant: MIDLAND TRANSPORT, INC., 56 E. 25th St., Chicago Heights, IL 60411. Representative: James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602; (312) 236-5944. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between Windsor and Kansas, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI). Condition: Issuance of a certificate in this proceeding is conditioned upon applicant certifying to the Commission, prior to commencing operations, that all rail service has actually terminated at specified points. The certification should be sent to the Deputy Director, Section of Operating Rights, Interstate Commerce Commission, Washington, DC 20423.

MC 144257 (Sub-2), filed April 14, 1982. Applicant: ALAN L. SAMS AND VERNITH Y LAMB, d.b.a. L&S COURIER SERVICE, P.O. Box 371, R.R.

#1, Effingham, IL 62401. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701; (217) 544-5468. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

Volume No. OP5-89

Decided: April 20, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 160229 (Sub-1), filed April 6, 1982. Applicant: OMNI EXPRESS, INC., 640 Terrell Mill Rd., College Park, GA 30349. Representative: Wayne A. Wilkins (same address as applicant); 404-768-4954. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 161398, filed April 6, 1982. Applicant: PACKAGE SERVICES, INC., 50 Patterson Ave., Pawtucket, RI 02860. Representative: David M. Marshall, 101 State St., Suite 304, Springfield, MA 01103; (413) 732-1136. Transporting (1) for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI), (2) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI), and (3) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 161409, filed April 6, 1982. Applicant: CLARENCE D. LESLIE d.b.a. TRI-WESTERN TRANSPORT, 15500 SE 276 Place, Kent, WA 98031. Representative: Clarence D. Leslie (same address as applicant); (206) 631-0221. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor

vehicle in such vehicle, between points in the U.S. (except AK and HI).

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-11386 Filed 4-26-82; 8:45 am]
BILLING CODE 7035-01-M

Motor Carrier Permanent Authority Applications; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission Rules and 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 carrier authority are those service is for a named shipper "under contract."

Please direct status inquiries to the Ombudsman's Office, (202) 275-7326.

Volume No. OP1-69

Decided: April 16, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Parker not participating.)

MC 19311 (Sub-76), filed March 31, 1982. Applicant: CENTRAL TRANSPORT, INC., 34200 Mound Road, Sterling Heights, MI 48077. Representative: Elmer J. Maue, (same address as applicant); (313) 937-7000. 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 American Motors Corporation, of Southfield, MI.

MC 125951 (Sub-79), filed April 1, 1982. Applicant: SILVEY REFRIGERATED CARRIERS, INC., 3035 South 72nd St., Suite 200, Omaha, NE 68124. Representative: Robert M. Cimino (same address as applicant); (402) 393-5005. Transporting *such commodities* as are dealt in or used by a distributor of alcoholic beverages, between Kansas City, MO, on the one hand, and, on the other, Lawrenceburg, IN, Schenley, PA, Paducah, KY, Chicago, IL, Jacksonville, FL, and New Orleans, LA, and points in NY, NJ, TX, and CA.

MC 135231 (Sub-71), filed April 6, 1982. Applicant: NORTH STAR TRANSPORT, INC., Rt. 1 Highway 59 North, Thief River Falls, MN 56701. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118; (612) 452-8770. Transporting *such commodities* as are dealt in by retail department stores, between those points in the U.S. in and west of MS, TN, KY, OH, and MI (except

AK and HI), on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 142101 (Sub-2), filed April 5, 1982. Applicant: JAMES BROOMALL, d.b.a. BROOMALL TRUCKING, 5313 Waldo Place, Los Angeles, CA 90041. Representative: James Broomall (same address as applicant); (213) 588-8254. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in AZ, CA, CO, NM, NV, OR, TX, UT, and WA.

MC 147870 (Sub-4), filed April 6, 1982. Applicant: MEMPHIS LEASING COMPANY, INC., 595 West Alcy Road, Memphis, TN 38109. Representative: Douglas C. Wynn, P.O. Box 1295, Greenville, MS 38701; (601) 335-3576. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between those points in IL on and south of Interstate Hwy 64, and those in MO on and south of Interstate Hwy 70, on the one hand, and, on the other, points in AL, AR, KY, IL, LA, MO, MS, and TN, those points in TX on and east of Interstate Hwy 35/35W, and those points in FL on and west of U.S. Hwy 231.

MC 150201 (Sub-1), filed April 7, 1982. Applicant: HARKEY SAM F., d.b.a. SAM F. HARKEY TRUCKING, P.O. Box 423, Holdenville, OK 74848. Representative: John W. Carlisle, P.O. Box 967, Missouri City, TX 77459; (713) 437-1768. (1) As a broker of *general commodities* (except household goods), between points in the U.S., and (2) transporting (a) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (b) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, (c) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, and (d) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S. (except AK and HI).

MC 150571 (Sub-1), filed April 6, 1982. Applicant: NORSEMAN TRUCKING, INC., Route 2, Box 37A, Waseca, MN 56093. Representative: John B. Van de North, Jr., 2200 First National Bank Bldg., St. Paul, MN 55101, (612) 291-1215.

Transporting *acoustical foam and plastic products*, between points in MN, ND, SD, IA, IL, WI, IN, NY, MI, VA, and AL.

MC 161390, filed April 6, 1982. Applicant: CURRAN CARRIERS, 120 N. Brooklyn, St., Berlin, WI 54923. Representative: Charles E. Dye, Swan Lake Village, Saddle Ridge #832, Portage, WI 53901; (608) 742-3579. Transporting *food and related products*, between points in WI, on the one hand, and, on the other, points in AL, AR, IL, IN, KY, MS, NC, TN, and TX.

MC 161391, filed April 6, 1982. Applicant: M & S TRUCKING, INC., 723 Morton St., East Rutherford, NJ 07073. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048; (212) 466-0220. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Merit Kitchen Distributors, Inc., of Belleville, NJ, and Henschel-Steinau, Inc., Englewood, NJ.

Volume No. OP1-71

Decided: April 20, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 19550 (Sub-13), filed April 12, 1982. Applicant: THE OBSERVER TRANSPORTATION COMPANY, P.O. Box 34245, Charlotte, NC 28234. Representative: Warren A. Goff, 109 Madison Ave., Memphis, TN 38103; (901) 526-2900. Transporting *such commodities* as are dealt in or used by retail discount stores, between the facilities of Richway Stores, a division of Federated Department Stores, Inc., at points in the U.S. (except AK and HI), on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 29710 (Sub-13), filed April 12, 1982. Applicant: F. W. TRANSPORTS, INC., 130 North 9th Street, Burwell, NE 68823. Representative: Max H. Johnston, P.O. Box 6597, Lincoln, NE 68506; (402) 488-4841. Transporting *petroleum products*, between points in Carbon and Natrona Counties, WY, on the one hand, and, on the other, points in Moffat and Routt Counties, CO.

MC 115391 (Sub-8), filed April 15, 1982. Applicant: GENSIMORE TRUCKING, INC., PO Box L, Pleasant Gap, PA 16823. Representative: Barry L. Gensimore (same address as applicant); (814) 355-5461. Transporting *foundry core compounds and resin coated sands*, between points in Cook and Ogle Counties, IL, on the one hand, and, on the other, points in CT, DE, IN, MD, MI, NJ, NY, OH, PA, VA, and WV.

MC 115730 (Sub-96), filed April 12, 1982. Applicant: THE MICKOW CORP., P.O. Box 1774, Des Moines, IA 50306. Representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, IA 50307; (515) 243-4191. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of agricultural and industrial equipment, and lawn care and leisure products, between points in OK, IA, and Jackson County, MO.

MC 115730 (Sub-97), filed April 13, 1982. Applicant: THE MICKOW CORP., P.O. Box 1774, Des Moines, IA 50306. Representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, IA 50307; (515) 243-4191. Transporting *pipe*, between Knoxville, TN, Chicago, IL, New Orleans, LA, and points in Mahoning County, OH, San Bernardino County, CA, and Jefferson County, IA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 117201 (Sub-59), filed April 12, 1982. Applicant: INTERSTATE DISTRIBUTOR CO., 8311 Durango S.W., Tacoma, WA 98499. Representative: George R. LaBissonaie, 15 S. Grady Way, Suite 233, Renton, WA 98055; (202) 228-3807. 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 Clorox Company, of Oakland, CA.

MC 117991 (Sub-7), filed April 12, 1982. Applicant: ZAVITZ BROTHERS LIMITED, R.R. #1, Wainfleet, Ontario, Canada LOS 1VO. Representative: William J. Hirsch, 1125 Convention Tower, 43 Court St., Buffalo, NY 14202; (716) 853-0200. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Omstead Foods Limited, of Wheatley, Ontario, Canada.

MC 134210 (Sub-5), filed April 13, 1982. Applicant: PRINS TRUCKING, INC., 5718 Lawndale, P.O. Box 35, Hudsonville, MI 49426. Representative: D. Richard Black, Jr., 285 James Street, P.O. Box 638C, Holland, MI 49423, (616) 399-3400. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of food products, between points in the U.S., under continuing contract(s) with Bil-Mar Foods, Inc., of Zeeland, MI.

MC 135231 (Sub-72), filed April 12, 1982. Applicant: NORTH STAR TRANSPORT, INC., Rt. 1, Highway 59 North, Thief River Falls, MN 56701. Representative: Robert P. Sack, P.O. Box 21-307, Eagan, MN 55121, (612) 452-8770. Transporting *general commodities*

(except classes A and B explosives, commodities in bulk, and household goods as defined by the Commission), between points in MN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 138200 (Sub-5), filed April 7, 1982. Applicant: EDWARD D. POHUTSKY, POHUTSKY MOVERS, 104 Handley St., Eynon, PA 18403. Representative: Robert J. Gallagher, 1000 Connecticut Ave., N.W., Suite 1200, Washington, DC 20036, (202) 785-0024. Transporting *household goods, furniture, fixtures, and lumber*, between points in Potter, Tioga, Bradford, Susquehanna, Clinton, Lycoming, Sullivan, Wyoming, Wayne, Lackawanna, Centre, Union, Columbia, Luzerne, Pike, Monroe, Huntington, Montour, Mifflin, Snyder, Northumberland, Carbon, Juniata, Northampton Lehigh, Schuylkill, Perry, Dauphin, Lebanon, Berks, Bucks, Montgomery, Philadelphia, Fulton, Franklin, Cumberland, Adams, York, Lancaster, Chester, and Delaware Counties, PA, on the one hand, and, on the other, points in ME, NH, VT, MA, CT, RI, NY, NJ, PA, DE, MD, VA, NC, SC, GA, FL, AL, TX, OH, IN, IL, MI, and DC.

MC 141870 (Sub-6), filed April 9, 1982. Applicant: DIVERSIFIED TRUCKING CORP., 309 Williamson Avenue, Opelika, AL 36801. 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 the U.S. (except AK and HI), under continuing contract(s) with T G & Y Stores, of Oklahoma City, OK.

MC 145371 (Sub-12), filed April 12, 1982. Applicant: MFCH, INC., Route 1, Kings, IL 61045. Representative: Jack H. Blanshan, 205 W. Touhy Ave., Suite 200-A, Park Ridge, IL 60068, (312) 698-2235. Transporting *clay, concrete, glass or stone products*, between points in Thomas County, GA, and Tippah County, MS, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 151320, filed April 12, 1982. Applicant: ISNER TRUCKING, INC., Route 4, Marietta, OH 45750. Representative: John M. Friedman, 2930 Putnam Ave., P.O. Box 426, Hurricane, WV 25526; (304) 562-3460. Transporting *metal products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Pattin Manufacturing Company, Division of the Eastern Co., of Marietta, OH.

MC 152730 (Sub-16), filed April 12, 1982. Applicant: DEPENDABLE TRANSIT, INC., P.O. Box 349, County

Road 300 South, Hartford City, IN 47348-0349. Representative: Larry Garrett (same address as applicant); (317) 348-0051. Transporting *clay, concrete, glass or stone products*, between points in IL and IN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 155110 (Sub-2), filed April 13, 1982. Applicant: CUTRELL TRUCKING COMPANY, 701 North Dallas (P.O. Box 30094), Amarillo, TX 79120. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408; (806) 763-9555. Transporting *sand and gravel*, between points in TX and NM.

MC 159220 (Sub-1), filed April 15, 1982. Applicant: REFRIGERATED INTERNATIONAL CARGO HAULERS, INC., 1170 Niagara St., Buffalo, NY 14240. Representative: Charles H. White, Jr., 1019 19th St., N.W., Suite 800, Washington, D.C. 20036; (202) 785-3420. Transporting *meat products and foodstuffs*, between points in the U.S. (except AK and HI), under continuing contract(s) with Russer Foods, of Buffalo, NY.

MC 159631, filed April 12, 1982. Applicant: VER RON FARM SERVICE, INC., P.O. Box 299, Carlisle, AR 72024. Representative: James M. Duckett, Suite 411, 221 West 2nd, Little Rock, AR 72201; (501) 552-3610. Transporting *agricultural grain carts and landlevelers*, between points in Lonoke County, AR, on the one hand, and, on the other, points in KS, IA, LA, TX, MS, NE, CO, IL, KY, TN and OK.

MC 161440, filed April 9, 1982. Applicant: DIAMOND TRUCKING, INC., P.O. Box 43, Diamond, OH 44412. Representative: Edward P. Bocko, P.O. Box 496, Mineral Ridge, OH 44440, (216) 652-2789. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Western Cold Drawn Steel, Division of Stanadyne, Inc., of Elyria, OH.

MC 161451, filed April 12, 1982. Applicant: MARQUETTE REFRIGERATED TRANSPORT, INC., P.O. Box 105, Marquette, NE 68854. Representative: Max H. Johnston, P.O. Box 6597, Lincoln, NE 68505; (404) 488-4841. Transporting *meat, meat products, meat by-products, and articles distributed by meat packinghouses*, between points in Dawson County, NE, on the one hand, and on the other, points in the U.S. (except AK and HI).

MC 161460, filed April 12, 1982. Applicant: EMBA BUS SERVICE INC., 1411 Newbridge Road, No. Bellmore, NY

11710. Representative: Arthur Wagner, 342 Madison Avenue, New York, NY 10173. Transporting *passengers and their baggage*, in the same vehicle with passengers, in charter operations, between points in the U.S., under continuing contract(s) with Tulip Travel Ltd., of No. Bellmore, NY.

MC 161470, filed April 12, 1982. Applicant: J.F. FLEECES, INC., P.O. Box 232, Sutherland, NE 69165. Representative: Max H. Johnston, P.O. Box 6597, Lincoln, NE 68506; (402) 488-4841. Transporting *meat, meat products, meat by-products, and articles distributed by meat packinghouses*, between points in Dawson County, NE, on the one hand, and, on the other, points in CO, KS, TX, and UT.

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Decided: April 15, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Parker not participating.)

FF-592, filed March 30, 1982.

Applicant: FOREMOST FORWARDERS, INC., 3345 Wilshire Blvd., Suite 911, Los Angeles, CA 90010. Representative: Robert J. Gallagher, 1000 Connecticut Ave., N.W., Suite 1200, Washington, DC 20036; 202-785-0024. As a *freight forwarder*, in connection with the transportation of *household goods, unaccompanied baggage, and used automobiles*, between points in the U.S.

MC 1263 (Sub-44), filed March 31, 1982. Applicant: McCARTY TRUCK LINE, INC., P.O. Box 306, Trenton, MO 64683. Representative: James M. McCarty (same address as applicant); 816-359-2253. Transporting *general commodities* (except classes A and B explosives, commodities in bulk and household goods), (1) between points in SD, NE, KS, OK, TX, AR, MO, IA, WI, MI, IL, IN, KY, TN, AL, GA, NC, OH, PA and CA, and (2) between points in SD, NE, KS, OK, TX, AR, MO, IA, WI, MI, IL, IN, KY, TN, AL, GA, NC, OH, PA and CA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 116212 (Sub-17), filed April 2, 1982. Applicant: EYRE BUS SERVICE, INC., 15910 Union Chapel Rd., Woodbine, MD 21797. Representative: L. C. Major, Jr., Suite 304 Overlook Bldg., 6121 Lincoln Rd., P.O. Box 11278, Alexandria, VA 22312; 703-750-1112. Over Regular Routes, transporting *passengers and their baggage and express*, in the same vehicle with passengers, between Frederick, MD and Washington, DC over MD Hwy 355, serving all intermediate points.

MC 124402 (Sub-14), filed April 5, 1982. Applicant: FLEET LINE, INC., P.O.

Box 2307, Chattanooga, TN 37410. Representative: Roland M. Lowell, Fifth Fl., 501 Union St., Nashville, TN 37219; 615-255-0450. Transporting *food and related products*, between those points in the U.S. in and east of LA, MS, TN, KY and OH, on the one hand, and, on the other, Chattanooga, TN.

MC 129712 (Sub-71), filed April 1, 1982. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA 30253. Representative: Guy H. Postell, Suite 675, 3384 Peachtree Rd., N.E., Atlanta, GA 30326; 404-237-6472. Transporting *metal products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Oceana Corp., of Darlington, SC.

MC 149462 (Sub-3), filed April 2, 1982. Applicant: BERNARD PAVELKA TRUCKING, INC., 1215 East "J" St., Hastings, NE 68901. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501; 402-475-6761. Transporting (1) *such commodities* as are dealt in or used by producers and distributors of malt beverages, between Longview, TX and Memphis, TN, on the one hand, and on the other, points in NE, and (2) *such commodities* as are dealt in or used by manufacturers of wall decorations and clocks, between Dallas, TX, Traverse City, MI, points in Hall County, NE, and Howard County, TX.

MC 146753 (Sub-22), filed March 30, 1982. Applicant: SAM YOUNG, INC., P.O. Box 337, Wolcott, IN 47995. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001; 202-628-9243. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Wayne County, IN and Minneapolis, MN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 153812, filed April 2, 1982. Applicant: JACK DERWOOD HENSLEE d.b.a. JACQUE'S HOUSE ENTERPRISES, P.O. Box 9314, Bakersfield, CA 93389. Representative: Earl N. Miles, 3704 Candlewood Dr., Bakersfield, CA 93306; 805-872-1106. Transporting *chemicals and related products*, and *lignin products*, between points in Kern, Los Angeles, Orange, and San Diego Counties, CA; Marion, Polk and Linn Counties, OR; and Grays Harbor County, WA, on the one hand, and, on the other, points in AZ, AR, CO, ID, KS, LA, MO, MT, NV, NM, OK, TX, UT and WY.

MC 161292, filed March 30, 1982. Applicant: MID-STATE STEEL, INC., 401 Driftwood St., Nashville, TN 37210. Representative: J. Greer Cummings, Jr., 21st Floor, First American Center,

Nashville, TN 37282; 615-244-2582. Transporting *metal and metal products*, between points in Davison County, TN, on the one hand, and, on the other, points in TN.

MC 161303, filed March 29, 1982. Applicant: CLUB TOURS, INC., 410 North Broadway, Pittsburg, KS 66762. Representative: Brad T. Murphee, 814 Century Plaza Bldg., Wichita, KS 67202; 316-265-2534. As a *broker*, at Pittsburg, Topeka and Wichita, KS, in arranging for the transportation by motor vehicle of *passengers and their baggage*, in special and charter operations, between points in the U.S. (including AK and HI).

MC 161313, filed April 1, 1982. Applicant: THE BLACK TRUCK, LTD., 1722 West Barry, Chicago, IL 60657. Representative: Richard E. Steck, One North LaSalle, Suite 1330, Chicago, IL 60602; 312-782-6723. Transporting *paintings, sculptures, antiques, and other objects and exhibits of fine art*, between points in CA, AZ, NM, TX, OK, LA, MO, IL, WI, IN, OH, PA, NJ, NY, DE, MD, CT, MA and DC.

MC 161393, filed April 6, 1982. Applicant: CONPORT, INC., 150 West Beau St., Washington, PA 15301. Representative: William A. Gray, 2310 Grant Bldg., Pittsburgh, PA 15219; 412-471-1800. Transporting *commodities in bulk*, between points in Washington, Westmoreland, Fayette, Greene, Allegheny, Beaver, Mercer, and Butler Counties, PA, on the one hand, and, on the other, points in WV and OH.

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Decided: April 16, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Parker not participating.)

MC 98713 (Sub-8), filed April 6, 1982. Applicant: ORANGE BELT STAGES, 525 E. Acequia St., Visalia, CA 93277. Representative: Ronald L. Murov, Three Embarcadero Center, Twenty-Third Fl., San Francisco, CA 94111; 415-393-9000. Transporting *passengers and their baggage*, in the same vehicle with passengers, in round-trip, special and charter operations, beginning and ending at points in Santa Barbara and Fresno Counties, CA, and extending to points in the U.S. (including AK but excluding HI).

MC 121302 (Sub-2), filed March 23, 1982. Applicant: MARQUETTE MOTOR SYSTEMS, INC., 525 W. 47th St., Chicago, IL 60609. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602; 312-726-6525. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), (a) between points

in Cook, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry and Will Counties, IL, and (b) between points in Cook, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry and Will Counties, IL, on the one hand, and, on the other, points in IL. Condition: Issuance of a certificate here is subject to prior or coincidental cancellation at applicants written request of certificate of Registration No. MC-121302 Sub 1, issued December 27, 1973.

MC 139123 (Sub-8), filed April 12, 1982. Applicant: GLOUCESTER DISPATCH, INC., 274-276 Main St., Gloucester, MA 01930. Representative: Robert L. Cope, Suite 501, 1730 M St., N.W., Washington, DC 20036; 202-296-2900. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in ME, NH, VT, MA, CT, RI, NY, PA, and NJ, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 139723 (Sub-6), filed April 9, 1982. Applicant: FARISH THOMPSON d.b.a. THOMPSON TRUCKING, R.R. 1, Afton, WY 83110. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701; 208-343-3071. Transporting *petroleum and petroleum products*, and *such commodities* as are dealt in or used by automotive service stations, between points in CO, ID, MT, NV, OR, UT, WA, and WY.

MC 143993 (Sub-10), filed April 8, 1982. Applicant: BLACK HILLS TRUCKING, INC., 106 River Cross Rd., Casper, WY 82601. Representative: Manuel A. Lojo (same address as applicant), 307-266-0319. Transporting *Mercer Commodities*, between points in AZ, WA, OR, CA, OK, TX, KS, LA, MS, NM, NV, UT, CO, ID, MT, ND, SD, NE, and WY.

MC 149413 (Sub-2), filed April 12, 1982. Applicant: RED RIVER TRAILS, INC., South Hwy 75, Moorhead, MN 56560. Representative: Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108, 701-237-4223. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, between those points in ND and SD on and east of U.S. Hwy 281, and those points in MN on and north of MN Hwy 27 and on and west of U.S. Hwy 71, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 153442 (Sub-2), filed April 7, 1982. Applicant: TEXAS EASTERN TRANSPORT CO., INC., 2500 Spence, Lufkin, TX 75901. Representative: John W. Carlisle, P.O. Box 967, Missouri City, TX 77459; 713-437-1768. Transporting (1)

meat, meat products, meat by-products and articles distributed by meat packing houses (a) between points in AL, AR, FL, GA, IL, IA, KS, LA, MN, MS, MO, NE, NC, ND, OK, SC, SD, TN, TX and WI, and (b) between points in CO and WI, on the one hand, and, on the other, points in TX, and (2) *bananas*, between Gulfport, MS, and Galveston, TX, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 155092 (Sub-2), filed April 9, 1982. Applicant: KENTON TRANSFER CO., P.O. Box 386, Kenton, OH 43326. Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215; 614-494-4103. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 156003 (Sub-3), filed April 9, 1982. Applicant: BARRY FREIGHTWAYS, INC., P.O. Box 14786, Minneapolis, MN 55414. Representative: James C. Loots (same address as applicant); (612) 644-1688. Transporting *building materials, metal products, machinery, chemicals and related products, electrical instruments and fixtures, glass products, plastic and rubber products, paper products, printed matter, petroleum, natural gas and their products, auto parts, and motor vehicles*, between points in the U.S. (except AK and HI). Condition: To the extent any certificate issued here embraces the transportation of liquefied natural gas, it shall be limited to 5 years from the date of its issuance.

MC 156133 (Sub-3), filed April 6, 1982. Applicant: TRI STATE TIRE & RUBBER, INC. d.b.a. TANDEM TRANSPORT, 322 U.S. Highway 20 West, Michigan City, IN 46360. Representative: James M. Hodge, 3730 Ingersoll Ave., Des Moines, IA 50312; (515) 274-4985. Transporting *chemicals*, between points in Manistee and St. Clair Counties, MI, and Summit County, OH, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and LA.

MC 161103, filed April 6, 1982. Applicant: SPARTAN TRANSPORT SYSTEMS, INC., 2703 Cartwright, Dallas, TX 75212. Representative: Lawrence A. Winkle, P.O. Box 45538, Dallas, TX 75245; 214-358-3341. Transporting *food and related products*, between points in OK and TX.

MC 161302, filed March 30, 1982. Applicant: MALTA TRANSFER & STORAGE, 426 North 1st East, Malta, MT 59538. Representative: Richard D. McNamara, 107 South 8th West, Malta, MT 59538; (406) 654-2716. Transporting *general commodities* (except classes A

and B explosives, household goods and commodities in bulk), between points in Phillips, Valley, Blaine, Petroleum and Fergus Counties, MT.

MC 161413, filed April 7, 1982. Applicant: W. P. TRUCKING, INC., P.O. Box 642, Geneva, OH 44041. Representative: Patricia Price, 4681 S. River Rd., Geneva, OH 44041; 216-466-5823. Transporting *non-ferrous metals*, between points in OH, on the one hand, and, on the other, those points in the U.S. in and east of MN, WI, IL, KY, TN, AR, and MS.

MC 161443, filed April 12, 1982. Applicant: DOVE TRANSPORTATION CO., INC., 1301 Daviess St., Owensboro, KY 42301. Representative: George M. Catlett, Suite 700-702 McClure Bldg., Frankfort, KY 40601; (502) 227-7384. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of fertilizer and liquefied petroleum gas, between points in IL, IN, OH, KY, and TN. Condition: To the extent any certificate issued here embraces the transportation of liquefied petroleum gas, it shall be limited to 5 years from its date of issuance.

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By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Fortier not participating.)

MC 97863 (Sub-9), filed March 11, 1982. Applicant: VICTORVILLE-BARSTOW TRUCK LINE, 4366 East 26th St., Los Angeles, CA 90023. Representative: Theodore W. Russell, 1545 Wilshire Blvd., Los Angeles, CA 90017; 213-483-4700. Over *regular routes*, transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk) (1) between Bakersfield and Fresno, CA, over CA Hwy 99, serving all intermediate points and points in Fresno, Kings, and Tulare Counties, CA, as off-route points, (2) between San Clemente and San Diego, CA, over Interstate Hwy 5, serving all intermediate points and off-route points in San Diego County, CA, (3) between Riverside and San Diego, CA, over Interstate Hwy 15E-15, serving all intermediate points and off-route points in San Diego County, CA, and (4) serving all points in Inyo County, CA as off-route points in connection with carrier's otherwise authorized regular-route authority.

Note.—Applicant holds irregular-route authority which can be tacked with this authority to provide a direct route service.

MC 97932 (Sub-9), filed April 6, 1982. Applicant: WREN INC., d.b.a. LAKEVILLE MOTOR EXPRESS, P.O. Box 1867, Roseville, MN 55113.

Representative: Richard L. Gill, 1805 American National Bank Bldg., St. Paul, MN 55101; 612-224-9454. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between Minneapolis-St. Paul, MN and points in MN.

Note.—Applicant intends to tack this authority to its existing regular route authority.

MC 111473 (Sub-4), filed March 29, 1982. Applicant: INTER-STATE TRUCK LINE, INC., 555 South 16th St., Columbia, PA 17512. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K St. NW., Washington, DC 20005; 202-783-3525. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between New York, NY, on the one hand, and, on the other, points in Carroll County, MD, Harrisburg, PA, points in Schuylkill County, PA, and points in that part of PA on, east, and south of a line beginning at the intersection of PA Hwy 75 and the MD-PA state line, then north along PA Hwy 75 to intersection PA Hwy 274 at or near Doylesburg, PA, then north along PA Hwy 274 to intersection U.S. Hwy 11 at or near Duncannon, PA, then south along U.S. Hwy 11 to intersection U.S. Hwy 22 at or near Harrisburg, PA, then east along U.S. Hwy 22 to intersection PA-NJ state line.

MC 115452 (Sub-6), filed April 6, 1982. Applicant: HUSBAND, INC., 159 Bay St., Suite 416, Toronto, Ontario, Canada M5J 1J7. Representative: John Guandolo, 1000 16th St. NW., Suite 502, Solar Bldg., Washington, DC 20036; 202-783-8131. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Air Canada, of Montreal, Canada.

MC 121743 (Sub-1), filed April 12, 1982. Applicant: OLD PUEBLO VAN & STORAGE, INC., 3529 E. Golf Links Rd., Tucson, AZ 85713. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 80514; 602-264-4891. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in AZ.

MC 141932 (Sub-53), filed April 12, 1982. Applicant: POLAR TRANSPORT, INC., 176 King St., Hanover, MA 02339. Representative: Alton C. Gardner (same address as applicant); 617-871-2550. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in

bulk), between points in the U.S. (except AK and HI).

MC 147173 (Sub-6), filed April 7, 1982. Applicant: C & T TRUCKING, INC., 1050 Brookside Dr., Richmond, CA 94806. Representative: Brian S. Stern, 5411-D Backlick Rd., Springfield, VA 22151; 703-941-8200. Transporting (1) *telephone communication systems and equipment*, (2) *nonferrous wire and cable*, and (3) *empty cable reels*, between points in Maricopa County, AZ, Douglas County, NE, Pottawattamie County, IA, and Sedgwick County, KS, on the one hand, and, on the other, those points in the U.S., in and west of ND, SD, NE, KS, OK, and TX (except AK and HI).

MC 150293 (Sub-3), filed April 8, 1982. Applicant: CLARE L. BENDER, 809 Flora, Prescott, AZ 86301. Representative: Donald E. Fernaays, 4040 E. McDowell Rd., Suite 320, Phoenix, AZ 85008; 602-275-3124. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in AZ, CA, NV, OR and WA.

MC 151193 (Sub-24), filed April 9, 1982. Applicant: PAULS TRUCKING CORPORATION, 286 Homestead Ave., Avenel, NJ 07001. Representative: Michael A. Beam, (same address as applicant); 201-499-3869. 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 Interstate Foods Corporation, of Chicago, IL.

MC 151572 (Sub-3), filed April 12, 1982. Applicant: MICHAEL W. KAISER d.b.a. MIKE KAISER, Box 65, Alexander, IL 62601. Representative: Michael W. O'Hara, 300 Reisch Bldg., Springfield, IL 62701; 217-544-5468. Transporting *iron and steel articles*, between points in Livingston, Will, Kankakee, Cook, Morgan, and Madison Counties, IL, Howard, Lake, and St. Joseph Counties, IN, Muscatine County, IA, Wayne, Monroe, and Oakland Counties, MI, Ramsey County, MN, Erie County, NY, Marion County, OH, Dauphin and Cambria Counties, PA, and Knox County, TN, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 151663, filed April 13, 1982. Applicant: CLINGON TRUCKING, INC., 811 Superior Ave., Rockford, IL 61111. Representative: Steven D. Bennett, 1924 23rd Ave., Rockford, IL 61101; 815-226-0940. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in CO, IA, IL, IN, KS, KY, MI, MO, NE, OH, TN, and WI.

MC 152572 (Sub-3), filed April 12, 1982. Applicant: BILL J. BILLINGS d.b.a. BILLINGS TRUCKING COMPANY, P.O. Box 393, Nocona, TX 76255. Representative: James R. Boyd, 1000 Perry Brooks Bldg., Austin, TX 78701; 512-476-8066. Transporting *ores and minerals*, between points in ID, MT, ND, SD, and WY, on the one hand, and, on the other, points in KS, LA, MS, NM, OK, and TX.

MC 161003, filed April 14, 1982. Applicant: KOWALCZYK TRUCKING, INC., 234 Simpson St., Dupont, PA 18641. Representative: Joseph A. Lakowski, 121 South Main St., Pittston, PA 18640; (717) 655-2821. Transporting *coal* between points in Luzerne, Lackawanna and Schuylkill Counties, PA, on the one hand, and, on the other, points in CT, MA, NH, VT, ME and RI.

MC 161472, filed April 12, 1982. Applicant: BANKS FARMS, INC., Route 2, Hillsville, VA 24343. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Ave., NW., Washington, DC 20005; 202-347-9332. Transporting *bananas*, between points in VA and NC, on the one hand, and, on the other, points in ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NC, SC, GA, FL, AL, MS, LA, and TX.

Volume No. 0P3-063

Decided: April 20, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 2934 (Sub-118), filed April 12, 1982. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 9998 N. Michigan Rd., Carmel, IN 46032. Representative: W. G. Lowry (same address as applicant); (317) 875-1142. Transporting *electronic equipment and components*, between points in the U.S. (except AK and HI), under continuing contract(s) with Micro-Data Corporation, of Irvine, CA.

MC 16334 (Sub-18), filed April 12, 1982. Applicant: DEBRICK TRUCK LINE COMPANY, P.O. Box 421, Paola, KS 66071. Representative: John T. Pruitt, 9832 Connell, Overland Park, KS 66212; (913) 888-3386. Transporting *pulp, paper and related products*, between points in the U.S. (except AK and HI).

MC 29854 (Sub-36), filed April 12, 1982. Applicant: THE HUDSON BUS TRANSPORTATION CO., INC., 437 Tonnele Ave., Jersey City, NJ 07306. Representative: W. C. Mitchell, 370 Lexington Ave., New York, NY 10017; (212) 532-5100. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special operations, beginning and ending at New York, NY

and extending to points in Sussex County, NJ.

MC 107515 (Sub-1423), filed April 13, 1982. Applicant: RTC TRANSPORTATION, INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby, 3390 Peachtree Rd., NW., Suite 520, Atlanta, GA 30326; (404) 262-7855. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with General Foods Corporation and its subsidiaries of White Plains, NY.

MC 111274 (Sub-85), filed April 13, 1982. Applicant: SCHMIDGALL TRANSFER INC., P.O. Box 351, Morton, IL 61550. Representative: Frederick C. Schmidgall (same address as applicant); (309) 266-9773. Transporting *iron and steel articles*, between points in the U.S. (except AK and HI), under continuing contract(s) with River City Steel, of Peoria, IL.

MC 121795 (Sub-4), filed April 12, 1982. Applicant: LAKESHORE WAREHOUSE, INC., 12010 Toepfer Rd., Warren, MI 48089. Representative: William B. Elmer, P.O. Box 801, Traverse City, MI 49684; (616) 941-5313. Transporting *commodities in bulk*, between points in IL, MI, NY, OH, PA and WI.

MC 144424 (Sub-1), filed April 12, 1982. Applicant: ROBERT J. DEJONGE, RD No. 4, Beaver Hill Rd., Wellsville, NY 14895. Representative: Raymond A. Richards, 35 Curtice Pk., Webster, NY 14580; (716) 265-9510. Transporting (a) *such commodities* as are dealt in by grocery and food business houses, and (b) *agricultural products*, between those points in the U.S. in and east of MN, IA, MO, AR, and TX.

MC 146965 (Sub-4), filed April 13, 1982. Applicant: REDDING LUMBER TRANSPORT, INC., P.O. Box 3306, Redding, CA 96049. Representative: Jim Pitzer, 15 S. Grady Way, Suite 321, Renton, WA 98055; (206) 235-1111. Transporting (1) *forest products*, (2) *lumber and wood products*, (3) *building materials*, (4) *roofing*, (5) *awning and coils*, (6) *hot wagons*, and (7) *roofing machinery*, between points in AR, AZ, CA, CO, ID, KS, LA, MT, NC, ND, NM, NV, OK, OR, SD, UT, WA, WI, and WY.

MC 147275 (Sub-6), filed April 9, 1982. Applicant: K-W EXPRESS, INC., 6576 Belding Rd., Belding, MI 48809. Representative: Martin J. Leavitt, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167; (313) 349-3980. Transporting *plastics and fiberglass products*, between points in Ionia and Montcalm

Counties, MI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 14785 (Sub-3), filed April 9, 1982. Applicant: TRUCK TRAIN TRANSFER, INC., Snapps Ferry Rd., Greenville, TN 37743. Representative: Glen R. Claiborne, C & C Bldg., Suite 350, 1 Regency Sq., Knoxville, TN 37915; (615) 546-4292. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI).

MC 147545 (Sub-3), filed April 12, 1982. Applicant: FLORIAN A. DITTRICH d.b.a. FLORIAN DITTRICH TRUCKING, 726 No. State St., New Ulm, MN 56073. Representative: Florian A. Dittrich (same address as applicant); (507) 354-6086. Transporting *general commodities* (except classes A and B explosives), between points in MN, WI, IL, IA, NE, SD and ND.

MC 147965 (Sub-8), filed April 12, 1982. Applicant: GUNTHER H.M. KLIESE d.b.a. P & M ENTERPRISES, 10650 S W Wilsonville Rd., Wilsonville, OR 97070. Representative: Lawrence V. Smart, Jr., 419 N W 23rd Ave., Portland, OR 97210; (503) 228-3755. Transporting *food and related products*, between points in OR and WA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 149135 (Sub-2), filed April 12, 1982. Applicant: HAILEY & SON TRUCKING AND LEASING, INC., 1109 E. Green Dr., P.O. Box 1591, High Point, NC 27261. Representative: Hazel Hailey, (same address as applicant); (919) 885-4183. Transporting *general commodities* (except classes A and B explosives and household goods), between points in NC, SC, and GA, on the one hand, and, on the other, those points in the U.S. in and east of TX, CO, NE, SD, OK, and ND.

MC 151374 (Sub-4), filed April 12, 1982. Applicant: CAL-CLEVE, LIMITED d.b.a. DOT-LINE TRANSPORTATION, 8023 E. Slauson Blvd., Montebello, CA 90640. Representative: Richard C. Celio, 2300 Camino Del Sol, Fullerton, CA 92633; (714) 738-3889. Transporting *metal products*, (a) between points in OH, MI, IL, IN, PA, KY and WV and (b) between points in OH, MI, IL, IN, PA, KY and WV, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 152775 (Sub-6), filed April 12, 1982. Applicant: RAM ROD TRUCKING, INC., P.O. Box 1127, Marrero, LA 70073. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205; (601) 948-8820. Transporting *clay, concrete,*

glass or stone products, between Baton Rouge and New Orleans, LA and points in Calcasieu Parish, LA, on the one hand, and, on the other, points in AL, AR, FL, MS, TN and TX.

MC 158584, filed April 6, 1982. Applicant: ACADIAN TRUCKING LTD., 9968 Watt St., RR #3, Mission, B.C. Canada V2V 4J1. Representative: Jim Pitzer, 15 S. Grady Way, Suite 321, Renton, WA 98055; (206) 235-1111. Transporting *lumber and wood products, fire retardant roofing products and meats, meat products and meat byproducts and Articles distributed by meat-packing houses*, as set forth in Sections A and C to Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 MCC 272, 766, between points in WA, OR, CA and AZ and ports of entry on the International Boundary line between the U.S. and Canada at points in WA.

MC 160405, filed April 12, 1982. Applicant: PRONTO TRUCKING, 208 Russel Ave., Douglas, WY 82633. Representative: William M. Tibbs (same address as applicant); (307) 358-3149. Transporting *Mercer Commodities*, between points in WY, on the one hand, and, on the other, points in AZ, CA, CO, ID, KS, LA, MT, NE, NV, ND, OK, OR, SD, TX, UT, and WA.

MC 161105, filed March 19, 1982. Applicant: PKC TRUCKING, INC., 10651 No. 21st Ave., Phoenix, AZ 85029. Representative: David Robinson, P.O. Box 5678, Scottsdale, AZ 85261; (602) 864-0999. Transporting *construction materials and equipment*, between points in Mohave, Maricopa and Pinal Counties, AZ and points in Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara and Ventura Counties, CA.

MC 161445, filed April 12, 1982. Applicant: CARMINE PETROSINO AND RICHARD PETROSINO d.b.a. BAYPORT DISTRIBUTOR, 2979 Bayport Court, Wantagh, NY 11793. Representative: Albert A. Rubin, 330 Sunrise Hwy., Rockville Centre, NY 11570; (516) 764-3335. Transporting *waterproofing compounds and retarders*, between points in Nassau County, NY, on the one hand, and, on the other, points in OH, IN, IL, IA, NE, CO, UT, CA, TX, GA, AR, CT, NJ, NY, MD, PA, VA, WV, NC, SC, FL, MA, RI, and NH, under continuing contract(s) with Presco Industries Ltd., of Plainview, NY.

MC 161475, filed April 13, 1982. Applicant: DIETER J. PATSCH d.b.a. DIETERS MOBILE HOME TRANSPORT, 5701 Boulder Hwy., Las Vegas, NV 89122. Representative: Robert G.

Harrison, 4299 James Dr., Carson City, NV 89701; (702) 882-5649. Transporting *mobile homes, sectional homes, modular homes and portable offices*, between points in NV, AZ, CA, UT, OR, WA, ID and NM.

MC 161484, filed April 13, 1982. Applicant: LARRY G. COOK d.b.a. C & C TRUCKING, R.D. #3, Box 28, Susquehanna, PA 18847. Representative: Donald C. Carmien, Suite 501 Midtown Mall, 15 Chenango St., P.O. Box 1922, Binghamton, NY 13902-1922; (607) 772-6993. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with Clark Foam Products Corp., of Binghamton, NY.

MC 161485, filed April 13, 1982. Applicant: MERL'S TOWING SERVICE, INC., 400 55th St., SW., Grand Rapids, MI 49508. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49503; (616) 459-6121. Transporting *wrecked and disabled vehicles, and replacement vehicles, and buses*, between points in the U.S. (except AK and HI).

Volume No. OP4-141

Decided: April 19, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Fisher not participating.)

MC 114287 (Sub-1), filed March 8, 1982, previously noticed in the *Federal Register* issue of March 25, 1982, and republished this issue. Applicant: HEIDEMA TRUCKING, INC., 166 E. Lakewood Blvd., Holland, MI 49423. Representative: Elaine M. Conway, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603; (312) 263-1600. Transporting (1) *such commodities* as are dealt in or used by grocery, drug and department stores, (2) *food ingredients*, and (3) *commodities* derived from agricultural products, in bulk, between points in MI, IL and IN, on the one hand, and, on the other, points in IA, IL, IN, KY, MI, MN, MO, OH, and WI.

Note.—The purpose of this republication is to correctly reflect the commodity descriptions.

MC 128837 (Sub-48), filed April 7, 1982. Applicant: TRUCKING SERVICE, INC., P.O. Box 229, Carlinville, IL 62626. Representative: Michael W. O'Hara, 300 Reich Bldg., Springfield, IL 62701; (217) 544-5468. Transporting *food and related products*, between points in WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 143587 (Sub-3), filed March 22, 1982, previously noticed in the *Federal Register* issue of April 5, 1982, and republished this issue. Applicant:

SOUTHERN PAPER STOCK

COMPANY, P.O. Box 622, Spartanburg, SC 29304. Representative: William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210; (703) 525-4050. Transporting *such commodities* as are dealt in or used by a manufacturer of containers and paper products, between points in the U.S. (except AK and HI), under continuing contract(s) with The Mead Corporation, of Dayton, OH, and its subsidiaries and affiliates.

Note.—The purpose of this republication is to include applicant's affiliates, which was previously omitted from Federal Register publication.

MC 144757 (Sub-19), filed March 16, 1982. Applicant: DAKOTA PACIFIC TRANSPORT, INC., 3104 E. St. Patrick, Rapid City, SD 57701. Representative: J. Maurice Andren, 1734 Sheridan Lake Rd., Rapid City, SD 57701; (605) 343-4036. Transporting *general commodities* (except classes A and B explosives and household goods), between Irvington, NE, Evanston, IA, Orange City, IA, Beech Bluff, Lexington and Luray, TN, Ralston and Terrell, TN, Benton, Dexter, Hardin and PI Junction, KY, Broughton, Dales, Equality and Havoline, IL, Paoli, IN, Big Sandy, TN, DeWalt, Herbert, and Smada, TX, Boyd, Fox, Joliet, Red Lodge and Roberts, MT, Dunseith and Thorne, ND, Maxine, KS, Empire, MO, Ashley, Benton, Eddy, Foraker, Hamilton, Helmer, Hudson, South Milford, Stoney Creek, Topeka and Wolcottville, IN, Edon, OH, Bloomfield, Carbon, South Ottumwa, and West Grove, IA, Villa Park, CA, Alden, Barker Creek, Bellaire, Bendon, Central Lake, Chief Lake, Douglas, Ellsworth, Harpers, Interlochen, Norwalk, State Hospital, Rapid City and Wealthy, MI, Beecher City, Berry, Breckenridge, Converse Branch, Edinburg, Iola, Lakewood, Louis, Millersville, Owenco, Rochester, Sharpsburg, and Tower Hill, IL, Barton, Furman, Kline, Lena, Seigling and Valentine, SC, Alford and Gorday, GA, Abbeville, College Hill, Hudsonville, Lamar, McClary, Michigan City, Oxford, Spraggins, Taylor, Waterford and Water Valley, MS, Bolivar, Congor, Hickory Valley, Malesus, Medon, Middleburg, and Toone, TN, Deanfield, Oakridge, Philpot, and Whitesville, KY, Edgoten, Masonville, and Thompsonville, KY, Ashland City, Chapmansboro, Doddsville, Fox Bluff, Hickory Point, Jordonia, Kenwood, Riverside, Scottsboro, and Steel City, TN, Blackford, Camp Breckenridge, Clay, Corydon, Crayne, Crider, De Koven, Fluornoy, Fredonia, Grove Center, Henshaw, Marion, Mexico, Morganfield, Repton, St. Vincent, Sturgis, Sullivan, Uniontown, Waverly and Wheatcroft,

KY, Flanagan, Graymont, and Rook's Creek, IL, Deanburg, Hornsby, Lacy, Parksburg, Serles, and Silerton, TN, Cumberland, Dancy, Gibbons, Mantee, Reform, Sherwood and Woodland, MS, Lexington and Owens Wells, MS, Fordsville and Narrows, KY, Caroleen and Henrietta, NC, Arnheim, Chassel, Hancock, Keweenaw and Pilgrim, MI, Forest, Starrucca, Thompson and Uniondale, PA, Chatsworth, Winslow Junction and Woodmansie, NJ, Transfer, PA, Light Street, PA, Westminster, OH, Clarksville, IN, Garrett Road, Llanerch and Grassland, PA, Napier, PA, Cromby, Parker Ford, Pennhurst and Spring City, PA, Newton Square Brance, PA, Honey Brook, PA, Carlon, PA, Allendale, IL, Rosendale, NY, Jacobs, Pauls and Rands, ME, Bell and McNary, AZ, Mottville, and Skaneateles Falls, NY, Readers, AL, and Sherryl Spur, MT, on the one hand, and, on the other, points in the U.S. (except AK and HI). Condition: Issuance of a Certificate in this proceeding is conditioned upon applicant certifying to the Commission, prior to commencing operations, that all rail service has actually terminated at specified points. The certification should be sent to the Deputy Director, Section of Operating Rights, Interstate Commerce Commission, Washington, DC 20423.

Note.—The purpose of this application is to substitute motor common carrier for abandoned rail service.

Volume No. OP4-421

Decided: April 21, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 35706 (Sub-16), filed April 9, 1982. Applicant: ATSL, INC., 10 E Oregon Ave., Philadelphia, PA 19148. Representative: H. Kirk House, 135 N. 4th St., Philadelphia, PA 19106. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in PA, NJ, OH, DE, MD, MA, NY and FL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 121018 (Sub-3), filed April 13, 1982. Applicant: ENGLANDER COACH LINES, INC., 62 Federal St., Greenfield, MA 01301. Representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th St., NW., Washington, DC 20004, (202) 737-1030. Transporting *passengers and their baggage*, between points in Berkshire and Franklin Counties, MA, on the one hand, and, on the other, points in Rockingham County, NH.

MC 123876 (Sub-11), filed April 13, 1982. Applicant: PRATT TRANSPORTATION COMPANY, INC.,

P.O. Box 1501, Omaha, NE 68101. Representative: Jack L. Schultz, P.O. Box 82028, Lincoln, NE 68501; (402) 475-6761. Transporting (1) *livestock feed and feed ingredients*, between points in the U.S., under continuing contract(s) with Triple Feeds, of Des Moines, IA, and (2) *animal health products, livestock additives and ingredients*, between points in the U.S., under continuing contract(s) with Cadco, Inc., of Des Moines, IA.

MC 124896 (Sub-106), filed April 12, 1982. Applicant: WILLIAMSON TRUCK LINES, INC., P.O. Box 3489, Wilson, NC 27893. Representative: Norman J. Pillion, 1920 N. St., NW., Suite 700, Washington, DC 20036; (202) 331-8800. Transporting *drugs, medical supplies and surgical supplies*, between points in Edgecombe and Nash Counties, NC, Campbell County, VA, and Lake County, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 143696 (Sub-26), filed April 13, 1982. Applicant: AMERICAN INDUSTRIAL TRANSPORTATION, INC., P.O. Box 1416, Henderson, TX 75652. Representative: Hugh T. Matthews, 555 Griffin Sq., Suite 650, Dallas, TX 75202; (214) 742-9175. Transporting *metal products, machinery, commodities which because of their size or weight require the use of special handling or equipment, and Mercer commodities*, between points in IL, IN, IA, MI, MN, MO, OH, and WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 143776 (Sub-48), filed April 9, 1982. Applicant: C.D.B., INCORPORATED, 155 Spaulding Ave., SE., Grand Rapids, MI 49506. Representative: C. Michael Tubbs (same address as applicant); (800) 253-9527. Transporting *chemical and petroleum products, plastic and rubber products, and paper and related products* between points in the U.S. (except AK and HI).

MC 152076 (Sub-1), filed April 12, 1982. Applicant: BETTY A. DOUGHERTY d.b.a. MIDWEST MEAT & PRODUCE, 115 W. Woodley St., Northfield, MN 55057. Representative: Stephen F. Grinnell, 1600 TCF Tower, 121 S. 8th St., Minneapolis, MN 55402; (612) 333-1314. Transporting *food and related products*, between points in IA, IL, MI, MN, NE, ND, SD and WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161336, filed April 12, 1982. Applicant: PERCY WOOD, JR., Box 100, Star Route 74, E Machias, ME 04630. Representative: John F. O'Donnell, P.O. Box 238, Milton, MA 02187; (207) 733-2895. Transporting *general commodities* (except classes A and B explosives,

household goods and commodities in bulk), between points in ME and MA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Volume No. OP4-143

Decided: April 19, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 55777 (Sub-14), filed April 13, 1982. Applicant: MILLS TRANSFER CO., 234 Pike St., Marietta, OH 45750. Representative: John M. Friedman, 2930 Putnam Ave., P.O. Box 426, Hurricane, WV 25528; (304) 562-3460. Transporting *metal and metal products, concrete products and machinery*, between points in the U.S. (except AK and HI).

MC 118227 (Sub-27), filed April 12, 1982. Applicant: POLMAN TRANSFER, INC., Rt. 3, Box 470, Wadena, MN 56482. Representative: Robert P. Sack, 837 Apollo Rd., Eagan, MN 55121; (612) 452-8770. Transporting *machinery and metal products*, between points in Clark County, WA; Edgecombe County, NC; Santa Clara County, CA; Shelby County, TN; Cumberland County, PA; Hamilton County, TX; Tift County, GA, and Scott County, IA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 126537 (Sub-41), filed April 14, 1982. Applicant: KENT I. TURNER, KENNETH E. TURNER, AND ERVIN L. TURNER, a Partnership, d.b.a. TURNER EXPEDITING SERVICE, 14 Standiford Field, Louisville, KY 40209. Representative: George M. Catlett, Suite 700-702, McClure Bldg., Frankfort, KY 40601; (502) 361-1126. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in Boyle County, KY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Note.—Applicant intends to tack this authority with its existing authority.

MC 128837 (Sub-49), filed April 9, 1982. Applicant: TRUCKING SERVICE, INC., P.O. Box 229, Carlinville, IL 62626. Representative: Michael W. O'Hara, 300 Reich Bldg., Springfield, IL 62701; (217) 544-5468. Transporting *glass containers*, between points in the U.S. (except AK and HI), under continuing contract(s) with Chattanooga Glass Company, of Chattanooga, TN.

MC 139207 (Sub-21), filed April 12, 1982. Applicant: McNABB-WADSWORTH TRUCKING CO., INC., 305 S. Wilcox Dr., Kingsport, TN 37665. Representative: Henry E. Seaton, 1024 Pennsylvania Bldg., 425 13th St., N.W., Washington, DC 20004; (202) 347-8862. Transporting *such commodities* as are

dealt in or used by manufacturers and distributors of printed matter, between points in Hawkins and Sullivan Counties, TN, on the one hand, and, on the other, those points in the U.S. in and east of WI, IL, MO, OK, and TX.

MC 145337 (Sub-13), filed April 9, 1982. Applicant: P.M.E., LTD., 1557 Brookside Blvd., Winnipeg, Manitoba, Canada R2R 1V6. Representative: Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108; (701) 237-4223. Transporting *food and related products*, between 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. (except AK and HI).

MC 147727 (Sub-5), filed April 9, 1982. Applicant: SCOTT DAVIS TRANSPORT, INC., 611 N. Front St., Yakima, WA 98901. Representative: Jerry R. Woods, 1600 One Main Pl., 101 SW Main St., Portland, OR 97204; (503) 224-5525. Transporting *vinegar*, between points in Pierce County, WA, on the one hand, and, on the other, points in OR.

MC 150017 (Sub-5), filed April 12, 1982. Applicant: DELICIOUS FOODS CARRIERS, INC., P.O. Box 730, Grand Island, NE 68801. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501; (402) 475-6761. Transporting *food and related products*, between Camden, NJ, on the one hand, and, on the other, Chicago, IL and points in Henry County, OH, Lamar County, TX and Robeson County, NC.

MC 151407 (Sub-4), filed April 13, 1982. Applicant: T & T TRUCKING, INC., 274 N.W. 37th St., Miami, FL 33127. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245; (214) 358-3341. Transporting *fabricated metal products*, between points in Dade County, FL, on the one hand, and, on the other, points in CA, KY, NY, NC, OK, SC, TN, GA, SD, WI, and DC.

MC 153187 (Sub-1), filed April 9, 1982. Applicant: CHRISTIANA MOTOR FREIGHT, INC., Dover Ave. and Pigeon Point Rd., New Castle, DE 19720. Representative: Robert B. Einhorn, 3220 P. S. F. S. Bldg., 12 So. 12th St., Philadelphia, PA 19107; (215) 922-1400. Transporting *metal products*, between points in DE, PA, NJ, MD, VA, NY, CT, WV, NC, OH, and DC.

MC 153557 (Sub-5), filed April 9, 1982. Applicant: MOTOR INDUSTRIES, INC., 1203 Audubon Parkway, Louisville, KY 40213. Representative: William L. Willis, 702 McClure Bldg., Frankfort, KY 40601; (502) 227-7384. Transporting *printed matter*, between the facilities used by R. R. Donnelley Company, at points in the U.S. (except AK and HI), on the one

hand, and, on the other, points in AL, AR, CT, FL, GA, IL, IN, IA, KY, LA, MA, MD, MI, MN, MS, MO, NC, NJ, NY, OH, PA, SC, TN, VA, WV, and WI.

MC 153987 (Sub-2), filed April 12, 1982. Applicant: MARION SELMAN d.b.a. SELMAN TRUCKING, P.O. Box 37231, Omaha, NE 68137. Representative: Robert W. Wright, Jr., 5711 Ammons St., Arvada, CO 80002, (303) 424-1761. Transporting *transportation equipment*, between points in the U.S., under continuing contract(s) with Komfort Industries, of Texas, Inc., of Burleson, TX.

MC 160427 filed April 9, 1982. Applicant: MELVIN R. WHITE, Rt. 1, Savannah, MO 64485. Representative: Frank W. Taylor, Jr., 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105; (816) 221-1464. Transporting *clips and crushed cars*, between points in Lancaster County, NE, on the one hand, and, on the other, points in Clay, Platte, Jackson and Cass Counties, MO, and Leavenworth, Johnson and Wyandotte Counties, KS.

MC 161397 filed April 6, 1982. Applicant: ANGELINE M. SCHLEIDER d.b.a. ANGIE'S TOURS, 59 Pine St., Binghamton, NY 13901. Representative: John W. Young, 22 Riverside Dr., Binghamton, NY 13905; (607) 722-3426. To operate as a *broker*, at Binghamton, NY, in arranging for the transportation of *passengers and their baggage*, between points in NY, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161417, filed April 9, 1982. Applicant: AIRPORT TRANSPORTATION SERVICES, INC., P.O. Box 5181, Hilton, Head Island, SC 49938. Representative: Bruce E. Mitchell, 3390 Peachtree Rd., N.E., Suite 520, Lenox Towers So., Atlanta, GA 30326, (404) 262-7855. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, beginning and ending at points in Beaufort, Jasper, Hampton, Colleton, Dorchester, and Charleston Counties, SC, and Chatham, Effingham, Bryan, Liberty, Long, McIntosh, and Glynn Counties, GA, and extending to points in the U.S. (except AK and HI).

MC 161427, filed April 9, 1982. Applicant: LEE-JAY MOTOR LINES, INC., P.O. Box 4191, Martinsville, VA 25115-4191. Representative: Terrell C. Clark, P.O. Box 25, Stanleytown, VA 24168, (703) 629-2818. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk) between points in DE, GA, IN, KY, MD, NC, NJ, NY, OH, PA, TN, SC, VA, WV, and DC.

MC 161437, filed April 9, 1982.
Applicant: CHARLES G. GREGOIRE, d.b.a. D & G TRUCKING INC., Clinton St., Grand Mound, IA 52751.
Representative: Charles G. Gregoire (same address as applicant), (319) 847-2555. Transporting *furniture and fixtures*, between Springfield, Peoria, Decatur, Moline, and Galesburg, IL, Davenport, Des Moines, Waterloo, and points in Scott and Clinton Counties, IA.

MC 161477, filed April 13, 1982.
Applicant: S & R ENTERPRISES, 1056 Mulberry St., Circleville, OH 43113.
Representative: Boyd B. Ferris, 50 W. Broad St., Columbus, OH 43215, (614) 464-4103. Transporting (1) *such commodities as are dealt in or used by department stores, between Jacksonville and Miami, FL, Los Angeles, CA, and points in Wayne County, OH, Westmoreland County, PA, and Orange County, CA, on the one hand, and, on the other, points in the U.S. (except AK and HI)*, (2) *general commodities (except classes A and B explosives, household goods, and commodities in bulk)*, between points in Pickaway County, OH and Columbus, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161487, filed April 12, 1982.
Applicant: LWD TRUCKING, INC., P.O. Box 327, Calvert City, KY 42029.
Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202, (502) 589-5400. Transporting *waste materials, and commodities recycled from waste materials, between points in the U.S. (except AK and HI)*.

Volume No. OP4-145

Decided: April 21, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 20916 (Sub-36), filed April 14, 1982. Applicant: JOHN T. SISK, Route 2, Box 182-B, Culpeper, VA 22701.
Representative: Frank B. Hand, Jr., 523 S. Cameron St., Winchester, VA 22601; (703) 662-0929. Transporting *metal products and building materials*, between those points in the U.S. in and east of MI, IL, MO, OK, and TX.

MC 42156 (Sub-7), filed April 13, 1982.
Applicant: M. BULIFANT TRUCKING, INC., 2201 E. Allegheny Ave., Philadelphia, PA 19134. Representative: James H. Sweeney, 468 Kentucky Ave., Williamstown, NJ 08094; (609) 629-2354. Transporting *general commodities (except classes A and B explosives, household goods, and commodities in bulk)*, between points in CT, DE, MD, MA, NJ, NY, PA, RI, VA, and DC.

MC 149366 (Sub-3), filed April 9, 1982.
Applicant: NORTH CENTRAL

JOBBER, P.O. Box 279, Northwood, ND 58267. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Minneapolis, MN 55402; (612) 340-0808. Transporting (1) *general commodities (except household goods and classes A and B explosives)*, between points in ND, SD, MT, MN, the Upper Peninsula of MI and points in WI north of U.S. Hwy 8, on the one hand, and, on the other, points in the U.S. (except AK and HI), (2) *chemicals and related products*, (a) between points in Sweetwater County, WY, on the one hand, and, on the other, points in WA, OR, CA, NV, ID, UT, MT, CO, ND, SD, NE, KS, MN, IA, MO, WI, and IL, and (b) between points in Weber County, UT, on the one hand, and, on the other, points in MI and WI, (3) *chemicals and related products and plastic products*, between Chicago, IL and points in Will County, IL, and MI, on the one hand, and, on the other, points in CA, CO, ID, MN, MT, NE, ND, NV, OR, SD, UT, WA, and WY, (4) *food and related products*, between points in MI, on the one hand, and, on the other, points in CA, CO, ID, MN, MT, NE, ND, NV, OR, SD, UT, WA, WY, and NY, and (5) *salt*, between points in Manistee County, MI and UT, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Volume No. OP5-88

Decided: April 20, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 16499 (Sub-4), filed April 12, 1982.
Applicant: ROHDE CARTAGE, INC., P.O. Box 475, Mundelein, IL 60060.
Representative: D. R. Beeler, P.O. Box 482, Franklin, TN 37064, (615) 790-2510. Transporting *paper and printed matter*, between points in IL, on the one hand, and, on the other, points in IN, IA, KY, MI, MO, OH, TN, and WI.

MC 50069 (Sub-570), filed April 13, 1982. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, OH 43616. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114; (216) 449-4621. Transporting *commodities in bulk*, between points in the U.S., under continuing contract(s) with General Alum & Chemical Corporation, of Sylvania, OH.

MC 50069 (Sub-571), filed April 13, 1982. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, OH 43616. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114, (216) 566-5639. Transporting *commodities in bulk*, between points in the U.S., under

continuing contract(s) with Enterprise Oil and Gas Company, of Detroit, MI.

MC 98589 (Sub-5), filed April 6, 1982.
Applicant: WORLD TRANSPORT, INC., 56 Oak Hill Way, Brockton, MA 02403.
Representative: John G. Downes (same address as applicant), (617) 588-1250. Transporting *general commodities (except classes A and B explosives, household goods, and commodities in bulk)*, (1) between points in the U.S. in and east of MN, IA, MO, OK, and TX, and (2) between points in CA, on the one hand, and, on the other, points in the U.S. in and east of MN, IA, MO, OK, and TX.

MC 99149 (Sub-20), filed April 1, 1982.
Applicant: MIDWAY MOTOR FREIGHT LINES, INC., 8400 New Benton Hwy., Little Rock, AR 72201. Representative: Thomas B. Staley, 1500 Tower Bldg., Little Rock, AR 72201, 501-375-9151. Transporting *general commodities (except classes A and B explosives, household goods, and commodities in bulk)*, between points in AR on the one hand, and, on the other, points in KY, LA, MO, MS, OK, TN, and TX.

MC 117589 (Sub-78), filed April 7, 1982. Applicant: PROVISIONERS BROKERAGE, INC., 3801 7th Ave., S, Seattle, WA 98108. Representative: Michael D. Duppenhaler, 211 S. Washington St., Seattle, WA 98104, (206) 622-3220. Transporting *food and related products* between points in NE and CO, on the one hand, and, on the other, points in SD.

MC 124868 (Sub-3), filed April 9, 1982.
Applicant: RALPH W. SOUTHERS, d.b.a. SOUTHERS WRECKING & REPAIR, P.O. Box 988, Staunton, VA 24401. Representative: Harry J. Jordan, Suite 502, Solar Bldg., 1000 16th Street NW., Washington, DC 20036, (202) 783-8131. Transporting *motor vehicles*, between points in the U.S., under continuing contract(s) with Matlack, Inc., of Lansdowne, PA.

MC 136458 (Sub-1), filed April 5, 1982.
Applicant: HASSELBRING AUTO TRANSPORT, INC., 1945 33rd Avenue South, St. Cloud, MN 56301.
Representative: Michael J. O'Loughlin, 615 Minnesota Federal Bldg., Minneapolis, MN 55402, (612) 338-7509. Transporting *trucks and automobiles*, between points in MI and MN.

MC 138068 (Sub-9), filed April 6, 1982.
Applicant: WAREHOUSE TRANSPORTATION COMPANY, INC., P.O. Box 84, 1052 S. Main St., Urbana, OH 43078. Representative: Robert E. Tucker, P.O. Box 14072, Cincinnati, OH 45214, (513) 621-1200. Transporting *general commodities (except classes A and B explosives, household goods, and*

commodities in bulk), between points in the U.S. under continuing contract(s) with General Foods Corporation of White Plains, NY, and its subsidiaries, General Foods Manufacturing Corporation and Birds Eye, Inc., both of White Plains, NY, and Oscar Mayer and Co., of Madison, WI. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a), or submit an affidavit indicating why such approval is unnecessary, to the Secretary's office. In order to expedite issuance of any authority, please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 5, Room 6370.

MC 144609 (Sub-14), filed April 6, 1982. Applicant: DOMINGUEZ BROS. TRUCKING CO., 1500 South Zarzamora St., San Antonio, TX 78207. Representative: Kenneth R. Hoffman, 1600 W. 38th St., Suite 410, Austin, TX 78751, 512-451-7409. Transporting *food and related products*, (1) between points in TX on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) between points in CA, on the one hand, and, on the other, points in WA.

MC 146888 (Sub-10), filed April 7, 1982. Applicant: GLASS CONTAINER TRANSPORT, INC., Route 1, Box 271, Ridgeway, SC 29130. Representative: Archie B. Culbreth, 2200 Century Parkway, Suite 202, Atlanta, GA 30345, (404) 321-1765. Transporting *paper and paperboard boxes* between points in Henrico County, VA, on the one hand, and, on the other, points in Wilson County, NC.

MC 147399 (Sub-3), filed April 8, 1982. Applicant: J. ROBERTSON, INC., 800 Carden St., San Leandro, CA 94577. Representative: Ronald C. Chauvel, 100 Fine St., Suite 2550, San Francisco, CA 94111, (415) 986-1414. 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 (a) Publishers Paper Co., of Lake Oswego, OR, (b) Westvaco Corporation, of Emeryville, CA, and (c) Montgomery Ward Co., of Oakland, CA.

MC 149088 (Sub-7), filed April 6, 1982. Applicant: TRANSPORTATION, INC., P.O. Box 362, Ottawa, KS 66067. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 1101, Topeka, KS 66612, 913-233-9629. Transporting *chemicals and related products*, (1) between points in IA, NE, MO, OK, TX, KS, and AR, and (2) between points in IA, NE, MO, OK, TX,

KS, and AR on the one hand, and, on the other, points in CO.

MC 151639 (Sub-3), filed April 6, 1982. Applicant: COMMAND TRANSPORTATION, INC., 28 Fitchburg St., Somerville, MA 02143. Representative: Wesley S. Chused, 15 Court Sq., Boston, MA 02108, 617-742-3530. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in IL, IN, MI, OH and WI, on the one hand, and, on the other, points in CT, ME, MD, NH, NJ, NY, PA, RI, and VT.

MC 153628 (Sub-2), filed April 8, 1982. Applicant: JIM LARSEN, d.b.a., WIND RIVER TRUCKING, 215 First Avenue SW., Park City, MT 59063. Representative: Charles M. Williams, 665 Capitol Life Center, 1600 Sherman St., Denver, CO 80203, 303-839-5856. Transporting *lumber and wood products* between points in MT, OR, ID, WA and those in CA in and north of Mendocino, Lake, Colusa, Sutter and Placer Counties, CA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 154799, filed April 6, 1982. Applicant: LARRY D. HAGE & MARVIN HAGE, d.b.a., HAGE BROS. FARM AND TRUCKING, 1987 Drift Creek Rd. N.E., Silverton, OR 97381. Representative: Larry D. Hage (same address as applicant); 503-873-8663. Transporting (1) *such commodities* as are dealt in or distributed by wholesalers of foodstuffs, and (2) *such commodities* as are dealt in or used by manufacturers and distributors of building materials, between points in AZ, CA, CO, ID, MT, NM, NV, OR, TX, UT, WA, and WY.

MC 156539 (Sub-2), filed April 6, 1982. Applicant: HOUSER TRANSPORT, INC., 125 U.S. Rte. 30 West, Fort Wayne, IN 46808. Representative: James P. Kirkhope, P.O. Box 15296, Fort Wayne, IN 46885, 219-422-8884. Transporting *transportation equipment*, between points in the U.S. (except AK and HI), under continuing contract(s) with The Truck Engineering Co., Inc. of Fort Wayne, IN.

MC 156709 (Sub-1), filed April 6, 1982. Applicant: ECONO COURIER, INC., 55 River Rd., Bogota, NJ 07603. Representative: Michael R. Werner, 241 Cedar Lane, Teaneck, NJ 07666, 201-836-1144. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in NY, NJ, CT, DE, PA, MD, and DC.

MC 159638, filed March 29, 1982. Applicant: EAGLE CREEK FARMS, INC., 3200 Brown St., Little Rock, AR

72204. Representative: Richard L. Smith, 300 Spring Bldg., Suite 305, Little Rock, AR 72201, (501) 376-7934. Transporting *food and related products* between Sioux City, IA, and points in Saline County, NE, and Crawford, Carroll, Hardin, and Cherokee Counties, IA, on the one hand, and, on the other, points in AR, LA, MO, TN, AL, KS, MS, TX, and OK.

MC 161099, filed April 5, 1982. Applicant: ROLAND VACHON, d.b.a. ROLAND VACHON ENR., 5475 2nd Ave., Rosemont, Montreal, Quebec, Canada H1Y 2Y4. Representative: Adrien R. Paquette, 200 St. James St., Room 900, Montreal, Quebec, Canada H2Y 1M1, 514-842-1864. Transporting in foreign commerce only *automotive parts* between ports of entry on the international boundary line between the United States and Canada in NY, MI, WI, and MN, on the one hand, and, on the other, Chicago, IL, New York, NY, Orlando, FL, Los Angeles, CA, and points in Halifax County, NC.

MC 161309, filed March 29, 1982. Applicant: WILLIE K. HOLLAND AND GREGORY V. ETCHISON, d.b.a. VAIL NORTHWEST, P.O. Box 645, Springfield, OR 97477. Representative: Gregory V. Etchison, 85815 Edenvale Rd., Pleasant Hill, OR 97401, 503-747-1753. Transporting (1) *glass*, between points in WA, OR, CA, TX, OK, and MO, (2) *sawmill machinery*, between points in CA, AZ, WA, ID, and MT, (3) *farm supplies and equipment*, between points in TX, KS, NM, CA, NE, OK, MN, WY, IA, on the one hand, and, on the other, points in CO, (4) *lumber* between points in OR, WA, MI, IL, KY, TN, TX, CO, NM, NV, AZ, and CA, and (5) *iron and steel articles*, (a) between points in AZ, CA, LA, MI, OR, SD, and WA, and (b) between points in IN, NE, UT, and MN, on the one hand, and, on the other, points in CO, IA, ID, IL, IN, MN, NE, NM, OK, OR, UT, and WI.

MC 161338, filed April 6, 1982. Applicant: LARRY FRICK, d.b.a. L & S TRUCKING, 3303 East Wausau Ave., Wausau, WI 54401. Representative: James A. Spiegel, Olde Towne Office Park, 6333 Odana Rd., Madison, WI 53719, (608) 273-1003. Transporting *food and related products* between points in the U.S. (except AK and HI), under continuing contract(s) with Armour and Company of Phoenix, AZ.

MC 161378, filed April 6, 1982. Applicant: TRAVEL FOR FUN, 6601 Kimberly Ave., Bakersfield, CA 93308. Representative: Richard L. Watson (same address as applicant), (805) 393-3604. To operate as a *broker* at Bakersfield, CA, in arranging for the

transportation of *passengers and their baggage*, in special and charter operations, beginning and ending at Bakersfield, CA, and extending to Las Vegas, NV and points in Douglas County, NV.

MC 161408, filed April 7, 1982.
Applicant: JOHN BRUKETTA, INC., Cascade Way, P.O. Box 496, Ellensburg, WA 98926. Representative: Michael D. Duppenhaller, 211 S. Washington St., Seattle, WA 98104, 206 622-3220.
Transporting *clay, concrete, glass or stone products*, between points in CA, on the one, hand, and, on the other, points in WA.

MC 161419, filed April 8, 1982.
Applicant: ARROWOOD TRUCKING, INC., 501 Farwell Ave., So. St. Paul, MN 55075. Representative: Robert P. Sack, P.O. Box 6011, West St. Paul, MN 55118, 612-452-8770. Transporting (1) *concrete products*, between points in Minnehaha County, SD on the one, hand, and, on the other, points in the U.S. (except AK and HI) and (2) *metal products*, between Minneapolis St. Paul, MN, Chicago, IL and points in Monroe County, MI, Muscatine County, IA, and Lake and Porter Counties, IN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 161438, filed April 9, 1982.
Applicant: COLUMBIA TRANSPORT CORP., 8420 N.W. 30th Pl., Miami, FL 33147. Representative: Richard B. Austin, 320 Rochester Bldg., 8390 N.W. 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 Jefferson, Madison, Hamilton, Columbia, Baker, and Nassau Counties.
Agatha L. Mergenvovich,
Secretary.

[FR Doc. 82-11367 Filed 4-26-82; 8:45 am]
BILLING CODE 7035-01-M

[Finance Docket No. 29902]

Hardeman County Railroad Co., Inc., Bolivar Southern Railroad Co. & Natchez Trace Railroad—Temporary Exemption

AGENCY: Interstate Commerce Commission.

SUMMARY: The Interstate Commerce Commission temporarily exempts the ownership by Hardeman County Railroad Company, the lease by Bolivar Southern Railroad Company and the operation by Natchez Trace Railroad of certain track in Tennessee from prior approval under 49 U.S.C. 10901 and 11301.

DATES: Exemption effective on April 27, 1982. Petitions to reopen must be filed by May 17, 1982.

ADDRESSES: Send pleadings to:

- (1) Section of Finance, Room 5414, Interstate Commerce Commission, Washington, DC 20423
- (2) Petitioner's Representative: Fritz R. Kahn, Verner, Liipfert, Bernhard and McPherson, Suite 1100, 1660 L Street NW., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275-7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. For a copy of the full decision contact: TS Infosystems, Inc., Room 2227, 12th & Constitution Ave., NW., Washington, DC, 20423, or by calling locally at 289-4357 or toll-free at 800-424-5403.

Decided: April 22, 1982.

By the Commission, Chairman Taylor, Vice Chairman Gilliam, Commissioners Gresham, Sterrett, and Andre. Chairman Taylor was absent and did not participate.

Agatha L. Mergenvovich,
Secretary.

[FR Doc. 82-11459 Filed 4-26-82; 8:45 am]
BILLING CODE 7035-01-M

[Revised ICC Order No. 81 Under Service Order No. 1344]

Michigan Interstate Railway Co. et al.; Rerouting Traffic

In the matter of Michigan Interstate Railway Company, Chicago and North Western Transportation Company, and Soo Line Railroad Company.

In the opinion of J. Warren McFarland, Agent, the Ann Arbor Railroad System (Michigan Interstate Railway Company—Operator) is unable to transport promptly all traffic over its line to Manitowoc, Wisconsin, via Frankfort, Michigan, due to the termination of its Designated operations at those points. This matter is considered to be outside the scope of a single railroad as provided by Ex Parte No. 376, and therefore, requires this action by the Commission.

It Is Ordered

(a) *Rerouting traffic.* The Ann Arbor Railroad System (AA) (Michigan Interstate Railway Company—Operator) being unable to transport promptly all traffic over its line to Manitowoc, Wisconsin, via Frankfort, Michigan, due to the termination of its Designated operations at those points, that line and its connections are authorized to divert or reroute any traffic destined to or via the points indicated. This authority cancels Ann Arbor Reroute Order AA 1-

82, T.D. Sheet #17, 3/17/82. Traffic necessarily diverted by authority of this order shall be rerouted so as to preserve as nearly as possible the participation and revenues of other carriers provided in the original routing. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad rerouting cars in accordance with this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) *Notification to shippers.* Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each shipment is rerouted or diverted and shall furnish to such shipper the new routing provided for under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said Agent shall be rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 5:00 p.m., April 16, 1982.

(g) *Expiration date.* This order shall expire at 11:59 p.m., April 30, 1982, unless otherwise modified, amended or vacated.

This order shall be served upon the Association of American Railroads, Transportation Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association. A copy of this order shall be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 16, 1982.

Interstate Commerce Commission.

J. Warren McFarland,

Agent.

[FR Doc. 82-11382 Filed 4-26-82; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 104-TAA-9]

Suspension of Countervailing Duty Investigation Concerning Michelin X-Radial Steel Belted Tires From Canada; Cancellation of Public Hearing, and Request for Public Comment on Termination of Investigation

AGENCY: United States International Trade Commission.

ACTION: Request for comments on proposed termination of countervailing duty investigation under section 104(b) of the Trade Agreements Act of 1979 and notice of cancellation of public hearing and suspension of investigation pending public comment.

FOR FURTHER INFORMATION CONTACT:

Mr. William Schechter, Office of Investigations, telephone 202-523-0300.

SUPPLEMENTARY INFORMATION:

The Trade Agreements Act of 1979, subsection 104(b)(1), requires the Commission in the case of a countervailing duty order issued under section 303 of the Tariff Act of 1930, upon the request of a government or group of exporters of merchandise covered by the order, to conduct an investigation to determine whether an industry in the United States would be materially injured, or threatened with material injury, or whether the establishment of such industry would be materially retarded, if the order were to be revoked. On January 2, 1980, the Commission received a request from the Michelin Tire Corporation for the review of the countervailing duty order on Michelin X-radial steel belted tires from Canada (T.D. 73-10). The Commission instituted this investigation on March 11, 1982 and published notice of such institution in the Federal Register of March 16, 1982 (47 F.R. 11341). The notice also scheduled a public hearing for this investigation on May 13, 1982, in Washington, D.C.

The Commission received a letter on April 21, 1982 from counsel for the Rubber Manufacturers Association, the original petitioner for the countervailing duty order, withdrawing its petition for a countervailing duty order on Michelin X-radial steel belted tires from Canada, with the express proviso that the withdrawal be considered without

prejudice to the filing of any future petition or petitions.

While there is no provision in the Trade Agreements Act of 1979, or in its legislative history, permitting termination of a section 104(b) investigation, termination of a properly instituted countervailing duty investigation is permitted under section 704(a) of the Tariff Act of 1930. Termination authority is explicit in cases based on newly filed countervailing duty petitions; it is implied with respect to existing countervailing duty orders.

Section 704(a) directs the Commission to solicit public comment prior to termination of an investigation and approve the termination only if it is in the public interest. In light of the Commission's duty to consider the public interest, the Commission requests written comments from persons concerning the proposed termination of the investigation on Michelin X-radial steel belted tires from Canada. These written comments must be filed with the Secretary to the Commission no later than 30 days after publication of this notice in the Federal Register.

This countervailing duty investigation concerning Michelin X-radial steel belted tires from Canada is suspended for the duration of the 30-day public comment period. Further, the public hearing scheduled for 10:00 a.m., May 13, 1982, in the U.S. International Trade Commission Hearing Room is cancelled and will be rescheduled pending review of public comment.

By order of the Commission.

Issued: April 23, 1982.

Kenneth R. Mason,
Secretary.

[FR Doc. 82-11555 Filed 4-26-82; 8:45 am]

BILLING CODE 7020-02-M

DEPARTMENT OF LABOR

Employment and Training Administration

Employment Transfer and Business Competition Determinations Under the Rural Development Act; Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, The Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.
 2. Employment trends in the same industry in the local area.
 3. The potential effect of the new facility upon the local labor market with particular emphasis upon its potential impact upon competitive enterprises in the same areas.
 4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).
 5. In the case of application involving the establishment of branch plants or facilities, the potential effect of such new facilities in other existing plants or facilities operated by the applicant.
- All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice. Comments received after the two-week period may not be considered. Send comments to: David O. Williams, Administrator, U.S. Employment Service, Employment and Training

Administration, 601 D Street, N.W.,
Room 8000, Patrick Henry Building,
Washington, D.C. 20213

Signed at Washington, D.C. this 21st day of
1982.

J. Terrell Whitsitt,

Director, Office of Program Services.

Applications Received During the Week Ending April 24, 1982

Name of applicant and location of
enterprise: Deep Water Salvage,
Inc., Guayanilla, Puerto Rico.
Principal product or activity: Marine
wrecking: Ships for scrapmetal.

[FR Doc. 82-11375 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-13,013]

Amore Chain Co., Coventry, Rhode Island; Termination of Investigation

Pursuant to Section 221 of the Trade
Act of 1974, an investigation was
initiated on September 30, 1981 in
response to a worker petition received
on September 29, 1981 which was filed
on behalf of workers at Amore Chain
Company, Coventry, Rhode Island.

The petitioner has requested that the
petition be withdrawn. Consequently,
further investigation in this case would
serve no purpose; and the investigation
has been terminated.

Signed at Washington, D.C., this 8th day of
April 1982.

Marvin M. Fooks,

Director, Office of Trade Adjustment
Assistance.

[FR Doc. 82-11426 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the
Trade Act of 1974 (19 U.S.C. 2273) the
Department of Labor herein presents
summaries of determinations regarding
eligibility to apply for adjustment
assistance issued during the period
April 12, 1982-April 16, 1982.

In order for an affirmative
determination to be made and a
certification of eligibility to apply for
adjustment assistance to be issued, each
of the group eligibility requirements of
Section 222 of the Act must be met.

(1) That a significant number or
proportion of the workers in the
workers' firm, or an appropriate
subdivision thereof, have become totally
or partially separated,

(2) That sales or production, or both,
of the firm or subdivision have
decreased absolutely, and

(3) That increases of imports of
articles like or directly competitive with
articles produced by the firm or
appropriate subdivision have
contributed importantly to the
separations, or threat thereof, and to the
absolute decline in sales or production.

Negative Determinations

In each of the following cases the
investigation revealed that criterion (3)
has not been met. A survey of customers
indicated that increased imports did not
contribute importantly to worker
separations at the firm.

TA-W-12,342; ISG Extrusion Toolings,
Inc., Troy, MI

TA-W-12,240; General Electric Co.,
Semiconductor Products Dept.,
Syracuse, NY

TA-W-12,958; John Demolet Lincoln
Mercury, Inc., Springfield, PA

TA-W-12,862; Allied Corp., Automotive
Products Div., Greenville, AL

TA-W-12,634; Pacific Highland
Products, Inc., Hoquiam, WA

TA-W-12,248; Benchmasters, Inc.,
Royal Oak, MI

TA-W-12,599; Superior Shake Co.,
Concrete, WA

TA-W-12,523; Babcock & Wilcox,
Tubular Products Div., Koppel, PA

TA-W-12,172; Somar, Inc., Jersey City,
NJ

TA-W-12,934; J. C. Glenzer Co.,
Ferndale, MI

TA-W-12,094; Cracker Barrel Dress,
Ltd, Conshohocken, PA

TA-W-12,851; Art Shirt, Ltd,
Conshohocken, PA

TA-W-12,852; Richard Todd, Inc., New
York, NY

TA-W-12,588; Magic Marker Corp.,
Cherry Hill, NJ

TA-W-12,322; Guida Wood Heel Co.,
Inc., Brooklyn, NY

TA-W-12,734; K & R Sportswear, Inc.,
Elizabeth, NJ

TA-W-12,916; R & K Fabrics, Inc.,
Elizabeth, NJ

TA-W-12,386; Gulf & Western
Manufacturing Co., Lenape Forge
Div., West Chester, PA

In the following cases the
investigation revealed that criterion (3)
has not been met. Increased imports did
not contribute importantly to workers
separations at the firm.

TA-W-12,755; The Florsheim Shoe Co.,
Cape Girardeau, MO

TA-W-12,893; Hide-Away Creations,
Ltd, New York, NY

TA-W-11,249; General Electric Co.,
Silicon Products Div., Waterford, NY

TA-W-12,489; Westinghouse Electric
Corp., Westinghouse Elevator Co.,
Jersey City, NJ

Affirmative Determinations

TA-W-11,253; Starbuck, Inc., San
Francisco, CA

A certification was issued in response
to a petition received on October 3, 1980
covering all workers separated on or
after September 10, 1979 and before June
1, 1980.

TA-W-12,895; Schott Brothers, Inc.,
Schott Sportswear Corp., Perth
Amboy, NJ

A certification was issued in response
to a petition received on December 5,
1980 covering all workers of Schott
Sportswear Corp. separated on or after
December 1, 1979.

TA-W-12,425; C & M Coat Co., Inc.,
Union City, NJ

A certification was issued in response
to a petition received on March 9, 1981
covering all workers separated on or
after June 1, 1981.

TA-W-12,031; Duke of Hollywood Co.,
Los Angeles, CA

A certification was issued in response
to a petition received on December 31,
1980 covering all workers separated on
or after December 22, 1979.

TA-W-12,722; Flo-Nor Corp., Chula
Vista, CA

A certification was issued in response
to a petition received on May 10, 1981
covering all workers separated on or
after May 10, 1980 and before May 30,
1981.

TA-W-12,289; Shamokin Dress Co.,
Shamokin, PA

A certification was issued in response
to a petition received on February 9,
1982 covering all workers separated on
or after January 1, 1981.

TA-W-12,290; Shroyer Dress Co.,
Selinsgrove, PA

A certification was issued in response
to a petition received on February 9,
1982 covering all workers separated on
or after July 1, 1981 and before
September 30, 1981.

I hereby certify that the
aforementioned determinations were
issued during the period April 12, 1982-
April 16, 1982. Copies of these
determinations are available for
inspection in Room 10,332, U.S.
Department of Labor, 601 D Street, NW,
Washington, D.C. 20213 during normal
business hours or will be mailed to
persons who write to the above address.

Dated: April 20, 1982.

Marvin M. Fooks,
Director, Office of Trade Adjustment
Assistance.

[FR Doc. 82-11428 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period April 5, 1982-April 9, 1982.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-12, 185; *York Mills, Inc.*,

Brooklyn, NY

TA-W-12, 745; *T.M. Landis, Inc.*,

Mainland, PA

TA-W-11, 832A; *Elder Manufacturing*

Co., Dexter, MO

In the following case the investigation revealed that criterion (3) had not been met. Increased imports did not contribute importantly to workers separations at the firm.

TA-W-12, 614; *Sheep Mates, Inc., New*

York, NY

Affirmative Determinations

TA-W-11, 695; *Fenway Manufacturing Co., Lowell, MA*

A certification was issued in response to a petition received on November 12, 1980 covering all workers separated on or after November 4, 1979.

TA-W-12, 552; *Electronic Memories & Magnetics Corp., Indiana General Products Div., Valparaiso, IN*

A certification was issued in response to a petition received on March 25, 1981 covering all workers of Plant II, Electronic Memories & Magnetics Corp., Indiana General Products Div., Valparaiso, IN separated on or after March 18, 1980.

TA-W-11, 632; *Elder Manufacturing Co., Bloomfield, MO*

A certification was issued in response to a petition received on November 3, 1980 covering all workers separated on or after January 1, 1981.

TA-W-12, 967; *The Bunker Hill Co., Kellogg, ID*

A certification was issued in response to a petition received on September 9, 1981 covering all workers engaged in employment related to the production of zinc separated on or after August 1, 1981.

I hereby certify that the aforementioned determinations were issued during the period April 5, 1982-April 9, 1982. Copies of these determinations are available for inspection in Room 10,332, U.S. Department of Labor, 601 D Street, NW, Washington, D.C. 20213 during normal business hours or will be mailed to persons who write to the above address.

Dated: April 13, 1982.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 82-11433 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment

and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than May 7, 1982.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than May 7, 1982.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 601 D Street, NW., Washington, D.C. 20213.

Signed at Washington, D.C., this 19th day of April 1982.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

APPENDIX

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Classic Dress Co. (ILGWU)	Dickson City, PA	3/30/82	3/16/82	TA-W-13,385	Dresses—children's.
Columbian Pump Company (USWA)	Columbiana, Ohio	4/12/82	4/7/82	TA-W-13,386	Castings—iron, grey and iron, ductile.
Commercial Honing of Detroit, Ltd. (workers)	Warren, Michigan	3/26/82	3/23/82	TA-W-13,387	Tubing—smooth and polish.
Kelton Mills, Inc. (ILGWU)	West New York, NJ	2/23/82	2/19/82	TA-W-13,388	Sweaters—contractor.
Raritan River Steel Co. (company)	Perth Amboy, NJ	4/5/82	3/11/82	TA-W-13,389	Rods—wire.

APPENDIX—Continued

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Russell, Burdell & Ward (USWA)	Chicago, Ill	4/5/82	4/1/82	TA-W-13,390	Fasteners—industrial.
U.S. Steel Corp., Lorain-Cuyahoga Works (USWA)	Lorain, Ohio	4/5/82	3/31/82	TA-W-13,391	Pipe—seamless.
Union Carbide Corp., Metals Div. (workers)	Bishop, CA	4/9/82	3/30/82	TA-W-13,392	Tungsten, copper and molybdenum oxide.
United Speaker Systems (company)	East Orange, NJ	4/7/82	3/30/82	TA-W-13,393	Speaker systems—fidelity, high.
United Technologies Automotive Group (United Brotherhood of Carpenters and Joiners)	Picayune, Miss	3/30/82	3/22/82	TA-W-13,394	Harnesses—wiring, automobile.
Cold Metal Product Co., Inc. (USWA)	Youngstown, Ohio	4/8/82	4/8/82	TA-W-13,395	Alloy—carbon, high, low, rolled, cold steel—stainless strip.
Curwood, Inc. (United Paperworkers Intern'l Union)	New London, Wis	3/30/82	3/23/82	TA-W-13,396	Films—plastic, packaging.
Fitchburg Foundry, Inc. (Intern'l Molders Allied Workers)	Fitchburg, Mass	4/7/82	4/1/82	TA-W-13,397	Castings—iron, gray and ductile.
General Electric Co., Battery Business Dept. (IBEW)	Gainesville, Fla	4/9/82	3/31/82	TA-W-13,398	Cells—battery, nickel cadmium and sealed lead.
Gulf+Western Manufacturing Co., Taylor Forge (USWA)	Cicero, Ill	4/9/82	4/8/82	TA-W-13,399	Flanges, rolled rings and spiders—steel, carbon.
Jones & Laughlin Steel Corp. (USWA)	Aliquippa, Pa	4/5/82	4/1/82	TA-W-13,400	Tin mill products, electrolytic tin plate, bars and shapes, hot and cold rolled sheet, welded tube pipe, electric weld pipe, seamless tube, rod and wire.
Mid-Atlantic Precision Steel Co. (USWA)	Atco, NJ	4/12/82	4/1/82	TA-W-13,401	Bars—cold drawn.
National Zinc Co. (workers)	Bartlesville, OK	4/12/82	3/20/82	TA-W-13,402	Zinc, slab, acid—sulfuric, metal cadmium, copper and lead residue.
Noranda Lakeshore Mines, Inc. (workers)	Casa Grande, AZ	4/12/82	4/6/82	TA-W-13,403	Copper, mining, underground and processing.
Champion Spark Plug Corp. (UAW)	Toledo, Ohio Plants (4)	4/2/82	3/30/82	TA-W-13,404	Plugs, spark.
International Mill Service (workers)	Georgetown, S.C.	2/8/82	2/2/82	TA-W-13,405	Services steel mills.
Philips E.C.G., Inc. (United Electric Wks.)	Emporium, Pa	2/2/82	1/20/82	TA-W-13,406	Tubes—receiving, electron.
Republic Steel Corp., Storage Rack & Coil Coating Div., Mfg. Group (USWA)	Youngstown, Ohio	4/8/82	4/7/82	TA-W-13,407	Storage racks and coil coated operations, hopper boxes.
Republic Steel Corp., Youngstown Plant of Mahoning Valley District (USWA)	Youngstown, Ohio	4/9/82	4/7/82	TA-W-13,408	Pipe.
U.S. Steel Corp., Johnstown Works (USWA)	Johnstown, Pa	4/7/82	4/6/82	TA-W-13,409	Steel, fabricated.
U.S. Steel Corp., Homestead Works (USWA)	Homestead, Pa	4/12/82	4/7/82	TA-W-13,410	Steel, slab, plate, structurals.

[FR Doc. 82-11427 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-12,741]

Jeri Morton, Inc., New York, N.Y.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on June 8, 1981, in response to a worker petition received on May 29, 1981, which was filed on behalf of workers at Jeri Morton, Incorporated, New York, New York.

The petitioning group of workers is subject to an ongoing investigation for which a determination has not yet been issued (TA-W-12,324). Consequently, further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed at Washington, D.C., this 8th day of April 1982.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 82-11429 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-12,626]

Redfern Manufacturing Co., North Bergen, N.J.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on April 20, 1981 in response to a petition received on March 9, 1981

which was filed by the International Ladies' Garment Workers' Union on behalf of workers at Redfern Manufacturing Co., North Bergen, New Jersey. Workers at Redfern Manufacturing produced ladies' coats.

The petitioner has requested that the petition be withdrawn. Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 82-11430 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-11,765-11,767]

Speidel Division of Textron Inc., East Providence, R.I., Providence, R.I., Smithfield, R.I.; Negative Determination Regarding Application for Reconsideration

By an application dated February 18, 1982, on which the Department granted a filing extension, the company requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance in the case of workers and former workers producing watch bands and jewelry at Speidel's plants in East Providence, Providence and Smithfield, Rhode

Island. The determination was published in the Federal Register on January 8, 1982 (47 FR 1060).

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts previously considered; or

(3) If, in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The company claims in its application for administrative reconsideration that imported watches incorporating metal watch bands have adversely affected the workers at Speidel. It is also asserted that domestic jewelers have lost business because of imported jewelry.

The Department's review showed that the worker petition did not meet the "contributed importantly" test of Section 222 of the Trade Act of 1974 for workers producing watch bands and jewelry. The Department's survey of Speidel's customers which represented a significant amount of Speidel's sales decline of watch bands in 1980 and over 200 percent of Speidel's sales decline of

14K jewelry in 1980 showed that none of the responding customers decreased purchases from Speidel while increasing purchases of imported watch bands or jewelry in 1979 or 1980.

With respect to imports of watches incorporating a metal watch band adversely affecting workers at Speidel, the Department notes that final articles (watches) are not like or directly competitive with their component parts (watch bands). Imports of watch bands must be considered by themselves in determining import injury to workers who manufactured this product at Speidel. The Courts have concluded that imported, finished articles are not like or directly competitive with domestic component parts thereof, *United Shoe Workers of America, AFL-CIO v. Bedell*, 506 F.2d. 174 (D.C. Cir., 1974). In that case the court held that imported, finished women's shoes were not like or directly competitive with shoe counters, a component of footwear. Whether or not domestic jewelers have lost business because of imported jewelry is not a criterion for trade adjustment assistance for workers of Speidel.

Conclusion

After review of the application and the investigative file, I conclude that there has been no error or misinterpretation of the law which would justify reconsideration of the Department of Labor's prior decision. The application is, therefore, denied.

Signed at Washington, D.C., this 19th day of April 1982.

Robert S. Kenyon,

Deputy Director, Office of Program Management, Unemployment Insurance Service.

[FR Doc. 82-11431 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

Signed at Washington, D.C., this 8th day of April 1982.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 82-11432 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-82-33-C]

AMAX Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

AMAX Coal Company, 105 South Meridian Street, P.O. Box 967, Indianapolis, Indiana 46206 has filed a petition to modify the application of 30 CFR 77.410 (mobile equipment; automatic warning devices) to the following mines:

- Ayrshire (I.D. No. 12-01031) and Wright (I.D. No. 12-00335) Mines located in Warrick County, Indiana;
- Chinook Mine (I.D. No. 12-00322) located in Vigo and Clay Counties, Indiana;
- Minnehaha Mine (I.D. No. 12-00332) located in Sullivan County, Indiana;
- Delta Mine (I.D. No. 11-00625) located in Saline and Williamson Counties, Illinois;
- Leahy Mine (I.D. No. 11-01526) located in Perry County, Illinois;
- Sunspot Mine (I.D. No. 11-00591) located in Schyler and Fulton Counties, Illinois;
- Belle Ayr (I.D. No. 48-00732) and Eagle Butte (I.D. No. 48-01078) Mines, located in Campbell County, Wyoming.

The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

- The petition concerns the requirement that all trucks in operation be provided with an automatic backup bell or other warning device.
- Petitioner states that application of the standard to light duty pickup trucks would result in a diminution of safety because the backup alarm would automatically engage during every backup maneuver, whether miners were present or not. This would contribute to overuse and result in a reduction of safety consciousness. Use of backup alarms would also result in a confusion about the presence of large pieces of mobile equipment presently equipped with such automatic devices.
- As an alternative method, petitioner proposes that light duty pickup trucks be provided with warning horns that can be used prior to and/or during backing. The use of horns would at all times provide

no less than the same measure of protection to the miners affected as that afforded by the standard.

4. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 16, 1982.

Patricia W. Silvey,

Acting Director, Office of Standards, Regulations and Variances.

[FR Doc. 82-11434 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-82-37-C]

Beckley Lick Run Co.; Petition for Modification of Application of Mandatory Safety Standard

Beckley Lick Run Company, P.O. Box 272, Mount Hope, WV 25880 has filed a petition to modify the application of 30 CFR 75.326 (aircourses and belt haulage entries) to its Bonny Mine (I.D. No. 46-04388) located in Raleigh County, West Virginia. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

- The petition concerns the requirement that entries used as intake and return aircourses be separated from belt haulage entries.
- The Bonny Mine is located in the Beckley coalbed and the liberation of large quantities of methane is expected.
- As an alternative method, petitioner proposes to use belt and track haulage entries for ventilation. This will provide additional intake entries on the long wall panels and provide additional air available to the working places during development. In support of this proposed alternative, petitioner states that:
 - An automatic fire detection system and sensors will be installed at specified locations on the belt conveyor, which will give early warning automatically should a fire occur in the belt and track entry and provide both an audible and visual signal;
 - The automatic fire detection system will be calibrated to activate warning signals should carbon monoxide

[TA-W-12,424]

West New York Sportswear, West New York, N.J.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on March 16, 1981 in response to a petition received on March 9, 1981 which was filed by the International Ladies' Garment Workers Union on behalf of workers at West New York Sportswear, West New York, New Jersey. Workers at West New York Sportswear produce ladies' coats.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case could serve no purpose; and the investigation has been terminated.

concentration reach 10 ppm above ambient;

c. All persons, except those needed to investigate and take corrective action, will be immediately withdrawn to a safe area in the event of a fire;

d. Construction of the stoppings separating the belt-haulage entry from the intake escapeway will be of concrete blocks, cinder blocks, brick or tile with mortared joints; and

e. All necessary safety precautions and procedures will be followed in accordance with applicable standards.

4. Petitioner states that the proposed alternative method will provide the same degree of safety for the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 16, 1982.

Patricia W. Silvey,
*Acting Director, Office of Standards,
Regulations and Variances.*

[FR Doc. 82-11435 Filed 4-29-82; 8:45 am]
BILLING CODE 4510-43-M

[Docket No. M-82-32-C]

Cimarron Coal Corp.; Petition for Modification of Application of Mandatory Safety Standard

Cimarron Coal Corporation, P.O. Box 89, Madisonville, Kentucky 42431 has filed a petition to modify the application of 30 CFR 75.803 (fail safe ground check circuits on high voltage resistance grounded systems) to its mine (I.D. No. 15-02013) located in Hopkins County, Kentucky. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that resistance grounded systems include a fail safe ground check circuit to monitor continuously the grounding circuit to assure continuity.

2. A 7200 volt three phase overland circuit supplies power to the mine's dragline. This circuit consists of 11,400 feet of 3 phase conductors of 336 ACSR 18 over 1 and a 3/0 ASCR neutral with a #4 ASCR monitor wire. 2,400 feet of this

circuit is underbuilt on poles supplying 69KV primary to the substation.

3. Petitioner states that induced voltages from the 69 KV primary and the 11,400 foot length of the 7200V secondary cause false tripping of the power to the dragline thereby removing all control of the machine, which poses a danger to nearby personnel.

4. As an alternative to monitoring the line, petitioner proposes that:

a. The line, which is very close to the main haul road, will be in constant view of mine personnel;

b. An oil circuit breaker and ground check monitor will be placed on the trail cable at the end of the overland circuit;

c. In addition to the existing ground facilities on every pole, petitioner will install a ground field bed consisting of 9 bore holes on a 12 foot square pattern with grounding rods interconnected with 4/0 copper wire, which will provide a safe ground path back to the substation should a failure occur in the 3/0 neutral conductor.

5. Petitioner states that the proposed alternative method will provide the same degree of safety for the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 16, 1982.

Patricia W. Silvey,
*Acting Director, Office of Standards,
Regulations and Variances.*

[FR Doc. 82-11436 Filed 4-26-82; 8:45 am]
BILLING CODE 4510-43-M

[Docket No. M-82-12-M]

Gold Bond Building Products; Petition for Modification of Application of Mandatory Safety Standard

Gold Bond Building Products, P.O. Box 250, Shoals, Indiana 47581 has filed a petition to modify the application of 30 CFR 57.4-61A (ventilation doors) to its Shoals Mine (I.D. No. 12-00429) located in Martin County, Indiana. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that ventilation doors be installed at or near shaft stations of intake shafts and at any shaft designated as an escapeway under 30 CFR 57.11-53, or at other locations which provide equivalent protection, to prevent the spread of smoke or gas in the event of a fire.

2. The Shoals Mine is a single-level mine with normal access through a 17 degree slope from the surface to the mine level. There are several openings into the mine proper at the base of this slope. The slope contains a belt conveyor, a person/supply track and car hoist system and power, communication, and water lines.

3. There is an emergency hoist mechanism in a vertical air shaft located about one mile from the slope. This air shaft is an intake shaft and is equipped with a reversible, surface mounted ventilation fan. The surface electrical power supply for this fan is not connected to or part of the mine electrical system. Normal air distribution has fresh air forced down the vertical shaft by the fan. Air flow through the working areas is controlled by a brattice system and the air discharges up the main slope. The maintenance shop is located adjacent to the bottom of the slope in the exhaust air flow. All miners can reach either the bottom of the slope or the bottom of the emergency exist/air shaft within 15 minutes of sounding the alarm.

4. Petitioner states that the system outlined above provides the miners with maximum protection against the spreading of smoke or gas in the event of a fire. Installation of ventilation doors would preclude controlling air flow and diminish the safety of the miners.

5. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 15, 1982.

Patricia W. Silvey,
*Acting Director, Office of Standards,
Regulations and Variances.*

[FR Doc. 82-11437 Filed 4-26-82; 8:45 am]
BILLING CODE 4510-43-M

[Docket No. M-82-13-M]

Homestake Mining Co.; Petition for Modification of Application of Mandatory Safety Standard

Homestake Mining Company, P.O. Box 875, Lead, South Dakota 57754 has filed a petition to modify the application of 30 CFR 57.4-27 (fire extinguishers on self-propelled mobile equipment) to its

Homestake Mine (I.D. No. 39-00055) located in Lawrence County, South Dakota. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that self-propelled mobile equipment be equipped with a suitable fire extinguisher readily accessible to the equipment operator.
2. Petitioner states that installation of fire extinguishers on the mine's battery-powered locomotive results in a diminution of safety because space is extremely limited in the locomotive cab and there have been several reported incidents of accidental discharge of the extinguisher into the equipment operator's eyes. Equipment vibration also causes the dry chemical in the extinguisher to settle and cake in the bottom of the unit, rendering it inoperable.
3. Petitioner further states that the only combustible material on the locomotives is the insulation on the cables that lead from the battery cells to the resistor grids, and the plastic jars containing the battery cells. Petitioner believes that the extinguisher would be of little help in putting out such a fire because the equipment must be flooded with water.
4. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 16, 1982.

Patricia W. Silvey,
*Acting Director, Office of Standards,
Regulations and Variances.*

[FR Doc. 82-11438 Filed 4-26-82; 8:45 am]
BILLING CODE 4510-43-M

[Docket No. M-82-28-C]

Preece Enterprises, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Preece Enterprises, Inc., Route 2, Box 5, Turkey Creek, Kentucky 41570 has filed a petition to modify the application of 30 CFR 75.1710 (cabs and canopies) to its No. 9 Mine (I.D. No. 15-12472) located in Pike County, Kentucky. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that cabs or canopies be installed on the

mine's haulage equipment and roof bolting machine.

2. The coal seam ranges from 39 to 50 inches in height with ascending and descending grades creating dips in the coal bed.

3. Petitioner states that installation of cabs or canopies on the haulage equipment or roof bolting machine would result in a diminution of safety for the miners affected because the canopies can strike the roof and dislodge the roof support system. Installing the cabs in such a manner to prevent them from striking the roof causes a cramped operating compartment and hampers the equipment operator's visibility, increasing the chances of an accident.

4. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 16, 1982.

Patricia W. Silvey,
*Acting Director, Office of Standards,
Regulations and Variances*

[FR Doc. 82-11439 Filed 4-26-82; 8:45 am]
BILLING CODE 4510-43-M

[Docket No. M-82-27-C]

Quality Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Quality Coal Company, Box 928, Whitesburg, Kentucky 41858 has filed a petition to modify the application of 30 CFR 75.1710 (cabs and canopies) to its Mine No. 6 (I.D. No. 15-07154) located in Letcher County, Kentucky. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that cabs or canopies be installed on the mine's electric face equipment.
2. Petitioner states that installation of cabs or canopies on the mine's electric face equipment would result in a diminution of safety for the miners affected because the coalbed height is such that a canopy would reduce the equipment operator's visibility, increasing the chances of an accident. In addition, the canopy could strike and dislodge roof supports because of the uneven top and bottom conditions, creating the danger of a roof fall.
3. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 10, 1982.

Patricia W. Silvey,
*Acting Director, Office of Standards,
Regulations and Variances*

[FR Doc. 82-11440 Filed 4-26-82; 8:45 am]
BILLING CODE 4510-43-M

[Docket No. M-82-9-C]

Rock-Bull, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Rock-Bull, Inc., Post Office Box 234, Reedsville, West Virginia 26547 has filed a petition to modify the application of 30 CFR 75.1710 (cabs or canopies) to its Rock-Bull Mine (I.D. No. 46-05964) located in Preston County, West Virginia. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statement follows:

1. The petition concerns the requirement that cabs or canopies be installed on the mine's electric face equipment.
2. The Upper Freeport coal seam ranges between 42 and 60 inches in height from the roof to pavement, with undulating top and bottom conditions. The height is reduced 2 1/4 inches if measured from the roof bolts and 5 inches from the crossbar roof supports to the pavement.
3. Petitioner states that installation of cabs or canopies on the mine's electric face equipment would result in a diminution of safety for the miners affected because the equipment operator's visibility is hampered, increasing the chances of an accident. In addition, the cramped operator compartment causes operator fatigue, which also contributes to accident potential.
4. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May

27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 16, 1982.

Patricia W. Silvey,

Acting Director, Office of Standards,
Regulations and Variances.

[FR Doc. 82-11441 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-82-11-M]

UNC Mining and Milling; Petition for Modification of Application of Mandatory Safety Standard

UNC Mining and Milling, P.O. Drawer QQ, Gallup, New Mexico 87301 has filed a petition to modify the application of 30 CFR 57.19-39(2) (personnel hoists; requirements) to its Old Churchrock Mine (I.D. No. 29-01726) located in McKinley County, New Mexico. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. Petitioner seeks a modification of the standard as it relates to the rope/drum/sheave diameter ratio for the No. 2 shaft hoist.

2. The No. 2 shaft is six feet in diameter and 800 feet deep, equipped with a single conveyance with no counter balance. It is used for materials, an emergency escapeway and exhaust ventilation. The hoist is double drum and double clutch, powered by a 350 hp, 2300 volt, AC motor. The drum diameter is 60 inches with 8-inch flange height, left lay 1-inch diameter wire rope, and the head sheave diameter is 60 inches.

3. Petitioner seeks to use this hoist to raise and lower employees. Petitioner states that if a 7/8 inch diameter rope were used on the hoist, it would be in compliance. Petitioner proposes to use the 1-inch diameter rope because it has greater strength and the safety factor is greater. The larger rope is needed when equipment is hoisted, sometimes up to 12 tons.

4. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before May 27, 1982. Copies of the petition are available for inspection at that address.

Dated: April 16, 1982.

Patricia W. Silvey,

Acting Director, Office of Standards,
Regulations and Variances.

[FR Doc. 82-11442 Filed 4-26-82; 8:45 am]

BILLING CODE 4510-43-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Humanities Panel; Meetings

AGENCY: National Endowment for the Humanities.

ACTION: Notice of Meetings.

SUMMARY: Pursuant to the provision of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that the following meeting of the Humanities Panel will be held at 806 15th Street, N.W., Washington, D.C. 20506:

Date: May 24-25, 1982

Time: 9:00 a.m. to 5:30 p.m.

Room: 1023

Program: This meeting will review applications submitted for Pilot Grants, Division of Education, for projects beginning after September 15, 1982

Date: May 27-28, 1982

Time: 9:00 a.m. to 5:30 p.m.

Room: 1023

Program: This meeting will review applications submitted for Pilot Grants, Division of Education, for projects beginning after September 15, 1982

The proposed meetings are for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. Because the proposed meetings will consider information that is likely to disclose:

(1) Trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(2) Information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and

(3) Information the disclosure of which would significantly frustrate implementation of proposed agency action;

pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that these meetings will be closed to the public pursuant to subsections (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Further information about these meetings can be obtained from Mr. Stephen J. McCleary, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, D.C. 20506, or call (202) 724-0367.

Stephen J. McCleary,

Advisory Committee, Management Officer.

[FR Doc. 82-11396 Filed 4-26-82; 8:45 am]

BILLING CODE 7356-01-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Information Science and Technology; Meeting

In accordance with the Federal Advisory Act, Public Law 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Advisory Committee for Information Science & Technology

Date and time: Thursday, May 13, 1982, 9:00 a.m. to 4:30 p.m. Friday, May 14, 1982, 9:00 a.m. to 12 noon

Place: Room 1141, National Science Foundation, 1800 G Street, NW, Washington, D.C. 20550

Type of meeting: Part Open—Open May 13—9:00 a.m.—10:45 a.m.—Closed May 13—10:45 a.m.—4:30 p.m.—Closed May 14—9:00 a.m.—12 noon

Contact person: Mrs. Darcey Higgins, Room 1136, National Science Foundation, Washington, DC 20550. Telephone: 202/357-9572. Persons planning to attend should notify Mrs. Higgins by May 5, 1982

Summary minutes: May be obtained from the Contract Person at the above address
Purpose of committee: To provide advice, recommendations, and oversight concerning support for activities related to the Foundation's program in information science and technology

Agenda

Open—May 13, 1982

9:00 a.m.—9:15 a.m.—Introduction and Status of Working Group Reports—Mr. Joe B. Wyatt, Chairman

9:15 a.m.—9:45—Welcoming Remarks—Dr. John B. Slaughter, Director, NSF

9:45 a.m.—10:15 a.m.—Research in Computer Science and Computer Linguistics—Dr. Jack T. Sanderson, Assistant Director for Engineering, NSF

10:15 a.m.—10:30 a.m.—Break

10:30 a.m.—10:45 a.m.—Discussion of Core Issues in Information Impact Research—Dr. Charles N. Brownstein, Program Director, Information Impact Program, IST/NSF

Closed—May 13, 1982

10:45 a.m.—12 noon—Identification and Discussion of Potential Candidates for Division Director, IST—Dr. Eloise E. Clark, Assistant Director for Biological, Behavioral, and Social Sciences, NSF
12 noon—1:00 p.m.—Lunch

1:00 p.m.—4:30 p.m.—Review and comparison of declined proposals (and supporting documentation) with the successful awards under the Division of Information Science and Technology, including review of peer review materials and other privileged material

Closed—May 14, 1982

9:00 a.m.—12 noon—Continuation of oversight from previous day

Reasons for closing: The portion of the meeting dealing with the discussion of potential candidates for the position of Division Director, IST, is being closed under exemption 6 of the Government in the Sunshine Act (the disclosure of information of a personal nature where disclosure would constitute unwarranted invasion of personal privacy). The oversight portion of the meeting will deal with a review of grants and declinations in which the Committee will review materials containing the names of applicant institutions and principal investigators and privileged information contained in declined proposals. This meeting will also include a review of peer review documentation pertaining to applicants. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), the Government in the Sunshine Act

Authority to close meeting: This determination was made by the Director, NSF, pursuant to provisions of Section 10(d) of Pub. L. 92-463

Dated: April 22, 1982.

M. Rebecca Winkler,
Committee Management, Coordinator.

FR Doc. 82-11413 Filed 4-26-82; 8:45 am

BILLING CODE 7555-01-M

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

Privacy Act of 1974; System of Records

AGENCY: Navajo and Hopi Indian Relocation Commission.

ACTION: Notice of system of records.

SUMMARY: The Commission is issuing the annual notice of categories of records in its system and of routine uses of records maintained in the system. The intended purpose of this notice is to fulfill the notice requirements of the Privacy Act of 1974.

EFFECTIVE DATE: April 27, 1982.

FOR FURTHER INFORMATION CONTACT: Paul M. Tessler, CFR Liaison Officer, Navajo and Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, AZ 86002. Telephone No.: (602) 779-3311, ext. 1376 FTS: 261-1376.

The principal author is William G. Lavell, General Counsel, Navajo and Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, AZ 86002. Telephone No.: (602) 779-3311, extension 1376 FTS: 261-1376.

SYSTEM NAME:

Navajo and Hopi Relocation Commission Records System.

SYSTEM LOCATION:

Navajo and Hopi Indian Relocation Commission, 2717 N. Steves Boulevard, Building A, Flagstaff, AZ 86001.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

(1) Those members of the Navajo Tribe residing in that portion of the Joint Use Area of Arizona which has been partitioned to the Hopi Tribe.

(2) Those members of the Hopi Tribe residing in that portion of the Joint Use Area of Arizona which has been partitioned to the Navajo Tribe.

(3) Persons who apply to the Commission for relocation benefits.

(4) Persons who apply to the Commission for Life Estate leases.

CATEGORIES OF RECORDS IN THE SYSTEM:

(1) Relocation Applications,

(2) Census Information,

(3) Inventories of livestock and property improvements,

(4) Appraisal of Improvements, and

(5) Life Estate Applications

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

25 U.S.C. 640(d), 25 U.S.C. 361, et. seq.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary use of the records are to determine: (a) those individuals who are entitled to relocation benefits, (b) the amount of benefits to which individuals are entitled, (c) where relocations may occur, and (d) those individuals who are eligible for Life Estate Leases and the location of such Life Estate Lease parcels. Disclosures outside the Navajo and Hopi Indian Relocation Commission may be made to: (a) Tribal Governments for use in adjudicating disputes and in determining the configuration of Life Estate Lease parcels, (b) to United States Courts concerned with the partition of the Joint Use Area, (c) to the Department of Justice when related to litigation or contemplated litigation, (d) to appropriate Federal, State, Local, or Foreign Agency responsible for investigating or prosecuting violations or for enforcing or implementing a statute, rule, regulation, order, or license of information indicating a violation or potential violation of a statute, regulation, rule, order, or license, (e) reports to the United States Congress, and (f) publication of rosters to assist potential relocatees in determining their application and eligibility status.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual: letter files.

RETRIEVABILITY:

Indexed by name of individual, retrieved by manual search.

SAFEGUARDS:

In accordance with 43 CFR 2.51.

RETENTION AND DISPOSAL:

Records will be disposed of when the Commission is discharged pursuant to 25 U.S.C. 640 d-11(j).

SYSTEM MANAGER (S) AND ADDRESS:

Executive Director, Navajo and Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, AZ 86002.

NOTIFICATION PROCEDURE:

To determine whether records in this system are maintained on an individual, the individual must contact the System Manager.

RECORD ACCESS PROCEDURES:

For access to individual's records, the individual must contact the System Manager and describe as specifically as possible the records sought and, if copies are desired, indicate the maximum copy fee the individual is willing to pay.

CONTESTING RECORD PROCEDURES:

A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

RECORD SOURCE CATEGORIES:

Information is obtained from:

- (1) Information obtained from individuals who apply for relocation benefits and/or for Life Estate leases.
- (2) Information obtained from other United States governmental agencies concerning individuals who may or may not be entitled to relocation benefits.
- (3) Information obtained from surveys taken on the Joint Use Area.
- (4) Information obtained from the Navajo tribe or the Hopi Tribe concerning its members entitled to relocation benefits.
- (5) Information obtained from Chapter Officials of the Navajo Tribe concerning members of their chapter who may be entitled to relocation benefits.

Hawley Atkinson,
Chairman, Navajo and Hopi Indian Relocation Commission.

FR Doc. 82-11423 Filed 4-26-82; 8:45 am

BILLING CODE 6820-BB-M

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service; Positions Placed or Revoked Under Schedules A, B, and C

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: This gives notice of positions placed or revoked under Schedules A, B, and C in the excepted service, as required by Civil Service Rule VI, Exceptions from the Competitive Service.

FOR FURTHER INFORMATION CONTACT: William Bohling, 202-632-6000.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management published a notice updating appointing authorities established or revoked under the Excepted Service provisions of 5 CFR Part 213 on March 23, 1982 (47 FR 12405). Individual authorities established or revoked under Schedules A, B, or C between February 1, 1982 and March 31, 1982 appear in a listing below. Also listed are some Schedule C actions which inadvertently were not published in the last notice. Future notices will be published on the fourth Tuesday of each month. A consolidated listing of all authorities will be published as of June 30 of each year.

Schedule A

The following exception is established:

In the Department of the Air Force, up to 15 positions of Criminal Investigators/Polygraph Examiners, GS-11 through GS-14, in the Air Force Office of Special Investigations, Polygraph Office, duty location nationwide, which will provide high level polygraph security screening for a highly classified, sensitive and compartmented special access program concerned with national defense activities and materials, for employment not to exceed April 30, 1987. Effective March 27, 1982.

The following exceptions are revoked:

In Veterans Administration, up to twenty positions at grades GS-13/15 in the VA Administrative Scholars Programs; revoked effective March 1, 1982, because the authority is no longer needed.

In the Federal Deposit Insurance Corporation, one Chief Clerk in the San Juan, P.R., office; revoked effective March 16, 1982, because the position has been abolished.

In the Securities and Exchange Commission, positions at grades GS-13/15, when filled by persons selected under the SEC Management Fellows

Program; revoked effective March 16, 1982, because the authority is no longer needed.

In the Department of the Interior, Office of Territories, one position of Clerk of the High Court of American Samoa; revoked effective March 29, 1982, because the authority is no longer needed.

In the Department of the Interior, Bureau of Indian Affairs, Housekeeper positions at a gross salary not in excess of the entrance rate of grade GS-4 or its equivalent; revoked effective March 29, 1982, because the authority is no longer needed.

In the Department of the Interior, Bureau of Indian Affairs, Assistants in Alaska native schools (not including teachers and instructors) at a salary rate not in excess of that of GS-4 or its equivalent where the schools are in isolated or remote areas or lack suitable quarters; revoked effective March 29, 1982, because the authority for the positions are no longer needed.

In the Department of Commerce, employment of individuals, firms, or corporations for special statistical studies and compilations; revoked effective March 30, 1982, because the authority is no longer needed.

In the Department of Commerce, Office of the Secretary, one Civil Aviation Specialist; revoked effective March 30, 1982, because the authority is obsolete.

In the Department of Commerce, Office of the Secretary, one Advisor on Equal Employment Opportunity; revoked effective March 30, 1982, because the authority is obsolete.

In the Department of Commerce, Bureau of the Census, positions of Data Transcribers involved in prelist operations for the 1980 decennial census, located in processing centers at Laguna Niguel, California, and New Orleans, Louisiana; revoked effective March 30, 1982, because the authority is obsolete.

In the Department of Commerce, National Oceanic and Atmospheric Administration, Cook positions on Swan Island; revoked effective March 30, 1982, because the positions no longer exist.

In the National Aeronautics and Space Administration, ten Medical Officers for employment of third year medical residents in the field of aerospace medicine; revoked effective January 20, 1982, because the authority is no longer needed.

Schedule B

The following exceptions are revoked:

In the Department of Commerce, Bureau of the Census, positions of Interviewers, Supervisors, and Data

Collection Specialists who conduct interviews in hard-core poverty areas of large cities; revoked effective March 30, 1982, because the authority is no longer needed.

In the Department of Commerce, Economic Development Administration, four Area Supervisors; revoked effective March 30, 1982, because the authority is obsolete.

In the Department of Commerce, Economic Development Administration, four Assistant Area Supervisors; revoked effective March 30, 1982, because the authority is obsolete.

In the International Communication Agency, persons formerly employed abroad in the Foreign Service of the United States or as Binational Center Grantees in executive, administrative and professional positions; revoked effective March 10, 1982, because the authority is no longer needed.

Schedule C

The following exceptions are established:

In the Department of the Army, Office of the Secretary, one Staff Advisor in the White House Support Group. Effective February 10, 1982.

In the Department of Agriculture, one Member, Board of Directors, in the Federal Crop Insurance Corporation. Effective February 20, 1982.

In the Department of Commerce, Office of International Trade Administration, one Special Assistant to the Deputy Assistant Secretary for Export Administration. Effective February 8, 1982.

In the Department of Commerce, one Confidential Assistant to the Director, Minority Business Development Agency. Effective February 10, 1982.

In the Department of Commerce, Office of International Trade Administration, one Confidential Assistant to the Assistant Secretary. Effective February 10, 1982.

In the Department of Commerce, one Private Secretary to the Deputy Under Secretary for Travel and Tourism. Effective February 10, 1982.

In the Department of Commerce, Office of the Secretary, one Confidential Assistant to the Special Assistant. Effective February 19, 1982.

In the Consumer Product Safety Commission, Office of Public Affairs, one Supervisory Public Affairs Specialist. Effective February 2, 1982.

In the Department of Defense, Office of International Security Policy, one Special Assistant to the Assistant Secretary of Defense. Effective February 2, 1982.

In the Department of Education, Office of the Secretary, one Special Assistant to the Secretary. Effective February 2, 1982.

In the Department of Education, Office of Management, one Confidential Assistant to the Deputy Under Secretary for Management. Effective February 22, 1982.

In the Department of Energy, Office of the Federal Energy Regulatory Commission, one Confidential Assistant (Secretary) to the General Counsel. Effective February 8, 1982.

In the Environmental Protection Agency, Office of the Regional Administrator, one Special Assistant to the Regional Administrator in Denver, Colorado. Effective February 18, 1982.

In the Federal Trade Commission, Office of the Commissioner, one Assistant to the Commissioner. Effective February 2, 1982.

In the Federal Trade Commission, Office of Congressional Relations, one Director. Effective February 16, 1982.

In the Department of Health and Human Services, one Confidential Assistant to the Executive Assistant to the Secretary. Effective February 1, 1982.

In the Department of Health and Human Services, Office of the Under Secretary, one Confidential Assistant to the Regional Director. Effective February 19, 1982.

In the Department of Housing and Urban Development, Office of the Secretary, one Staff Assistant to the Secretary. Effective February 2, 1982.

In the Department of Housing and Urban Development, Office of Public Affairs, one Deputy Assistant to the Secretary for Public Affairs. Effective February 8, 1982.

In the Department of Housing and Urban Development, Office of the Secretary, one Special Assistant to the Director, Office of Small and Disadvantaged Business Utilization. Effective February 2, 1982.

In the Department of Housing and Urban Development, one Special Assistant to the Regional Administrator. Effective February 10, 1982.

In the Department of Housing and Urban Development, Office of the Secretary, one Staff Assistant. Effective February 10, 1982.

In the Department of Housing and Urban Development, one Staff Assistant to the Assistant Secretary for Community Planning and Development. Effective February 10, 1982.

In the Department of Housing and Urban Development, Office of the Secretary, one Special Assistant to the Secretary for Labor Relations. Effective February 10, 1982.

In the Department of Housing and Urban Development, Office of the Regional Administrator, one Executive Director, Federal Regional Council in Atlanta, Georgia. Effective February 19, 1982.

In the Government Printing Office, Office of the Public Printer, one Staff Assistant to the Congressional Relations Officer. Effective February 19, 1982.

In the International Communications Agency, one Staff Assistant to the Director, Office of Academic Programs. Effective February 19, 1982.

In the Interstate Commerce Commission, one Staff Advisor (Transportation) in the Office of Governmental Affairs. Effective February 3, 1982.

In the Department of Justice, one Associate Director, Recruiting White House Personnel. Effective February 8, 1982.

In the Department of Labor, one Executive Assistant to the Assistant Secretary of Labor for Veterans' Employment. Effective February 10, 1982.

In the Department of State, one Staff Assistant to the Under Secretary of State for Management. Effective February 2, 1982.

In the Department of State, one Special Assistant to the Chairman, U.S. Section of the International Joint Commission. Effective February 2, 1982.

In the Department of State, Bureau of International Narcotics Matters, one Secretary (Stenography). Effective February 10, 1982.

In the Department of State, Office of the Congressional Relations Officer, one Congressional Relations Officer. Effective February 17, 1982.

In the Department of State, Office of Public Affairs and Consumer Participation, one Staff Assistant to the Director. Effective February 8, 1982.

In the Department of Transportation, one Special Assistant to the Chief of Staff for Policy. Effective February 16, 1982.

In the Department of Transportation, Office of Public Affairs, one Special Assistant to the Assistant Administrator. Effective February 19, 1982.

In the Department of the Treasury, Office of Revenue Sharing, one Staff Assistant to the Director. Effective February 19, 1982.

In the Department of the Treasury, Office of Revenue Sharing, one Staff Assistant to the Director. Effective February 4, 1982.

In the Department of the Treasury, one Staff Assistant to the Deputy Assistant Secretary (Administration). Effective February 5, 1982.

In the Department of the Treasury, one Director, Office of Business Affairs. Effective February 18, 1982.

In ACTION, one Deputy Assistant Director. Effective March 22, 1982.

In the Department of Agriculture, Soil Conservation Service, one Confidential Assistant to the Chief. Effective March 3, 1982.

In the Arms Control and Disarmament Agency, one Special Assistant for Public Affairs. Effective March 16, 1982.

In the Department of the Army, President's Foreign Intelligence Advisory Board, one Confidential Special Assistant. Effective March 8, 1982.

In the Department of Commerce, Office of the Secretary, one Confidential Assistant. Effective March 23, 1982.

In the Department of Commerce, Foreign Commercial Service, one Confidential Assistant to the Director. Effective March 16, 1982.

In the Department of Commerce, Office of Special Assistant to the Secretary, one Confidential Assistant. Effective March 18, 1982.

In the Department of Commerce, Office of Trade Information and Analysis, one Confidential Assistant to the Deputy Assistant Secretary. Effective March 31, 1982.

In the Department of Commerce, Office of Economic Development, one Special Assistant to the Deputy Assistant Secretary. Effective March 31, 1982.

In the Department of Defense, Office of Strategic and Theater Nuclear Forces Policy, one Principal Assistant to the Deputy Assistant Secretary. Effective March 31, 1982.

In the Department of Defense, Office of International Programs and Technology, one Special Assistant for Munitions Control. Effective March 1, 1982.

In the Department of Education, Office of Planning, Budget, and Evaluation, one Special Assistant to the Deputy Under Secretary. Effective March 29, 1982.

In the Department of Education, Office of Under Secretary, one Regional Representative (San Francisco). Effective March 22, 1982.

In the Department of Education, Office of Management, one Personal Assistant to the Deputy Under Secretary. Effective March 16, 1982.

In the Department of Education, Office of Management, one Confidential Assistant to the Deputy Under Secretary. Effective March 23, 1982.

In the Department of Energy, Energy Information Administration, one Staff

Assistant to the Administrator. Effective March 3, 1982.

In the Department of Energy, Office of Programs and Policies, one Research Assistant. Effective March 29, 1982.

In the Environmental Protection Agency, one Special Assistant to the Regional Administrator (Kansas City). Effective March 1, 1982.

In the Environmental Protection Agency, one Special Assistant to the Regional Administrator (San Francisco). Effective March 29, 1982.

In the Environmental Protection Agency, Office of Enforcement Counsel, one Confidential Assistant. Effective March 1, 1982.

In the Environmental Protection Agency, Office of Federal Activities, one Special Assistant for Regulatory Affairs. Effective March 23, 1982.

In the Environmental Protection Agency, Office of Solid Waste and Emergency Response, one Special Assistant to the Assistant Administrator. Effective March 1, 1982.

In the Environmental Protection Agency, Office of Solid Waste and Emergency Response, one Confidential Assistant to the Assistant Administrator. Effective March 1, 1982.

In the Executive Office of the President, Office of Administration, one Staff Assistant to the Director, Administrative Operations. Effective March 24, 1982.

In the Executive Office of the President, Office of Management and Budget, one Economist. Effective March 23, 1982.

In the Executive Office of the President, Office of Management and Budget, one Secretary (Stenography) to the Associate Director for Legislative Affairs. Effective March 1, 1982.

In the Executive Office of the President, Office of Management and Budget, one Secretary (Stenography) to the Assistant Director for Economics and Planning. Effective March 29, 1982.

In the Executive Office of the President, Office of Management and Budget, one Special Assistant to the Administrator, Office of Information and Regulatory Affairs. Effective March 1, 1982.

In the Federal Trade Commission, Office of Congressional Relations, one Deputy Director. Effective March 26, 1982.

In the Government Printing Office, Office of the Public Printer, one Staff Assistant to the Legislative Liaison Officer. Effective March 24, 1982.

In the Government Printing Office, Office of the Public Printer, one Secretary (Typing) to the Congressional Relations Officer. Effective March 29, 1982.

In the Government Printing Office, Office of the Public Printer, one Staff Assistant to the Legislative Liaison Officer. Effective March 29, 1982.

In the General Services Administration, Office of the Regional Administrator (Boston), one Confidential Assistant. Effective March 3, 1982.

In the Department of Health and Human Services, Office of Public Affairs, one Special Assistant to the Assistant Secretary. Effective March 23, 1982.

In the Department of Health and Human Services, Office of Legislation and Policy, one Confidential Assistant to the Director. Effective March 24, 1982.

In the Department of Health and Human Services, Office for Families, one Associate Commissioner. Effective March 12, 1982.

In the Department of Housing and Urban Development, Birmingham Area Office, one Special Assistant to the Regional Administrator. Effective March 31, 1982.

In the Department of Housing and Urban Development, Office of the Secretary, one Special Assistant. Effective March 19, 1982.

In the Department of Housing and Urban Development, Office of the Secretary, one Staff Assistant. Effective March 19, 1982.

In the Department of Housing and Urban Development, Office of the Regional Administrator (Fort Worth, Texas), one Executive Assistant. Effective March 23, 1982.

In the Department of Housing and Urban Development, Office of the Regional Administrator, (San Francisco) one Special Assistant. Effective March 18, 1982.

In the Department of Housing and Urban Development, Office of the Regional Administrator (Denver, Colorado), one Special Assistant. Effective March 1, 1982.

In the Department of Housing and Urban Development, Office of Community Planning and Development, one Special Assistant to the Assistant Secretary. Effective March 1, 1982.

In the Department of Housing and Urban Development, Office of Public Affairs, one Special Assistant to the Assistant to the Secretary. Effective March 1, 1982.

In the Department of Housing and Urban Development, Office of Housing, one Special Assistant to the Deputy Assistant Secretary for Policy and Budget. Effective March 3, 1982.

In the Department of Housing and Urban Development, Office of Public Affairs, one Special Assistant to the

Assistant to the Secretary. Effective March 2, 1982.

In the Department of Interior, National Park Service, one Special Assistant to the Director. Effective March 18, 1982.

In the Department of the Interior, Office of the Secretary, one Special Assistant. Effective March 31, 1982.

In the Department of the Interior, Fish and Wildlife Service, one Confidential Assistant to the Director. Effective March 31, 1982.

In the International Communications Agency, Office of International Visitors, one Director. Effective March 31, 1982.

In the Department of Justice, Immigration and Naturalization Service, one Special Assistant to the Commissioner. Effective March 31, 1982.

In the Department of Labor, Office of Legislation and Intergovernmental Relations, one Secretary (Typing). Effective March 16, 1982.

In the Department of Labor, Office of the Solicitor, one Secretary (Stenography). Effective March 31, 1982.

In the Department of the Navy, Office of Shipbuilding and Logistics, one Private Secretary to the Assistant Secretary. Effective March 29, 1982.

In the National Endowment for the Humanities, Office of the Chairman, two Special Assistants. Effective March 16, 1982.

In the National Endowment for the Humanities, Congressional Liaison Office, one Congressional Liaison Officer. Effective March 31, 1982.

In the Occupational Safety and Health Review Commission, Office of the Chairman, one Secretary to the Special Counsel. Effective March 29, 1982.

In the Department of State, Bureau of Human Rights and Humanitarian Affairs, one Special Adviser to the Assistant Secretary. Effective March 3, 1982.

In the Department of State, Office of Intergovernmental and Public Liaison, one Director. Effective March 8, 1982.

In the Department of State, Office of African Affairs, one Special Assistant to the Assistant Secretary. Effective March 17, 1982.

In the Department of State, Office of the Ambassador, one Alternate Representative. Effective March 24, 1982.

In the Department of State, Bureau of Human Rights and Humanitarian Affairs, one Public Affairs Adviser to the Assistant Secretary. Effective March 16, 1982.

In the Department of State, Office of the Special Advisor to the Secretary, one Secretary (Stenography). Effective March 19, 1982.

In the Department of State, Bureau of Consular Affairs, one Special Assistant to the Assistant Secretary. Effective March 8, 1982.

In the Department of Transportation, Federal Highway Administration, one Special Assistant to the Director, Office of Public Affairs and Consumer Participation. Effective March 18, 1982.

In the Department of Transportation, Office of the Regional Representative (Kansas City, Kansas), one Special Assistant. Effective March 19, 1982.

In the Department of Transportation, National Highway Traffic Safety Administration, one Special Assistant to the Administrator. Effective March 16, 1982.

In the Department of Transportation, Office of Small and Disadvantaged Business Utilization, one Special Assistant. Effective March 1, 1982.

In the Department of the Treasury, Customs Service, one Clerical Assistant to the Commissioner. Effective March 18, 1982.

In the Veterans Administration, one Confidential Assistant to the Assistant Deputy Administrator for Congressional Affairs. Effective March 3, 1982.

In Department of Health and Human Services, Office of the Secretary, one Special Assistant for Special Groups. Effective May 7, 1980.

In the Department of Health and Human Services, Office of the Secretary, one Confidential Assistant to the Deputy Executive Secretary. Effective May 7, 1980.

In the Department of Health and Human Services, Office of the Assistant Secretary for Health, one Confidential Assistant to the Assistant Secretary for Health and Surgeon General of the Public Health Service. Effective May 7, 1980.

In the Department of Health and Human Services, Office of the Assistant Secretary for Human Development, one Special Assistant (Hispanic) to the Assistant Secretary for Human Development Services. Effective May 7, 1980.

In the Commission on Civil Rights, one Confidential Assistant to the Vice Chairperson. Effective July 18, 1980.

In the Federal Labor Relations Authority, Office of the Chairman, one Executive Assistant to a Member. Effective June 5, 1980. The following exceptions are revoked:

In ACTION, Office of the Director, one Staff Assistant; revoked effective February 6, 1982, because the position no longer exists.

In ACTION, Office of Recruitment and Communications, one Assistant Director; revoked effective February 21,

1982, because the position no longer exists.

In the Department of Agriculture, Agriculture Marketing Service, one Confidential Assistant to the Administrator; revoked effective March 20, 1982, because the position no longer exists.

In the Department of Agriculture, Food and Nutrition Service, one Confidential Assistant to the Administrator; revoked effective February 28, 1982, because the position no longer exists.

In the Department of Agriculture, Office of the Secretary, one Confidential Assistant to the Secretary; revoked effective March 15, 1982, because the position no longer exists.

In the Commission on Civil Rights, Office of Congressional and Public Affairs, one Public Affairs Officer; revoked effective March 5, 1982, because the position no longer exists.

In the Department of Commerce, Office of the Secretary, one Confidential Assistant to the Secretary; revoked effective February 20, 1982, because the position no longer exists.

In the Department of Commerce, Office of the Secretary, one Executive Assistant to the Associate Deputy Secretary; revoked effective February 1, 1982, because the position no longer exists.

In the Department of Commerce, Office of Intergovernmental Affairs, one Deputy Director; revoked effective February 6, 1982, because the position no longer exists.

In the Department of Defense, Office of the Assistant Secretary of Defense (European and NATO Affairs), one Assistant; revoked effective March 21, 1982, because the position no longer exists.

In the Department of Defense, U.S. Court of Military Appeals, one Personal Confidential Assistant to the Judge; revoked effective February 15, 1982, because the position no longer exists.

In the Department of Defense, Office of the Deputy Under Secretary of Defense for Research and Engineering, one Private Secretary, revoked effective February 12, 1982, because the position no longer exists.

In the Department of Education, Office of Intergovernmental Affairs, one Special Assistant to the Deputy Under Secretary; revoked effective March 12, 1982, because the position no longer exists.

In the Department of Education, Office of Postsecondary Education, one Confidential Assistant to the Assistant Secretary; revoked effective March 19, 1982, because the position no longer exists.

In the Department of Energy, Office of the Deputy Secretary, one Confidential Assistant; revoked effective February 6, 1982, because the position no longer exists.

In the Department of Energy, Office of Programs and Policies, one Staff Assistant to the Special Assistant to the Secretary; revoked effective March 20, 1982, because the position no longer exists.

In the Department of Energy, Federal Energy Regulatory Commission, one Advisor to the Director; revoked effective February 6, 1982, because the position no longer exists.

In the Federal Emergency Management Agency, Office of the Associate Director, one Special Assistant; revoked effective February 12, 1982, because the position no longer exists.

In the Federal Home Loan Bank Board, Office of the Board Member, one Secretary (Stenography); revoked effective March 6, 1982, because the position no longer exists.

In the Federal Maritime Commission, Office of the Chairman, one Executive Assistant; revoked effective February 26, 1982, because the position no longer exists.

In the Department of Health and Human Services, Office of Civil Rights, one Confidential Secretary to the Director; revoked effective February 1, 1982, because the position no longer exists.

In the Department of Health and Human Services, Office of Public Affairs, one Special Assistant to the Director; revoked effective February 6, 1982, because the position no longer exists.

In the Department of Housing and Urban Development, Office of Housing, one Staff Assistant to the Assistant Secretary; revoked effective March 6, 1982, because the position no longer exists.

In the Department of Housing and Urban Development, Office of Housing, one Executive Assistant to the Assistant Secretary for Housing and Federal Homes; revoked effective March 12, 1982, because the position no longer exists.

In the Department of Housing and Urban Development, New Community Development Corporation, one Confidential Assistant to the General Manager; revoked effective February 12, 1982, because the position no longer exists.

In the Department of Housing and Urban Development, Office of the Secretary, one Public Information Specialist; revoked effective March 6,

1982, because the position no longer exists.

In the International Trade Commission, Office of the Commissioner, one Staff Assistant to the Commissioner; revoked effective February 19, 1982, because the position no longer exists.

In the Department of Justice, Office of the Director, one Associate Director to the Special Assistant to the President; revoked effective February 6, 1982, because the position no longer exists.

In the Department of Justice, U.S. Attorney's Office (Portland), one Secretary and Confidential Assistant to the U.S. Attorney; revoked effective February 22, 1982, because the position no longer exists.

In the Department of Justice, Office of the Attorney General, one Private Secretary to the Executive Assistant to the Attorney General; revoked effective March 6, 1982, because the position no longer exists.

In the Department of Justice, Office of the Attorney General, one Secretary (Stenography); revoked effective February 9, 1982, because the position no longer exists.

In the Department of Justice, Office of the Attorney General, one Special Assistant to the Attorney General; revoked effective March 6, 1982, because the position no longer exists.

In the Department of Labor, Office of the Secretary, one Special Assistant to the Director of the Women's Bureau; revoked effective February 20, 1982, because the position no longer exists.

In the National Credit Union Administration, Office of the Chairman, one Special Assistant; revoked effective February 19, 1982, because the position no longer exists.

In the National Endowment for the Arts, Office of the Deputy Chairman for Policies and Plans, one Policies and Plans Officer; revoked effective February 9, 1982, because the position no longer exists.

In the National Endowment for the Humanities, Office of the Assistant Chairman for Institutional Relations, one Interagency Liaison Officer; revoked effective February 1, 1982, because the position no longer exists.

In the Office of Administration, one Staff Assistant to the Director; revoked effective February 19, 1982, because the position no longer exists.

In the Small Business Administration, Office of Administration, one Special Assistant to the Deputy Administrator; revoked effective March 31, 1982, because the position no longer exists.

In the Department of State, Office of the Counselor, one Foreign Affairs

Officer for Protocol; revoked effective February 9, because the position no longer exists.

In the Department of State, Office of Human Rights and Humanitarian Affairs, one Secretary (stenography); revoked effective February 13, 1982 because the position no longer exists.

In the Department of State, Office of Management, one Staff Assistant to the Under Secretary; revoked effective March 13, 1982, because the position no longer exists.

In the Department of the Treasury, Office of the Executive Secretary, one Deputy Executive Secretary; revoked effective February 6, 1982, because the position no longer exists.

In the Department of the Treasury, the Office of the Secretary, one Staff Assistant to the Assistant Secretary for Administration; revoked effective March 20, 1982, because the position no longer exists.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954-1958 Comp., p. 218)

Office of Personnel Management.

Donald J. Devine,

Director.

[FR Doc. 82-11418 Filed 4-26-82; 8:45 am]

BILLING CODE 6325-01-M

PRESIDENT'S COMMISSION FOR THE STUDY OF ETHICAL PROBLEMS IN MEDICINE AND BIOMEDICAL AND BEHAVIORAL RESEARCH

Public Meeting

Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committees Act, that the twentieth meeting of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research will be held in the Conference Center of the One Washington Circle Hotel, One Washington Circle, N.W., Washington, D.C. from 9:00 a.m. to 5:30 p.m. on Friday, May 14, 1982 and from 8:30 a.m. to 3:00 p.m. on Saturday, May 15, 1982.

The meeting will be open to the public, subject to limitations of available space. The agenda will include, among other things, Commission discussion of partial draft reports on the ethical and legal implications of (1) the requirement of informed consent for health care, (2) genetic screening and counseling, and (3) difference in the availability of health services.

During Friday afternoon at approximately 1:15 p.m., fifteen minutes will be devoted to comments from the floor on the subject of any of the agenda items, limited to three minutes per

comment. Written suggestions and comments will be accepted for the record from those who are unable to speak because of the constraints of time and from those unable to attend the meeting.

Records shall be kept on all Commission proceedings and will be available for public inspection at the Commission office, located in Suite 555, 2000 K Street, N.W., Washington, D.C. 20006.

For further information, contact Andrew Burness, Public Information Officer, at (202) 653-8051.

Alexander M. Capron,

Executive Director,

[FR Doc. 82-11398 Filed 4-26-82; 8:45 am]

BILLING CODE 6820-AV-M

SECURITIES AND EXCHANGE COMMISSION

Cincinnati Stock Exchange; Application for Unlisted Trading Privileges and of Opportunity for Hearing

April 20, 1982.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of:

Anacomp Inc.

Common Stock, \$1 Par Value (File No. 7-6211)

This security is listed and registered on one or more other national securities exchanges and is reported on the consolidated transaction reporting system.

Interested persons are invited to submit on or before May 11, 1982 written data, views and arguments concerning the above-referenced application. Person desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-11403 Filed 4-26-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-18664; File No. SR-MSTC-82-6]

Midwest Securities Trust Co.; Self-Regulatory Organizations; Proposed Rule Change

Proposed Rule Change By Midwest Securities Trust Company Relating to disbursements of cash dividends and bond interest.

Comments requested on or before May 18, 1982.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(b)(1), notice is hereby given that on April 19, 1982, the Midwest Securities Trust Company filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Attached as Exhibit A is the MST System Administrative Bulletin dated April 2, 1982.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to make disbursements of cash dividends and bond interest on payable date rather than the current policy of payable date plus one. The new policy

will make funds available to MSTC Participants one day earlier and should improve the utilization of funds for MSTC Participants and/or their customers. Participants can continue to expect and will receive normal cash dividends and interest credited to their account on a specific date, thereby permitting our Participants the ability to accurately forecast their dividend and interest receipts and eliminate any uncertainty regarding cash flow and cash availability.

The change in payment policy is not applicable to stock dividends, stock splits, and foreign dividends which require conversions to U.S. Funds.

The proposed rule change is consistent with Section 17A of the Act in that the policy will facilitate the prompt disbursements of cash dividends to participants for securities held at MSTC for safekeeping.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Midwest Securities Trust Company does not believe that any burdens will be placed on competition as a result of the proposed rule change.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Comments have neither been solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and

all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before May 18, 1982.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: April 19, 1982.

George A. Fitzsimmons,
Secretary.

Exhibit A

MST System Administrative Bulletin

April 2, 1982.

To: All Participants.

Attention: Operations Manager/Head
Cashier/Dividend Manager.

Subject: Cash Dividend and Bond Interest
Payment Policy.

A new Policy for the disbursement of cash dividends and bond interest will be instituted by the Midwest Securities Trust Company and the Midwest Clearing Corporation. This new policy will provide cash dividend and bond interest funds to participants one day earlier and will improve participants' funds availability.

Effective with payable dates of April 7, 1982 and after, MCC/MSTC (pursuant to MCC Rule 11 and MSTC Rule 6) will disburse cash dividends and bond interest to participants on payable date. On April 7, 1982, participant activity statements will reflect credit for dividends and interest with a payable date of April 7, 1982. Also credited on April 7, 1982 will be those disbursements with an April 6, 1982 payable date (the payable date plus one previous policy). Beginning on April 7, 1982, participants with short value positions, pursuant to MCC Rule 11, will be charged for dividend and interest on payable date, while participants with long value positions will be credited on payable date.

Participants will continue to be advised in advance and will receive dividends and interest credited to their account (or debited) on a specified date (payable date), providing participants with the ability to accurately forecast their cash requirements.

The "Payable Date Plus One" reference will no longer appear on MST System dividend reports. Dividend and interest payments and collections will appear on the participant's Activity Report on payable date. For those payable dates which occur on a holiday, weekend or non-settlement date, the funds will be disbursed on the first business

day following the issuer's announced payable date.

This change in payment policy is not applicable to stock dividends, stock splits and those foreign dividends which require conversions to U.S. funds. Current MCC/MSTC procedures for these free and value positions will continue to be in effect for these types of distributions.

Questions regarding the MCC/MSTC dividend payment policy may be directed to your Participant Services Representative.

Gerald R. Broz,

Vice President, Midwest Clearing Corporation, Midwest Securities Trust Company.

[FR Doc. 82-11400 Filed 4-26-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-18650; File No. SR-NYSE-82-5]

New York Stock Exchange, Inc.; Self-Regulatory Organizations; Proposed Rule Change

Proposed Amendments to subsection (b) of Section 1 of Article IX of the Exchange Constitution (to limit, to 24, the number of physical access memberships), and subsection (b) of section 1 of Article X of the Exchange Constitution (to provide a formula for determining, from time to time, the amount of physical access membership dues). Comments requested on or before May 18, 1982.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, (the "Act"), 15 U.S.C. 78(s)(b)(1), notice is hereby given that on March 26, 1982, the New York Stock Exchange, Inc. filed with the Securities and Exchange Commission the proposed rule changes as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule changes from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Changes

The proposed rule changes consist of amendments to Article IX, Section 1(b) of the Exchange Constitution (to provide that the maximum number of physical access members not exceed 24), and to Article X, Section 1(b) of the Exchange Constitution (to provide that the annual physical access dues be based upon the average of bona fide lease prices during the preceding six months).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Changes

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule changes and discussed any comments it received on the proposed rule changes. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Changes

The purpose of the proposed Constitutional amendments is to fix the number of physical access members at a level not to exceed 24 and to base the annual physical access dues on the bona fide rentals stated in lease agreements executed by regular members.

Following the enactment of the 1975 Securities Acts Amendments the NYSE adopted several means to increase access beyond that provided through its equity memberships which were fixed in the Exchange Constitution at 1366. These methods were physical access memberships, electronic access memberships and authorizing the leasing of seats by equity members. Of these new methods, leasing has been the most utilized, while physical access memberships have generated limited demand and interest.

The Intermarket Trading System ("ITS") has increased access to the Exchange's market. ITS provides an electronic linkage of six national securities exchanges, and provides members on other exchange Floors direct electronic access to NYSE markets.

In view of the other available means of access, and the limited demand for physical access memberships, the proposed rule is designed to impose a maximum limit or "cap" of 24 on the number of physical access memberships available.

The annual physical access dues would be calculated based upon the average rentals stated in bona fide lease agreements entered into for the preceding six calendar months, plus the sum of \$1500, plus with respect to the first year of such membership only

\$5,000. The \$1,500 portion of the annual dues and the \$5,000 initiation fee are the same as those presently payable by equity members and leasees.

Statutory Basis for the Proposed Rule Changes. The proposed rule changes are consistent with the requirements of the Act and the rules and regulations thereunder applicable to the Exchange. In particular, they are consistent with Section 6(b)(2) of the Act requiring the Exchange rules to provide that any registered broker or dealer or natural person associated with a registered broker or dealer may become a member of such exchange; Section 6(b)(4) of the Act requiring that the rules of the Exchange provide for the equitable allocation of reasonable dues, fees and other charges among its members; Section 6(b)(5) of the Act requiring that the rules of the Exchange be designed to remove impediments to and perfect the mechanism of a free and open market and a national market system; and Section 6(b)(8) requiring that the rules of the Exchange not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule changes do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Access to the Exchange has been considerably broadened, particularly as a result of the expansion of ITS, which electronically links six national securities exchanges, including the NYSE, and thereby provides to members of other Exchanges a direct electronic access to the NYSE market. Moreover, the existence of an active market in leases for regular NYSE memberships has provided ready access to the NYSE and this form of memberships has been utilized to a much greater extent than physical access memberships. Similarly, electronic access membership has also been available and has been utilized to a greater degree than physical access membership. The continuing process of broadening the means of access to the Exchange's market would not be adversely affected in any way by the proposal to limit the number of physical access members to 24. Accordingly, the proposals would not result in any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

The Exchange has neither solicited nor received written comments on the proposed rule changes.

III. Date of Effectiveness of the Proposed Rule Changes and Timing for Commission Action

On or before June 1, 1982 (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

A. By order approve such proposed rule changes, or

B. Institute proceedings to determine whether the proposed rule changes should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule changes that are filed with the Commission, and all written communications relating to the proposed rule changes between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 "L" Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before May 18, 1982.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: April 15, 1982.

George A. Fitzsimmons,
Secretary.

FR Doc. 82-11401 Filed 4-28-82; 8:45 am
BILLING CODE 8010-01-M

[Release No. 34-18659; File No. SR-OCC-82-6]

Self-Regulatory Organizations; Proposed Rule Change by The Options Clearing Corp. Relating to the Full-Scale Implementation of OCC's Escrow Receipt Depository Program

Comments requested on or before May 18, 1982.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on February 24, 1982, The Options Clearing Corporation ("OCC") filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by OCC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Proposed Rule Change

The proposed rule change provides for full-scale implementation of OCC's Escrow Receipt Depository ("ERD") program, which is currently operating on a pilot basis. The ERD program is an automated system for processing escrow deposit activity. It eliminates the physical handling of escrow receipts and enables Clearing Members and participating banks to effect premium settlements in connection with escrow-related transactions through the facilities of OCC.

The proposed rule change consists of a form of Escrow Deposit Agreement between OCC and participating banks, a new Rule 613 providing for deposits, rollovers, withdrawals, and releases of escrow deposits pursuant to the ERD program, a new Rule 503 providing for premium settlements between Clearing Members and participating banks through the facilities of OCC, and various conforming changes in Rule 610. In addition, the proposed rule change would delete existing Rules 610(1) and 612(f), thereby permitting escrow deposits (in the case of calls) or deposited treasury bills (in the case of puts) covering assigned short positions to be left on deposit until the exercise settlement date.

II. Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, OCC included statements concerning the purpose of, and basis for, the proposed rule change. The text of these statements may be examined at the places specified below. OCC has

prepared summaries, set forth in Sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the ERD program is to reduce the amount of paperwork involved in the processing of escrow deposit activity; to provide improved controls for OCC, Clearing Members, and participating banks; to permit escrow-related premium settlements between Clearing Members and participating banks to be made through the facilities of OCC; and in general to reduce the costs associated with escrow deposit activity.

The purpose of the proposed deletion of Rules 610(1) and 612(f) is to eliminate requirements that have become obsolete. By permitting escrow deposits (in the case of calls) and deposited treasury bills (in the case of puts) covering assigned short positions to be left on deposit until the exercise settlement date, the proposed rule change avoids unnecessary "pop-up" margin requirements during the interim between the assignment date and the exercise settlement date.

The proposed rule change is consistent with the requirements of Section 17A(b)(3)(F) of the Securities Exchange Act of 1934 because it promotes the prompt and accurate clearance and settlement of options transactions by substantially reducing the paperwork associated with the processing of escrow deposit activity, by providing a more efficient system for premium settlements between Clearing Members and participating banks, and by eliminating unnecessary "pop-up" margin requirements.

(B) Burden on Competition

OCC does not believe that the proposed rule change will have any material impact on competition.

(C) Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments were not and are not intended to be solicited by OCC with respect to the proposed rule change, and none have been received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

On or before June 1, 1982 or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons

for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before May 18, 1982.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: April 16, 1982.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-11402 Filed 4-26-82; 8:45 am]

BILLING CODE 8010-01-M

Pacific Stock Exchange, Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

April 20, 1982.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

Cray Research, Inc.

Common Stock, \$1 Par Value (File No. 7-6209)

TIE/Communications, Inc.

Common Stock \$.05 Par Value (File No. 7-6210)

These securities are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before May 11, 1982 written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-11404 Filed 4-26-82; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 04/04-0118]

Affiliated Investment Fund, Ltd.; Filing of Application for Approval of Conflict of Interest Transaction

Notice is hereby given that Affiliated Investment Fund, Ltd. (Affiliated), 225 Shurfine Drive, College Park, Georgia 30337, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act), has filed an application with the Small Business Administration (SBA) pursuant to Section 312 of the Act and covered by § 107.1004 of SBA's Rules and Regulations governing Small Business Investment Companies (13 CFR 107.1004 (1982)) for approval of conflict of interest transaction falling within the scope of the above Section of the Act and Regulations.

Subject to such approval, Affiliated proposes to provide funds to Matthews Mid-Town Supermarkets, Inc. D/B/A Matthews Supermarkets, for the purpose of rebuilding Mr. Garland F. Pinholster's working capital in Matthews Supermarkets by refinancing a loan made in February 1976.

The amount of the proposed refinancing is \$50,000 new money plus the outstanding amount on the present loan, which is approximately \$36,000. The supermarket is located on E. Main Street, Highlands, North Carolina.

The proposed financing is brought within the purview of § 107.1004(b)(1) of the Regulations because Mr. Garland F. Pinholster is a member of the Board of Directors of Associated Grocers Co-Op, Inc., the sole shareholder of Affiliated, and therefore is considered an Associate of Affiliated as defined by § 107.3 of the Regulations.

Notice is hereby given that any interested person may, not later than May 7, 1982, submit written comments on the proposed transaction to the Acting Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 19, 1982.

Robert G. Lineberry,

Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-11472 Filed 4-26-82; 8:45 am]

BILLING CODE 8025-01-M

[Proposal No. 04/04-0213]

Dania Venture Corp.; Application for a License as a Small Business Investment Company

Notice is hereby given of the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the SBA Regulations (13 CFR 107.102 (1982)) by Dania Venture Corporation, 255 East Dania Beach Boulevard, Dania, Florida 33004 for a license to operate as a small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958 (the Act), as amended (15 U.S.C. 661 et seq.).

The proposed officers, directors and sole shareholder are:

Name and address	Title and relationship	Percent of ownership
Michael E. Chaney, 2341 S.W. 27th Terrace, Fort Lauderdale, Florida 33312.	President and Director.	
Manuel Alvarez, 351 S.W. 30th Road, Miami, Florida 33129.	Treasurer, Comptroller and Secretary.	
Andrew F. Toxey, 4320 N.E. 25th Ave., Fort Lauderdale, Florida 33308.	Director.....	
Martin L. Wynken, 1851 N.E. 59th Court, Fort Lauderdale, Florida 33308.	Director.....	
George L. Childs, Jr., 21 Edgewood Lane, Bronxville, New York 10708.	Director.....	
The Dania Bank, The Dania Bank Building, 255 East Dania Beach Boulevard, Dania, Florida 33004.	Parent Company	100

The major shareholders of The Dania Bank are Jose Joaquin Gonzales Gorrondona, Jr. (64.95%), Caracas, Venezuela and World Wide Financial Corporation (24.90%), Panama, de Panama.

The Applicant will begin operations with a capitalization of \$600,000 and will be a source of equity capital and long term loan funds for qualified small business concerns whose needs might not be met by traditional funding sources.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed major beneficial owner and management, and the probability of successful operations of the company under their management, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

Notice is further given that any person may, not later than May 12, 1982, submit written comments on the proposed SBIC to the Acting Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this Notice will be published in a newspaper of general circulation in Dania, Florida.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 21, 1982.

Robert G. Lineberry,
Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-11473 Filed 4-26-82; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0184]

**Grocers Capital Company, Inc.;
Application for Approval of Conflict of
Interest Transaction Between
Associates**

Notice is hereby given that Grocers Capital Company, Inc. (Grocers), 2601 S. Eastern Avenue, Los Angeles, California 90040, a Federal Licensee under the Small Business Investment Act of 1958, as amended, has filed an application with the Small Business Administration pursuant to § 107.1004 of the Regulations governing small business investment companies (13 CFR 107.1004 (1981)) for approval of a conflict of interest transaction.

Grocers propose to loan \$160,000 to Kaelin's Valley Center, Inc., 1435 E. Main Street, El Cajon, California 92021. The proceeds of the loan will be used to purchase equipment or inventory from

Grocers Equipment Company (G. E. C.) and/or Certified Grocers of California, Ltd. (Certified), Associates of the Licensee.

All of Grocers' stock is owned by subsidiaries of Certified, a retailer owned grocery cooperative. G. E. C., a subsidiary of Certified, is a 41 percent shareholder of Grocers and is defined as an Associate by § 107.3 of the SBA rules and regulations.

As a result, Grocers' financing to Kaelin's Valley Center, Inc. falls within the purview of §§ 107.3 and 107.1004(b)(5) of the SBA Regulations. Grocers' loan to Kaelin's Valley Center, Inc. require prior written approval of SBA.

Notice is hereby given that any person may not later than May 7, 1982, submit written comments to the Acting Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A similar Notice shall be published in a newspaper of general circulation in the El Cajon, California area.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 19, 1982.

Robert G. Lineberry,
Acting Deputy Associate Administrator for Investment.

[FR Doc. 82-11474 Filed 4-26-82; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 804]

**Participation of Private-Sector
Representatives on U.S. Delegations**

As announced in Public Notice No. 623 (43 FR 37783), August 24, 1978, the Department is submitting its March, 1982 list of U.S. accredited Delegations which included private-sector representatives.

Publication of this list is required by Article IV (c) (4) of the guidelines published in the Federal Register on August 24, 1978.

Dated: April 13, 1982.

John W. Kimball,
Director, Office of International Conferences.

United States Delegation to the United Nations Ad Hoc Intergovernmental Working Group on International Standards of Accounting, 6th Session, United Nations Economic and Social Council (ECOSOC), New York, March 29-April 9, 1982

Representative

Philip T. Lincoln, Jr., Deputy Director, Office of Investment Affairs, Bureau of Economic and Business Affairs, Department of State

Alternate Representative

Clarence G. Staubs, Chief Accountants Office, Securities and Exchange Commission

Private Sector Adviser

Richard D. Fitzgerald, Price Waterhouse, International, New York

United States Delegation to the Sixth Meeting of the Dangerous Goods Panel, International Civil Aviation Organization (ICAO), Montreal, March 24-April 7, 1982

Member

Edward A. Altemos, International Standards Coordinator, Office of Hazardous Materials Regulation, Materials Transportation Bureau, U.S. Department of Transportation

Adviser

Walter G. Greiner, Hazardous Materials Specialist, Technical and Cargo Security Division, Federal Aviation Administration, Department of Transportation

Private Sector Adviser

Frank J. Black, Manager, Cargo Services and Secretary of the Restricted Articles Board, Air Transport Association, Washington, D.C.

United States Delegation to the 46th Session of the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization (IMCO), London, March 29-April 2, 1982

Representative

Clyde T. Lusk, Jr., Rear Admiral, Chief, Office of Merchant Marine Safety, United States Coast Guard, Department of Transportation

Alternate Representative

Daniel F. Sheehan, Merchant Marine Technical Division, United States Coast Guard, Department of Transportation

Advisers

Timothy C. Healy, Lt., Merchant Vessel Inspection Division, United States Coast Guard, Department of Transportation
Ronald K. Kiss, Assistant Administrator for Shipbuilding and Operations, Maritime Administration, Department of Transportation
Gerard Yoest, International Affairs, United States Coast Guard, Department of Transportation

Private Sector Advisers

John F. Fay, Seafarers International Union of North America, Brooklyn, New York
William H. Hannan, American Bureau of Shipping, New York, New York
Donald C. Hintze, Captain, USCG (Ret.), National Ocean Industries Association, Washington, D.C.
Edward H. Middleton, Maritime Institute for Research and Industrial Development, Washington, D.C.

United States Delegation to the Working Parties 3 and 5 of Study Group VII, International Telecommunication Union (ITU), International Telephone and Telegraph Consultative Committee (CCITT), Melbourne, March 9-26, 1982

Representative

Thijs deHaas, National Telecommunications and Information Administration; Department of Commerce

Adviser

Harold Folts, National Communications System, Department of Defense

Private Sector Advisers

Jerrold Foley, Burroughs Corporation, Detroit, Michigan

Claude C. Kleckner, American Telephone & Telegraph Co., Basking Ridge, New Jersey
Christine S. Fynt Ware, General Telephone & Electronics, Vienna, Virginia

United States Delegation to the Committee on Commodity Problems, Intergovernmental Group on Oilseeds, Oils and Fats and its Statistical Subgroup, Food and Agriculture Organization (FAO), Rome, March 22-26, 1982

Representative

Philip L. Mackie, Oilseeds and Products Division, Foreign Agricultural Service, Department of Agriculture

Alternate Representative

Avram Guroff, Office of the FAO Affairs, U.S. Embassy, Rome

Private Sector Advisers

Carl Campbell, Special Product Representative, Cotton Council International, Washington, D.C.

Rhond Roth, Director, Regulatory Affairs, National Soybean Processors Association, Washington, D.C.

United States Delegation to the Fourth Special Meeting of the International Whaling Commission (IWC), Brighton (U.K.), March 24-25, 1982

Representative

The Honorable John V. Byrne, United States Commissioner-Designate, Administrator, National Oceanic and Atmospheric Administration, Department of Commerce

Alternate Representative

Thomas Garrett, Deputy United States Commissioner, Garrett, Wyoming

Advisers

Anne Crichton, Office of the Solicitor, Department of the Interior
Claudia D. Kendrew, Office of Oceans and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State

Barbara Moore, Special Assistant to the Administrator, National Oceanic and Atmospheric Administration, Department of Commerce

R. Tucker Scully, Director, Office of Oceans and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State

Dean Swanson, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce

Private Sector Advisers

Marie Adams, Alaska Eskimo Whaling Commission, Barrow, Alaska

Robert Eisenbud, Marine Mammal Commission, Washington, D.C.

Fran Lipscomb, Animal Welfare Institute, Washington, D.C.

United States Delegation to the Executive Board, International Coffee Organization, London, March 22-April 2, 1982

Representative

Rollinde Prager, Office of the U.S. Trade Representative, Executive Office of the President

Alternate Representative

Paul Pilkaukas, United States Embassy, London

Advisers

Ralph Ives, Office of International Resources, Department of Commerce

James Woolwine, Office of Tropical Products, Bureau of Economic and Business Affairs, Department of State

Private Sector Adviser

Marvin Schur, President, J. Aron and Company, New York

United States Delegation to the 24th Session of the Subcommittee on Radio Communications of the Intergovernmental Maritime Consultative Organization (IMCO), London, March 15-19, 1982

Representative

Marshall E. Gilbert, Captain, USCG, Chief, Telecommunications Management Division, United States Coast Guard, Department of Transportation

Alternate Representative

Richard L. Swanson, Telecommunications Management Division, United States Coast Guard, Department of Transportation

Advisers

Gordon F. Hempton, Private Radio Bureau, Federal Communications Commission

Robert C. McIntyre, Engineer, Federal Communications Commission

Thomas Walsh, National Telecommunications and Information Administration, Department of Commerce

Private Sector Advisers

Charles Dorian, Communications Satellite Corporation, Washington, D.C.

M. Harvey Strichartz, American Radio Association, AFL/CIO, New York, New York

David M. Wise, Gulf Trading and Transportation Company, Houston, Texas

United States Delegation to the Working Party on Facilitation of International Trade Procedures, Economic Commission for Europe (ECE), Geneva, March 15-19, 1982

Representative

Harold B. Handerson, Trade and Foreign Projects Division, Office of International Policy and Programs, Department of Transportation

Private Sector Adviser

Arthur E. Baylis, Executive Director, National Committee on International Trade Documentation, New York, New York

United States Delegation to the Steel Committee, Working Party, Organization for Economic Cooperation and Development (OECD), Paris, March 15-16, 1982

Representative

J. D. Darroch, Office of Basic Industries, Department of Commerce

Advisers

Jorge Perez Lopez, Bureau of International Labor Affairs, Department of Labor
Thomas F. O'Herron, Special Trade Activities Division, Bureau of Economic and Business Affairs, Department of State

Private Sector Advisers

Frank Fenton, Vice President, American Iron and Steel Institute, Washington, D.C.
Peter Mulloney, Vice President, U.S. Steel Corporation, Pittsburgh, Pennsylvania
William Pendelton, Director, Corporate Affairs, Carpenter Technology, Reading, Pennsylvania

Jack Sheehan, Director, Legislative Department, United Steelworkers of America, Washington, D.C.

United States Delegation to the Sixth Session of the Panel on Regulation of Air Transport Services of the International Civil Aviation Organization (ICAO), Montreal, March 8-19, 1982

Member

Joseph R. Chesen, International Air Transport Division, Civil Aeronautics Board

Adviser

S. Edward Robinson, Office of International Policies and Programs, Department of Transportation

Private Sector Adviser

Thomas V. Lydon, International Services, Air Transport Association of America, Washington, D.C.

United States Delegation to the 27th Session of the Subcommittee on Stability and Load Lines of the Intergovernmental Maritime Consultative Organization (IMCO), London, March 8-12, 1982

Representative

William A. Cleary, Jr., Chief, Ship Characteristics Branch, Office of Merchant Marine Safety, United States Coast Guard

Alternate Representative

Kevin Feeney, LCDR, USCG, Naval Architect, Ship Characteristics Branch, Office of

Merchant Marine Safety, United States Coast Guard

Adviser

Joseph T. Lewis, Chief Admeasurement Branch, Office of Merchant Safety, United States Coast Guard

Private Sector Advisers

Edward H. Middleton, Maritime Institute for Research and Industrial Development, Washington, D.C.

Thomas F. Robinson, Bethlehem Steel Company, Sparrows Point, Maryland

United States Delegation to the 47th and 48th Sessions of the Legal Committee of the Intergovernmental Maritime Consultative Organization (IMCO), London, February 22 to March 5, 1982

Representative

Paul E. Versaw, Commander, USCG, Chief, Maritime and International Law Division, Office of Chief Counsel, United States Coast Guard, Department of Transportation

Alternate Representative

J. Peter Bernhardt, Attorney Adviser, Office of Oceans and Polar Affairs, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State

Advisers

Frederick D. Presley, Maritime and International Law Division, Office of Chief Counsel, United States Coast Guard, Department of Transportation

Robert J. Reining, Commander, USCG, Maritime and International Law Division, Office of Chief Counsel, United States Coast Guard, Department of Transportation

Private Sector Advisers

Tallman Bissell, Maritime Bar Association, New York, New York

David W. Carroll, Chemical Manufacturers Association, Washington, D.C.

Ernest J. Corrado, American Institute of Merchant Shipping, Washington, D.C.

Sidney A. Wallace, Maritime Law Association, Washington, D.C.

United States Delegation to the Buffer Stock Committee, International Natural Rubber Organization (INRO), Kuala Lumpur, March 3-4, 1982

Representative

Frederic W. Siesseger, Resource Policy Division, Department of Commerce

Alternate Representative

James C. Todd, Bureau of Economic and Business Affairs, Department of State

Advisers

Elizabeth Shelton, United States Embassy, Kuala Lumpur

Private Sector Advisers

Howard Chappell, Goodyear Orient Private, Ltd., Singapore

David R. Towle, Robert E. Baird & Company, Southampton, New York

United States Delegation to the International Natural Rubber Organization Council, Special Session, Kuala Lumpur, March 5-6, 1982

Representative

James C. Todd, Bureau of Economic and Business Affairs, Department of State

Alternate Representative

Frederic W. Siesseger, Resource Policy Division, Department of Commerce

Adviser

Elizabeth Shelton, United States Embassy, Kuala Lumpur

Private Sector Advisers

Howard Chappell, Goodyear Orient Private, Ltd., Singapore

David R. Towle, Robert E. Baird & Company, Southampton, New York

United States Delegation to the Interim Committee of the U.N. Conference on a Code of Conduct on the Transfer of Technology, U.N. Conference on Trade and Development (UNCTAD); Geneva, March 1-5, 1982

Representative

John P. Riley, Office of Business Practices, Bureau of Economic and Business Affairs

Advisers

John Berlin, U.S. Mission, Geneva

Carl Cirra, Anti-Trust Division, Department of Justice

John Harter, U.S. Mission, Geneva

Dieter Hoinkes, Patent and Trademark Office, Department of Commerce

Lucy Hummer, Office of the Legal Adviser, Department of State

Private Sector Adviser

David G. Gill, Chairman, Restrictive Business Practices Committee, U.S. Council of the International Chamber of Commerce, New York, New York

[FR Doc. 82-11410 Filed 4-26-82; 8:45 am]

BILLING CODE 4710-19-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Defense Policy Advisory Committee; Determination of Closing of Meeting

The Defense Policy Advisory Committee for Trade Policy Matters (the Advisory Committee) has been established to advise the United States

Trade Representative and the Secretary of Defense, in accordance with subsection 135(a) of the Trade Act of 1974, as amended. The Act on trade matters referred to in Section 102 of the Trade Act of 1974 as amended; with respect to the operation of any trade agreement once entered into; and with respect to other matters arising in connection with the administration of the trade policy of the United States.

Meetings of the Advisory Committee will involve the review and discussion of trade negotiations and other matters involving the trade policy of the United States. Such reviews and discussions will deal with information submitted in confidence by the private sector members of the Committees under Section 135(g)(1)(A) of the Act, information submitted by government officials under Section 135(g)(2) of the Act the disclosure of which could be reasonably expected to prejudice United States negotiating objectives, information and disclosure of which would be likely to significantly frustrate implementation of proposed government action, and information properly classified pursuant to Executive Order 12065 and specifically required by such Order to be kept secret in the interests of national security (i.e., the conduct of foreign relations) of the United States. All members of the Advisory Committee have all necessary security clearances.

Consistent with previous determinations concerning other advisory committees established under Section 135(c) of the Act, I hereby determine that meetings of the Advisory Committee will be concerned with matters the disclosure of which would seriously compromise the Government's negotiating objectives or bargaining positions and with matters listed in Section 552 (c) of Title 5 of the United Code. Therefore, meetings of the Advisory Committee will be closed to the public unless otherwise determined by the United States Trade Representative or his designee.

William E. Brock,

United States Trade Representative.

[FR Doc. 82-11397 Filed 4-26-82; 8:45 am]

BILLING CODE 3190-01-M

Sunshine Act Meetings

Federal Register

Vol. 47, No. 81

Tuesday, April 27, 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

	Items
Commodity Futures Trading Commission	1
Federal Reserve System.....	2
Legal Services Corporation	3-5

1

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 11 a.m., Tuesday, April 27, 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-619-82 Filed 4-23-82; 3:59 pm]

BILLING CODE 6351-01-M

2

FEDERAL RESERVE SYSTEM

TIME AND DATE: 10 a.m., Monday, May 3, 1982.

PLACE: 20th Street and Constitution Avenue, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: April 23, 1982.

James McAfee,

Associate Secretary of the Board.

[S-618-82 Filed 4-23-82; 3:40 pm]

BILLING CODE 6210-01-M

3

LEGAL SERVICES CORPORATION

(Presidential Search Committee of the Board of Directors)

TIME AND DATE: 3 p.m.-9 p.m., Wednesday, May 5, 1982. (Continuation of the meeting is planned for May 6 and 7, 1982, as time permits.)

PLACE: Colorado Bar Association Offices, Board Room, 250 W. 14th Avenue, Suite 500, Denver, Colorado 80204.

STATUS OF MEETING: Open (portion of the meeting will be closed to discuss a personnel matter under 45 CFR 1622.5(a) and 1622.5(e)).

MATTERS TO BE CONSIDERED:

1. Procedures for Presidential Search.
2. Criteria for Presidential Search.
3. Status of Presidential Search.
4. Personnel Matters (closed).

CONTACT PERSON FOR MORE

INFORMATION: LeaAnne Bernstein, Office of the President (202) 272-4040.

Date issued: April 23, 1982.

Gerald M. Caplan,

Acting President.

[S-615-82 Filed 4-23-82; 3:29 pm]

BILLING CODE 6820-35-M

4

LEGAL SERVICES COOPERATION

(Committee on Appropriations and Audit)

TIME AND DATE: 9 a.m.-3 p.m., Thursday, May 6, 1982.

PLACE: Gold Nugget Room, Holiday Inn Downtown, 1450 Glenarm Place, Denver, CO 80202.

STATUS OF MEETING: Open.

MATTERS TO BE CONSIDERED:

1. Adoption of Agenda.
2. Second Quarter Budget Review for FY 1982.
3. Auditor.
4. Other Business.

CONTACT PERSON FOR MORE

INFORMATION: LeaAnne Bernstein, Office of the President, (202) 272-4040.

Date issued: April 23, 1982.

Gerald M. Caplan,

Acting President.

[S-616-82 Filed 4-23-82; 3:30 pm]

BILLING CODE 6820-35-M

5

LEGAL SERVICES CORPORATION

(Special Committee on Grant and Contract Procedures)

TIME AND DATE: 9:30 a.m.-3 p.m., Monday, May 10, 1982.

PLACE: Legal Services Corporation, 733 Fifteenth Street, N.W., eighth floor conference room 2, Washington, D.C.

STATUS OF MEETING: Open.

MATTERS TO BE CONSIDERED:

1. Carryovers of Funds.
2. Unresolved Questions of Cost.
3. Support Centers.
4. Contracts and Consultants.

CONTACT PERSON FOR MORE

INFORMATION: LeaAnne Bernstein, Office of the President, (202) 272-4040.

Date issued: April 23, 1982.

Gerald M. Caplan,

Acting President.

[S-617-82 Filed 4-23-82; 3:30 pm]

BILLING CODE 6820-35-M

Federal Register

Tuesday
April 27, 1982

Part II

Department of Agriculture

Office of the Secretary

Semi-Annual Regulatory Agenda; Major
Regulations Pending and Planned for
April 1982 through October 1982

DEPARTMENT OF AGRICULTURE**Office of the Secretary**

7 CFR Subtitle A and Chs. I-VII, IX-XII, XIV-XVIII, XXI, and XXIV-XXIX

9 CFR Chs. I-IV

36 CFR Ch. II

41 CFR Ch. 4

Semi-Annual Regulatory Agenda; Major Regulations Pending and Planned for April 1982 Through October 1982

AGENCY: Office of the Secretary, USDA.

ACTION: Semi-Annual Regulatory Agenda.

SUMMARY: This agenda provides summary descriptions of major regulations being developed in agencies of the U.S. Department of Agriculture in conformance with Executive Order 12291, Federal Regulation. The agenda also describes regulations affecting small entities as required by Section 602 of the Regulatory Flexibility Act, Pub. L. 96-354. The purpose of the agenda is to inform the public, small entities, and other Government agencies of major actions and regulation review activities as early as possible so interested parties may get background information and comment on these decisions while they are being developed.

FOR FURTHER INFORMATION CONTACT: For further information on any specific decision shown in this agenda, please contact the person listed for that decision.

Requests for copies of this agenda should be directed to: Regulatory Agenda, OBPA, Office of the Secretary, Room 147-E, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 382-1270. If you requested a copy of a previous Regulatory Agenda, we have placed you on our mailing list. You will receive a copy as soon as they are available.

SUPPLEMENTARY INFORMATION:

Purpose of This Agenda

The purpose of publication of the Agenda is to provide the public and other Government agencies early notice of pending major actions under consideration by USDA. The projected schedules shown for each major action make it possible for interested individuals or groups to plan ahead, acquire background information, and prepare to provide information and comments at appropriate steps in the decisionmaking process (i.e., when

proposals are published for comment, or when pre-notices are published).

This Agenda is an update of the Regulatory Agenda published in the Federal Register on October 27, 1981.

Agenda Organization

The Agenda includes three sections:

- A list of the titles of actions formerly reported which have been completed, designated as "non-major," or withdrawn from consideration since publication of the last Regulatory Agenda;
- A list of major regulatory actions planned or under development between April of 1982 and October of 1982. Actions are organized under headings identifying the USDA agency responsible and include descriptions, legal authority, projected schedules, and information contacts; and
- A list of regulations scheduled for review for which review is ongoing or will be initiated between now and October 1982.

Be sure to review each of these sections to identify decisions on which you may want to comment. If additional information is desired on an entry, contact the person identified in that entry.

How to Identify New Items on the Agenda

The Regulatory Agenda number shows the month and year that the item was identified as major and placed on the Regulatory Agenda. The first two digits after the agency abbreviation identify the month, and the third digit provides the year. Thus, ASCS 042-18 indicates that it was identified as major in April (i.e., "04") of 1982 (i.e., "2"). Any entry with a number indicating a date later than October 1981 is new on the Regulatory Agenda.

Background of Regulatory Agenda

The Regulatory Agenda is published and updated in April and October of each year as part of USDA's response to Executive Order 12291 and the Regulatory Flexibility Act.

This Administration is committed to reducing the burden of Federal regulation on the American economy. To this end, procedures have been established to concentrate greater effort on analyzing major regulatory actions to ensure that Government action is needed, that it is clearly within delegated legal authority, and that the effects of taking the action are as well understood as possible.

Also, USDA is focusing added attention on regulatory actions which affect small entities. "Small entities" include small businesses, small not-for-

profit organizations, and small governmental jurisdictions. Any time an agency cannot certify that a rule (as defined in the Regulatory Flexibility Act) will not have a significant economic impact on a substantial number of small entities, a Regulatory Flexibility Analysis (RFA) must be completed. The RFA will identify and analyze less burdensome alternative regulatory strategies consistent with the law. Entries in the Agenda for which a RFA will be carried out are identified by the symbol "(RFA)" found at the end of the action's "Description." This symbol is shown both in the list of ongoing actions and in the "List of Regulations Scheduled for Review."

Criteria for Major Actions

For a regulatory action to warrant designation as a major regulation, it must meet one of more of the following criteria:

- An annual effect on the economy of \$100 million or more; or
- A major increase in costs or prices for:
 - Consumers,
 - Individual industries,
 - Government agencies (federal, state, or local),
 - Geographic regions; or
- Significant adverse effects on:
 - Competition,
 - Employment,
 - Investment,
 - Productivity,
 - Innovation, or
 - The ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

In this Agenda, we have attempted to list all major actions pending at the time of publication, but some may have been inadvertently missed. There is no legal significance to the omission of an item from this listing.

The dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown. The "pre-notice" date, when given, is an indication the agency intends to seek public input prior to the "notice of proposed rulemaking."

How to Influence Decisions

The purpose of comment periods and other forms of public participation is to get information and varying points of view which may not be otherwise available to decisionmakers at USDA. All comments are useful in the decisionmaking process. However, the more substantive, well-reasoned, and well-documented a comment is, the more likely it is that it will have a strong influence on the decision.

Comments on the following topics are of particular value:

- (1) Alternatives that have been overlooked;
 - (2) Redefinition of the problem being addressed or assumptions as to what the basis of the problem is;
 - (3) Suggested changes in the Department's goals in dealing with the problem; and
 - (4) Other inadequacies in the Department's analysis.
- If comments are supported with any of the following types of information, they will be particularly effective:
- (1) Identification of major factors that should be considered in the decision;
 - (2) Costs or benefits or other positive or negative impacts on specific groups, sectors of the economy or parts of the country, etc.—whether direct or indirect, quantifiable or not;
 - (3) Validity or reliability problems with data or information used, if any;
 - (4) Data not considered;
 - (5) Problems with the analytical technique employed, if any;
 - (6) New analytical techniques;
 - (7) Different interpretations of the intent of the law, citing the documents on which such interpretations are based;
 - (8) Case law which USDA may not have considered and explanations of how it bears on the decision;
 - (9) Other governmental directives or regulations which may overlap or be in conflict with the decision; and
 - (10) Attitudes, opinions, and other comments relevant to the decision.

In view of the above, it is clearly an advantage to have a good understanding of what is behind a "pre-notice" or "proposal." This Regulatory Agenda describes the decisions so you can select the ones of interest to you and provides the projected schedules so you can plan to review any background material in time to comment.

Getting Background Information

Even before a "pre-notice" or "proposal" is published, there are often articles, studies, or preambles to earlier versions of the regulations or decisions, etc., which are helpful in understanding the contemplated action. The "contact" listed for the decision can provide these. When any major action is proposed, a Preliminary Regulatory Impact Analysis is available, usually from this same contact. The analysis describes the options considered in developing the proposal and the costs and benefits of implementing each option.

Review of Existing Regulations

USDA is conducting a continuing review of all its existing regulations. Executive Order 12291 requires that

reviews be carried out on all currently effective rules and that Regulatory Impact Analyses be performed on all such major rules.

The regulation review list contained in this Agenda is a planning and public information activity which precedes and/or accompanies more substantive review activity. Each item is listed on the "List of Regulations Scheduled for Review," with "major" actions appearing in the body of the agenda as well. Substantive review normally begins in the subsequent 6-month period.

This "List of Regulations Scheduled for Review" also identifies those regulations with a significant economic impact on a substantial number of small entities, thereby indicating that the required Regulatory Flexibility Analysis will be carried out.

Dated: April 21, 1982.

John R. Block,
Secretary.

Summary of Actions Completed, Withdrawn, or Redesignated Nonmajor Since the Last Agenda

Please note that this is an information list only, and is not a vehicle for formal announcement of final decisions or withdrawal of proposals from consideration.

- AMS 101-97; Completed; Review of Marketing Orders for Fruits, Vegetables, and Specialty Crops
- ASCS 101-19; Completed; Price Support Program for 1982 Crop U.S. Sugar Beet and Sugarcane Through Purchases or Other Operations
- ASCS 101-32; Completed; 1982-Crop Rice Program
- ASCS 101-33; Redesignated; Completed; National Average Loan Rates for 1982-Crop Quota and Additional Peanuts and CCC Sales Policy for Peanuts
- ASCS 101-34; Completed; 1982 Upland Cotton Program
- ASCS 101-39; Completed; 1982 Crop of Wheat—Determination of National Program Acreage, Voluntary Reduction Percentage, Acreage Adjustment, Established Target Price, Loan Rates, and Special Grazing and Hay Program Provisions
- ASCS 101-42; Completed; 1982 Feed Grain and Soybean Program
- FmHA 020-25; Completed; Revision of Definition of Low Income for Sections 502, 504, and 515 as Required by Public Law 96-153
- FmHA 080-48; Withdrawn; Interest Credits (Subsidy) to Moderate Income Borrowers (Instruction 444.1)
- FGIS 108-8; Withdrawn; Proposed Amendment to the Official U.S. Standards for Grain (weevily)

AGRICULTURAL MARKETING SERVICE

AMS 081-91

STANDARDS FOR GRADES OF CARCASS BEEF AND STANDARDS FOR GRADES OF SLAUGHTER CATTLE

DESCRIPTION: The Department has received numerous recommendations concerning the present beef grade standards. It has been recommended that the standards be modified in order that producers may respond to a growing demand for more lean beef. The changes as proposed should allow the production of leaner beef with no significant reduction in the palatability of either Prime or Choice. The new requirements should provide livestock feeders more marketing flexibility and provide an opportunity for decreasing feed costs. The related standards for grades of slaughter cattle which are based on the carcass grade standards would be revised to reflect the changes proposed for grades of carcass beef. No changes would be proposed in the yield grade standards.

AUTHORITY: Agricultural Marketing Act of 1946, Sections 203, 205, as amended; 60 Stat. 1087, 1090, as amended; 7 U.S.C. 1622, 1624.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 12/30/81 (46 FR 63052).
- c. Hearings: 2/82.
- d. Final Decision: 10/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Paul Fuller, (202) 447-4727, USDA, AMS, Room 2 Mezzanine, Annex Building, Washington, D.C. 20250.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

ASCS 022-10

1982 SUGAR BEET AND SUGARCANE LOAN PROGRAM

DESCRIPTION: Support the price of domestically produced sugar beets and sugarcane through nonrecourse loans at such levels as the Secretary determines to be appropriate but not less than 17 cents per pound for raw cane sugar for the 1982 crop; sugar beets are to be supported at a rate determined by the Secretary to be fair and reasonable in relation to the support level for sugarcane.

AUTHORITY: Agricultural Act of 1949, Section 201, 7 U.S.C. 1446.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 5/15/82.
- c. Final Decision: 10/1/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Thomas Fink, (202) 382-9879, USDA, ASCS, Room 3636-S, Washington, D.C. 20250.

ASCS 042-16

DETERMINATION OF LOAN AND PURCHASE RATE, ESTABLISHED "TARGET" PRICES, ACREAGE REDUCTION AND/OR PAID DIVERSION PROGRAM AND FARMER-OWNED RESERVE PROGRAM PROVISIONS FOR THE 1983 CROP OF FEED GRAINS— AND LOAN AND PURCHASE PROGRAM FOR SOYBEANS

DESCRIPTION: To provide adequate feed grain and soybean supplies for domestic and foreign utilization, support farm income, combat inflation, minimize Government intervention, hold down Federal costs, and conserve natural resources.

AUTHORITY: Agricultural Act of 1949, Section 105B, 7 U.S.C. 1444d; Agricultural Act of 1949, Section 201, 7 U.S.C. 1446.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 6/82.
- c. Final Decision: 11/15/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Orville I. Overboe (202) 447-4417, USDA, ASCS, Room 3746-S, Washington, D.C. 20250.

ASCS 042-17

DETERMINATION OF LOAN AND PURCHASE RATE; ESTABLISHED "TARGET" PRICES, ACREAGE REDUCTION AND/OR PAID DIVERSION PROGRAM AND FARMER-OWNED RESERVE PROGRAM PROVISIONS FOR THE 1983 CROP OF WHEAT

DESCRIPTION: To provide adequate wheat supplies for domestic and foreign utilization, support farm income, combat inflation, minimize Government intervention, hold down Federal costs, and conserve natural resources.

AUTHORITY: Agricultural Act of 1949, Section 107B, 7 U.S.C. 1445b-1.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 4/30/82.
- c. Final Decision: 8/15/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Bruce R. Weber; (202) 447-4146, USDA, ASCS, Room 3738-S, Washington, D.C. 20250.

ASCS 042-18

DETERMINATION OF 1983—CROP RICE PROGRAM TO INCLUDE ESTABLISHMENT OF LOAN AND PURCHASE RATE, ESTABLISHED "TARGET" PRICE, AND ACREAGE REDUCTION AND/OR PAID DIVERSION PROGRAMS, IF ANY

DESCRIPTION: To achieve the optimal balance between the multiple objectives of providing adequate rice supplies for domestic and foreign utilization, while maintaining adequate carryover stocks, supporting farm income, combating inflation, holding down Treasury costs and borrowing, and conserving natural resources.

AUTHORITY: Agricultural Act of 1949, Section 101(i), 7 U.S.C. 1441.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 9/30/82.
- c. Final Decision: 1/31/83.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: George H. Schaefer, (202) 447-4634, USDA, ASCS, Room 3742-S, Washington, D.C. 20250.

ASCS 042-21

DETERMINATION OF 1983 UPLAND COTTON LOAN RATE, TARGET PRICE, NATIONAL PROGRAM ACREAGE, ACREAGE REDUCTION PROGRAM AND/OR DIVERSION PROGRAM

DESCRIPTION: To maintain adequate but not excessive supplies of upland cotton for domestic and export use while providing price and income protection for producers and keeping Federal outlays to a minimum. To determine whether a paid diversion program should be offered. To determine ELS cotton loan rate based on upland cotton loan rate, and establish loan rates for seed cotton.

AUTHORITY: Agricultural Act of 1949, Section 103(g)(1), 7 U.S.C. 1444.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 7/82.
- c. Final Decision: 11/1/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Charles V. Cunningham, (202) 447-7954, USDA, ASCS, Room 3741-S, Washington, D.C. 20250.

ASCS 042-25

CCC GRAIN PRICE SUPPORT REGULATIONS GOVERNING THE GRAIN RESERVE PROGRAM FOR 1982 AND SUBSEQUENT CROPS AND ALTERNATIVE PROGRAM FOR 1981 AND PRIOR CROPS

DESCRIPTION: To implement regulations which govern the farmer-owned Grain Reserve Program which would: (1) implement the new reserve program for 1982-crop wheat and feed grains and subsequent crops, (2) provide for trigger-release levels for wheat and feed grains, and (3) establish a minimum level at which the Secretary may limit the quantity of wheat or feed grains that may enter the reserve.

AUTHORITY: Agricultural Act of 1949, Section 110, 7 U.S.C. 1445e.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Interim Rule: 4/82.
- c. Final Decision: 8/1/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Steve Gill, (202) 382-9888, USDA, ASCS, Room 3623-S, Washington, D.C. 20250.

ASCS 042-28

PRICE SUPPORT LEVEL FOR MILK, 1982-83 MARKETING YEAR (BEGINNING OCTOBER 1, 1982)

DESCRIPTION: The Agricultural Act of 1949, as amended, requires that the price support for milk shall be established at a level to assure an adequate supply of pure and wholesome milk to meet current needs, reflect changes in the cost of production, and assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs. The minimum level specified for the 1982-83 marketing year is \$13.25 per cwt.

AUTHORITY: Agricultural Act of 1949, Section 201, 7 U.S.C. 1446.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 6/1/82.
- c. Final Decision: 9/30/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: S. E. T. Bogan, (202) 447-8695, USDA, ASCS, Room 3752-S, Washington, D.C. 20250.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

APHIS 081-36

SWINE HEALTH PROTECTION PROGRAM

DESCRIPTION: This rule will implement the Swine Health Protection Act (P.L. 96-468). The rule will set minimum standards for treating garbage before it may be fed to swine. The restrictions are necessary to prevent the introduction into or dissemination within the U.S. of any infectious or communicable disease of swine that may be spread through garbage. Although this rule is not a "major" rule under the criteria of Executive Order 12291, it may have a significant effect on a substantial number of small entities. Therefore, an Initial Regulatory Flexibility Analysis has been prepared and is available from the information contact listed below (RFA, Nonmajor).

AUTHORITY: Swine Health Protection Act, Sections 4, 5, 9, and 12, P.L. 96-468, 94 Stat. 229 (1980) (7 U.S.C. 3803, 3804, 3808, 3811); Farm Credit Act Amendments of 1980, Section 511, P.L.

96-592, 94 Stat. 3451 (1980) (7 U.S.C. 3802).

PROJECTED SCHEDULE:

- a. Date of Pre-notice: None.
- b. Date of Proposal: 4/16/82 (47 FR 16534).
- c. Final Decision: 8/15/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Robert D. Good, (301) 436-8487, USDA, APHIS, Federal Building, Room 841, Hyattsville, MD 20782 (301) 436-8487.

FARMERS HOME ADMINISTRATION

FmHA 041-12

RESTRICTING LOAN GUARANTEES WITH TAX-FREE OBLIGATIONS

DESCRIPTION: To amend the "General" Regulations (7 CFR Part 1980, Subpart A, and Part 1990, Subpart A) dealing with all FmHA guarantee programs to add a new section to prohibit guaranteeing of loans when the funds are obtained, either directly or indirectly, from tax-exempt obligations.

AUTHORITY: The Consolidated Farm and Rural Development Act, Section 339, 7 U.S.C. 1989; the Emergency Agricultural Credit Adjustment Act of 1978, Section 209(c), 7 U.S.C. note preceding 1961; the Biomass Energy and Alcohol Fuels Act of 1980, Section 212(e)(2), 42 U.S.C. 8812(e)(2); Housing Act of 1949, Section 517, 42 U.S.C. 1487.

PROJECTED SCHEDULE:

- a. Date of Pre-notice: None.
- b. Date of Proposal: 2/19/82 (47 FR 7437).
- c. Final Decision: 6/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Wilton L. Ward, (202) 447-2288, USDA, FmHA, Room 5314S Washington, D.C. 20250.

FmHA 080-47

MOBILE HOME LOAN PROCEDURE

DESCRIPTION: Invited public input for draft regulations for mobile home loans to implement Section 527 of Title V of the Housing Act of 1949, as amended.

AUTHORITY: Section 510(j) of the Housing Act of 1949, 42 U.S.C. 1480(j); Section 527 of the Housing Act of 1949, 42 U.S.C. 1490g.

PROJECTED SCHEDULE:

- a. Date of Pre-notice: 10/21/80 (45 FR 69469).
- b. Date of Proposal: 12/82.
- c. Final Decision: 6/83.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: James W. Craun, (202) 382-1489, USDA, FmHA, Room 5351-S, Washington, D.C. 20250.

FOOD AND NUTRITION SERVICE

FNS 081-31

FOOD STAMP PROGRAM: HOUSEHOLD COMPOSITION, INCOME STANDARDS, INITIAL MONTH BENEFITS, ADJUSTMENTS, DEDUCTIONS, AND OUTREACH

DESCRIPTION: This rule changes the current Food Stamp Program in accordance with the 1981 Omnibus Reconciliation Act. As required by that law, changes are made in the definition of a household, which households are eligible for food stamps, what benefits a household will receive when it first applies and in subsequent months, when USDA will update the income eligibility standards, benefits levels and allowable deduction amounts to account for changes in the cost of living, and other parts of the Program.

AUTHORITY: 1981 Omnibus Reconciliation Act, Public Law 97-35, 95 Stat. 357.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 9/4/81 (46 FR 44712).
- c. Final Decision: 5/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Thomas O'Connor, (202) 447-9075, USDA, FNS, Room 678, GHI, Washington, D.C. 20250.

FNS 081-36

NATIONAL SCHOOL LUNCH, SCHOOL BREAKFAST, AND SPECIAL MILK PROGRAMS: DOCUMENTATION OF INCOME AND VERIFICATION OF THE INFORMATION ON THE FREE AND REDUCED PRICE APPLICATIONS

DESCRIPTION: This rule complies with the Omnibus Reconciliation Act of 1981 by prescribing documentation of household income for applicants for free and reduced price benefits in the National School Lunch, School Breakfast, and Special Milk Programs and providing for verification by the Department of such information to insure that free and reduced-price benefits are directed to families whose income falls within Income Eligibility Guidelines. (RFA)

AUTHORITY: 1981 Omnibus Reconciliation Act, Public Law 97-35.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 4/82.
- c. Final Decision: 6/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Stanley C. Garnett, (703) 756-3620, USDA, FNS, Room 509, Park Office Center, Alexandria, VA 22302.

FNS 101-53

PUERTO RICO NUTRITIONAL ASSISTANCE BLOCK GRANT

DESCRIPTION: This rule implements Section 116 of the 1981 Omnibus Reconciliation Act which converts the Federal Food Stamp Program to a nutritional assistance block grant in the Commonwealth of Puerto Rico.

AUTHORITY: 1981 Omnibus Reconciliation Act, Public Law 97-35, 95 Stat. 357.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 3/12/82 (47 FR 10767).
- c. Final Decision: 6/1/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Thomas O'Connor, (703) 756-3429, USDA, FNS, Room 708, Park Office Center, Alexandria, VA 22302.

FNS 101-54

FOOD STAMP PROGRAM—MONTHLY REPORTING AND RETROSPECTIVE BUDGETING (MRRB)

DESCRIPTION: This rule implements Sections 107 and 108 of the Omnibus Reconciliation Act of 1982 (Public Law 97-35). The rule will impose a national accounting system on almost all households and will base benefits on circumstances from a previous month.

AUTHORITY: 1981 Omnibus Reconciliation Act, Public Law 97-35, 95 Stat. 357.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Interim Rule: 5/82.
- c. Final Decision: 11/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Thomas O'Connor, (703) 756-3429, USDA, FNS, Room 708, Park Office Center, Alexandria, VA 22302.

FNS 111-58

PROPOSED REVISION IN POLICIES GOVERNING THE USE OF VEGETABLE PROTEIN PRODUCTS IN CHILD NUTRITION PROGRAMS

DESCRIPTION: This proposal will revise FNS Notice 219, the basis of current vegetable protein product (VPP) use in the child nutrition programs. The major objectives are to: (1) establish authorization for VPP in program regulations, (2) respond to advances and changes in food technology, (3) increase flexibility in the use of VPP, (4) promote the maximum cost savings VPP offers, and (5) simplify procedures by eliminating the need for the Department to analyze specific VPP and to maintain

and provide a list of acceptable products (RFA, Nonmajor).

AUTHORITY: National School Lunch Act, Section 9, 42 U.S.C. 1758.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 6/82.
- c. Final Decision: 10/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Cynthia Ford, (703) 756-3556, USDA, FNS, Room 609, Park Office Center, Alexandria, VA 22302.

FOOD SAFETY AND INSPECTION SERVICE

FSIS 041-2

MECHANICALLY PROCESSED (SPECIES) PRODUCT

DESCRIPTION: In response to a joint petition from the Pacific Coast Meat Association and the American Meat Institute, the Agency published a proposed rule to modify the standards for and expand the uses of Mechanically Processed (Species) Product. This proposed rule would also change the name of that product to Mechanically Processed (Species) or another more appropriate term.

AUTHORITY: 21 U.S.C. 601 et seq., 9 CFR 317, 318, 319.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice:
- b. Date of Proposal: 7/31/81 (46 FR 39274).

c. Final Decision: 1982.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: M. A. Nelson, (202) 447-2709, USDA, FSIS, Room 350-E, Administration Building, Washington, D.C. 20250.

FOREST SERVICE

FS 041-1

REVIEW OF REGULATIONS—REGULATIONS FOR NATIONAL FOREST SYSTEM LAND AND RESOURCE MANAGEMENT PLANNING

DESCRIPTION: The regulation prescribes how land and resource, management planning is to be conducted for National Forest System lands. It sets forth a process for developing, adopting and revising land and resource management plans to meet the requirements of the Forest and Rangeland Renewable Resources Planning Act.

AUTHORITY: 36 CFR 219, Subpart A.

PROJECTED SCHEDULE:

- a. Date of Pre-Notice: None.
- b. Date of Proposal: 2/22/82 (47 FR 7678).
- c. Final Decision: 8/82.

FOR FURTHER INFORMATION ON THIS DECISION, CONTACT: Raymond M. Housley, (202) 447-3523, USDA, FS, Room 3018-S, Washington, D.C. 20250.

BILLING CODE 3410-01-M

LIST OF REGULATIONS SCHEDULED FOR REVIEW

This list provides an overview of the USDA regulations undergoing review between April 1982 and October 1982.

Any action deemed to have a significant economic impact on a substantial number of small entities is identified with the letters "RFA" (Regulatory Flexibility Act) following the description. Regulations are reviewed and announced in the Federal Register (FR) using, basically, the same procedural rules which apply to new regulations.

If you wish to comment on a particular regulation under review, get in touch with the "contact" identified for the item of interest to you. Please note that this particular list is not a request for comments; it serves as an announcement only.

Parts Affected	Subject	Description	Contact
Agricultural Marketing Service - Scheduled, Nonmajor			
7 CFR 46	Regulations (other than the Rules of Practice) under the Perishable Agricultural Commodities Act, 1930.	This regulation establishes a code of fair trading standards for growers, shippers, and other distributors dealing in perishable agricultural commodities. It provides a means of licensing firms subject to the Act and a means of enforcement of contracts by providing for the awarding of damages from such firms who breach their contractual obligations.	John J. Gardner USDA, AMS Room 2095-S Washington, DC 20250 (202) 447-2272
7 CFR 47	Rules of Practice under the Perishable Agricultural Commodities Act, 1930.	This regulation covers rules applicable to reparation, disciplinary proceedings, and rules applicable to the determination as to whether a person is responsibly connected with a licensee under PACA.	John J. Gardner USDA, AMS Room 2095-S Washington, DC 20250 (202) 447-2272
7 CFR 53	Meats, Prepared Meats, and Meat Products (Grading, Certification, and Standards)	Regulations relating to the grading and certification of meat and meat products. Official grade standards for veal, calf, and pork carcasses.	Dr. Michael May USDA, AMS Room 2-M, Annex Washington, DC 20250 (202) 447-4486
7 CFR 53-B	Swine Grades and Standards	This regulation covers the classes of slaughter and feeder swine and application and specifications of standards for grades of slaughter barrow, gilts, and sows.	Russell Knister USDA, AMS Room 2631-S Washington, DC 20250 (202) 447-5679 & Dr. Michael May USDA, AMS Room 2-M, Annex Washington, DC 20250 (202) 447-4486
7 CFR 53-B	Vealers and Slaughter Calves Grades and Standards	This regulation covers the classes of vealers and slaughter calves and application and specification of standards for grades of slaughter vealers and calves.	Russell Knister USDA, AMS Room 2631-S Washington, DC 20250 (202) 447-5679 & Dr. Michael May USDA, AMS Room 2-M, Annex Washington, DC 20250 (202) 447-4486
7 CFR 61	Cotton Seed Sold or Offered for Sale for Crushing Purposes (Inspection, Sampling, and Certification)	Provides for licensing of cotton seed chemists and samplers and standards for grades of cotton seed sold or offered for sale for crushing purposes.	Harvin R. Smith USDA, AMS Room 312-B, Annex Washington, DC 20250 (202) 447-2260
7 CFR 108	Sirup Warehouses	These regulations are applicable to sirup warehouses applying for license or licensed under provision of the U.S. Warehouse Act. They define acceptable warehousing practices and specify basic responsibilities of licenses.	Orval Kerchner USDA, AMS Room 2720-S Washington, DC 20250 (202) 447-3616

Parts Affected	Subject	Description	Contact
Agricultural Marketing Service - Scheduled, Nonmajor			
7 CFR 151	Field Warehouses	These regulations are applicable to field warehouses applying for license or licensed under provisions of the U.S. Warehouse Act. They define acceptable warehousing practices and specify basic responsibilities of licenses.	Orval Kerchner USDA, AMS Room 2720-S Washington, DC 20250 (202) 447-5616
7 CFR 1270	Wool and Mohair Advertising and Promotion	This regulation covers the agreement between the American Sheep Producers Council, Inc., and USDA addressing procedures for determining assessments for sales and promotion programs. Procedures for conduct of referendums will be addressed by ASCA.	Ralph L. Tapp USDA, AMS Room 2614-S Washington, DC 20250 (202) 447-2650
Animal and Plant Health Inspection Service - Scheduled, Nonmajor			
7 CFR 301.52	Pink Bollworm	The Federal Pink Bollworm Quarantine and regulations are designed to prevent the artificial spread of the pink bollworm, a dangerous insect injurious to cotton, okra, and kenaf, across State lines. The quarantine regulates the movement of cotton and cotton products, used bagging, used cotton harvesting and processing equipment, and okra and kenaf from the regulated areas to other parts of the U.S.	T. J. Lanier USDA, APHIS Room 635, Federal Building, Hyattsville, MD 20782 (301) 436-8247
7 CFR 319.B	Foreign Cotton and Covers	This regulation restricts the importation into the U.S. of certain cotton parts or products and second hand burlap and other fabrics used for containing cotton, grains, field seeds, and underground crops. The quarantine, pursuant to the Plant Quarantine Act of 1912, is designed to prevent entry into the U.S. of the pink bollworm, the golden nematode of potatoes, flag smut disease, and other injurious diseases and pests.	T. J. Lanier USDA, APHIS Room 635, Federal Building, Hyattsville, MD 20782 (301) 436-8247
7 CFR 319.28	Citrus Fruit	Prohibits importation into the U.S. certain of citrus fruits to prevent the introduction into the U.S. of the citrus canker disease, sweet orange scab, and the bacterial disease "Cancrosis B."	T. J. Lanier USDA, APHIS Room 635, Federal Building, Hyattsville, MD 20782 (301) 436-8247
7 CFR 319.41	Indian Corn or Maize, Broomcorn, and Related Plants	Regulates the importation into the United States of Indian corn, broomcorn, and related plants which may carry dangerous plant pests and diseases.	T. J. Lanier USDA, APHIS Room 635, Federal Building, Hyattsville, MD 20782 (301) 436-8247
7 CFR 322	Importation of Adult Honeybees into the United States	Places restrictions upon the importation of adult honeybees from countries other than Canada in an effort to prevent the introduction of diseases dangerous to the adult honeybee.	T. J. Lanier USDA, APHIS Room 635, Federal Building, Hyattsville, MD 20782 (301) 436-8247
9 CFR 2	Animal Welfare Act - Regulations for compliance with the AWA by persons licensed or registered as dealers, exhibitors, operators of auction sales, research facilities, carriers, and intermediate handlers.	Specific requirements are set forth for licensing and registering annual reports, annual fees, required records, identification of animals, health certification, authority for USDA inspections, and confiscation of animals.	D. F. Schwindman USDA, APHIS-V5 Room 703A Federal Bldg., Hyattsville, MD 20782 (301) 436-7833
9 CFR 51	Cattle Destroyed because of Brucellosis	Regulation provides for cooperation with States in eradicating brucellosis, a contagious disease of cattle, swine, and bison; for payment to owners at specified rates for animals destroyed because of brucellosis; procedures and requirements under which indemnities may be paid; and for disinfection of premises, conveyance, and materials.	A. D. Robb USDA, APHIS-V5 Room 805 Federal Bldg., Hyattsville, MD 20782 (301) 436-8713
9 CFR 74	Scabies in Sheep	A regulation to control the spread and provide for the eradication of sheep scabies.	G. Schubert USDA, APHIS-V5 Room 735 Federal Bldg., Hyattsville, MD 20782 (301) 436-5930

Parts Affected	Subject	Description	Contact
Animal and Plant Health Inspection Service - Scheduled, Nonmajor			
9 CFR 85	Pseudorabies	Regulations regarding the interstate movement of cattle, sheep, goats, swine, swine semen, and swine embryos based upon the pseudorabies status of such livestock or, in the case of swine semen and swine embryos, the pseudorabies status of the donor swine. This action was made necessary by the rapid spread of pseudorabies. The intent of the regulation is to control and stop the escalating spread of pseudorabies. (RFA)	J. A. Downard USDA, APHIS-VS Room 716 Federal Bldg., Hyattsville, MD 20782 (301) 436-8438
9 CFR 104	Permits for Biological Products	Specific requirements are set forth for the issuing of permits for the importation of veterinary biological products.	R. J. Price USDA, APHIS-VS Room 827 Federal Bldg., Hyattsville, MD 20782 (301) 436-8245
9 CFR 120	Licenses for Biological Products	Specific requirements are set forth for the issuing of U.S. Veterinary Biologics Establishment and U.S. Veterinary Biological Product Licenses.	R. J. Price USDA, APHIS-VS Room 827 Federal Bldg., Hyattsville, MD 20782 (301) 436-8245
Agricultural Research Service - Scheduled, Nonmajor			
7 CFR 510	Public Information	This regulation prescribes policies and procedures governing the release of public information under the Freedom of Information Act (FOIA) for all Science and Education agencies (Agricultural Research Service, Extension Service, Cooperative State Research Service, and National Agricultural Library).	Rosemary Wolfe USDA, ARS Room 3129-S Washington, DC 20250 (202) 447-4240
Cooperative State Research Service - Scheduled, Nonmajor			
7 CFR 22 (Subtitle A)	Rural Development Coordination	This regulation prescribes policies, procedures, and responsibilities required by Section 603 of the Rural Development Act.	Elizabeth Y. Davis USDA, CSRS Room 6018-S Washington, DC 20250 (202) 447-3426
7 CFR 23 (Subtitle A)	State and Regional Annual Plans of Work	This regulation prescribes policies and procedures to assure implementation of Title V of the Rural Development Act.	Elizabeth Y. Davis USDA, CSRS Room 6018-S Washington, DC 20250 (202) 447-3426
Extension Service - Scheduled, Nonmajor			
7 CFR 18 (Subtitle A)	Equal Employment Opportunity in the State Cooperative Extension Services	This regulation prescribes policies and procedures to assure that State Cooperative Extension Services provide equal employment opportunity to each individual without regard to race, color, national origin, sex, or religion.	Curtland Deville USDA, ES Room 3123-S Washington, DC 20250 (202) 447-2700
7 CFR 22 (Subtitle A)	Rural Development Coordination	This regulation prescribes policies, procedures, and responsibilities required by Section 603 of the Rural Development Act.	John S. Boffum USDA, ES Room 5048-S Washington, DC 20250 (202) 447-6283
7 CFR 23 (Subtitle A)	State and Regional Annual Plans of Work	This regulation prescribes policies and procedures to assure implementation of Title V of the Rural Development Act.	John S. Boffum USDA, ES Room 5048-S Washington, DC 20250 (202) 447-6283

Parts Affected	Subject	Description	Contact
Farmers Home Administration - Scheduled, Nonmajor			
7 CFR 1888 Instruction 440.3	Special Assistance to Drought Stricken Areas	This regulation outlines the policies and procedures to be used by the Farmers Home Administration in providing emergency loans and grants to rural communities for water supply assistance. This special assistance has been made available to farmers, ranchers, and communities in rural areas suffering from extreme drought conditions as designated by the President or the Secretary of Agriculture.	Yonnie MacDonald USDA, FmHA Room 6522-S Washington, DC 20250 (202) 382-9586
Federal Grain Inspection Service - Scheduled, Nonmajor			
7 CFR 68.501 through 7 CFR 68.510	Review of Regulations - U.S. Standards for Split Peas	FGIS will conduct a review of the U.S. States Standards for Split Peas to update them with technological advances and assure clarity and cost effectiveness to FGIS and the industry.	G. Jackson USDA, FGIS Richards-Gebaur AFB Building 221 Grandview, MO 64030 (816) 348-2861
7 CFR 800.30 through 7 CFR 800.40	Review of Regulations - Registration	FGIS will conduct a review of the current registration procedures and requirements of the regulations under the U.S. Grain Standards Act relating to individuals or firms regularly engaged in foreign commerce grain business. The review will examine the need for and consequences of the regulation, assure that they are consistent with the intent of the law and current Agency policy, clarify and simplify its language, and make them more cost effective to FGIS and the industry.	J. T. Abshier USDA, FGIS 2405 Auditors Bldg. Washington, DC 20250 (202) 447-8262
7 CFR 800.185 through 7 CFR 800.189	Review of Regulations - Duties and Conduct of Licensed and Authorized Personnel	FGIS will conduct a review of the duties, standards of conduct, conflicts of interest provisions, and other matters relative to personnel licensed to perform official services under the regulations under the U.S. Grain Standards Act. The review will examine the need for and consequences of the regulations, assure that they are consistent with the intent of the law and current Agency policy, clarify and simplify language, and make them more cost effective to FGIS and the industry.	J. T. Abshier USDA, FGIS 2405 Auditors Bldg. (202) 447-8262 & J. W. Marshall Room 1641-S Washington, DC 20250 (202) 382-0228
7 CFR 800.215 through 7 CFR 800.219	Review of Regulations - Supervision, Monitoring, and Equipment Testing	FGIS will conduct a review of the activities to be supervised and monitored and equipment that shall be tested under the regulations under the U.S. Grain Standards Act. The review will concentrate on improving the U.S. inspection and weighing programs, increasing efficiency, and reducing costs to FGIS and the industry.	J. W. Marshall USDA, FGIS Room 1641-S Washington, DC 20250 (202) 382-0228 & J. T. Abshier USDA, FGIS 2405 Auditors Bldg. Washington, DC 20250 (202) 447-8262
7 CFR 801.1 through 7 CFR 801.12	Review of Regulations - Performance Requirements for Grain Inspection Equipment	FGIS will conduct a review of the established specifications, tolerances, and other technical requirements of grain inspection equipment and related grain handling systems used under the regulations under the U.S. Grain Standards Act to update them with technological advances and the changing needs of the U.S. grain market.	J. W. Marshall USDA, FGIS Room 1641-S Washington, DC 20250 (202) 382-0228
7 CFR 810.301 through 7 CFR 810.309	Review of Regulations - U.S. Standards for Wheat	FGIS will conduct a review of the U.S. Standards for Wheat to update them with technological advances, assure clarity, and cost effectiveness to FGIS and the industry.	G. Jackson USDA, FGIS Richards-Gebaur AFB Building 221 Grandview, MO 64030 (816) 348-2861
7 CFR 810.401 through 7 CFR 810.409	Review of Regulations - U.S. Standards for Split Peas	FGIS will conduct a review of the U.S. Standards for Rye to update them with technological advances, assure clarity, and cost effectiveness to FGIS and the industry.	G. Jackson USDA, FGIS Richards-Gebaur AFB Building 221 Grandview, MO 64030 (816) 348-2861

Parts Affected	Subject	Description	Contact
Food and Nutrition Service - Scheduled			
FNS has scheduled the following regulations for review for which the category was not yet determined as of the publication deadline for this regulatory agenda.			
7 CFR 272.2, 272.3	State Plan of Operations, Operating Guidelines, and Waivers	These regulations establish the requirements for the State Plan of Operations, the operating guidelines, and the procedures for granting waivers in the Food Stamp Program.	Thomas O'Connor USDA, FNS Room 708 Park Office Center 3101 Park Center Dr Alexandria, VA 22302 (703) 756-3429
7 CFR 273.8, 273.9	Resource and Financial Eligibility Standards	These regulations provide the resource and financial eligibility criteria for the Food Stamp Program.	Thomas O'Connor USDA, FNS Room 708 Park Office Center 3101 Park Center Dr Alexandria, VA 22302 (703) 756-3429
Foreign Agricultural Service - Scheduled			
FAS has scheduled the following regulation for review for which the category was not yet determined as of the publication deadline of this Regulatory Agenda.			
7 CFR 1488	Export Credit Sales Program--GSM-5	The CCC Export Sales Credit Program (GSM-5) is a commercial program designed to develop or expand markets for U.S. farm commodities and to finance additional exports. Financing is provided for periods of 6 to 36 months.	Larry McElvain USDA, FAS Room 4526-5 Washington, DC 20250 (202) 447-6225
Forest Service - Scheduled, Nonmajor			
36 CFR 200.7-10	Organization, Functions, and Procedures	Offices where information is available, where information may be copied, and rules governing inspections and copying appeals.	Hoyt Abney USDA, FS P.O. Box 2417 Washington, DC 20013 (202) 447-6101
36 CFR 211.4	Fire Prevention and Control	Cooperation for fire prevention and control. Authorizes cooperation with private industries operating in or near National Forest lands for purposes of preventing and suppressing forest fires.	Allen West USDA, FS P.O. Box 2417 Washington, DC 20013 (202) 235-8666
36 CFR 216	Public Involvement	Procedures for involving the public in the formulation of standards, criteria, and guidelines that apply to Forest Service programs. Describes how the agency involves the public in developing significant standards, criteria, and guidelines.	Charles Newlon USDA, FS P.O. Box 2417 Washington, DC 20013 (202) 447-7013
36 CFR 293	Wilderness-Primitive Areas	Sets forth criteria, standards, and guidelines for management of of wilderness within the National Forest System.	Roy Feuchter USDA, FS P.O. Box 2417 Washington, DC 20013 (202) 447-3706

Parts Affected	Subject	Description	Contact
Packers and Stockyards Administration - Scheduled, Nonmajor			
9 CFR 201.4-.7 201.10-.13 210.17, 201.26 201.86-.93 and 210.70a	Industry Rules, Stockyard Posting, Registration, Rates and Charges, Brand Inspection, Packer Ownership of Custom Feedlots.	Industry rule regulations provide that rules of livestock exchange associations or organizations which are not in conflict with the Act may be enforced. The posting regulations define the procedural requirements for public notice of a stockyard subject to the provisions of the Act. Registration regulations set forth the registration requirements for persons operating or seeking to operate as market agencies or dealers. The regulations on rates and charges set forth the requirements for filing of rate schedules. Brand inspection regulations define the requirements for authorization to conduct brand inspection, registration, and the filing of fee schedules. The packer-custom feedlot regulation pertains to packers which engage in the business of feeding livestock.	Jack Brinckmeyer USDA, P&SA Room 3418-S Washington, DC 20250 (202) 447-4366 & Kenneth Stricklin USDA, P&SA Room 3422-S Washington, DC 20250 (202) 447-7363
9 CFR 201.43-.47 201.49-.50 201.52 201.101 201.53-.66 201.111 201.4-.5	Accounts and Records, Payment and Accounting for Livestock and Live Poultry, Trade Practices and Record Retention.	The payment and accounting regulations set forth the payment requirements for livestock and live poultry and for the accounting and maintenance of records. The trade practice regulations prohibit certain business practices of stockyard owners, market agencies, dealers, and packers. The policy statements relate to disposition of records by packers and market agencies paying expenses of buyers.	John A. Sands USDA, P&SA Room 3410-S Washington, DC 20250 (202) 447-6951
Rural Electrification Administration - Scheduled, Nonmajor			
1-7	General Funds	Sets forth policy and recommendations with respect to general funds of electric borrowers and establishes a recommended level of working capital and reserve funds.	C. R. Weaver USDA, REA Room 3344-S Washington, DC 20250 (202) 382-1900
5-1:305-1	Joint Use of REA Borrowers' Facilities by Electric and Telephone Systems	Sets forth policies and procedures concerning arrangements for joint use of facilities entered into by electric and telephone borrowers.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088
20-14	Supplemental Financing for Loans Considered Under Section 4 of the Rural Electrification Act	Establishes policy concerning loans from sources other than REA and sets forth the conditions under which applicants for REA loans will be expected to obtain a portion of their long-term loan requirements from such other sources.	C. R. Weaver USDA, REA Room 3344-S Washington, DC 20250 (202) 382-1900
20-20	Deferral of Principal Repayments for Investment in Supplemental Lending Institutions	Sets forth methods and establishes criteria for providing assistance to REA borrowers in meeting investment requirements for membership in or as a prerequisite to borrowing funds from financing institutions participating in the supplemental financing program.	C. R. Weaver USDA, REA Room 3344-S Washington, DC 20250 (202) 382-1900
20-21:320-21	Environmental Policies and Procedures	Implements REA compliance with NEPA, CEQ regulations, and other laws, regulations, and Executive Orders having special relevance to NEPA.	Joseph Binder USDA, REA Room 2861-S Washington, DC 20250 (202) 382-8437
20-8	Purchase of Real Estate by Electric Borrowers	Requirements and procedures concerning the purchase of real estate by electric borrowers with REA loan funds or borrowers' general funds.	C. R. Weaver USDA, REA Room 3344-S Washington, DC 20250 (202) 382-1900
40-5	Common Use of Poles for Distribution and Transmission Lines	Set forth REA policy for electric borrowers considering arrangements with other organizations for common use of poles involving distribution and transmission lines.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088

Parts Affected	Subject	Description	Contact
Rural Electrification Administration - Scheduled, Nonmajor			
40-6	Construction Methods and the Purchase of Materials and Equipment (REA Forms 198 & 200)	Sets forth the policy and procedure with respect to construction of distribution, transmission, generation, and headquarters facilities and the purchase of materials and equipment by electric borrowers with loan funds or general funds.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088
40-6	Construction Methods and the Purchase of Materials and Equipment	Sets forth the policy and procedure with respect to construction of distribution, transmission, generation, and headquarters facilities and the purchase of materials and equipment by electric borrowers with loan funds or general funds.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088
42-1	Architectural Services for Electric Borrowers	States the REA policy regarding selection of architects by REA electric borrowers and the procedures to be followed in contracting for architectural services.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088
44-3:345-4	Specification for Wood Crossarms (Solid and Laminated), Transmission Timbers, and Pole Keys to be Purchased by REA Borrowers, Electric and Telephone	States the minimum acceptable requirements of wood crossarms, transmission timbers, and pole keys that are purchased by or for REA borrowers.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088
46-2	Electric System Capacity	Sets forth policy with respect to the electrical capacity of the systems financed with REA loan funds.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088
86-3	Headquarters Facilities for Electric Borrowers	Sets forth REA policy and procedures under which borrowers may obtain financing for headquarters facilities.	Archie Cain USDA, REA Room 1270-S Washington, DC 20250 (202) 382-9088
107-1:407-1	Data Processing Systems	Sets forth policy regarding data processing systems used by REA borrowers	C. R. Weaver USDA, REA Room 3344-S Washington, DC 20250 (202) 382-1900
112-3	Area Coverage Service	Sets forth REA policy covering the extension of electric service to rural users on an area coverage basis.	C. R. Weaver USDA, REA Room 3344-S Washington, DC 20250 (202) 382-1900
113-2	Merger and Consolidation of Electric Distribution Borrowers	Establishes REA policy with regard to merger of two or more electric borrowers and describes assistance available from REA.	C. R. Weaver USDA, REA Room 3344-S Washington, DC 20250 (202) 382-1900
181-2	Standard List of Retirement Units	Provides a list of retirement units for production, transmission, distribution, and general plant for a basis of identification for determining whether an item, upon replacement, should be charged to maintenance or be capitalized.	Sheldon Chazin USDA, REA Room 4063-S Washington, DC 20250 (202) 382-9550
182-1	Evaluation and Enforcement of Internal Control of Borrowers' Enterprises	Sets forth characteristics of a satisfactory system of internal control and provides a checklist for management to use in reviewing and determining the adequacy of internal control arrangements.	Sheldon Chazin USDA, REA Room 4063-S Washington, DC 20250 (202) 382-9550

Parts Affected	Subject	Description	Contact
Rural Electrification Administration - Scheduled, Nonmajor			
322-2	Rural Area Coverage - Telephone Loans	Sets forth REA policy covering the provisions of telephone service to rural users on an area coverage basis.	John N. Rose USDA, REA Room 2913-S Washington, DC 20250 (202) 382-8532
341-1	Final Statement of Engineering Fee and Certificate of Engineer, Telephone Engineering Service Contract	Sets forth the procedure and forms required to close out an engineering contract for services performed on a telephone project.	Joseph Flanigan USDA, REA Room 1355-S Washington, DC 20250 (202) 382-8663
344-1	Methods of Purchasing Materials and Equipment for Use on Systems of Telephone Borrowers	Sets forth the methods and procedures to be used by borrowers in purchasing materials and equipment with REA loan funds for the construction of telephone facilities.	Joseph Flanigan USDA, REA Room 1355-S Washington, DC 20250 (202) 382-8633
380-3	Progress Report of Telephone Construction and Engineering Services	Provides a uniform method for the borrower's engineer to report to the borrower and REA the progress of engineering and construction on a telephone project.	Joseph Flanigan USDA, REA Room 1355-S Washington, DC 20250 (202) 382-8633
382-2	Construction of Telephone System Improvements and Extensions by Work Order or Contract	Sets forth the requirements and procedures that REA borrowers are to follow when having miscellaneous construction work or maintenance services performed by contract.	Joseph Flanigan USDA, REA Room 1355-S Washington, DC 20250 (202) 382-8633
403-3	Minutes of Meetings of Directors, Stockholders, or Members	Stresses the responsibility of borrowers for keeping adequate minutes and provides a basis for submission of minutes or excerpts from minutes in designated circumstances.	John N. Rose USDA, REA Room 2913-S Washington, DC 20250 (202) 382-8532
409-1	Selection of a Manager by Telephone Borrowers	Sets forth basic policies and considerations regarding the selection of a manager by telephone borrowers.	John N. Rose USDA, REA Room 2913-S Washington, DC 20250 (202) 382-8532
Soil Conservation Service - Scheduled, Nonmajor			
7 CFR 620	Water Resources Purpose and Applicability	To outline the purpose and definitions for water resources in SCS. Rules are published for this program to inform the public of these definitions and increase their understanding of the program.	Joseph W. Haas USDA, SCS Room 5113-S P.O. Box 2890 Washington, DC 20013 (202) 447-4527
7 CFR 622	Watershed Projects	To provide a program of technical and financial assistance for flood protection under P.L. 83-566. The purpose of this rule is to inform the public of: 1) qualifications for assistance, 2) how to apply, and 3) how the program is carried out from planning through construction.	Joseph W. Haas USDA, SCS Room 5113-S P.O. Box 2890 Washington, DC 20013 (202) 447-4527
7 CFR 623	Flood Prevention Projects	To provide a program of technical and financial assistance for 11 watersheds authorized for assistance under P.L. 78-534. The rules are published for this program and: 1) the types of activities and assistance included, 2) who may obtain assistance, and 3) how the measures will be installed.	Joseph W. Haas USDA, SCS Room 5113-S P.O. Box 2890 Washington, DC 20013 (202) 447-4527
7 CFR 654	Operations and Maintenance	To outline operation and maintenance requirements pertaining to measures installed with SCS assistance. The rules are published for this program to inform the public of these requirements.	Joseph W. Haas USDA, SCS Room 5113-S P.O. Box 2890 Washington, DC 20013 (202) 447-4527

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
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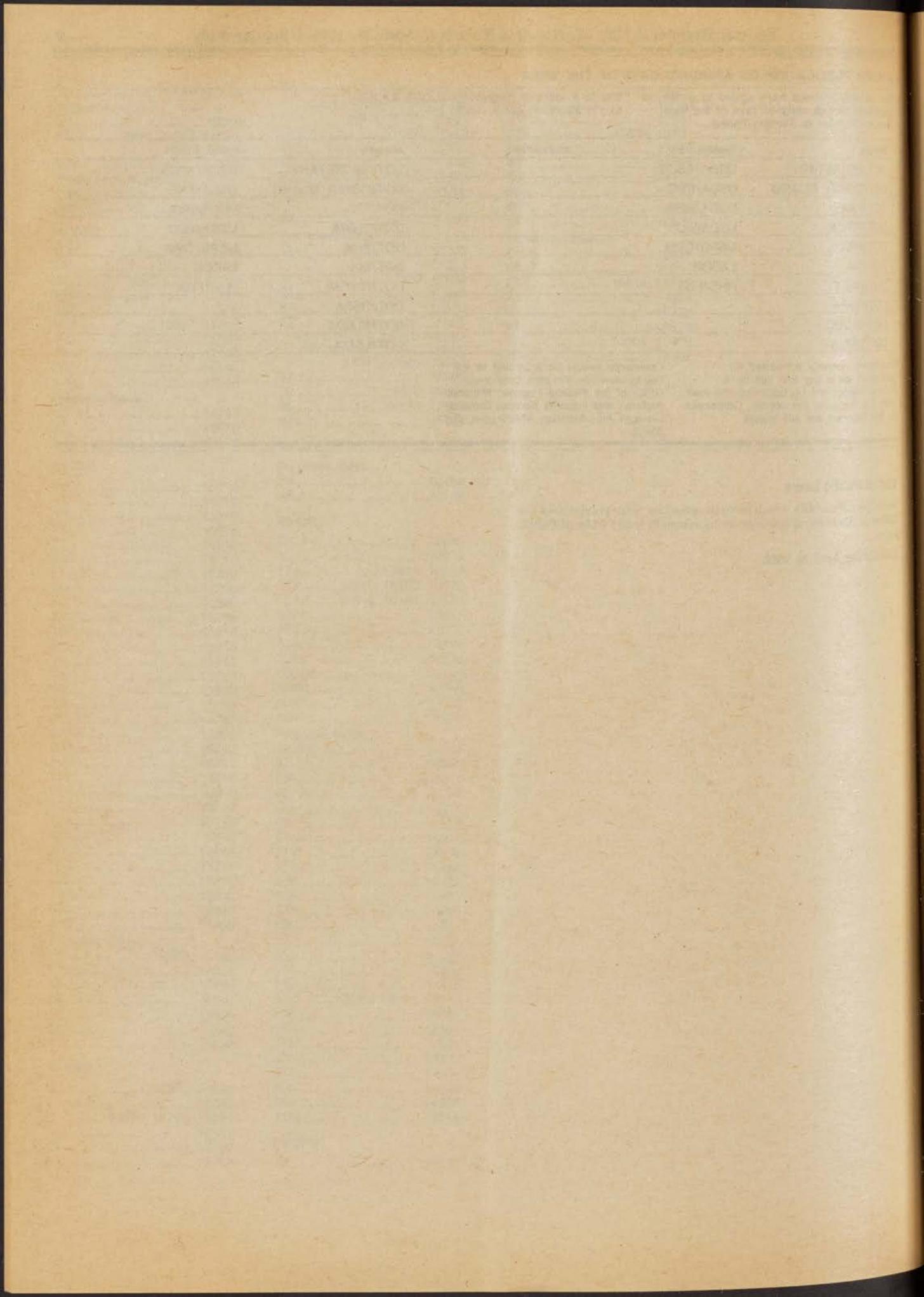
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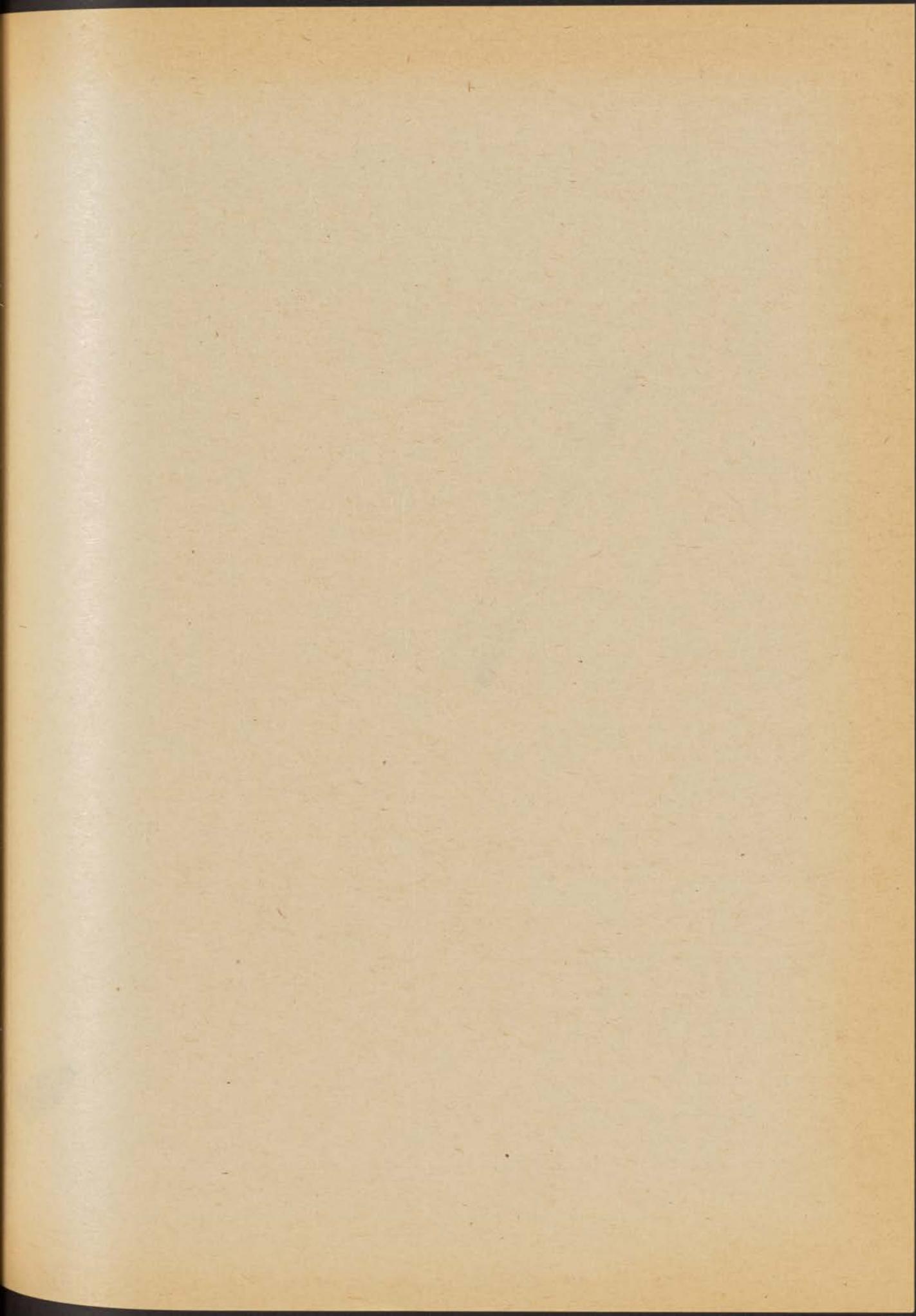
Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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 20, 1982





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