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Thursday
September 23, 1982

Selected Subjects

Air Pollution Control
Environmental Protection Agency

Aviation Safety
Federal Aviation Administration

Bridges
Coast Guard

Flood Insurance
Federal Emergency Management Agency

Loan Programs—Agriculture
Farmers Home Administration

Loan Programs—Housing and Community Development
Veterans Administration

Marine Safety
Coast Guard

Motor Vehicles
National Highway Traffic Safety Administration

Public Lands
Land Management Bureau

Railroad Safety
Federal Railroad Administration

Securities
Securities and Exchange Commission

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

Contents

Federal Register
Vol. 47, No. 185
Thursday, September 23, 1982

The President
PROCLAMATIONS
41941 Ukrainian Helsinki Monitoring Group, honoring (Proc. 4973)

Executive Agencies

Agriculture Department
See Farmers Home Administration; Forest Service.

Air Force Department
NOTICES
Meetings:
42017 Scientific Advisory Board (2 documents)

Civil Rights Commission
NOTICES
Meetings; State advisory committees:
42011 Arizona

Coast Guard
RULES
Safety zones:
41957 Calcasieu Channel, Industrial Canal, Calcasieu River, Lake Charles, La.
PROPOSED RULES
Boating safety:
41993 Electrical and fuel system standards
41992 Visual distress signal equipment requirements
Bridges:
41988 General permit program regulations

Commerce Department
See Foreign-Trade Zones Board; International Trade Administration; Maritime Administration.

Commodity Futures Trading Commission
NOTICES
42068 Meetings; Sunshine Act

Community Planning and Development, Office of Assistant Secretary
NOTICES
Community development block grants:
42028 Urban development action grants; small cities program; revised minimum standards; correction

Defense Department
See Air Force Department; Navy Department.

Education Department
RULES
Postsecondary education:
41958 National direct student loan, college work-study, and supplemental educational opportunity grant programs; "PLUS program" definition and promissory note; correction

Energy Department
See Federal Energy Regulatory Commission.

Environmental Protection Agency
RULES
Air quality implementation plans; approval and promulgation; various States, etc.:
41958 Connecticut
Waste management, solid:
41959 Beverage container, resource recovery facilities, and source separation for materials recovery guidelines; cancellation of reporting requirements; correction
PROPOSED RULES
Air quality implementation plans; approval and promulgation; various States, etc.:
42000 Nebraska
Air quality planning purposes; designation of areas:
42001 Ohio
NOTICES
Committees; establishment, renewals, terminations, etc.:
42025 Resource Conservation and Recovery Act (RCRA) Permit Advisory Committee
Grants; State and local assistance:
42024 Municipal wastewater treatment works construction grants; State allotments
Toxic and hazardous substances control:
42024 Confidential information and data transfer to contractors; MITRE Corp.

Farmers Home Administration
PROPOSED RULES
Loan and grant programs:
41978 Insured emergency loans; production loss calculations

Federal Aviation Administration
RULES
Airworthiness directives:
41943 General Electric Co.; final rule and request for comments
41948 Jet routes and VOR Federal airways
41949, 41950 Restricted areas (2 documents)
41944, 41947 Transition areas (4 documents)
41945, 41946 VOR Federal airways (2 documents)
PROPOSED RULES
41984–41986 Transition areas (4 documents)
NOTICES
42061 Exemption petitions; summary and disposition
Meetings:
42062 Aeronautics Radio Technical Commission

Federal Communications Commission
PROPOSED RULES
Television stations; table of assignments:
42001 Tennessee; correction

Federal Deposit Insurance Corporation
NOTICES
42068, 42069 Meetings; Sunshine Act (3 documents)

Federal Election Commission
NOTICES
42069 Meetings; Sunshine Act

Federal Emergency Management Agency
RULES
Flood elevation determinations:
41965 California et al.
Flood insurance; communities eligible for sale:
41960 Illinois et al.
Flood insurance; special hazard areas:
41963 Florida et al.
41962 Texas et al.
NOTICES
42026 Riots or civil disorder losses; reinsurance; correction

Federal Energy Regulatory Commission
PROPOSED RULES
Natural Gas Policy Act; ceiling prices for high cost natural gas produced from tight formations; various States:
41987 Louisiana; hearing
NOTICES
Environmental statements; availability, etc.:
42021 Tennessee Gas Pipeline Co.; proposed Tennessee/Boundary looping project; extension of time
Hearings, etc.:
42018 Cincinnati Gas & Electric Co.
42019 Commonwealth Electric Co.
42019 Florida Power & Light Co.
42019 Idaho Power Co.
42020 Midwestern Gas Transmission Co.
42020 New England Power Co.
42020 Northern States Power Co.
42020 Pacific Gas & Electric Co.
42020 Pennsylvania-New Jersey-Maryland Interconnection (PJM) Agreement
42021 Phillips & Spradley et al.
42021 Quinn Hydrotech Corp.
42021 Southern California Edison Co.
42023 Virginia Electric & Power Co.
42023 Wisconsin Power & Light Co.

Federal Highway Administration
NOTICES
Environmental statements; availability, etc.:
42062 Cordova, Alaska; intent to prepare

Federal Maritime Commission
NOTICES
42069 Meetings; Sunshine Act

Federal Railroad Administration
PROPOSED RULES
42003 Railroad employees; hours of service; recordkeeping requirements
42001 Railroad operating rules; blue signal protection of workmen; recordkeeping requirements
NOTICES
Petitions for exemptions, etc.:
42063 Louisiana Southern Railroad et al.; Hours of Service Act

Federal Reserve System
NOTICES
Applications, etc.:
42026 Bank of Poplar Bluff Bancshares, Inc., et al.
42027 Merchants & Farmers Bancshares, Inc., et al.
Bankholding companies; proposed de novo nonbank activities:
42026 Chase Manhattan Corp. et al.

Foreign-Trade Zones Board
NOTICES
Applications, etc.:
42011 Texas
42011 Texas; withdrawn

Forest Service
NOTICES
Environmental statements; availability, etc.:
42011 Stanislaus National Forest, Mt. Reba Ski Area, Calif.

General Services Administration
RULES
Property management:
41959 Locating Federal facilities in central business areas; temporary
NOTICES
42027 Agency forms submitted to OMB for review

Health and Human Services Department
See Human Development Services Office.

Housing and Urban Development Department
See also Community Planning and Development, Office of Assistant Secretary.
NOTICES
42028, 42029 Agency forms submitted to OMB for review (2 documents)

Human Development Services Office
NOTICES
42090 Discretionary funds program FY 1983; priority areas; inquiry

Interior Department
See also Land Management Bureau; Minerals Management Service; National Park Service.
NOTICES
Committees; establishment, renewals, terminations, etc.:
42038 Alaska Land Use Council; request for nominations to Land Use Advisors Committee

International Trade Administration
NOTICES
Antidumping:
42013 Instant potato granules from Canada
Countervailing duties:
42012 Chain of iron or steel from Japan
42014 Pectin from Mexico
42015 Polypropylene film from Mexico

Interstate Commerce Commission
NOTICES
Motor carriers:
42038 Permanent authority applications
42042 Permanent authority applications; operating rights republication

42041 Permanent authority applications; restriction removals
Railroad operation, acquisition, construction, etc.:
42043 Old Augusta Railroad Co.
Railroad services abandonment:
42042 Kansas City Southern Railway Co.
42042 Missouri Pacific Railroad Co.
42043 Southern Railway Co.

Land Management Bureau
PROPOSED RULES
Exchanges:
42086 Appraisal procedures, etc.
NOTICES
Alaska native claims selection; applications, etc.:
42029 Aniak Ltd.
Classification of public lands:
42032, 42033 Montana (2 documents)
Environmental statements; availability, etc.:
42033 Andrews Area, Burns District, Oreg.; grazing management plan; availability and meeting
Meetings:
42032 Federal-State Coal Advisory Board
42034 Richfield District Grazing Advisory Board
Opening or public lands:
42034 Oregon
Research natural areas:
42033 New Mexico
Withdrawal and reservation of lands, proposed, etc.:
42032 Colorado
42034 Wyoming

Maritime Administration
NOTICES
42063 War risk insurance; vessel values; correction

Minerals Management Service
NOTICES
Outer Continental Shelf; oil, gas, and sulphur operations; development and production plans:
42037 Chevron U.S.A. Inc.
42037 Texaco U.S.A.
42037 Union Oil Co. of California

National Highway Traffic Safety Administration
PROPOSED RULES
Motor vehicle safety standards:
42009 Lamps, reflective devices, and associated equipment; modulating headlamp on motorcycles
42004 Vehicle identification number

National Labor Relations Board
NOTICES
42069 Meetings; Sunshine Act
42043 Privacy Act; systems of records; annual publication

National Park Service
NOTICES
Mining plans of operation; availability, etc.:
42038 Death Valley National Monument, Calif.

National Science Foundation
NOTICES
42055, 42056 Antarctic Conservation Act of 1978; permit applications, etc. (2 documents)

National Transportation Safety Board
NOTICES
42056 Accident reports, safety recommendations and responses, etc.; availability
Senior Executive Service:
42056 Performance Review Board; membership

Native Hawaiians Study Commission
NOTICES
42043 Hawaiians, native; culture, needs, and concerns; draft report of findings; availability

Navy Department
NOTICES
Environmental statements; availability, etc.:
42017 Puget Sound Naval Shipyard, Bremerton, Wash.; new steam plant construction

Nuclear Regulatory Commission
NOTICES
Applications, etc.:
42058 Florida Power Corp. et al.
42058 Regulatory guides; issuance, availability, and withdrawal

Pension Benefit Guaranty Corporation
NOTICES
Multiemployer pension plans; bond/escrow exemption requests:
42059 National Fruit Canning Co.

Postal Service
NOTICES
42069 Meetings; Sunshine Act

Railroad Retirement Board
NOTICES
42060 Agency forms submitted to OMB for review

Securities and Exchange Commission
RULES
Securities:
41950 Registration statements and disclosure documents related to standardized options, etc.
NOTICES
42070 Meetings; Sunshine Act

Small Business Administration
NOTICES
Applications, etc.:
42060 AID America, Inc.

Trade Representative, Office of United States
NOTICES
Unfair trade practices, petitions, etc.:
42059 Industrial Union Department, AFL–CIO; subsidized financing on subway cars from Canada; termination

Transportation Department
See also Coast Guard; Federal Aviation Administration; Federal Highway Administration; Federal Railroad Administration; National Highway Traffic Safety Administration.
NOTICES
42064 Agency forms submitted to OMB for review

Treasury Department
NOTICES
42066 Agency forms submitted to OMB for review

Veterans Administrations
PROPOSED RULES
Loan guaranty:
41997 Refinancing loans, automatic closing; and requirements for maximum allowable discount points
NOTICES
Meetings:
42066 Educational Allowances Station Committee

CFR PARTS AFFECTED IN THIS ISSUE

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

3 CFR

Proclamations:

4973 41941

7 CFR

Proposed Rules:

1945 41978

14 CFR

39 41943

71 (7 documents) 41944–41948

73 (2 documents) 41949, 41950

75 41948

Proposed Rules:

71 (4 documents) 41984–41986

17 CFR

200 41950

230 41950

239 41950

240 41950

18 CFR

Proposed Rules:

271 41987

33 CFR

165 41957

Proposed Rules:

115 41988

175 41992

183 41993

34 CFR

674 41958

38 CFR

Proposed Rules:

36 41997

40 CFR

52 41958

244 41959

245 41959

246 41959

Proposed Rules:

52 42000

81 42001

41 CFR

Ch. 101 41959

43 CFR

Proposed Rules:

2200 42086

44 CFR

64 41960

65 (2 documents) 41962, 41963

67 41965

47 CFR

Proposed Rules:

73 42001

49 CFR

Proposed Rules:

218 42001

228 42003

565 42004

571 (2 documents) 42004, 42009

Federal Register
Vol. 47, No. 185
Thursday, September 23, 1982

Presidential Documents

Title 3—

The President

Proclamation 4973 of September 21, 1982

Honoring the Ukrainian Helsinki Monitoring Group

By the President of the United States of America

A Proclamation

The spontaneous formation on November 9, 1976, in Kiev, Ukraine, of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords affirmed once more that the human spirit cannot be crushed and that the desire for human freedom cannot be conquered.

The long prison terms meted out to members of the Ukrainian Helsinki Monitoring Group for their courageous activities to secure greater freedom in Ukraine are graphic testimony to the inability of Communism to compete with the principles of freedom in the marketplace of ideas. The flagrant persecution and imprisonment of Ukrainian citizens for their attempts to exercise basic human rights is an international embarrassment to the Soviet Union and proof that the Soviet Union has failed to live up to its pledges to honor the understandings embodied in the Helsinki Accords.

In commemorating this sixth anniversary of the founding of the Ukrainian Helsinki Monitoring Group, we renew our determination never to forget the valiant struggle of the peoples of Ukraine for their inalienable rights, and we pledge to do all we can to ameliorate the plight of those Ukrainians who have been persecuted by the Soviet authorities for attempting to assert their rights.

By a concurrent resolution agreed to on June 21, 1982 (H. Con. Res. 205), the Congress authorized and requested the President to proclaim November 9, 1982, the sixth anniversary of the establishment of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords, as a day honoring that Group.

On this day Americans are reminded of the preciousness of our own freedom, and we reaffirm our cherished hope that the aspiration for freedom will ultimately prevail over the morally bankrupt rule of force which denies human rights to so many in the world today.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby designate November 9, 1982, as a day honoring the sixth anniversary of the establishment of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of Sept. in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and seventh.

Ronald Reagan

[FR Doc. 82-26353
Filed 9-21-82; 3:57 pm]
Billing code 3195-01-M

Rules and Regulations

Federal Register
Vol. 47, No. 185
Thursday, September 23, 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 TRANSPORTATION

14 CFR Part 39

Federal Aviation Administration

[Docket No. 80-ANE-36; Amdt. 39-4464]

General Electric Company CF6-45 Series and CF6-50 Series Model Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: Emergency telegraphic Airworthiness Directives (TADs) were issued on July 25, 1980, February 19, 1981, February 23, 1982, and April 9, 1982, requiring inspections and, in some cases, rework of certain stage one and stage two high pressure turbine (HPT) disks on General Electric CF6-45 and CF6-50 series model engines, in order to prevent disk failure because of low cycle fatigue cracking of the disk embossments. This AD, which combines and supersedes the requirements of the previous TADs, is hereby published in the **Federal Register** as an amendment to Section 39.13 of Part 39 of the Federal Aviation Regulations.

DATES: Effective date—The TADs were effective upon receipt. This amendment is effective October 31, 1982. Comments on the rule must be received on or before October 29, 1982. Compliance schedule—as prescribed in the text of the AD.

ADDRESSES: The applicable Service Bulletins, (CF6-50/-45) 72-700, dated November 20, 1980, and 72-709, dated February 19, 1981, may be obtained from General Electric Company, Neumann Way, Cincinnati, Ohio 45215.

Send comments on the rule to: Federal Aviation Administration, Office of the Regional Counsel, New England Region, Attn: Rules Docket No. 80-ANE-36, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT: Arthur W. Nelson, Transport Engine Section, ANE-141, Engine Certification Branch, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7347.

SUPPLEMENTARY INFORMATION:

Prior Regulatory History

Pursuant to the authority delegated by the Administrator, emergency TAD No. T80-16-51, applicable to operators of General Electric CF6-45 and -50 series model engines, was adopted on July 25, 1980. This action was required as a result of a reported instance of a first stage HPT disk failure due to low cycle fatigue which initiated in an embossment radius irregularity. The TAD required the inspection of all first and second stage HPT disks in which the potential for radius irregularities was known to exist.

Emergency TAD No. T81-05-51, also applicable to operators of General Electric CF6-45 and CF6-50 series model engines, was adopted on February 19, 1981, when it was subsequently found that similar cracks existed in disks without radius irregularities. This TAD required fluorescent penetrant inspection of all first stage disks not affected by the earlier TAD. A third emergency TAD No. T82-05-51, also applicable to operators of General Electric CF6-45 and CF6-50 series model engines, was adopted on February 23, 1982, when a number of first state HPT disks were found to be cracked with fewer cycles in service than the threshold or repetitive inspection intervals previously specified. This third TAD required reductions in the initial fluorescent penetrant inspection times for disks with both MPO and MTU serial numbers, as well as a reduction in the reinspection time periods, and discontinued the previously imposed inspection requirements on stage 2 disks.

A fourth emergency TAD No. T82-08-51, also applicable to operators of General Electric CF6-45 and CF6-50 series model engines, was adopted on April 9, 1982, when a first stage HPT disk failed with fewer cycles since inspection than the required repetitive inspection interval. In addition, the results of recent disk inspections indicated that certain disks had more rapid embossment cracking than previously predicted. This fourth TAD required fluorescent penetrant inspections of certain first stage HPT disks with reduced initial and repetitive inspections. In order to improve embossment crack detection, two complete independent inspections were required each time a disk is inspected.

All TADs required the removal from service of any disk with crack indications.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impractical and contrary to the public interest, and good cause existed for making the four TADs effective immediately. Since these conditions still exist, the requirements of the four TADs have been combined, and the final rule is hereby published in the **Federal Register** as an Amendment to Section 39.13 of Part 39 of the Federal Aviation Regulations to make it effective to all persons.

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves requirements affecting immediate flight safety and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule.

List of Subjects in 14 CFR Part 39

Engines, Air transportation, Aircraft, Aviation safety, and Safety.

Adoption of the Amendment

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

by adding the following new AD which combines and supersedes previous TAD Nos. T80–16–51, T81–05–51, T82–05–51, and T82–08–51.

General Electric Company. Applies to CF6–45 series and –50 series model turbofan engines.

Compliance required as indicated unless already accomplished.

Inspect all first stage HPT disks, P/Ns 9045M34P07 and 9045M34P09, for cracks in accordance with General Electric CF6–45/50 Engine Service Bulletin 72–700, dated November 20, 1980, or Alert Service Bulletin 72–709 dated February 19, 1981, or later revision approved by the Manager, Engine Certification Branch, FAA, New England Region, per the following schedule utilizing two complete independent inspections, hereafter referred to as "double inspections."

A. Disks not previously inspected shall be "double inspected" prior to reaching 2,000 cycles in service for MTU serial number disks and 3,200 cycles in service for MPO serial number disks. All disks removed from service for inspection shall be reinspected every 750 cycles in service thereafter.

B. Disks previously inspected shall be reinspected using the "double inspection" procedure prior to reaching 750 cycles in service since last inspection and every 750 cycles in service thereafter.

C. All first stage turbine disks exposed at each high pressure rotor disassembly shall be "double inspected" prior to further flight per General Electric CF6–45/50 Service Bulletins 72–700 or 72–709.

D. Disks with crack indications must be removed from service prior to further flight.

E. First stage HPT disks, P/Ns 9045M34P07 and 945M34P09, shall not be returned to service after February 1, 1984.

NOTE: For the purposes of this AD, "return to service" is defined as installation on an aircraft.

F. All MTU prefix serial numbered disks reworked per General Electric CF6–45/50 Service Bulletin 72–700 at zero cycles of service may follow the initial inspection limits for MPO prefix serial numbers. Established life limits of first stage HPT disks are not to be exceeded.

Airplanes may be ferried in accordance with the provisions of Federal Aviation Regulation 21.197 to a base where the AD can be accomplished.

Upon request of an operator, an equivalent means of compliance with the requirements of this AD may be approved by the Manager, Engine Certification Branch, FAA, New England Region.

The manufacturer's specifications and procedures identified and described in this directive may be obtained upon request to General Electric Company, Neumann Way, Cincinnati, Ohio 45215. These documents may also be examined at the FAA, New England Region, 12 New England Executive Park, Burlington, Massachusetts. A historical file on this AD is maintained by the FAA, New England Region Office, Burlington, Massachusetts.

This amendment becomes effective on October 31, 1981.

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

Note.—The FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under the criteria of DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A regulatory evaluation has been prepared and placed in the regulatory docket. A copy may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Burlington, Massachusetts, on September 13, 1982.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 82–26173 Filed 9–22–82; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 82–ASO–46]

Alteration of Transition Area, Somerset, Kentucky

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment corrects a deficiency in the description of the Somerset, Kentucky, Transition Area. This is an editorial correction and no change in airspace is intended.

DATES: Effective date: 0901 G.m.t., October 28, 1982. Comments must be received on or before October 18, 1982.

ADDRESSES: Send comments on the rule in triplicate to: Federal Aviation Administration, ATTN: Manager, Airspace and Procedures Branch, ASO–530, Air Traffic Division, P. O. Box 20636, Atlanta, Georgia 30320

The official docket may be examined in the Office of the Regional Counsel, Room 652, 3400 Norman Berry Drive, East Point, Georgia 30344, telephone: (404) 763–7646.

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

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves an editorial change to correct a deficiency in the description of the Transition Area, and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy aspects of the rule that might suggest the need to modify the rule.

The Rule

The purpose of this amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to alter the description of the Somerset, Kentucky, Transition Area to correct an error that has gone undetected for approximately two years. In 1980, the Transition Area was amended due to a relocation of a navigational aid. The amendment (Docket No. 80–SO–42), which was effective November 30, 1980, has not been carried forward in the Compilation of Regulations which were published in Advisory Circular AC 70–3, dated January 29, 1982. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70–3 dated January 29, 1982. Under the circumstances presented, the FAA concludes that there is a need for a regulation to properly describe the Somerset, Kentucky, Transition Area. Therefore, I find that notice or public procedure under 5 U.S.C. 553(b) is unnecessary and that good cause exists for making this amendment effective in less than 60 days after its publication in the **Federal Register.**

List of Subjects in 14 CFR Part 71

Aviation safety, Airspace, Transition area.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) (as amended) is further amended, effective 0901 G.m.t., October 28, 1982, as follows:

Somerset, KY [Revised]

By deleting the following words from the description, "* * * Somerset RBN (Lat. 37°03'19"N., Long. 84°36'58"W.) extending from the 8.5-mile radius area to 8.5 miles southwest of the RBN. * * *"

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a));

section 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

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

Issued in East Point, Georgia, on September 13, 1982.

George R. LaCaille,

Acting Director, Southern Region.

[FR Doc. 82-26172 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-AWA-4]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Alteration of VOR Federal Airways

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the descriptions of several airways in the vicinity of Louisville, KY, by deleting alternate airway segments and renumbering other airway segments. This action supports our agreement with the International Civil Aviation Organization (ICAO) to eliminate all alternate airway descriptions from the National Airspace System.

EFFECTIVE DATE: December 23, 1982.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

History

On August 2, 1982, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the descriptions of several Federal Airway in the vicinity of Louisville, KY, by deleting the alternate route segments (47 FR 33278). This action supports our agreement with ICAO to eliminate all alternate route designations from our National Airspace System. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.123 of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations alters the description of several Federal Airways in the vicinity of Louisville, KY, by deleting alternate airway segments and renumbering other airway segments. This action supports our agreement with ICAO to eliminate all alternate airways from the National Airspace System.

List of Subjects in 14 CFR Part 71

Federal airways.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as amended (47 FR 12155 and 20569) is further amended, effective 0901 G.m.t., December 23, 1982, as follows.

1. V-171 [Amended]

By deleting the words "From Louisville, KY, Lewis, IN, including an E alternate from Louisville to Lewis via INT Louisville 312° and Bloomington 153° radials, and Bloomington;" and substituting the words "From Lexington, KY, INT Lexington 251° and Louisville, KY 114° radials, Louisville; Lewis, IN;"

2. V-514 [New]

By adding "V-514 from Louisville, KY; INT Louisville, 312° and Bloomington, IN, 153° radials, Bloomington; to Lewis, IN,"

3. V-51 [Amended]

By deleting the words "Livingston, TN; Louisville, KY, including a W alternate from Livingston to Louisville via INT Livingston 333° and New Hope, KY, 165° radials and New Hope;" and substituting the words, "Livingston, TN; Louisville, KY;"

4. V-513 [New]

By adding "V-513 From Livingston, TN; INT Livingston 333° and New Hope, KY, 165° radials; New Hope, KY, to Louisville, KY."

5. V-97 [Amended]

By deleting the words "Knoxville; London, KY, including an E alternate via INT Knoxville 013° and London 141° radials; Lexington, KY; Cincinnati, OH, including a W alternate via INT Lexington 327° and Cincinnati 192° radials, and also an E alternate from London to Cincinnati via INT London 004° and Lexington 107° radials and Falmouth, KY;" and substituting the words, "Knoxville; London, KY; Lexington, KY; Cincinnati, OH;"

6. V-517 [New]

By adding "V-517 From Knoxville, KY; INT Knoxville 013° and London, KY, 141° radials; London; INT London 004° and Falmouth, KY, 164° radials; Falmouth; to Cincinnati, OH."

7. V-52 [Amended]

By deleting the words "Nashville, TN, including a N alternate" and substituting the words "to Nashville, TN"

8. V-5 [Amended]

By deleting the words "Nashville, TN, including an east alternate via INT Chattanooga 332° and Nashville 116° radials; Bowling Green, KY; New Hope, KY, including an east alternate from Nashville to New Hope via INT Nashville 034° and New Hope 202° radials; Louisville, KY;" and substituting for them the words "Nashville, TN; Bowling Green, KY; New Hope, KY; Louisville, KY;"

9. V-515 [New]

By adding "V-515 From Chattanooga, TN; INT Chattanooga 332° and Nashville, TN, 116° radials; Nashville; INT Nashville, 034° and New Hope, KY, 202° radials; New Hope; to Louisville, KY."

10. V-4 [Amended]

By deleting the words, "Centralia, IL; Pocket City, IN; including an S alternate; Louisville, KY, including an N alternate via INT Pocket City 068° and Louisville 280° radials; Lexington, KY, including an N alternate via INT Louisville 081° and Lexington 303° radials and also an S alternate via INT Louisville 114° and Lexington 251° radials; Newcombe, KY; Charleston, WV; Elkins, WV, including an S alternate via INT Charleston 083° and Elkins 228° radials;" and substituting for them the words, "Centralia, IL; Pocket City, IN; Louisville, KY; Lexington, KY; Newcombe, KY; Charleston, WV; Elkins, WV;"

11. V-512 [New]

By adding "V-512 From Pocket City, IN; INT Pocket City 068° and Louisville, KY, 280° radials; Louisville, INT Louisville 081° and Lexington, KY, 303° radials; Lexington; Newcombe, KY; Charleston, WV; INT Charleston 083° and Elkins, WV, 228° radials; to Elkins."

12. V-511 [New]

By adding "V-511 Dyersburg, TN; INT Dyersburg 006° and Cunningham, KY, 224° radials; Cunningham; INT Cunningham 058° and Pocket City, IN 208° radials, Pocket City; INT Pocket City 046° and Bloomington, IN, 205° radials, Bloomington; INT Bloomington 025° radials, and Indianapolis 185° radials to Indianapolis."

13. V-47 [Amended]

By deleting the words "Dyersburg, TN; Cunningham, KY;" and substituting for them the words "Dyersburg, TN; INT Dyersburg 036° and Cunningham, KY, 187° radials, Cunningham;"

14. V-192 [Amended]

By deleting the words, "Terre Haute, IN" and substituting for them the words "Terre Haute, IN, INT 079° and Indianapolis, IN, 230° radials to Indianapolis."

15. V-14 [Amended]

By deleting the words, "Indianapolis, IN, including an S alternate via INT of Terre Haute 079° and Indianapolis 230° radials;" and substituting for them the words "Indianapolis, IN;"

16. V-140 [Amended]

By deleting the words "Nashville, TN, Livingston, TN, including a south alternate via INT Nashville 085° and Livingston 228° radials;" and substituting for them the words "Nashville, TN; to Livingston, TN;"

17. V-35 [Amended]

By deleting the words "Charleston, WV, including an E alternate via Bluefield, WV;" and substituting for them the words "Charleston, WV;"

18. V-519 [New]

By adding "V-519 From Knoxville, TN; INT Knoxville, 050° and Glade Springs 246° radials; Glade Springs; to Bluefield, WV."

(Secs. 307(a) and 313(a) Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65)

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

Issued in Washington, D.C., on September 15, 1982.

John W. Baier,

Acting Manager, Airspace and Air Traffic Rules Division.

[FR Doc. 82-26003 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-AWA-3]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Alteration and Designation of VOR Federal Airways

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the description of Federal Airway V-2 between Dickinson, ND, and Rochester, NY, by deleting alternate airway segments and renumbering other airway segments. This action supports our agreement with the International Civil Aviation Organization (ICAO) to eliminate all alternate airway descriptions from the National Airspace System.

EFFECTIVE DATE: December 23, 1982.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

History

On August 12, 1982, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the description of Federal Airway V-2 between Dickinson, ND, and Rochester, NY, by deleting the alternate route segments (47 FR 35002). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.123 of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations alters the description of Federal Airway V-2 between Dickinson, ND, and Rochester, NY, by deleting the alternate route segments. This action supports our agreement with ICAO to eliminate all alternate route segments from the National Airspace System.

List of Subjects in 14 CFR Part 71

Federal airways.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 409) is amended, effective 0901 G.m.t., December 23, 1982, as follows:

V-2 [Amended]

By deleting the words "Dickinson, ND; 10 miles, 60 miles, 38 MSL, Bismarck, ND, including an N alternate from Dickinson, 10 miles 38 MSL INT Dickinson 078° and Bismarck 290° radials, 28 miles, 38 MSL, to Bismarck; 14 miles, 62 miles, 34 MSL Jamestown, ND, including an N alternate from Bismarck 14 miles, 65 miles, 34 MSL, Jamestown; 7 miles, 43 miles, 28 MSL, Fargo, ND, including an N alternate from Jamestown, 7 miles, 46 miles, 28 MSL, Fargo; Alexandria, MN, including an N alternate, Gopher, MN; Nodine, MN, including an N alternate; Lone Rock, WI, including a south alternate via INT Nodine 150° and Lone Rock 286° radials; Madison, WI; Badger, WI; Muskegon, MI, including an S alternate via INT Badger 102° and Muskegon 252° radials, Lansing, MI, including an S alternate from Muskegon to Lansing via INT Muskegon 154° and Grand Rapids, MI, 284° radials and Grand Rapids (7 miles wide, 3 miles north and 4 miles south of centerline); Grand Rapids to Lansing; Salem, MI, including an N alternate via INT Lansing 091° and Salem 308° radials;" also, "Buffalo; Rochester, NY, including a north alternate via INT of Buffalo 045° and Rochester 273° radials;" and substituting for them the words, "Dickinson, ND; 10 miles, 60 miles, 38 MSL, Bismarck, ND; 14 miles, 62 miles, 34 MSL Jamestown, ND; Fargo, ND; Alexandria, MN; Gopher, MN; Nodine, MN; Lone Rock, WI; Madison, WI; Badger, WI; Muskegon, MI; Lansing, MI; Salem, MI;" and "Buffalo; Rochester, NY;" respectively.

V-510 [New]

By adding "V-510 From Dickinson, ND; INT Dickinson 078° and Bismarck, ND, 290° radials, 28 miles, 38 MSL Bismarck; INT Bismarck 067° and Jamestown, ND, 279° radials, 14 miles, 65 miles, 34 MSL, Jamestown; Fargo, ND; INT Fargo 110° and Alexandria, MN, 321° radials; Alexandria; Gopher, MN; INT Gopher 116° and Nodine, MN, 328° radials; Nodine; Lone Rock. From Muskegon, MI; INT Muskegon 154° and Grand Rapids, MI, 284° radials, Grand Rapids (7 miles wide, 3 miles N and 4 miles S of the centerline); Grand Rapids; Lansing, MI; INT Lansing 091° and Salem, MI, 308° radials; Salem. From Buffalo, NY, INT Buffalo 045° and Rochester, NY, 273° ; Rochester."

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

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

Issued in Washington, D.C., on September 15, 1982.

John W. Baier,

Acting Manager, Airspace and Air Traffic Rules Division

[FR Doc. 82-26002 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-ASW-41]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will alter the transition area at Marksville, LA. The intended effect of the amendment is to provide the proper controlled airspace for aircraft executing a new instrument approach procedure to the Marksville Municipal Airport. This amendment is necessary since there is a proposed change in the standard instrument approach procedure (SIAP) using the nondirectional radio beacon (NDB).

EFFECTIVE DATE: December 23, 1982.

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

SUPPLEMENTARY INFORMATION:

History

On July 19, 1982, a notice of proposed rulemaking was published in the **Federal Register** (47 FR 31287) stating that the Federal Aviation Administration proposed to alter the Marksville, LA, transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received without objections. Except for editorial changes, this amendment is that proposed in the notice.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, Subpart G of Part 71, § 71.181, of the Federal Aviation Regulations (14 CFR Part 71) as republished in Advisory Circular AC 70-3 dated January 29, 1982, is amended, effective 0901 G.m.t., December 23, 1982, as follows:

Marksville, LA [Revised]

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Marksville NDB (latitude 31°05'39" N., longitude 92°04'17" W.) and within 3 miles each side of a 224° bearing from the Marksville NDB extending from the 5-mile radius area to 8 miles southwest of the NDB.

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

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) it is certified that the rule will not have a significant economic impact on a substantial number of small entities as the anticipated impact is minimal.

Issued in Fort Worth, TX, on September 13, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-26168 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-ASW-45]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will alter the transition area at Orange,TX. The intended effect of the amendment is to provide proper controlled airspace for aircraft executing a new instrument approach procedure to the Orange Airport. This amendment is necessary since there is a proposed change in the standard instrument approach procedure (SIAP) to the Orange Airport using the Beaumont VORTAC.

EFFECTIVE DATE: December 23, 1982.

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

SUPPLEMENTARY INFORMATION:

History

On July 26, 1982, a notice of a proposed rulemaking was published in the **Federal Register** (47 FR 32155) stating that the Federal Aviation Administration proposed to alter the Orange, TX, transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received without objections. Except for editorial changes, this amendment is that proposed in the notice.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, Subpart G of Part 71, § 71.181, of the Federal Aviation Regulations (14 CFR Part 71) as republished in Advisory Circular AC 70-3 dated January 29, 1982, is amended, effective 0901 G.m.t., December 23, 1982, as follows:

Orange, TX [Amended]

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Orange Airport (latitude 30°04'11" N., longitude 93°48'23" W.).

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

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) it is certified that the rule will not have a significant economic impact on a substantial number of small entities as the anticipated impact is minimal.

Issued in Fort Worth, TX, on September 13, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-26167 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ASW-37]

Designation of Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; Designation of Transition Area: Grove, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction to final rule.

SUMMARY: The nature of the action being taken is to correct an editorial error which occurred in a final rule. The intended effect of the action is to properly describe a transition area designated by the final rule. The circumstances which created the need for the action are a mistake in the geographical coordinates which designated the Grove, OK, transition area.

EFFECTIVE DATE: September 23, 1982.

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

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 82-23340 was published on August 26, 1982 (47 FR 37376), designating the transition area at Grove, OK. Inadvertently, an error occurred in the geographical coordinates which improperly describe the transition area. This action is taken to correct the error by designating the proper location of the airspace. This correction is a minor matter upon which the public would have no particular desire to comment. Therefore, notice and public procedure are not necessary.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas.

The Rule

This correction to Federal Register Document 82-23340 (47 FR 37376) is made by deleting "* * * latitude 36°34'14" N.," and substituting "latitude 36°36'14" N.," to the final rule.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, the final rule, Docket Number 82-ASW-37, published in the Federal Register Document 82-23340, is corrected as stated above, effective upon publication.

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

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 1103; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal, and (4) is certified that the rule will not have a significant economic impact on a substantial number of small entities as the anticipated impact is minimal.

Issued in Fort Worth, TX, on September 13, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-26169 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Parts 71 and 75

[Airspace Docket No. 81-AGL-24]

Designation on Federal Airways, Area Low Routes, Controlled Airspace, and Reporting Points; and Establishment of Jet Routes and Area High Routes; Alteration of VOR Federal Airways—Minneapolis Terminal Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes seven new airways, realigns three existing airways, and realigns two jet routes in the Minneapolis, MN, area. This action improves the arrival/departure procedures in the Minneapolis terminal area.

EFFECTIVE DATE: December 23, 1982.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

History

On August 6, 1981, the FAA proposed to amend Parts 71 and 75 of the Federal Aviation Regulations (14 CFR Parts 71 and 75) to establish several VOR Federal Airways, realign several VOR Federal Airways, and realign two jet routes in the Minneapolis, MN, area (46 FR 40035). This action improves traffic flow in the Minneapolis terminal area. After further study, V-82 as described in the NPRM has been omitted from this final rule. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, these amendments are the same as those proposed in the notice. Sections 71.123 and 75.100 of Parts 71 and 75 of the Federal Aviation Regulations were republished in Advisory Circular AC 70-3 dated January 29, 1982.

The Rule

These amendments to Parts 71 and 75 of the Federal Aviation Regulations alter several VOR Federal Airways and jet routes and establish several VOR Federal Airways in the vicinity of Minneapolis, MN, airport terminal area. This action will enhance traffic flow and reduce controller coordination problems.

List of Subjects in 14 CFR Parts 71 and 75

Airways, Jet routes.

Adoption of the Amendments

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

Accordingly, pursuant to the authority delegated to me, § 71.123 and 75.100 of Parts 71 and 75 of the Federal Aviation Regulations (14 CFR Parts 71 and 75) are amended, effective 0901 G.M.T., December 23, 1982, as follows:

§ 71.123 [Amended]

1. V-410 [New]

From Gopher, MN; Gopher 109° and Eau Claire, WI, 269° radials; Eau Claire.

V-411 [New]

From Rochester, MN; Rochester 319° and Farmington MN, 184° radials; Farmington.

V-412 [New]

From Redwood Falls, MN; Redwood Falls 053° and Flying Cloud, MN, 276° radials; Flying Cloud.

V-413 [New]

From Gopher, MN; Gopher 321° and Brainerd, MN, 174° radials; Brainerd.

V-414 [New]

From Gopher, MN; Gopher 287° and Alexandria, MN, 148° radials; Alexandria.

V-416 [New]

From Gopher, MN; 321° and Alexandria, MN, 110° radials; Alexandria.

V-418 [New]

From Gopher, MN; Gopher 109° and Nodine, WI, 328° radials; Nodine.

V-2 [Amended]

After the words "Nodine, MN" by deleting the words, "including an N alternate"

V-26 [Amended]

After the words "Redwood Falls, MN, including an S alternate;" by deleting the words "Flying Cloud, MN; INT Flying Cloud 081° and Eau Claire, WI, 271° radials; Eau Claire, including a south alternate from Redwood Falls to Eau Claire via Farmington, MN" and substituting for them the words "Farmington, MN; Eau Claire, WI"

V-161 [Amended]

After the words "Rochester 243° radials;" by deleting the words "INT Rochester 356° and Gopher, MN, 116° radials;" and substituting for them the words "INT Rochester 005° and Gopher, MN, 144° radials,"

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

§ 75.100 [Amended]

J-30 [Amended]

By deleting the words "Gopher, MN," and substituting for them the words "Farmington, MN"

J-113 [Amended]

By deleting "Dubuque, IA;" and substituting the words "Dubuque, IA, INT Dubuque 306° and Gopher 155° radials,"

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

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

Issued in Washington, D.C., on September 15, 1982.

John W. Baier,

Acting Manager, Airspace and Air Traffic Rules Division.

[FR Doc. 82-26006 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 73

[Airspace Docket No. 82-AWA-15]

Special Use Airspace; Alteration of Oswego, NY, Restricted Area R-5203

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment alters the description of Restricted Area R-5203, located in the Oswego, NY, area by changing the time of designation. On July 22, 1982, an amendment to R-5203 was published in the **Federal Register** (47 FR 31678) Airspace Docket No. 82-AEA-7, which changed the time of designation from continuous to real time periods. Due to unforeseen operational requirements, the time published failed to meet the using agency's needs. This action increases the designated utilization period by one hour (2100L to 2200L) Monday through Friday in order to meet those needs.

DATES: Effective date—September 23, 1982. Comments must be received on or before October 25, 1982.

ADDRESSES: Send comments on the rule in triplicate to: Director, FAA Eastern Region, Attention: Manager, Air Traffic Division, Docket No. 82-AWA-15, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, NY 11430.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, D.C.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Bill Hill, Airspace Regulations and Obstruction Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves making a minor change in the time designation of a restricted area and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic and energy aspects of the rule that might suggest the need to modify the rule. Send comments on environmental and land use aspects to: 21st Air Division, DOCOFS, Hancock Field, Syracuse, NY.

The Rule

The purpose of this amendment to § 73.52 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) is to change the time of designation for Restricted Area R-5203. This change increases the real time designation period by one hour on weekdays to accommodate a regularly scheduled activity which was unforseen when time reductions were made on July 22, 1982. Section 73.52 of Part 73 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982. Since this amendment makes a minor change in the real time use of R-5203, I find that notice or public procedure under 5 U.S.C. 553(b) is contrary to the public interest and that good cause exists for making this amendment effective upon publication in the **Federal Register.**

List of Subjects in 14 CFR Part 73

Restricted area.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 73.52 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as amended (47 FR 31678), is further amended, effective 0901 G.m.t., September 23, 1982 as follows:

R-5203 Oswego, NY [Amended]

Under time of designation by deleting the words "From 0800 to 2100 local time, Monday through Friday" and substituting the words "From 0800 to 2200 local time, Monday through Friday."

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

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

Issued in Washington, D.C., on September 15, 1982.

John W. Baier,

Acting Manager, Airspace and Air Traffic Rules Division.

[FR Doc. 82-26005 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 82-ASO-25]

Special Use Airspace; Establishment of Restricted Area R-2930, Cape Kennedy, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment designates new Restricted Area R-2930, Cape Kennedy, FL. This joint use restricted area will provide adequate protected airspace required for space shuttle recovery and astronaut training. The restricted area is intended for infrequent use in support of the NASA space program and frequent use is not authorized.

EFFECTIVE DATE: October 28, 1982.

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

SUPPLEMENTARY INFORMATION:

History

On August 12, 1982, the FAA proposed to amend Part 73 of the Federal Aviation Regulations (14 CFR Part 73) to establish new Restricted Area R-2930, Cape Kennedy, FL (47 FR 35003). The restricted area is needed to provide protected airspace for space shuttle recovery and astronaut training. Astronaut training will be limited to two one and one-half hour periods per day the week prior to each shuttle launch date. Nonparticipating aircraft can expect clearance to transit the area during periods of nonuse. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 73.29 of Part 73 of the Federal Aviation Regulations were published in Advisory Circular AC 70-3 dated January 29, 1982.

The Rule

This amendment to Part 73 of the Federal Aviation Regulations designates new Restricted Area R-2930, Cape Kennedy, FL, to provide protected airspace for space shuttle recovery and astronaut training in support of the NASA Space Program.

List of Subjects in 14 CFR Part 73

Restricted areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 73.29 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) is amended, effective 0901 G.m.t., October 28, 1982, as follows:

R-2930, Cape Kennedy, FL [New]

Boundaries. Beginning at lat. 28°47'20" N., long. 81°05'00" W.; to lat. 28°58'00" N., long. 80°47'00" W.; thence south 3 NM from and parallel to the U.S. coast to lat. 28°51'15" N., long. 80°42'20" W.; to lat. 28°51'15" N., long. 80°47'15" W.; to lat. 28°49'10" N., long. 80°50'45" W.; to lat. 28°42'10" N., long. 80°48'20" W.; to lat. 28°38'00" N., long. 80°47'02" W.; to lat. 28°31'20" N., long. 80°43'50" W.; to lat. 28°24'30" N., long. 80°41'45" W.; to lat. 28°22'30" N., long. 80°40'50" W.; to lat. 28°22'30" N., long. 80°35'00" W.; to lat. 28°24'30" N., long. 80°30'00" W.; thence south 3 NM from and parallel to the U.S. Coast; to lat. 28°19'00" N., long. 80°33'30" W.; to lat. 28°19'00" N., long. 80°46'30" W.; thence to point of beginning.

Designated altitudes. 11,000 feet MSL to unlimited.

Times of use. Intermittent by NOTAM beginning one week prior to space shuttle launch date until shuttle recovery.

Using agency. Eastern Space and Missile Center (ESMC), Patrick Air Force Base, FL.

Controlling agency. Federal Aviation Administration, Miami ARTCC.

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

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

Issued in Washington, D.C., on September 15, 1982.

John W. Baier,

Acting Manager, Airspace and Air Traffic Rules Division.

[FR Doc. 82-26004 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 200, 230, 239, and 240

[Release Nos. 33-6426 and 34-19055]

Registration Statement and Other Disclosure Documents Related to Standardized Options

AGENCY: Securities and Exchange Commission.

ACTION: Final rules.

SUMMARY: The Commission today announced the adoption of three rules and a new optional registration statement designed to make the disclosure of information about standardized options more meaningful to investors and less burdensome to registrants and others.

EFFECTIVE DATE: These amendments are effective October 25, 1982 for all documents filed on or after that date, but registrants and others may use the new rules and optional registration statement immediately.

FOR FURTHER INFORMATION CONTACT: Thomas G. Lovett (202) 275-2913 or William L. Golden (202) 272-2855, Division of Market Regulation, regarding Rule 9b-1, and John Thomas (202) 272-2748 or David B. H. Martin (202) 272-2573, Division of Corporation Finance, regarding Form S-20 and Rules 134a, 135b, and 153b, Securities and Exchange Commission, 450 5th Street, N.W., Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission today announced the adoption of three new rules and one new form relating to the offer and sale of standardized options. Specifically, the Commission has adopted: (1) An optional registration statement form, Form S-20 (17 CFR 239.20), to be used to register standardized options under the Securities Act of 1933 ("Securities Act") (15 U.S.C. 77a et seq.); (2) Rule 153b (17 CFR 230.153b), which provides that the delivery requirement of Section 5(b) of the Securities Act is satisfied by providing copies of the Form S-20 prospectus to the options market(s) on which the options are traded; (3) Rule 9b-1 (17 CFR 240.9b-1) under the

Securities Exchange Act of 1934 ("Exchange Act") (15 U.S.C. 78a et seq.), which establishes an options disclosure document (the "disclosure document") containing information concerning standardized options and options trading; and (4) Rule 135b (17 CFR 230.135b), which exempts the disclosure document from the requirements of Section 5 of the Securities Act. The new rules and form are intended to enhance investor understanding of standardized options by presenting all essential information about such options in a more readable Exchange Act disclosure document, and by making available a prospectus for investors who may be interested in more detailed information about the issuer of the options.

In addition, the Commission is adopting Rule 134a (17 CFR 230.134a) under the Securities Act, which permits the dissemination of instructional information about options and options trading without such information being deemed a prospectus for purposes of Section 5 of the Securities Act.

Finally, the Commission is delegating to the Director of the Division of Market Regulation the authority to accelerate or extend the time period with respect to distribution of the disclosure document or amendments thereto and to require refiling of the disclosure document or amendments.

I. Discussion

The Commission received thirteen letters in response to its request for comments on the proposal to establish a new disclosure framework specifically tailored to the information needs of investors in standardized options.[1] While generally supportive of the proposal, the commentators made a number of suggestions which they believed would further reduce compliance burdens and simplify investors' review of the information required to be disclosed. As a result of these suggestions and further analysis by the Commission, the final rules reflect several modifications from those proposed.

A. Form S–20 Registration Statement and Rule 153b

1. *Delivery of the Prospectus pursuant to Rule 153b.* In proposing Form S–20, the Commission stated that the delivery requirements of Section 5(b)(2) of the Securities Act constituted the basic statutory means of assuring that investors are provided with material information about the registrant and the securities being offered. The commentators pointed out, however, that in the context of the proposed options disclosure framework, the disclosure document,[2] rather than a traditional prospectus, would be the investors' primary source of information about standardized options.[3] Commentators argued that a prospectus delivery requirement would be contrary to the stated goals of reducing costs and simplifying disclosure concerning standardized options trading. It was strongly urged that, for the convenience of investors and to minimize the distribution burdens that otherwise would be imposed upon registrants and broker-dealers, the Commission should not require actual delivery of the prospectus to investors.

In response to these concerns, the Commission is adopting Rule 153b, which provides that the statutory requirement to deliver the prospectus portion of Form S–20 shall be deemed to be satisfied by the registrant's delivery of copies of the prospectus to each options market trading the options covered by the prospectus in order to redistribute the prospectus to any investor who requests it.[4] The Commission is taking this step because it believes that the unique nature of standardized options, coupled with the significant costs savings associated with the proposed disclosure system, justifies this step. The availability of the rule is conditioned upon the issuer's providing a reasonable number of copies of the prospectus to the options market(s) and each options market promptly providing the prospectus to investors who request it. Because the subjects and issues raised by Rule 153b were discussed in the Proposing Release, the Commission is adopting the Rule without additional notice and comment.

2. *Information Required in the Prospectus.* The information required in Part I of Form S–20 relates to the registrant as issuer of the options. The Proposing Release identified four items of information that would be included in the Part I prospectus. Commentators addressed Items 3 and 4, a description of the securities to be registered and a discussion of the federal income tax consequences of the registered securities, respectively.

Item 3 would contain such information as whether certificates were issued, the registrant's procedures for accepting and rejecting transactions, remedies and the back-up system to assure performance of contractual obligations. One commentator questioned the need to bifurcate disclosure concerning the exercise of options between the disclosure document and the prospectus,[5] and two commentators argued that, because of the changeability of the information in Item 3, should a prospectus delivery requirement be adopted, any reference to this information should be deleted so as not to require costly revision and recirculation of the prospectus each year.[6] In view of the Commission's determination not to require delivery of the prospectus to investors, the concerns of the commentators appear to be alleviated. Moreover, the Commission believes that this information may be of interest to some options investors and, therefore, should be available to those investors through the prospectus. Thus, along with proposed Items 1 and 2, the Commission is adopting proposed Item 3 without change.

Regarding proposed Item 4, which would have required a discussion of the tax consequences of options transactions, the Commission requested comment on whether, in the alternative, it would be preferable to include tax information in the disclosure document rather than in Part I of Form S–20. As discussed *infra*, almost all the commentators expressed the view that it would be more convenient to investors and less costly to registrants if the tax information were described generically and set forth in the disclosure document.[7] Since the Commission has determined not to require delivery of the prospectus to investors, a discussion of tax consequences should be contained

[1] Securities Act Release No. 6411 (June 24, 1982) (47 FR 28688) (the "Proposing Release").

[2] As discussed below, the new system contemplates that disclosure to investors may be accomplished by delivery of a series of disclosure documents: A "core" document discussing options trading generally and supplemental documents describing specific options classes or kinds of options, such as debt options or foreign currency options.

[3] *See, e.g.*, comment letters of the Options Clearing Corporation ("OCC") and the Securities Industry Association ("SIA") (File No. S7–935). All subsequent comment letters also refer to comments contained in File No. S7–935 submitted in response to the Proposing Release.

[4] In two other unique situations, the Commission has taken a similar approach with respect to the prospectus delivery requirement. Rules 153 and 153a under the Securities Act were adopted because of the impracticality of requiring compliance with the requirements of Section 5(b)(2) of the Securities Act in connection with the unusual circumstances of the transactions covered by those Rules. In this regard, *see* Commission Release at 2 FR 1075 (May 26, 1937) and Release No. 33–5316 (October 6, 1972) (37 FR 23636).

[5] Comment letter of OCC.

[6] Comment letter of the American Bar Association ("ABA") and OCC.

[7] Only the National Association of Securities Dealers ("NASD") suggested that, should a non-generic discussion of the tax consequences of options trading be required, it should be included in the prospectus rather than the disclosure document.

in the disclosure document. Item 4, therefore, has been deleted from the prospectus.

3. *Information not Required in the Prospectus.* With respect to proposed Item 5, which required presentation of the information about officers and directors called for by Item 401 of Regulation S–K, one commentator suggested that Item 401 required more information than would be of interest to most investors in options.[8] The Commission notes, however, that information about the registrant's management is required to be furnished only in Part II of the registration statement and believes it is sufficiently important to warrant such disclosure.

No comments were directed to the other proposed informational requirements for Part II of Form S–20 which are being adopted as proposed. The numbering of the Items in Part II of the Form has been revised to reflect the changes, described above, in the content requirements of Part I.

B. The Rule 9b–1 Options Disclosure Document

Under the revised disclosure framework, Rule 9b–1 establishes a new disclosure document to be used in conjunction with new Form S–20. Much of the information presently required to be disclosed in the registration statement has been shifted to the disclosure document where it will be presented in a manner designed to enhance its readability to options investors.

1. *Availability of Rule 9b–1.* Rule 9b–1 is available to any "options market", as defined in the Rule, which markets and sells standardized options within the United States. The definition of options market encompasses not only domestic and foreign exchanges, but also an automated quotation system of a registered securities association. In discussing the availability of Rule 9b–1 in the Proposing Release, the Commission pointed out the desirability of two or more options markets working together to prepare a single disclosure document covering options traded on each participating options market. Noting that the four existing U.S. options markets, for example, are currently cooperating with the OCC in developing a single disclosure document covering equity options,[9] the Commission requested comment on whether the rule should specifically require options markets that permit the trading of options on the same type of underlying security to jointly prepare a disclosure document covering such options.

All commentators who addressed the issue supported the idea of joint preparation of disclosure documents whenever feasible, pointing out that separate documents would not only be burdensome and confusing to broker-dealers and investors but also duplicative and unnecessarily expensive to the industry.[10] The commentators generally opposed, however, a specific requirement that the document be jointly prepared, asserting that competitive, economic and administrative concerns would cause the options markets to cooperate in preparing joint disclosure documents, and that, in certain circumstances, separately prepared disclosure documents covering particular options products may be desirable and appropriate.[11]

Given these considerations and the fact that the existing options markets have demonstrated their ability to work cooperatively on a voluntary basis in preparing a basic disclosure document covering equity options, the Commission has determined not to mandate joint preparation.

A related concern was raised by the NASD. The NASD asserted that, because no options are "currently" quoted on NASDAQ, its automated quotation system, it might not meet the technical definition of an "options market" contained in paragraph (a)(1) of Rule 9b–1. It expressed the hope that, while the definition of an options market is phrased in the present tense, the rule would not exclude the NASD, which has pending before the Commission a proposal to trade options,[12] from participation in the preparation of any disclosure documents.

By defining "options market" as a securities exchange or automated quotation system "on which standardized options *are* traded" (emphasis added), the Commission does not intend to limit the availability of the new disclosure system to the exchanges that currently operate options markets, but rather anticipates the system will be available to entities, such as the NASD or the New York Stock Exchange, which may serve as markets for standardized options in the future. Of course, if an entity assists in the preparation of a disclosure document in anticipation of beginning to act as a market for the option covered by that document, it must be listed as one of the preparers of the document.

2. *Disclosure Requirements.* Paragraph (c) of Rule 9b–1 sets forth the specific categories of information required to be disclosed in the disclosure document. Except with respect to proposed Item 8, which would have required a description of the tax consequences of trading options, there was virtually no public comment on the proposed informational requirements.

A number of commentators, however, opposed the proposed tax disclosure requirements. They asserted that, while investors should be informed of the importance of tax considerations to options investment decisions, the Commission should not require substantive discussion of the specific tax provisions applicable to options transactions in either Form S-20 or the disclosure document. Several commentators contended that the disclosure document should merely contain a prominently placed statement advising investors that there are significant tax consequences of options transactions and that investors should consult their tax advisers before investing in options.[13] One commentator, however, stated that tax consequences of options should be discussed in detail in the disclosure document.[14]

Commentators opposing a requirement that detailed disclosure of tax consequences be included in the disclosure document argued that the tax considerations attending options investment decisions are extremely complex and difficult to deal with effectively in the document without confusing the general, non-professional investor. It was asserted that, since tax considerations are by their nature highly technical, their inclusion in the disclosure document would burden it with lengthy and detailed discussions of little informative value.[15]

Several commentators also objected to inclusion of tax information in the disclosure document on the ground that tax law is especially vulnerable to legislative or administrative changes and, consequently, any tax treatment of options investments in the disclosure

[8] Comment letter of OCC.

[9] While Rule 9b–1 speaks in terms of the "options markets" preparing the disclosure document, the Commission notes that the rule is not intended to preclude options issuers or others from participating in the preparation of the disclosure document, provided that the options markets themselves are primarily responsible for the document.

[10] *See, e.g.*, comment letters of OCC, Trans Canada Options, Inc. ("TCO") and Merrill Lynch.

[11] *See, e.g.*, comment letters of NASD, OCC and TCO.

[12] *See* File No. SR–NASD–80–10.

[13] *See, e.g.*, comment letters of the SIA, the American Stock Exchange ("Amex"), Oppenheimer and Co., J. J. B. Hilliard, W. K. Lyons, Inc., and the OCC.

[14] Comment letter of Tucker, Anthony, and R. L. Day, Inc. *See also* comment letter of E. F. Hutton.

[15] *See, e.g.*, comment letters of the NASD, OCC, SIA and ABA.

document might become quickly outdated. It was asserted that the disclosure documents would therefore require frequent amendments and supplements which would vitiate one of the major purposes of the revised disclosure system—*i.e.*, to relieve the options markets of the burden and costs of frequently redelivering disclosure material to options investors.[16]

One commentator also opposed inclusion of tax information; on the ground that tax consequences depend upon the individual tax posture of each investor which no amount of detailed tax disclosure could address and, as a result each investor would generally have to consult with his own tax adviser in any event.[17] Another commentator questioned the need for disclosure of tax information with respect to options investments when no such disclosure is required for investors who invest only in stocks and bonds.[18]

The Commission has considered these arguments carefully. It believes that, while the foregoing concerns regarding inclusion of substantive discussions of the tax consequences of options investments in the disclosure document are not without merit, tax consequences of options trading are such an integral part of options investment decisions that they should not be entirely excluded from the disclosure document.

The Commission recognizes, however, that detailed disclosure of tax consequences may necessarily result in a document that might be required to be amended at frequent intervals. Therefore, the Commission has determined to balance the need for tax disclosure with the goal of producing a simplified document that requires infrequent updating. Accordingly, the Commission is retaining the requirement of a discussion of the significant tax consequences of options trading in the disclosure document, but believes that such disclosure can be done generically by explaining that tax treatment is always relevant and often critical to the success or failure of a particular options strategy. Moreover, the document should note that different tax treatment may result from different dispositions of options positions and, with respect to option call writers, whether that person is covered or uncovered. The Commission also believes the document should inform investors of the importance of consulting with their tax advisers.

Thus, all the categories of information proposed to be included in the disclosure document pursuant to paragraph (c) of Rule 9b–1 are being retained in the final rule.[19] In addition, as a result of the adoption of Rule 153b, which permits delivery of the prospectus to be satisfied by delivery to the options markets, two more categories of information have been added to the content requirements for the options disclosure document. New Item 9 calls for the identification of the issuer of the options, including a brief reference to its function in clearing transactions and guaranteeing performance. New Item 11 requires a statement prominently displayed in the disclosure document to the effect that the options described therein are the subject of a registration statement filed with the Securities and Exchange Commission and indicates specifically from whom investors can obtain a copy of the prospectus.

3. *Procedural Requirements.* Rule 9b–1(b)(1) provides that the disclosure document be filed with the Commission 60 days prior to the date it is distributed to investors, unless the Commission "determines otherwise having due regard to the adequacy of the information disclosed and the public interest and protection of investors." Under this section, it is anticipated that the Commission will accelerate the time period for delivery if it determines that disclosure is adequate or extend the time in the event it is unable to make such a determination. As discussed below, the Commission has similar powers with respect to the filing of amendments.

Paragraph (b)(2) of Rule 9b–1 provides that a disclosure document must be amended should the information therein become materially inaccurate or incomplete.[20] It further provides that an amendment must be filed with the Commission 30 days prior to the date definitive copies are furnished to customers, unless the Commission determines otherwise. Several commentators objected to the requirement of a 30-day advance filing of an amendment with the Commission.[21] One commentator argued that the preparers must be able to amend or supplement a disclosure document promptly so as to avoid potential liability for information which, because of some unforeseen change, becomes materially inaccurate or incomplete.[22] Another commentator contended that the failure to provide a "sticker" procedure could result in an unnecessary interruption in options trading.[23]

Since the inception of standardized options trading, no occasions have arisen in which the OCC, with little or no notice, has been required to amend or sticker its prospectus. Indeed, other than the annual amendments to the prospectus required under the Securities Act,[24] the OCC has found it necessary only once to even supplement the prospectus. Given the more generalized nature of the disclosure document, the need to amend suddenly should be reduced further. Thus, in most cases, the Commission believes that the options markets should be able to identify and file needed amendments to the disclosure document substantially before such amendments need become effective. In the unusual case where a change of circumstances occurs which immediately affects options trading in a material way, the Commission believes that the options markets would successfully meet this disclosure obligation by the issuance of a prompt press release explaining the material change in information, coupled with the immediate filing of an amendment under the proposed rule. In that circumstance, paragraph (b)(1) of the Rule would allow the Commission to accelerate the time period where it determines that such acceleration is appropriate, having due regard to the adequacy of the information disclosed and the public interest and the protection of investors. Thus, the 30-day advance filing requirement has generally been retained.

Nevertheless, the Commission has determined that, in the unusual case, an options market may distribute an amendment without the 30-day advance filing with the Commission where it determines, in good faith, that such delivery is necessary to ensure timely and accurate disclosure and provided that it also files the amendment with the Commission at the same time as, or prior to the time of, public distribution. While Rule 9b–1 would provide this alternative, the Rule also will allow the Commission to require refiling of a revised amendment within 30 days of filing, having due regard to the adequacy of the information disclosed and the

[16] *See, e.g.*, comment letters of the NASD, OCC, and ABA.

[17] Comment letter of the OCC.

[18] Comment letter of the ABA.

[19] In its comment letter, the OCC expressed concern that detailed disclosure with respect to exercise and settlement of options would be required in the disclosure document. The Commission believes that a general discussion of these matters will be sufficient.

[20] Options markets are free, of course, to make any other amendments that they feel are necessary or appropriate.

[21] *See* comment letters of OCC and TCO.

[22] Comment letter of OCC.

[23] Comment letter of TCO.

[24] *See* Proposing Release at n. 6.

public interest and the protection of investors. Paragraph (b)(2) of Rule 9b–1 has been modified to reflect this determination.[25]

4. *Certain Technical Amendments.* In response to points made by one commentator,[26] the Commission has made two amendments to the definition of standardized options in paragraph (a)(4) of Rule 9b–1. First, the Commission has amended the definition by deleting the phrase "trading on an options market," and specifically listing the markets on which options are traded, thereby eliminating any circularity in the proposed definition. Second, the Commission has added language to authorize the Commission, by order, to allow the use of Rule 9b–1 for new investment vehicles that the Commission believes should be included within the new disclosure framework.

Two commentators pointed out that while, under current exchange rules, a prospectus must be delivered to a customer "at or prior to the time" his or her account is approved for options trading, proposed paragraph (d) of Rule 9b–1 provides that an account may not be approved for options trading unless the broker or dealer "previously has delivered" the disclosure document.[27] They argued that the delivery rule should be no more restrictive than existing exchange rules governing prospectus delivery. The Commission agrees. The wording of paragraph (d) has been clarified to reflect the fact that the disclosure document may be furnished to a customer either before or at the time his or her account is approved for options trading.

5. *Delegation of Authority.* The Commission is amending its Rules of Organization to delegate to the Director of the Division of Market Regulation final authority to review the disclosure document, and amendments and supplements thereto, contemplated by Rule 9b–1 and, under appropriate circumstances, to allow the disclosure document or amendments to be distributed to the public prior to the time period specified in paragraph (b) of Rule 9b–1, or to extent the time period before which distribution can be made to the public. The Commission is also delegating to the Division the power to require refiling of disclosure documents or amendments. The Commission believes that such delegation would facilitate the processing of Rule 9b–1 disclosure documents. Accordingly, the Commission is amending Section 200.30–3 (17 CFR 200.30–3) of the Commission's rules relating to general organization by adding a new paragraph (a)(39) to delegate to the Director of the Division of Market Regulation the authority detailed above.

C. Rule 135b

Rule 135b provides that an option disclosure document prepared in accordance with Rule 9b–1 shall not be deemed to be an offer to sell or an offer to buy for purposes of Section 5 of the Securities Act. Several commentators contended that, as Rule 135b is drafted, it is unclear whether the disclosure document could be deemed to be a prospectus so as to subject the preparers to the liability of provisions of Section 12 of the Securities Act.[28] For purposes of clarification, it should be noted that if the disclosure document is deemed not to be an offer to sell or buy it cannot be deemed to be a prospectus. Thus, the rule as drafted is in fact intended to relieve the preparers of the disclosure document from liability under Section 12(1) of the Act for distributing a disclosure document to investors which might, absent such relief, violate Section 5 of the Act.[29]

D. Rule 134a

In view of the complex nature of options trading, the Commission proposed of Rule 134a which would permit the preparation and dissemination of certain educational materials concerning options and options trading without deeming these materials to be a prospectus, as defined in the Securities Act. While several modifications in the proposed rule were urged, all commentators who addressed the Rule in their comments urged its adoption.[30] The Commission is adopting Rule 134a as proposed.

As noted in the Proposing Release, the Commission's decision to permit the dissemination of additional educational information about options is based in part on its expectation that the self-regulatory organizations will use their established monitoring procedures to review and approve the options communications of broker-dealers and others pursuant to the provisions of the rule.[31] In this regard, one commentator correctly noted that Rule 134a, as proposed, was not limited to broker-dealers and urged that the rule be made expressly applicable to issuers and the options markets as well.[32] The rule is intended to encompass issuers and the options markets as long as the communications are subject to detailed self-regulatory review and clearance by people other than those who prepared the instructional material.

Although one commentator urged that Rule 134a be expanded to apply to all types of communications whether or not they are written,[33] it would render self-regulatory review difficult or impossible in cases where no text of the communication could be reviewed in advance of its public dissemination. Nevertheless, the Commission intends that the term "written materials" be construed broadly to encompass any exact written version of a communication which subsequently may be presented in a different format, such as a video production or a speech.

II. Regulatory Flexibility Act Considerations

The Chairman of the Commission has certified that the proposed simplified disclosure system will not have a significant economic impact on a substantial number of small entities. The Commission did not receive any comments concerning the Chairman's certification.

III. Text of Final Rules

List of Subjects

17 CFR Part 200

Administrative practice and procedure, Freedom of information, Privacy, Securities.

17 CFR Parts 230, 239 and 240

Reporting requirements, Securities.

In accordance with the foregoing, Part 200 of Chapter II, Title 17 of the Code of Federal Regulation is amended as follows:

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[25] When faced with misleading disclosures or omissions, the Commission, of course, would also be able to employ its enforcement powers pursuant to the Securities Act and Exchange Act to address defective disclosure. For example, the Commission could employ Section 21 of the Exchange Act to obtain injunctive relief with respect to activities connected with that defective disclosure.

[26] Comment letter of OCC.

[27] Comment letters of OCC and Amex.

[28] *See, e.g.*, comment letters of OCC and TCO.

[29] In its comment letter, OCC also questioned whether it would be liable under the Securities Act if broker-dealers failed to deliver a prospectus to investors. With the adoption of Rule 153b, and delivery to the options exchanges, OCC's concern has been answered.

[30] *See, e.g.*, comment letters of the NASD, TCO and Amex.

[31] The American Stock Exchange commented that it intends to amend its rules in this regard to ensure that it can carefully monitor compliance with the requirements of Rule 134a. The Commission expects that other self-regulatory organizations also will make any necessary adjustments in their rules and procedures.

[32] Comment letter of TCO.

[33] Comment letter of NASD.

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

1. By adding paragraph (a)(39) to § 200.30–3 to read as follows:

§ 200.30–3 Delegation of authority to Director of Division of Market Regulation.

* * * * *

(a) * * *

(39) Pursuant to Rule 9b–1,

(i) To enable distribution of an options disclosure document or amendment to an options disclosure document to the public prior to the time required in the Rule or to lengthen the period before distribution can be made;

(ii) To require refiling of an amendment to an options disclosure document pursuant to the procedure set forth in (b)(2)(a) of the Rule.

In accordance with the foregoing, Parts 230, 239 and 240 of Chapter II, Title 17 of the Code of Federal Regulations are amended as follows:

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

2. By adding § 230.134a to read as follows:

§ 230.134a Options material not deemed a prospectus.

Written materials relating to standardized options, as defined in Rule 9b–1 under the Securities Exchange Act of 1934, shall not be deemed to be a prospectus for the purposes of Section 2(10) of the Securities Act of 1933: *Provided,* That such materials are limited to explanatory information, describing the general nature of the standardized options markets or one or more strategies: *And, Provided further,* That:

(a) The potential risks related to options trading generally and to each strategy addressed are explained;

(b) No past or projected performance figures, including annualized rates of return are used;

(c) No recommendation to purchase or sell any option contract is made;

(d) No specific option class is identified;

(e) The materials contain the name and address of a person or persons from whom a current prospectus meeting the requirements of Section 10 of the Act may be obtained; and

(f) If there is a definitive options disclosure document, as defined in Rule 9b–1 of the Securities Exchange Act of 1934, the materials shall contain the name and address of a person or persons from whom a copy of such document may be obtained.

3. By adding § 230.135b to read as follows

§ 230.135b Materials not deemed an offer to sell or offer to buy.

For the purposes only of Section 5 of the Act, materials meeting the requirements of Rule 9b–1 of the Securities Exchange Act of 1934 shall not be deemed to constitute an offer to sell or offer to buy any security.

4. By adding § 230.153b to read as follows:

§ 230.153b Definition of "preceded by a prospectus", as used in Section 5(b)(2), in connection with certain transactions in standardized options.

The term "preceded by a prospectus", as used in Section 5(b)(2) of the Act with respect to any requirement for the delivery of a prospectus relating to standardized options registered on Form S–20, shall mean the delivery, prior to any transactions, of copies of such prospectus to each options market upon which the options are traded, for the purpose of redelivery to options customers upon their request, *Provided* That:

(a) Such options market shall thereto have requested of the issuer, from time to time, such number of copies of such prospectus as may have appeared reasonably necessary to comply with the requests of options customers, and shall have delivered promptly from its supply on hand a copy to any options customer making a request thereof; and

(b) The issuer shall have furnished such options market with such reasonable number of copies of such prospectus as may have been requested by the options market for the purpose stated above.

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

5. By adding § 239.20 to read as follows: [Form S–20 does not appear in the Code of Federal Regulations].

§ 239.20 Form S–20, for standardized options.

This Form may be used to register standardized options under the Securities Act of 1933 where the issuer undertakes not to issue, clear, guarantee or accept an option registered on Form S–20 unless there is a definitive options disclosure document meeting the requirements of Rule 9b–1 of the Securities Exchange Act of 1934.

Securities and Exchange Commission

Form S–20

Registration Statement Under the Securities Act of 1933

(Exact name of registrant as specified in its charter)

(Address, including zip code, and telephone number, including area code, of registrant's principal executive offices)

(Name, Address, including zip code, and telephone number, including area code, of agent for service)

Approximate date of commencement of proposed sale to public

CALCULATION OF REGISTRATION FEE

Time of securities to be registered	Amount to be registered	Proposed maximum fee or charge per unit	Proposed maximum aggregate fee or charge	Amount of registration fee

Form S–20—GENERAL INSTRUCTIONS

I. Eligibility requirement for use of Form S–20

This form may be used for registration of standardized options under the Securities Act of 1933 ("Securities Act") provided that the registrant undertakes not to issue, clear, guarantee or accept an option registered on Form S–20 unless there is a definitive options disclosure document meeting the requirements of Rule 9b–1 of the Securities Exchange Act of 1934 with respect to the options class.

II. Application of General Rules and Regulations

A. Attention is directed to the General Rules and Regulations under the Securities Act, particularly those comprising Regulation C [17 CFR 230.400 to 230.494] thereunder. That Regulation contains general requirements regarding the preparation and filing of the registration statement.

B. Attention is directed to Regulation S–K [17 CFR Part 229] for the requirements applicable to the content of the non-financial statement portions of registration statements under the Securities Act. Where this Form directs the registration to furnish information required by Regulation S–K and the item of Regulation S–K so provides, information need only be furnished to the extent appropriate.

Part I. Information Required in Prospectus

Item 1. *Forepart of the Registration Statement and Outside Front Cover Page of Prospectus.* Set forth in the forepart of the registration statement and on the outside front cover page of the prospectus the information required by Item 501 of Regulation S–K [§ 229.501 of this chapter]. In the case of a foreign registrant, the information required by Item 502(f) of

Regulation S–K [§ 229.502(f) of this chapter] also shall be included. In addition, the outside front cover page of the prospectus shall contain a statement to the effect that (1) an options disclosure document containing a description of the risks of options transactions is required to be furnished to option investors and stating from whom such a document may be obtained; (2) the financial statements and certain additional information required by Part II of the registration statement, other than exhibits, can be obtained without charge upon request from the registrant; and (3) the exhibits required by Part II of the registration statement can be inspected at the offices of the registrant or obtained from the registrant or the Securities and Exchange Commission upon payment of an appropriate fee.

Item 2. *Description of Registrant.* (a) State the year in which the registrant was organized, its form of organization and the name of the State or other jurisdiction under the laws of which it was organized.

(b) List all the parents of the registrants showing the basis of control.

(c) Briefly describe the business of the registrant and the services rendered by it.

Item 3. *Description of Securities to be Registered.* State the title of the securities to be registered, the rights evidenced by such securities, whether certificates representing these securities are issued, the contractual obligations of the registrant with respect to such securities and any restriction on the purchase of such securities.

Instruction. This item only requires a brief summary of the provisions of the security. A complete legal description of the provisions referred to is not required and should not be given: only a succinct resume is required.

Part II. Information Not Required in Prospectus

Item 4. *Directors and Executive Officers.* Furnish the information required by Item 401 of Regulation S–K [§ 229.401 of this chapter].

Item 5. *Legal Proceedings.* Furnish the information required by Item 103 of Regulation S–K [§ 229.103 of this chapter].

Item 6. *Legal Opinions and Experts.* Furnish the information required by Items 601(b)(5) and 601(b)(24) of Regulation S–K [§ 229.601 of this chapter].

Item 7. *Financial Statements.* Include financial statements meeting the requirements of Regulation S–X [17 CFR Part 210] and the supplementary financial information specified by Item 12 of Regulation S–K [17 CFR 229.20].

Item 8. *Undertakings.* Furnish the following undertakings:

1. The undersigned registrant hereby undertakes to file a post-effective amendment, not later than 120 days after the end of each fiscal year subsequent to that covered by the financial statements presented herein, containing financial statements meeting the requirements of Regulations–X [17 CFR 210] and the supplementary financial information specified by Item 12 of Regulation S–K [17 CFR 229.20].

2. The undersigned registrant hereby undertakes not to issue, clear, guarantee or accept any security registered herein until there is a definitive options disclosure document meeting the requirements of Rule 9b–1 of the Securities Exchange Act of 1934 with respect to the class options.

Signatures

Pursuant to the requirements of the Securities Act of 1933, the registrant certifies that it has reasonable grounds to believe that it meets all of the requirements for filing on Form S–20 and has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of ———, State of ———, on ———, 19——. (Registrant) ——— by (signature and Title) ———.

Pursuant to the requirements of the Securities Act of 1933, this registration statement has been signed by the following persons in the capacities and on the dates indicated.

(Signature) ———
(Title) ———
(Date) ———

Instructions 1. The registration statement shall be signed by the registrant, its principal executive officer or officers, its principal financial officer, its controller or principal accounting officer and by at least a majority of the board of directors or persons performing similar functions. If the registrant is a foreign person, the registration statement shall also be signed by its authorized representative in the United States.

2. The name of each person who signs the registration statement shall be typed or printed beneath his signature. Any person who occupies more than one of the specified positions shall indicate each capacity in which he signs the registration statement. Attention is directed to Rule 402 concerning manual signatures and to Item 601 of Regulation S–K concerning signatures pursuant to powers of attorney.

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1934

6. By adding § 240.9b–1 (Rule 9b–1) to read as follows:

§ 240.9b–1 Options disclosure document.

(a) *Definitions.* The following definitions shall apply for the purpose of this rule.

(1) "Options market" means a national securities exchange, an automated quotation system of a registered securities association or a foreign securities exchange on which standardized options are traded.

(2) "Options class" means all options contracts covering the same underlying instrument.

(3) "Options disclosure document" means a document prepared by one or more options markets which contains the information required by this rule with respect to the options classes covered by the document.

(4) "Standardized options" are options contracts trading on a national securities exchange, an automated quotation system of a registered securities association, or a foreign securities exchange which relate to options classes the terms of which are limited to specific expiration dates and exercise prices, or such other securities as the Commission may, by order, designate.

(b)(1) Five preliminary copies of an options disclosure document containing the information specified in paragraph (c) of this section shall be filed with the Commission by an options market at least 60 days prior to the date definitive copies are furnished to customers, unless the commission determines otherwise having due regard to the adequacy of the information disclosed and the public interest and protection of investors. Five copies of the definitive options disclosure document shall be filed with the Commission not later than the date the options disclosure document is furnished to customers. Notwithstanding the above, the use of an options disclosure document shall not be permitted unless the options class to which such document relates is the subject of an effective registration statement on Form S–20 under the Securities Act. (2)(i) If the information contained in the options disclosure document becomes or will become materially inaccurate or incomplete or there is or will be an omission of material information necessary to make the disclosure document not misleading, the options market shall amend its options disclosure document by filing five copies of an amendment to such document with the Commission at least 30 days prior to the date definitive copies are furnished to customers, unless the Commission determines otherwise having due regard to the adequacy of the information disclosed and the public interest and protection of investors. Five copies of the definitive options disclosure document, as amended, shall be filed with the Commission not later than the date the amended options disclosure document is furnished to customers.

(ii) Notwithstanding paragraph (b)(2)(i) of this section, an options market may distribute such materials prior to such 30-day period if it determines, in good faith, that such delivery is necessary to ensure timely and accurate disclosure with respect to the subject standardized options contracts. Five copies of any amendment distributed pursuant to this paragraph shall be filed with the Commission at the time of distribution. In that instance, if the Commission determines, having given due regard to the adequacy of the information

disclosed and the public interest and the protection of investors, it may require refiling of the amendment pursuant to paragraph (b)(2)(i) of this Rule.

(c) *Information required in an options disclosure document.* An options disclosure document shall contain the following information, unless otherwise provided by the Commission, with respect to the options classes covered by the document:

(1) A glossary of terms;

(2) The mechanics of buying, writing and exercising the options, including settlement procedures;

(3) The risks of trading the options;

(4) The uses of the options;

(5) The market for the options;

(6) Transaction costs for the options;

(7) Applicable margin requirements;

(8) The tax consequences of trading the options;

(9) Identification of the issuer of the options;

(10) Identification of the instrument or instruments underlying the options class; and

(11) The registration of the options on Form S–20 and the availability of the prospectus and the information in Part II of the registration statement; and

(12) Such other information as the Commission may specify.

(d) *Broker-dealer obligations.* (1) No broker or dealer shall accept an order from a customer to purchase or sell an option contract relating to an options class that is the subject of an options disclosure document, or approve the customer's account for the trading of such option, unless the broker or dealer furnishes or has furnished to the customer the options disclosure document.

(2) If an options disclosure document is amended, each broker and dealer shall promptly send the information contained in the definitive amendment to each customer whose account is approved for trading the options class(es) to which the options disclosure document relates.

The Commission finds with respect to its delegation to the Division of Market Regulation, in accordance with 5 U.S.C. 553(b)(A) and 5 U.S.C. 553(d) of the Administrative Procedure Act, that the delegation relates solely to agency organization, procedure, or practice and that notice and public procedures in accordance with 5 U.S.C. 553 are not necessary, pursuant to subsection (b) thereof and that, in view of the foregoing, good cause exists for dispensing with the normal 30-day delay in effectiveness.

Statutory Authority

These amendments are being adopted pursuant to Sections 2, 7, 10, and 19(a) of the Securities Act of 1933 and Sections 9, 15 and 23(a) of the Securities Exchange Act of 1934.

(Sec. 2, 7, 10, 19(a), 48 Stat. 74, 78, 81, 85; secs. 201, 205, 209, 210, 48 Stat. 905, 906, 908; secs. 1–4, 8, 68 Stat. 683, 685; sec. 12(a), 73 Stat. 143; sec. 7(a), 74 Stat. 412; sec. 27(a), 84 Stat. 1433; sec. 308(a)(2), 90 Stat. 57; sec. 505, 94 Stat. 2292; secs. 9, 15, 23(a), 48 Stat. 889, 895, 901; sec. 230(a), 49 Stat. 704; secs. 3, 8, 49 Stat. 1377, 1379; sec. 2, 52 Stat. 1075; secs. 6, 10, 78 Stat. 570–574, 580; sec. 11(d), 84 Stat. 121; sec. 18, 89 Stat. 155; sec. 204, 91 Stat. 1500; 15 U.S.C. 77b, 77g, 77j, 77s(a), 78i, 78o, 78w(a))

Dated: September 16, 1982.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-26177 Filed 9-22-82; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CCGD8-82-10]

Safety Zone, Calcasieu Channel, Industrial Canal, Calcasieu River, Lake Charles, LA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: On March 2, 1981, Trunkline LNG Company submitted an application to the USCG Captain of the Port, Marine Safety Office, Port Arthur, Texas, requesting a safety zone be established around their waterfront facility. The Trunkline LNG facility is located in the Industrial Canal, Calcasieu River, Lake Charles, LA. A permanent safety zone would be established around the facility, and a moving safety zone would be established around a non-gas free LNG vessel while transiting to and from the Trunkline facility. The safety zone is established to insure the safety of the port and security of the facility. The proposed rule requires permission from the Captain of the Port or the District Commander to enter the safety zone.

EFFECTIVE DATE: This amendment becomes effective on September 23, 1982.

FOR FURTHER INFORMATION CONTACT: Lt M. H. Simpson, Project Officer, c/o Commanding Officer, U.S. Coast Guard Marine Safety Office, Federal Building/Customhouse, Port Arthur, TX 77640, Tel: (713) 983–8239.

SUPPLEMENTARY INFORMATION: On May 13, 1982, the Coast Guard published a notice of proposed rule making in the **Federal Register** for these regulations (47 FR 20634). Interested persons were requested to submit comments and one comment was received.

Drafting Information

The principal persons involved in drafting this rule are LT M. H. Simpson, Project Officer, c/o Commanding Officer, U.S. Coast Guard Marine Safety Office, Federal Building/Customhouse, Port Arthur, Texas 77640, Tel: (713) 983–8239, and LT J. C. Helfrich, Project Attorney, c/o Commander, Eighth Coast Guard District (d1), Hale Boggs Federal Building, 500 Camp Street, New Orleans, LA 70130, Tel: (504) 589–6188.

Discussion of Comments

The one comment to the public notice offered no objection to the proposed regulation. Submitted by Trunkline LNG Company, the applicant requesting the safety zone, the comment addressed some minor inaccuracies contained in the Supplementary Information of the proposed rule making. The fenced area of the terminal is approximately 125 acres rather than the 170.46 acres noted in the proposed rule. Also in error was the statement concerning permanent private aids to navigation (flashing green lights, 2.5 seconds period; flash length .5 second) fixed to four mooring dolphins adjacent to the shoreline of the facility. These aids are actually installed on each of two end mooring dolphins and on each of two end breasting dolphins. A third inaccuracy noted by the applicant addressed the location of the facility corners in reference to the aid to navigation lights. In the proposed rule, the reference of 19 feet north and 360 feet north for the west and east corners respectively should both be the same distance, only south of the lights.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Waterways.

Final Regulations

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

In consideration of the foregoing, Part 165 of Title 33, Code of Federal Regulations, is amended by adding § 165.805 to read as follows:

§ 165.805 Calcasieu Channel and Industrial Canal, Calcasieu River, Lake Charles, LA.

(a) The waters within the following boundaries are a safety zone: The area extending 150 feet out into the Industrial Canal, Calcasieu River, Lake Charles, LA, along the shoreline of the Trunkline LNG Company's waterfront property,

from position 30°06'31.9" N., 93°18'22.8" W. to the end of the turning basin and to include an area 50 feet out from any LNG ships while moored to the Trunkline LNG facility.

(b) The waters within the following boundaries are a safety zone while a non-gas free LNG vessel is transiting within the Calcasieu River ship channel and between buoy "CC" and the Trunkline LNG facility: The area 2 miles ahead, 1 mile astern, and to either side of an LNG vessel to the width of the ship channel. Meeting, crossing, or overtaking situations are not permitted within the safety zone unless specifically authorized by the USCG Captain of the Port.

(c) Notice of transiting LNG vessels will be provided by Broadcast and/or Local Notice to Mariners.

[92 Stat. 1475, 1477 (33 U.S.C. 1225, 1231); 49 CFR 1.46 (n)]

Dated: August 25, 1982.

J. J. Wicks,

Captain, USCG, Captain of the Port.

[FR Doc. 82-26238 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF EDUCATION

34 CFR Part 674

National Direct Student Loan, College Work-Study, and Supplemental Educational Opportunity Grant Programs

Correction

In FR Doc. 82-20658 appearing on page 33228 in the issue for Friday, July 30, 1982, make the following changes:

1. On page 33229, third column, thirteenth line from the bottom of the page, "or" should read "of".

2. On page 33230, third column, sixth line from the top of the page, "than" should read "that".

BILLING CODE 1505-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-1-FRL 2174-6]

Approval and Promulgation of Implementation Plans, Connecticut; Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Regulatory and narrative revisions to the Connecticut State Implementation Plan (SIP) were submitted to EPA by the Commissioner of the Connecticut Department of Environmental Protection (DEP) on April 8, 1982. Under EPA's new, parallel processing procedures, EPA proposed approval of a draft form of these revisions on November 17, 1981 (46 FR 56461).

In this notice, EPA is approving these revisions, which will change parts of the SIP narrative, strengthen state regulation 19-508-18(d) to reduce the total suspended particulate (TSP) emission limits for fuel oil burning equipment, and revise state regulation 19-508-18(f) to reduce the allowable TSP emissions from iron foundries and hot mix asphalt plants. These changes will satisfy the conditions for approval of Connecticut's primary standard attainment plan for TSP, specified at 45 FR 84781 and 84787 (December 23, 1980).

EFFECTIVE DATE: September 23, 1982.

ADDRESSES: Copies of the Connecticut document which is incorporated by reference, comments received, and EPA's response to comments are available for public inspection during normal business hours at the Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, and the Connecticut Department of Environmental Protection, Air Compliance Unit, State Office Building, Hartford, Connecticut 06115. Copies of the material submitted by Connecticut are also available at the Office of the Federal Register, 1100 L Street, N.W., Washington, D.C. 20408.

FOR FURTHER INFORMATION CONTACT: Sarah Simon, Air Management Division, EPA Region I, Room 1903, J.F.K. Federal Building, Boston, Massachusetts 02203, (617) 223-4448.

SUPPLEMENTARY INFORMATION: The Connecticut DEP has adopted revisions to Regulation 19-508-18, governing TSP emissions, which strengthen the existing SIP by tightening the emission limits for certain categories of sources. These SIP revisions, including parts of the TSP narrative, were submitted by the Commissioner of the DEP on April 8, 1982.

A discussion of these revisions, the TSP attainment plan conditions these revisions were designed to meet, and EPA's review were presented in a Notice of Proposed Rulemaking (46 FR 56461, November 17, 1981) and will not be repeated here. With the approval of these revisions, Connecticut will have a completely approved primary TSP attainment plan.

EPA received letters from five commenters dealing with various parts of the revisions. Several of these letters requested a comment period extension. Region I allowed an additional 30 days and then prepared memoranda responding to the issues raised.

The complete memorandum is available at the EPA addresses listed above.

Industry comments included the following issues:

(1) The process weight limits for foundry sand operations will be difficult to enforce because they are not appropriate for all operations, it may be difficult to aggregate emissions from multiple operations, and the term "tons of material cast" is unclear.

(2) The term "tons of iron produced" in the cupola furnace regulation is unclear.

(3) The proposed foundry regulations do not adequately consider economic impacts, as they may cause plant closures and do not differentiate between foundries on the basis of size and operating hours.

Brief summaries of EPA's responses appear below. More detail can be found in the supporting memoranda.

(1) The State decided to withdraw the process weight limit for foundry sand processes from its SIP revision. This resolves the problems concerning applicability, aggregation of emissions, and the definition of material cast. The State regulation includes two emission limits, a 90% reduction requirement and the questioned process weight limit. Since only the 90% requirement is in the SIP revision, only that compliance method will be used for federal enforcement purposes. The narrative submittals that accompanied the TSP RACT regulations have been expanded to clarify the State's intended enforcement scheme. EPA believes that the 90% removal requirement will adequately control TSP emissions from sand operations.

(2) The State clarified its definition of "tons of iron produced."

(3) EPA has found no evidence that foundries will close. A foundry industry consultant informed EPA that most foundries are already meeting the new emission limit. EPA also believes that Connecticut considered factors such as foundry size and hours of operation in developing its RACT limits.

The Connecticut Fund for the Environment (CFE) submitted detailed comments concerning a wide range of issues. For example, CFE claims that:

(1) The State's revisions are not as strict as EPA's RACT recommendations and do not meet the conditions for approval of the Part D TSP attainment plan.

(2) The State and EPA did not reevaluate the impact of revised sulfur

dioxide (SO_2) limits on the entire TSP attainment plan and that TSP levels in Connecticut are increasing.

EPA's responses to all of CFE's comments are available in the response memorandum mentioned above. Due to their length, they will not be included in full in this notice. To summarize our response briefly:

(1) EPA notes that its RACT recommendations were intended to serve only as guidance. Connecticut is tightening its TSP limits in this revision, and our review has found that these limits are RACT in Connecticut.

(2) The State found that its revised SO_2 limits would not have significant impact on TSP levels. EPA concurs and finds that the State's revision to its sulfur-in-fuel limitations was not a part of the State's Part D plan for TSP. Thus, the change in SO_2 limits did not require a re-evaluation of the TSP plan. In addition, ambient air quality data show that TSP levels in many areas of Connecticut are improving.

EPA has determined that these revisions are acceptable for inclusion in the SIP and that the RACT revisions and submittals satisfy the conditions of approval for Connecticut's TSP Primary Attainment Plan, specified at 45 FR 84781 and 84787 (12–23–80).

Action

After evaluation of the state's submittal, the Administrator has determined that these Connecticut revisions meet the requirements of the Clean Air Act and 40 CFR Part 51. Accordingly, they are approved as revisions to the Connecticut SIP.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291. The Agency finds that good cause exists for making this action effective immediately since these implementation plan revisions are already in effect under state law and EPA approval imposes no additional regulatory burden.

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). This action may not be challenged later in proceedings to enforce its requirements.

(See sec. 307(b)(2))

List of Subjects in 40 CFR Part 52

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

(Secs. 110(a), 172, and 301(a), Clean Air Act, as amended (42 U.S.C. 7410(a), 7502, and 7601(a)))

Dated: September 16, 1982.

Anne M. Gorsuch,

Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Connecticut was approved by the Director of the Federal Register on July 1, 1982.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart H—Connecticut

1. Section 52.370 is amended by adding paragraph (c)(22) as follows:

§ 52.370 Identification of plan.

* * * * *

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

* * * * *

(22) Revisions to the narrative and State Regulation 19–508–18, subparts (d), f(1), f(2), and part of f(3), governing total suspended particulate emissions, submitted by the Commissioner of the Connecticut Department of Environmental Protection on April 8, 1982.

2. Section 52.373 is amended by adding paragraph (b) as follows:

§ 52.373 Approval status.

* * * * *

(b) The Administrator approves the total suspended particulate regulation for foundry sand processes as submitted and identified under paragraph (c)(22) of this section. This includes *only* the requirement to remove ninety percent of the particulate matter and *not* the requirement to emit not more than 0.75 pounds of particulate per ton of material cast, a provision which may be found in state regulation 19–508–18(f)(3).

§ 52.380 [Amended]

3. Section 52.380 is amended by removing and reserving paragraphs (c)(4) and (c)(5).

[FR Doc. 82–26251 Filed 9–22–82; 8:45 am]

BILLING CODE 6560–50–M

40 CFR Parts 244, 245, and 246

[SW–FRL–2169–4]

Solid Waste Management; Guidelines for Beverage Containers; Resource Recovery Facilities Guidelines; Source Separation for Materials Recovery Guidelines

Correction

In FR Doc. 82–22836, appearing on page 36602, on Friday, August 20, 1982, in the third column, in the third line of the introductory text of § 244.203, "October 20, 1987" should be corrected to read "October 20, 1977.

BILLING CODE 1505–01–M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 101

[FPMR Temp. Reg. D–67]

Locating Federal Facilities in Central Business Areas

AGENCY: General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This regulation temporarily suspends GSA's regulations concerning the assignment and use of space that require priority consideration be given to locating Federal agencies in central business areas (CBA). The regulations are suspended as requested by the Office of Management and Budget memo order to GSA dated May 11, 1982.

DATES: Effective date: September 23, 1982. Expiration date: June 30, 1983.

FOR FURTHER INFORMATION CONTACT: Paul H. Herndon III, Director, Space Management Division (202–566–1875).

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

maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

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

In 41 CFR Chapter 101, the following temporary regulation is added to the appendix at the end of Subchapter D to read as follows:

General Services Administration,
Washington, D.C. 20405.
September 16, 1982.

Federal Property Management Regulations Temporary Regulation D–67

To: Heads of Federal agencies.
Subject: Locating Federal facilities in Central Business Areas.

1. *Purpose.*—This regulation suspends instructions regarding the use of provisions in Part 101–17, Assignment and Utilization of Space.

2. *Effective date.*—This regulation is effective upon publication in the **Federal Register.**

3. *Expiration date.*—This regulation expires June 30, 1983, unless sooner superseded or canceled.

4. *Background.*—Executive Order 12072 of August 16, 1978, requires that "the process for meeting Federal space needs in urban areas shall give first consideration to a centralized community business area and adjacent areas of similar character, including other specific areas which may be recommended by local officials." On May 11, 1981, the Director, Office of Management and Budget, requested GSA to delay all moves being made solely in compliance with the Federal Property Management Regulations implementing the EO and to reassess the economic and operational impact thereof.

5. *Effect on other directives.*—Until further notice agencies are directed to take no actions pursuant to the following provisions of Part 101–17:

a. Section 101–17.002(c) is suspended in its entirety, except the first sentence in paragraph 101–17.002(c)(1).

b. Section 101–17.002(d) is suspended in its entirety.

c. Section 101–17.002(e) is suspended in its entirety.

d. Section 101–17.002(f) is suspended in its entirety.

e. Section 101–17.002(k) (1) and (2) are suspended in their entirety.

f. Section 101–17.002(m) (1) and (4) are suspended in their entirety.

g. Section 101–17.101(b)(1) is revised to suspend the requirement that primary consideration be given to location in the central business area in urban areas.

h. Section 101–17.4701, paragraph 6b, is revised to suspend the requirement that first consideration be given to housing county level field offices in the central business area. The preference given to federally controlled space remains in effect.

i. Section 101–17.4702, paragraph IA, is suspended in its entirety.

j. Section 101–17.4702, paragraph IB(1) a and b, are revised to suspend all references to locating and satisfying needs in the CBA. The provisions of these paragraphs for the General Services Administration and the Postal Service to notify each other of projects being planned remain in effect.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 82–26256 Filed 9–22–82; 8:45 am]

BILLING CODE 6820–34–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6419]

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

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

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

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

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 3429, Bethesda, Maryland 20034; phone (800) 638–6620.

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

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

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

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

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

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

List of Subjects in 44 CFR Part 64

Flood insurance—flood plains.

PART 64—COMMUNITIES ELIGIBLE FOR THE SALE OF INSURANCE

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

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Illinois:				
Massac	Joppa, village of	170757A	Aug. 16, 1982, emergency	Nov. 23, 1973 and Apr. 23, 1976.
Alexander	Tamms, village of	170005A	do	May 10, 1974 and June 11, 1976.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Mississippi: DeSoto	Southaven, town of	280331, new	do	
North Carolina: Lenoir and Pitt	Grifton, town of	370192B	Apr. 10, 1975, emergency; Feb. 17, 1982, regular; Feb. 17, 1982, suspended; Aug. 16, 1982, reinstated.	Dec. 17, 1973, Jan. 23, 1976 and Feb. 17, 1982.
Kansas: Pottawatomie and Riley	Manhattan, city of	200300C	Jan. 30, 1974, emergency; Apr.1, 1982, regular; Apr. 1,1982, suspended; Aug. 23, 1982, reinstated.	Mar. 8, 1974, Dec. 13, 1974 and May 24, 1977.
Indiana: Warrick	Unincorporated areas	180418B	Apr. 11, 1975, emergency; May 17, 1982, regular; May 17, 1982, suspended; Aug. 25, 1982, reinstated.	Mar. 24, 1978.
Arkansas: Lawrence	Unincorporated areas	050443C	Aug. 30, 1982, emergency	June 3, 1977 and Aug. 4, 1981.
Michigan:				
St. Joseph	Lockport, township of	260715A	do	Nov. 3, 1978.
Lake	Yates, township of	260432	do	Aug. 15, 1975.
Tennessee: Sumner	Millersville, city of	470388, new	do	do.
Texas: Montague	Unincorporated areas	480939	do	do.
Arkansas:				
Independence	Batesville, city of	050091B	Aug 16, 1982, suspension withdrawn	Nov. 23, 1973, Feb. 13, 1976 and Jan. 24, 1977.
Jackson	Unincorporated areas	050096B	do	June 3, 1977.
California: Tehama	Corning, city of	060398B	do	May 24, 1974.
Illinois:				
Schuyler	Browning, village of	170606C	do	Feb. 6, 1976, Aug. 23, 1974 and Feb. 17, 1978.
Cook	Matteson, village of	170123C	do	June 25, 1976, Apr. 12, 1974 and Aug. 18, 1978.
Indiana: Wayne	Richmond, city of	180287C	do	Dec. 5, 1975, May 10, 1974 and July 27, 1979.
Kentucky:				
Carter	Grayson, city of	210051C	do	Feb. 1, 1974 and Nov. 12, 1976.
do	Olive Hill, city of	210052B	do	Feb. 1, 1974 and Feb. 20, 1976.
Louisiana: Ascension Parish	Gonzales, city of	220015B	do	Sept. 14, 1973 and Nov. 28, 1975.
Michigan:				
Wayne	Brownstown, charter township	260218B	do	Aug. 23, 1974 and July 16, 1976.
Isabella	Mt. Pleasant, city of	260104B	do	Apr. 5, 1974 and Apr. 11, 1975.
Missouri: Ray	Henrietta, city of	290308B	do	Oct. 18, 1974 and Mar. 21, 1976.
New Hampshire: Strafford	Somersworth, city of	330151B	do	Feb. 21, 1974 and Nov. 19, 1976.
New Jersey:				
Middlesex	Edison, township of	340261B	do	Jan. 9, 1974 and June 4, 1976.
Gloucester	Glassboro, borough of	340203B	do	June 28, 1974 and July 23, 1976.
New York:				
Onondaga	Baldwinsville, village of	360569B	do	Mar. 15, 1974 and Sept. 12, 1975.
Do	Elbridge, village of	360576B	do	May 31, 1974.
Do	Jordan, village of	360580B	do	Apr. 12, 1974 and Sept. 12, 1975.
DoOnondaga	Marcellus, town of	360585B	do	May 3, 1974 and July 2, 1976.
Pennsylvania:				
Berks	Lower Heidelberg, township of	421077B	do	Nov. 8, 1974 and May 21, 1976.
Do	Perry, township of	421093B	do	Sept. 13, 1974 and May 21, 1976.
Do	Sinking Spring, borough of	420150B	do	Mar. 29, 1974 and June 4, 1976.
Virginia: Buchanan	Grundy, town of	510025C	do	May 14, 1976, May 24, 1974 and July 20, 1979.
Washington: Grays Harbor	McCleary, town of	530062B	do	May 31, 1974 and Jan 9, 1976.
Wisconsin: Waukesha	Mukwonaga, village of	550485A	do	Dec. 17, 1973.
Minnesota:				
Hennepin	Brooklyn Park, city of	270152B	Aug. 17, 1982, suspension withdrawn	Apr. 12, 1974 and May 17, 1982.
Anoka	Lino Lakes, city of	270015B	do	Dec. 13, 1974 and May 17, 1982.
New York: Onondaga	Salina, town of	360591A	Aug. 16, 1982, suspension withdrawn	Apr. 11, 1975.
Texas:				
Wood	Alba, town of	481090	June 25, 1976, emergency; Sept. 1, 1982, withdrawn.	May 2, 1975.
Palo Pinto	Graford, town of	480964	Jan. 27, 1982, emergency; Sept. 1, 1982, withdrawn.	
Iowa: Story	Roland, city of	190513A	Sept. 8, 1982, emergency	Mar. 25, 1971 and Mar. 25, 1977.
Kentucky: Ohio	Hartford, city of	210357A	do	Sept. 15, 1978.
Pennsylvania:				
Cumberland	Hopewell, township of	421581	do	Dec. 27, 1974.
Clinton	Loganton, borough of	421533	do	Nov. 19, 1974.
Texas:				
Archer	Unincorporated areas	481078	do	
Wichita	Electra, city of	480659	do	
California: Alameda	Dublin,[1] city of	060705, new	Sept. 8, 1982, emergency; Sept. 8, 1982, regular.	
Texas: Cameron	Palm Valley,[2] town of	481580, new	do	
Michigan: Chippewa	Bay Mills, township of	260374A	Sept. 10, 1982, emergency	June 17, 1977.
North Dakota: Richland	Waldo, township of	380659, new	do	
Wisconsin: Door	Unincorporated areas	550109A	Apr. 30, 1973, emergency; Apr. 3, 1978, regular; Apr. 3, 1978, suspended; Sept. 10, 1982, reinstated.	Dec. 13, 1974 and Apr. 3, 1978.
North Carolina: Madison	Unincorporated areas	370152B	Nov. 26, 1973, emergency; Sept. 2, 1982, regular; Sept. 2, 1982, suspended; Sept. 15, 1982, reinstated.	July 22, 1977.
Arkansas: Jackson	Jacksonport, town of	050102B	Sept. 2, 1982, suspension withdrawn	Aug. 23, 1974.
Idaho: Kootenai	Coeur d'Alene, city of	160078B	do	Mar. 29, 1974 and July 23, 1976.
Massachusetts: Middlesex	Tyngsborough, town of	1250220A	do	Aug. 2, 1974.
Indiana: Wayne	Spring Grove, town of	180286C	do	Mar. 30, 1979, Dec. 13, 1974 and Nov. 3, 1978.
Maryland: Somerset	Crisfield, city of	240062B	do	Jan. 23, 1976.
Michigan:				
Saginaw	Frankenmuth, city of	260188B	do	Jan. 23, 1974 and Mar. 7, 1975.
Kent	Wyoming, city of	260111B	do	Nov. 9, 1973 and Mar. 7, 1975.
Minnesota:				
Kittson	St. Vincent, city of	270232C	do	July 9, 1976, Aug. 5, 1977 and Aug. 9, 1974.
Olmsted	Stewartville, city of	270332B	do	May 3, 1974 and Dec. 20, 1974.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Nebraska: Cass	Unincorporated areas	310407A	do	Nov. 5, 1976.
New Jersey:				
Union	Clark, township of	345290B	do	Dec. 28, 1971 and May 14, 1976.
Gloucester	National Park, borough of	340209B	do	Apr. 12, 1974 and June 3, 1977.
New York: Oswego	New Haven, town of	360655B	do	July 19, 1974 and Apr. 23, 1976.
Minnesota: Anoka	Lino Lakes, city of	270015B	Sept. 3, 1982, suspension withdrawn	Dec. 13, 1974 and May 17, 1982.
Ohio:				
Fairfield	Bremen, village of	390160B	Sept. 2, 1982, suspension withdrawn	June 21, 1974 and June 4, 1976.
Licking	Kirkersville, village of	390701A	do	Feb. 14, 1975
Perry	New Lexington, village of	390443C	do	June 12, 1981, May 17, 1974 and April 9, 1976.
Shelby	Unincorporated areas	390503C	do	Dec. 19, 1977, Oct. 20, 1978 and Dec. 20, 1974.
Pennsylvania:				
Westmoreland	Rostraver, township of	422184B	do	May 24, 1974 and June 4, 1976.
Montgomery	Upper Moreland, township of	421909B	do	Dec. 20, 1974 and May 28, 1976.
South Carolina: Florence	Unincorporated areas	450076B	do	Apr. 28, 1978.
Texas: Lubbock	Lubbock, city of	480452B	do	Aug. 30, 1974 and June 18, 1976.
West Virginia: Wetzel	New Martinsville, city of	540208B	do	June 28, 1974 and Apr. 9, 1976.
Washington:				
Whatcom	Bellingham, city of	530199B	do	June 14, 1974 and June 21, 1977.
Do	Nooksack, city of	530203A	do	Nov. 22, 1974.
Wisconsin:				
Kenosha	Kenosha, city of	550209B	do	Dec. 28, 1973 and July 2, 1976.
Waukesha	Waukesha, city of	550491B	do	Feb. 8, 1974 and May 28, 1976.

[1] This is an incorporated community which was formally contained entirely in Alameda County, CA. Since the community was part of a Regular Program community it is being entered directly in the Regular Program and will use Alameda County's map in the interim for insurance and flood plain management purposes. (Alameda Co., CA.—Hazard area ID date: 4-15-81; Eff. FIRM: 4-15-81; Comm. No. 060001A; Reg. Prog. 4-15-81.)

[2] This is an incorporated community which was formally contained entirely in the City of Harlingen, Cameron County, TX. Since the community was part of the Regular Program community, it is being entered directly in the Regular Program and will use the City of Harlingen's map in the interim for insurance and flood plain management purposes. (City of Harlingen, TX.—Hazard Area ID date: 7-1-74, 7-13-72, 10-17-75 and 8-3-81; Eff. FIRM: 6-23-72; Reg. Prog. 6-23-72; Comm. No. 485477.)

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

Issued: September 14, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-25933 Filed 9-22-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 65

[Docket No. FEMA 6402]

Identification and Mapping of Special Flood Hazard Areas; Changes in Special Flood Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Interim rule.

SUMMARY: This rule lists those communities where modification of the base (100-year) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base (100-year) elevations for new buildings and their contents and for second layer insurance on existing buildings and their contents.

DATES: These modified elevations are currently in effect and amend the Flood Insurance Rate Map (FIRM) in effect prior to this determination.

From the date of the second publication of notice of these changes in a prominent local newspaper, any person has ninety (90) days in which he can request through the community that the Associate Director, State and Local Programs and Support reconsider the changes. These modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base (100-year) flood elevation determinations are available for inspection at the office of the Chief Executive Officer of the community, listed in the fourth column of the table. Send comments to that address also.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., Chief, Engineering Branch, Office of State and Local Programs and Support, Federal Emergency Management Agency, Washington, D.C. 20472, (202) 287–0220.

SUPPLEMENTARY INFORMATION: The numerous changes made in the base (100-year) flood elevations on the Flood Insurance Rate Map(s) make it administratively infeasible to publish in this notice all of the modified base (100-year) flood elevations contained on the map. However, this rule includes the address of the Chief Executive Officer of the community where the modified base (100-year) flood elevation determinations are available for inspection. Any request for reconsideration must be based on knowledge of changed conditions, or new scientific or technical data.

These modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 65.4.

For rating purposes, the revised community number is listed and must be used for all new policies and renewals.

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

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

The changes in the base (100-year) flood elevations listed below are in accordance with 44 CFR 65.4.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Texas: Taylor and Jones	City of Abilene	*Abilene Reporter-News*, Aug. 3 and Aug. 10, 1982.	Hon. Elbert E. Hall, Mayor, City of Abilene, P.O. Box 60, Abilene, TX 79604.	July 16, 1982	485450B.
Alaska	Fairbanks-North Star Borough	*Fairbanks Daily News-Miner*, Aug. 17 and Aug. 24, 1982.	Hon. John A. Carlson, Mayor, Fairbanks-North Star Borough, P.O. Box 1267, Fairbanks, AK 99707.	Aug. 24, 1982	025009F.
Arizona: Maricopa	City of Avondale	*The West Sider*, July 27 and Aug. 3, 1982.	Hon. Dessie M. Lorenz, Mayor, City of Avondale, 525 North Central, Avondale, AZ 85323.	Aug. 3, 1982	040038C.
California:					
Yuba	City of Marysville	*Appeal-Democrat*, Aug. 3 and Aug. 10, 1982.	Hon. Ronald Haedicke, Mayor, City of Marysville, 526 "C" St., Marysville, CA 90270.	Aug. 10, 1982	060428C.
Alameda	City of Pleasanton	*Tri-Valley Herald*, Aug. 24 and Aug. 31, 1982.	Mayor Bob Butler, Mayor, City of Pleasanton, 200 Bernal Ave., Pleasanton, CA 94566.	Aug. 31, 1982	060012C.
Alameda	City of Union City	*The Daily Review*, Aug. 10 and Aug. 17, 1982.	Hon. Tom Kitayama, Mayor, City of Union City, 34009 Alvardo-Niles, Union City, CA 94587.	Aug. 17, 1982	060014B.
Stanislaus	City of Modesto	*The Modesto Bee*, Aug.10 and Aug. 17, 1982.	Hon. Peggy Mensinger, Mayor, City of Modesto, P.O. Box 642, Modesto, CA 95353.	do	060387C.
Colorado: Adams and Arapahoe.	City of Aurora	*The Aurora Sun*, Aug. 26 and Sept. 2, 1982.	Hon. Dennis Champine, Mayor, City of Aurora, 1470 South Havana, Aurora, CO 80012.	Aug. 31, 1982	080002B.
Idaho: Latah	City of Moscow	*Idahonian*, Aug. 10 and Aug. 17, 1982.	Hon. Dee Hager, Mayor, City of Moscow, 122 East Fourth St., Moscow, ID 83843.	Aug. 17, 1982	160090C.
Massachusetts:					
Norfolk County	Dedham, town of	*Dedham Transcript*, Aug. 6 and Aug. 13, 1982.	Mr. Paul Coughlin, Chairman of Selectmen, Town of Dedham, Dedham, MA 02026.	Aug. 13, 1982	250237C.
Norfolk County	Westwood, town of	*Daily Transcript*, Aug. 13 and Aug. 20, 1982.	Mr. Frederick Meagher, Chairman, Board of Selectmen, Town of Westwood, Town Hall, 580 High St., Westwood, MA 02090–1685.	Aug. 20, 1982	255225B.
Missouri: St. Louis	City of Bridgeton	*St. Louis County Star*, Aug. 11 and Aug. 18, 1982.	Hon. E. W. Abram, Mayor, City of Bridgeton, 11955 Natural Bridge Rd., Bridgeton, MO 63044.	Aug. 17, 1982	290339C.
Mississippi: Pearl River County	Picayune, city of	*The Picayune Item*, Aug. 20 and Aug. 27, 1982.	Hon. Greg Mitchell, City of Picayune, P.O. Box 1018, Picayune, MS 39466.	Aug. 27, 1982	280130C.
Montana: Lincoln	City of Libby	*Western News*, Aug. 3 and Aug. 10, 1982.	Hon. Fred A. Brown, Mayor, City of Libby, P.O. Box Z, Libby, MT 59923.	Aug. 10, 1982	300042C.
New Jersey:					
Middlesex County	Spotswood, borough of	*The Home News*, Aug. 13 and Aug. 20, 1982.	Hon. Wayne R. Hamilton, Mayor, Borough of Spotswood, 77 Summerhill Rd., Spotswood, NJ 08884.	Aug. 20, 1982	340282C.
Bergen County	Oakland, borough of	*Suburban Trend*, Aug. 11 and Aug. 18, 1982.	Hon. T. Emmet Bauer, Mayor, Borough of Oakland, Municipal Plaza, Oakland, NJ 07436.	do	345309B.
Passaic County	Hawthorne, borough of	*The Hawthorne Press*, Aug. 12 and Aug. 19, 1982.	Hon. Louis Bay II, Mayor, Borough of Hawthorne, Municipal Bldg., Hawthorne, NJ 07506.	do	340400C.
Oregon: Marion	City of Aumsville	*Stayton Mail*, Aug. 12 and Aug. 19, 1982.	Hon. Elmer Duncan, Mayor, City of Aumsville, P.O. Box 227, Aumsville, OR 97325.	Aug. 17, 1982	410155C.
Tennessee: White County	Sparta, city of	*The Sparta Expositor*, Aug. 19 and Aug. 26, 1982.	Hon. Kenneth Milligan, Mayor, City of Sparta, P.O. Box 30, Sparta, TN 38583.	Aug. 27, 1982	470203C.
Utah: Weber	City of Plain City	*Ogden Standard-Examiner*, Aug. 3 and Aug. 10, 1982.	Hon. Robert Sharp, Mayor, City of Plain City, P.O. Box 2017, Ogden, UT 84404.	Aug. 10, 1982	490217C.
Wyoming: Hotsprings	Town of Thermopolis	*Thermopolis Independent Record*, Aug. 12 and Aug. 19, 1982.	Hon. Karl Allen, Mayor, Town of Thermopolis, 110 North 5th St., P.O. Box 603, Thermopolis, WY 82443.	Aug. 17, 1982	560026C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Parts 65

Flood insurance—flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support)

Issued: August 25, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR. Doc. 82–25932 Filed 9–22–82; 8:45 am]

BILLING CODE 6718–03–M

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44 CFR Part 65

Identification and Mapping of Special Flood Hazard Areas; Changes in Special Flood Hazard Areas Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: The Associate Director, State and Local Programs and Support, after consultation with the Chief Executive Officer of each community listed, finds that modification of the proposed Special Flood Hazard Areas (SFHAs) for those communities is appropriate as a result of requests for changes in the interim and/or Proposed Rule.

DATES: These modified SFHAs are in effect as of the dates listed in the sixth column of the attached list and amend the Flood Insurance Rate Map(s) (FIRM) in effect for each listed community prior to this date.

ADDRESSES: The modified SFHA determinations for each community are available for inspection at the office of the Chief Executive Officer of the community, listed in the fifth column of the table.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P. E., Chief, Engineering Branch, Office of State and Local Programs and Support, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287–0230.

SUPPLEMENTARY INFORMATION: The Associate Director, State and Local Programs and Support has published a notification of the SFHAs in prominent local newspapers for the communities listed below. Ninety (90) days have elapsed since that publication, and the Associate Director has received appeals from the communities requesting changes in the proposed SFHA determinations.

The numerous changes made in the SFHAs on the Flood Insurance Rate Map for each community make it administratively infeasible to publish in this notice all of the SFHA changes contained on the maps. However, this notice includes the address of the Chief Executive Officer where the modified SFHA determinations are available for inspection.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 65.

For rating purposes, the revised community number is listed and must be used for all new policies and renewals.

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

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

These modified SFHAs shall be used to calculate the appropriate flood insurance premium rates for new buildings and their contents.

The changes in the SFHAs listed below are in accordance with 44 CFR 65.4.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Florida:					
Clay	City of Green Cove Springs (FEMA Docket No. 6320).	*Clay County Crescent* Mar. 11 and Mar. 25, 1982.	Mr. William Vermilling, City Manager, Green Cove Springs, City Hall, 229 Walnut Street, Green Cove Springs, FL 32043.	Mar. 26, 1982	120065C.
Orange	City of Orlando (FEMA Docket No. 6320).	*The Sentinel Star* Mar. 10 and Mar. 24, 1982.	The Honorable William Frederick, Mayor, City of Orlando, City Hall, 400 S. Orange Avenue, Orlando, Florida 32801.	Mar. 26, 1982	120186 (D).
Illinois: Alexander	City of Cairo (FEMA Docket No. 6320).	*The Cairo Evening Citizen,* Mar. 5 and Mar. 12, 1982.	Hon. Alan E. Moss, Mayor, City of Cairo, 1501 Washington Avenue, Cairo, Illinois 62914.	Mar. 12, 1982	170004C.
Indiana: Dearborn	City of Aurora (FEMA Docket No. 6320).	*The Journal Press,* Mar. 18 and Mar. 25, 1982.	The Honorable Robert L. Cheek, City of Aurora, 218 3rd Street, Aurora, Indiana 47001.	Mar. 26, 1982	185172B.
Michigan:					
Oakland	City of Rochester (FEMA Docket No. 6320).	*The Rochester Clarion,* Mar. 3 and Mar. 10, 1982.	Mr. Kenneth Johnson, City Manager, City of Rochester, P.O. Box 10, 400 Sixth Street, Rochester, Michigan 48063.	Mar. 12, 1982	260326C.
St. Clair	Township of Fort Gratiot (FEMA Docket No. 6320).	*The Times Herald,* Mar. 19 and Mar. 26, 1982.	Mr. Maurice Foley, Township Supervisor, Township of Fort Gratiot, 3720 Keewahdin Drive, Port Huron, Michigan 48060.	Mar. 26, 1982	260198C.
Ohio: Lucas	Village of Waterville (FEMA Docket No. 6320).	*The Anthony Wayne Herald,* Mar. 17 and Mar. 24, 1982.	Mr. Clayton Chandler, Municipal Administrator, Village of Waterville, P.O. Box 250, Waterville, Ohio 43566.	Mar. 26, 1982	390637C.
Pennsylvania:					
Delaware	Borough of Aldan (FEMA Docket No. 6320).	*Delaware County Daily Times,* Mar. 5 and Mar. 12, 1982.	Thomas Shaiko, President of Council, Borough of Aldan, Springfield Road and the Railroad, Aldan, PA 19018.	Mar. 12, 1982	420401C.
Luzerne	Township of Kingston (FEMA Docket No. 6320).	*The Dallas Post,* Mar. 3 and Mar. 10, 1982.	Mark A. Kunkle, Township Manager, Township of Kingston, Kingston Township Municipal Building, 11 Carverton Road, Trucksville, PA 18708.	Mar. 12, 1982	420613C.
Connecticut: Fairfield County	City of Danbury (FEMA Docket No. 6320).	*The Danbury News Times,* Apr. 9 and Apr. 16, 1982.	The Honorable James E. Dyer, Mayor, City of Danbury, City Hall, 155 Deerhill Avenue, Danbury, Connecticut 06810.	Apr. 16, 1982	090004B.
New York: Tioga	Village of Owego (FEMA Docket No. 6320).	*The Binghamton Press,* Mar. 19 and Apr. 2, 1982.	Hon. John Shafer, Mayor, Village of Owego, 90 Temple Street, Owego, New York 13827.	Apr. 2, 1982	360840B.
Pennsylvania: Bucks	Township of East Rockhill (FEMA Docket No. 6320).	*The Free Press,* Apr. 23 and Apr. 30, 1982.	Paul G. Hunsicker, Chairman, East Rockhill Township, Board of Supervisors, 1622 Ridge Road, Perkasie, PA 18944.	Apr. 30, 1982	420187B.
Wisconsin: Calumet, Outagamie and Winnebago.	City of Appleton (FEMA Docket No. 6320).	*The Post Crescent,* Apr. 1 and Apr. 8, 1982.	The Honorable Dorothy Johnson, City of Appleton, 200 North Appleton Street, Appleton, Wisconsin 54913.	Apr. 9, 1982	555542B.
Illinois:					
Kendall	City of Plano (FEMA Docket No. 6277).	*Kendall County Record,* Apr. 15 and Apr. 22, 1982.	Hon. Verlin Akers, Mayor, City of Plano, 101 West Main Street, Plano, Illinois 60545.	Nov. 26, 1982	170346B.
Madison	Village of South Roxana (FEMA Docket No. 6276).	*The Alton Telegraph,* Apr. 16 and Apr. 23, 1982.	Monte R. Anderson, Village President, Village of South Roxana, P.O. Box 107, South Roxana, Illinois 62087.	Nov. 26, 1982	170449B.
Kansas: Harvey and Sedgwick	City of Sedgwick (FEMA Docket No. 6275).	*Sedgwick Pantagraph,* Apr. 15 and Apr. 22, 1982.	Hon. Tom Trower, Mayor, City of Sedgwick, P.O. Box 131, Sedgwick, KS 67135.	Nov. 30, 1982	200134C.
Nebraska: Washington	Village of Arlington (FEMA Docket No. 6273).	*The Arlington Citizen,* Apr. 8 and Apr. 15, 1982.	Mr. Wayne Royuk, Chairman, Village of Arlington, P.O. Box 39, Arlington, Nebraska 68002.	Nov. 23, 1982	310227C.
Texas: Hidalgo	(Unincorporated Area) (FEMA Docket No. 6265).	*The Daily Review,* Mar. 23 and Mar. 24, 1982.	Hon. Ramiro M. Guerra, Hidalgo County Judge, Hidalgo County Courthouse, P.O. Box 1356, Edinburg, TX 78539.	Nov. 16, 1982	480334C.
California: San Bernardino	City of Redlands (FEMA Docket No. 6281).	*The Sun,* Apr. 27 and May 4, 1982	Hon. Kenneth Roth, Mayor, City of Redlands, P.O. Box 280, Redlands, CA 92373.	Dec. 21, 1982	060279C.
Colorado: Rio Blanco	Town of Rangely (FEMA Docket No. 6294).	*The Rangely Times,* Apr. 29, and May 6, 1982.	Hon. Peggy Rector, Mayor, Town of Rangely, Municipal Building, 209 East Main Street, Rangely, CO 81648.	Dec. 21, 1982	080152C.
Louisiana: Lafayette Parish	City of Lafayette (FEMA Docket No. 6274).	*The Advertiser,* Apr. 8 and Apr. 15, 1982.	Hon. Dud Lastrapes, Mayor, City of Lafayette, P.O. Box 4017–C, Lafayette, LA 70502.	Dec. 14, 1982	220105D.
Virginia: Independent City	City of Norton (FEMA Docket No. 6297).	*The Coalfield Progress,* Apr. 27 and May 4, 1982.	Earl Brown, Acting City Manager, City of Norton, P.O. Box 618, Norton, Virginia 24273.	Dec. 17, 1982	510108B.
Washington: Spokane	City of Spokane (FEMA Docket No. 6282).	*Spokane Chronicle,* Apr. 21 and Apr. 28, 1982.	Hon. James Chase, Mayor, City of Spokane, W. 808 Spokane Falls Blvd., Spokane, WA 99210–3333.	Dec. 21, 1982	530183B.
West Virginia: Logan	Town of Mitchell Heights (FEMA Docket No. 6298).	*Logan Banner,* Apr. 23 and Apr. 30, 1982.	Hon. Melvin Triolo, Mayor, Town of Mitchell Heights, 305 Central Avenue, Logan, West Virginia 25601.	Dec. 3, 1982	540095B.
Wisconsin: Manitowoc	Unincorporated Areas (FEMA Docket No. 6285).	*Herald Times Reporter,* Apr. 30 and May 7, 1982.	James M. Hendricks, Chairman, Manitowoc County Board of Supervisors, 1010 South Eighth Street, Manitowoc, Wisconsin 54220.	Dec. 17, 1982	550236B.

State and county	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modified flood insurance rate map	New community No.
Wyoming: Johnson	City of Buffalo (FEMA Docket No. 6283).	*The Buffalo Bulletin*, Apr. 29 and May 6, 1982.	Hon. Emil O. Hecht, Mayor, City of Buffalo, P.O. Box 1009, Buffalo, WY 82834.	Dec. 21, 1982	560027C.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice of technical amendments made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance—flood plains.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001–4128; E.O. 12127, 44 FR 19367; delegation of authority to Associate Director, State and Local Programs and Support).

Issued: August 31, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-25935 Filed 9-22-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

National Flood Insurance Program; Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the nation.

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

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the community. This date may be obtained by contacting the office where the maps are available for inspection indicated in the table below.

ADDRESS: See table below.

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

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the final determination of flood elevations for each community listed.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 44 CFR Part 67). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Agency has developed criteria for flood plain management in flood prone areas in accordance with 44 CFR Part 60.

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

List of Subjects in 44 CFR Part 67.

Flood insurance—flood plains.

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

FINAL BASE (100-YEAR) FLOOD ELEVATIONS

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
California	Riverside, city, Riverside County (FEMA-6278)	Santa Ana River	100 feet upstream from center of upstream crossing of Van Buren Boulevard.	*698
			200 feet upstream from center of State Highway 60	*806
		Spring Brook Wash	Center of Market Street	*800
			150 feet upstream from center of North Main Street	*818
		University Wash	150 feet upstream from center of Orange Street	*830
			100 feet upstream from center of Spruce Street	*885
			10 feet upstream from center of 3rd Street	*950
			Center of Avocado Drive	*1,052
			100 feet upstream from center of Mount Vernon Drive	*1,134
		Box Springs Wash	Center of Park Avenue	*884
			Center of Chicago Avenue	*972
		Tequesquite Arroyo	100 feet upstream from center of Terracina Avenue	*808
			50 feet upstream from center of Sedgewick Avenue	*871
			100 feet upstream from center of Chicago Avenue	*925
		Alessandro Wash	15 feet upstream from center of Victoria Avenue	*946
			15 feet downstream from center of Alessandro Dam	*1,078

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Prenda Wash	25 feet upstream from center of Victoria Avenue	*912
			25 feet uptream from center of Dufferin Avenue	*999
			Center of Whitegate Avenue	*1,095
			15 feet downstream from center of Prenda Dam	*1,185
		Woodcrest Wash	Center of Cleveland Avenue	*915
			50 feet upstream from center of Washington Street	*1,060
		Mockingbird Canyon Wash	70 feet upstream from center of Victoria Avenue	*876
			Centerline of Dufferin Avenue	*912
		Harrison Wash	50 feet upstream from center of Dufferin Avenue	*926
			25 feet upstream from center of Gage Canal	*998
Maps available for inspection at Public Works Department, 3900 Main Street, Riverside, California.				
Colorado	Grand Junction, city Mesa County (FEMA-6121)	Colorado River	At intersection of Chulota Avenue and Fairview Avenue.	*4,556
		Indian Wash	At the southwest corner of the intersection of Orchard Avenue and 28¼ Road.	*4,633
		Leach Creek	At intersection of Leach Creek and upstream side of Patterson Road.	*4,545
			Approximately 500 feet upstream of 25 Road	*4,590
		Horizon Drive Channel	At intersection of Horizon Drive Channel and 25½ Road.	*4,573
			Approximately 1280 feet upstream of intersection with 25½ Road.	*4,583
			Approximately 1850 feet downstream of 25½ Road	*4,567
Maps available for inspection at Engineering Department, 250 N. 5th Street, Grand Junction, Colorado.				
Florida	Hallandale, city, Broward County (FEMA-6278)	Atlantic Ocean—Open Coast	Approximately 550 feet east of the intersection of Hallandale Beach Boulevard and South Ocean Drive.	*10
		Atlantic Ocean—Intracoastal Waterway/Golden Isles Lake.	Intersection of Parkview Drive and Three Islands Boulevard.	*6
			Intersection of Layne Boulevard and Alamada Drive	*6
			Intersection of Northeast 3rd Street and NE 8th Avenue.	*6
Maps available for inspection at Planning & Zoning Department, 308 Dixie Highway, Hallandale, Florida.				
Georgia	City of West Point, Troup County (FEMA-6286)	Chattahoochee River	Just upstream of U.S. Highway 29	*574
		Long Cane Creek	Just upstream of Interstate Highway 85 southbound	*572
			Just upstream of State Highway 18 westbound	*573
		Long Cane Creek Tributary	Just upstream of Interstate Highway 85 northbound	*577
Maps available for inspection at City Clerk's office, City Hall, Second Avenue, West Point, Georgia 31833.				
Hawaii	City and county of Honolulu (FEMA-6286)	Manoa Palolo Drainage Canal	Approximately 700' upstream of confluence with Alawai Canal.	*7
			Date Street (upstream)	*13
			Downstream of Waialae Avenue	*30
		Manoa Stream	King Street upstream	*29
			Confluence of Palolo Stream	*35
			Dole Street upstream	*62
			Lowrey Avenue upstream	*167
			Approximately 400' upstream Pawaina Street	*242
			Approximately 150' upstream of confluence with Luaalaea Stream.	*286
		Palolo Stream	Upstream of concrete channel	*53
			Saint Louis High School Access Road (3rd Avenue) upstream.	*76
			Downstream of 2nd concrete culvert	*96
		Ala Wai Canal	From approximately 100' upstream of Seaside Avenue extended to Ainakea Way.	*6
Maps available for inspection at the City Hall, Department of Land Utilization, 7th Floor, 650 South King Street, Honolulu, Hawaii.				
Illinois	(Uninc.) Sangamon County (FEMA-6224)	Sangamon River	About 3.8 miles downstream of the Chicago and North Western Railroad.	*520
			About 3700 feet upstream of Coal Bank Road	*539
			At the confluence of Clear Creek	*546
			About 6300 feet upstream of Township Road 11.25 East.	*552
		South Fork Sangamon River	At mouth	*539
			About 400 feet upstream of the confluence of Horse Creek.	*545
			About 6200 feet upstream of Township Road 8 South	*549
		Spring Creek	At the mouth	*528
			About 1000 feet upstream of New Browning Road	*535
			Just upstream of Bradfordton Road	*545
			Just upstream of of County Highway 15	*567
			Just downstream of Township Road 18 West	*635
		Sugar Creek	At mouth	*539
		xl	Just downstream of Spaulding Dam	*547
			Just upstream of Chatham Road	*561
			Just downstream of Township Road 12 South	*572
			Just upstream of Township Road 2 West	*583
			Just upstream of Township Road 3.5 West	*592
			Just upstream of State Highway 104	*600
			Just upstream of Township Road 16 South	*611
			About 200 feet upstream of Township Road 17 South	*617
			About 3600 feet upstream of County Highway 6 South	*630

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Brush Creek	At mouth	*551
			Just downstream of Illinois Central Gulf Railroad	*599
			Just upstream of Illinois Central Gulf Railroad	*602
			Just downstream of Township Road 17 South	*611
		Horse Creek	At mouth	*545
			Just downstream of Township Road 6 South	*546
			Just upstream of County Road 9 South	*558
			Just downstream of Township Road 13.75 South	*582
			Just upstream of Township Road 13.75 South	*585
			Just downstream of County Highway 56	*589
		Clear Creek	At mouth	*546
			Just downstream of County Highway 1A North	*554
			Just upstream of Township Road 2 North	*574
			Just upstream of County Highway 16 East	*581
			Just downstream of Old U.S. Highway 36	*582
		Hoover Branch	At mouth	*539
			About 300 feet downstream of Old U.S. Highway 36	*539
			Just upstream of Old U.S. Highway 36	*544
			At the Springfield corporate limits	*558
		Jacksonville Branch	At mouth	*540
			About 600 feet downstream of Churchill Road	*540
			Just downstream of Churchill Road	*542
		Town Branch	At mouth	*536
			About 150 feet upstream of Amos Avenue	*536
			Just downstream of Lincoln Avenue	*538
			About 220 feet upstream of Lincoln Avenue	*542
	Maps available for inspection at the Sangamon County Planning Commission Office, 703 Meyers Building, Springfield, Illinois.			
Indiana	(C) Kendallville Noble County (FEMA-6278)	Waterhouse Ditch	At confluence with Henderson Lake Ditch	*952
			About 1.0 mile upstream of East 900 Road	*956
		Lash Ditch	Just upstream of Brillhart Street	*971
			Just downstream of Waits Road	*975
		Bixler Lake	Within the community	*966
		Henderson Lake Ditch	Just upstream of East 600 road	*942
			Just upstream of Conrail	*953
		Bixler Lake Ditch	Just upstream of Garden Street	*966
			At Bixler Lake Control Structure	*966
	Maps available for inspection at the Clerk's Office, City Hall, Kendallville, Indiana.			
Indiana	(C) Ligonier Noble County (FEMA-6278)	Elkhart River	Just upstream of 1100 West Road	*862
			About 0.91 mile upstream of 750 West Road	*874
		Sparta Lake Ditch	At confluence with Elkhart River	*872
			About 700 feet upstream of U.S. Route 6	*873
			About 500 feet upstream of 650 North Road	*880
			Just downstream of 500 North Road	*882
		Solomon Creek	About 0.57 mile downstream of 1050 West Road	*873
			About 0.80 mile upstream of 550 North Road	*881
	Maps available for inspection at the City Hall, Third Street, Ligonier, Indiana.			
Indiana	(C) Valparaiso Porter County (FEMA-6278)	Salt Creek	Just upstream of Joliet Street	*680
			Just upstream of Norfolk and Western Railway	*688
			About 2300 feet upstream of U.S. Route 30	*691
	Maps available for inspection at the Engineer's Office, City Hall, 16 Indiana Avenue, Valparaiso, Indiana.			
Massachusetts	North Reading, town, Middlesex County (Docket No. FEMA-6278).	Ipswich River	At downstream corporate limits	*60
			Upstream of Haverhill Street	*68
			At upstream corporate limits	*75
		Martins Brook	At confluence with Ipswich River	*71
			At corporate limits (downstream crossing)	*76
			At corporate limits (upstream crossing)	*78
			At Martins Pond Outlet	*80
		Skug River	At confluence with Martins Pond	*80
			At upstream corporate limits	*83
		Martins Pond	Entire shoreline within community	*80
	Maps available for inspection at the Office of the Community Planning Commission, Town Hall, Park Street, North Reading, Massachusetts.			
Michigan	(Twp.) Bloomfield, Oakland County (Docket No. FEMA-6262).	Franklin Branch-River Rouge	About 100 feet upstream of 14 Mile Road	*763
			Just upstream of Franklin Road	*767
			About 1.3 miles upstream of Franklin Road	*792
		Amy Drain	About 1,700 feet downstream of Great Oaks Drive	*847
			About 1,600 feet upstream of Square Lake Road	*860
		Hamlin Drain	About 800 feet upstream of Subdivision Road	*868
			About 1,350 feet upstream of Subdivision Road	*872
		Murphy Drain	About 100 feet upstream of West Hickory Grove Road	*886
			Just upstream of private drive (about 530 feet upstream of Lahser Road).	*902
			Just downstream of Wilshire Drive	*922
		Long Lake-Forest Lake Drain	Just upstream of Lahser Road	*858
			Just downstream of Pine Valley Way	*874
			Just upstream of Pine Valley Way	*882
			Just downstream of West Long Lake Road	*882
			Just upstream of West Long Lake Road	*890
			Just downstream of Club Drive	*911
		River Rouge	Just upstream of Hunter Boulevard	*748
			Just downstream of 16 Mile Road	*749

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Just downstream of Grand Trunk Western railroad	*751
			Just upstream of Grant Trunk Western railroad	*757
			Just downstream of Adams Road	*765
		Sodon Lake Drain	Just upstream of Lahser Road	*832
			Just upstream of Oakleigh Drive	*833
			About 400 feet upstream of Ardmore Court	*848
			Just downstream of Sunningdale Drive	*851
			About 100 feet upstream of Sunningdale Drive	*855
			Just downstream of Old Sound Barrier	*856
		Walnut Lake	Shoreline	*883
		Hammond Lake	Shoreline	*921
		Upper Long Lake	Shoreline	*914
Maps available for inspection at the Town Hall, 4200 Telegraph Road, Bloomfield Hills, Michigan.				
Minnesota	(C) Independence, Hennepin County (Docket No. FEMA-6278).	South Fork Crow River	Within the corporate limits	*919
		Lake Robina Tributary	At mouth	*939
			Just upstream of Pioneer Creek Road	*942
			Just downstream of Burlington Northern Railroad	*955
		Pioneer Creek	About 2,500 feet downstream of County Highway 20	*930
			Just upstream of Watertown Road	*932
			Just upstream of Burlington Northern Railroad	*950
			Just downstream of Independence Road	*959
		Lake Independence	Shoreline	*960
		Lake Sarah	Shoreline	*981
		Lake Robina	Shoreline	*956
Maps available for inspection at City Clerk's Office, City Hall, 1790 County Road 90, Independence, Minnesota.				
Minnesota	(C) Sandstone, Pine County (Docket No. FEMA-6278).	Kettle River	Just upstream of Kettle River Dam	*962
			About 2,300 feet upstream of State Highway 123	*967
		Skunk Creek	About 900 feet downstream of Government Road	*1,027
			Just upstream of Government Road	*1,039
			About 130 feet upstream of Burlington Northern Railroad.	*1,055
			About 2,300 feet upstream of Burlington Northern Railroad.	*1,058
Maps available for inspection at the City Administrator's Office, City Hall, Fourth and Commercial, Sandstone, Minnesota.				
Missouri	(C) Hardin, Ray County (Docket No. FEMA-6278)	Missouri River	At eastern corporate limit	*695
			At western corporate limit	*696
Maps available for inspection at the City Hall, Hardin, Missouri.				
Montana	Laurel (city) (Yellowstone County) (FEMA-6278)	Italian Ditch	200 feet upstream of intersection of Interstate Highway 90 (downstream crossing) and Italian Ditch.	*3,287
		Nutting Ditch	40 feet upstream of intersection of Fir Avenue and Nutting Ditch.	*3,292
		Main Street Overflow	Intersection of Fir Avenue and Main Street (U.S. Highway 10).	*3,285
		West Main Street Overflow	50 feet upstream of intersection of Eighth Avenue and West Main Street Overflow.	*3,306
		Yellowstone River	200 feet downstream of intersection of U.S. Highways 310 and 212, and Yellowstone River.	*3,270
Maps available for inspection at City Hall, Laurel, Montana.				
Montana	Missoula, city, Missoula County (FEMA-5757)	Clark Fork River	Crossing of Russell Street over channel	*3,166
			Crossing of U.S. Highway 12 and 93	*3,179
			Crossing of Madison Street Bridge	*3,185
		Pattee Creek	South Higgins Avenue crossing—20 feet upstream of centerline.	*3,223
			Pattee Canyon Road	*3,314
		Rattlesnake Creek	Crossing of East Front Street over channel	*3,186
			Private Road crossing	*3,260
		Bitterroot River	Westernmost corner of community approximately 3,000 feet west of intersection of Fort Road and Post Siding Road.	*3,123
		Sheetflow	Southern edge of southern I-90 exit ramp approximately 700 feet southeast from crossing of I-90 over Rattlesnake Creek.	#1
			100 feet northeast of intersection of Russell Street and 39th Street.	#1
			South side of Whitaker Street from Crestline to Pine>ridge.	#1
			Westernmost intersection of Arlington and Cyprus	#1
			300 feet south of intersection of 39th Street and Reserve Street.	#1
			South side of U.S. Highway 12 and 93 approximately 500 feet southwest from its intersection with Dore Lane.	#1
			Bancroft Road between Benton and Livingston	#2
			100 feet south of intersection of Russell Street and 39th Street.	#2
			Southern side of Southwest Higgins Avenue between Northview and Stephens.	#2
			750 feet south of intersection of 39th and Reserve Streets.	#2
			Old Childrens Fishpond	#3
Maps available for inspection at Building Inspector, City Hall, 201 West Spruce Street, Missoula, Montana.				

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
New Jersey	Cape May City, city, Cape May County (Docket No. FEMA-6286).	Atlantic Ocean	Intersection of Beach and Wilmington Avenues	*14
			Beach Avenue at its intersection with Reading Avenue	*14
			Patterson Avenue extended 100 feet seaward from its intersection with Beach Avenue.	*14
			350 feet east along Mt. Vernon Street from its intersection with 2nd Avenue.	*12
			Intersection of Brooklyn and New Jersey Avenues	*10
			Intersection of Maryland and Madison Avenues	*10
			Intersection of Park Boulevard and Grant Avenue	*10
			Intersection of Wilmington and Delaware Avenues	*10
			Intersection of Washington and Texas Avenues	*10
Maps available for inspection at the Office of the City Clerk, City Hall, 643 Washington Street, Cape May City, New Jersey.				
New Jersey	Cape May Point, borough, Cape May County (Docket No. FEMA-6286).	Atlantic Ocean	Brainard Avenue extended 400 feet seaward from its intersection with Pearl Avenue.	*14
			Lake Drive extended 200 feet seaward from its intersection with Harvard Avenue.	*14
			Intersection of Lighthouse and Lincoln Avenues	*14
			Intersection of Alexander and Pearl Avenues	*10
			Intersection of Oak Avenue and Lake Drive	*10
			Intersection of Lincoln and Lehigh Avenues	*10
			Intersection of Princeton and Ocean Avenues	*10
Maps available for inspection at the Office of the Borough Clerk, Municipal Building, Yale and Lighthouse Avenues, Cape May Point, New Jersey.				
New Jersey	Howell, township, Monmouth County (Docket No FEMA-6278).	Manasquan River	Upstream of Southard Avenue	*44
			Upstream of West Farm Road	*51
			Upstream of Ketcham Road	*60
			Confluence of Ardena Brook	*65
			Upstream of Route 9	*72
			Confluence of Long Brook	*75
			Upstream corporate limits	*78
		Long Brook	Confluence with Manasquan River	*75
			Upstream of Route 9	*95
			Upstream of Adelphia Farmingdale Road	*100
			Upstream of Howell Road	*109
			Upstream of Vanderveer Road	*115
			Upstream of Conrail	*119
			Upstream of Route 33	*125
		Bannen Meadow Brook	Confluence with Manasquan River	*71
			Upstream of Casino Drive	*76
			Upstream of Route 9	*80
			Approximately 700 feet upstream of Fort Plains Road	*89
		Ardena Brook	Confluence with Manasquan River	*65
			Upstream of Adelphia Farmingdale Road	*81
		North Branch Metedeconk River	Downstream of corporate limits	*17
			Confluence of Gravelly Run	*20
			Confluence of Haystack Brook	*23
			Upstream of Ramtown Greenville Road	*24
			Upstream of Lakewood Allenwood Road	*33
			Downstream of Lakewood Farmingdale Road	*43
			Upstream of Route 9	*53
			Upstream of Kent Road	*59
			Upstream of Chruch Road	*70
			Confluence of Aldrich Lake	*81
			Downstream of Interstate Route 195C	*86
			Upstream of Hulses Road	*89
			Approximately 100 feet downstream of upstream corporate limits.	*93
		Haystack Brook	Confluence with North Branch Metedeconk River	*23
			Upstream of Ramtown Greenville Road	*23
			Upstream of Lakewood Allenwood Road	*33
			Upstream of Oak Glen Road	*37
			Upstream of Lakewood Farmingdale Road	*46
			Confluence of Groundhog Brook	*50
			Upstream of Lanes Pond Road	*60
			Upstream of Maxim Southard Road	*70
			Approximately 4,300 feet upstream of Maxim Southard Road.	*75
		Groundhog Brook	Confluence with Haystack Brook	*50
			Upstream of Lanes Pond Road	*59
			Confluence of Polipod Brook	*59
			Approximately 300 feet downstream of Locust Avenue	*59
		Polipod Brook	Confluence with Groundhog Brook	*59
			Approximately 810 feet upstream of confluence with Groundhog Brook.	*59
		Gravelly Run	Confluence with North Branch Metedeconk River	*20
			Approximately 400 feet downstream of Western Drive	*33
Maps available for inspection at the Municipal Building, Howell, New Jersey.				
New Jersey	Knowlton, township, Warren County (Docket No. FEMA-6146).	Delaware River	Downstream corporate limits	*273
			Upstream confluence of Valley Road Branch	*281
			Upstream Conrail (downstream crossing)	*288
			Upstream U.S. 611	*294

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Upstream Conrail (upstream crossing)	*303
			Upstream corporate limits	*315
Maps available for inspection at the Office of the Township Clerk, Municipal Building, Columbia, New Jersey.				
New Jersey	Logan, township, Gloucester County (Docket No. FEMA-6278).	Delaware River	At the confluence of Repaupo Creek	*10
			At the confluence of Raccoon Creek	*9
			At the confluence of Oldmans Creek	*9
			The entire shoreline of Repaupo Creek	*10
			The entire shoreline of Pargey Creek	*10
			The entire shoreline of Raccoon Creek	*9
			The entire shoreline of Oldmans Creek	*9
Maps available for inspection at the Municipal Building, 73 Main Street, Bridgeport, New Jersey.				
New Jersey	North Wildwood, city, Cape May County (Docket No. FEMA-6286).	Atlantic Ocean	12th Avenue extended 100 feet seaward from its intersection with Beach Drive.	*14
			Intersection of Beach Drive and 2nd Avenue	*14
			Intersection of New Jersey and Spruce Avenues along Hereford Inlet.	*14
			Maryland Avenue extended 50 feet northeast of its intersection with Anglesea Drive.	*14
			Northeast of State Route 585 in the vicinity of the confluence of Beach Creek with the Hereford Inlet.	*12
			The seaward limit of 23rd Avenue, 100 feet northwest of the Boardwalk.	*11
			Intersection of 6th Avenue and Beach Drive	*11
			Intersection of Surf and 2nd Avenues	*11
			Intersection of Anglesea and Taylor Avenues	*11
			Intersection of Virginia and Oak Avenues	*11
			Intersection of Allen Drive and Seaspray Court	*11
			Intersection of Surf and 21st Avenues	*10
			Intersection of Maryland and 16th Avenues	*10
			Intersection of Central and 9th Avenues	*10
			Intersection of Delaware Avenue and Walnut Street	*10
Maps available for inspection at the Office of the City Clerk, 9th and Atlantic Avenues, North Wildwood, New Jersey.				
New Jersey	Ocean, township, Ocean County (Docket No. FEMA-6278).	Barnegat Bay	Entire shoreline within corporate limits	*7
Maps available for inspection at the Municipal Building, 50 Railroad Avenue, Waretown, New Jersey.				
New Jersey	Sea Isle City, city, Cape May County (Docket No. FEMA-6286).	Atlantic Ocean	22nd Street extended 250 feet seaward from its intersection with Landis Avenue.	*14
			34th Street extended 200 feet seaward beyond the Promenade, from its intersection with Pleasure Avenue.	*14
			46th Street extended 75 feet seaward from its intersection with the Promenade.	*14
			66th Street extended 100 feet seaward from its intersection with Pleasure Avenue.	*14
			Portion of 88th Street extending seaward beyond its intersection with Pleasure Avenue.	*14
			Intersection of 23rd Street and Landis Avenue	*12
			Vicinity of the confluence of Swimming Creek with Ludlam Bay.	*12
			Intersection of 32nd Street and Central Avenue	*11
			Intersection of 40th Street and Pleasure Avenue	*11
			Intersection of 58th Street and Landis Avenue	*11
			Intersection of 68th Street and Central Avenue	*11
			Intersection of 91st Street and Pleasure Avenue	*11
			Intersection of 84th Street and Central Avenue	*10
			Intersection of Roberts Street and 77th Street	*10
			Intersection of Central Avenue and 71st Street	*10
			Intersection of 54th Street and Central Avenue	*10
			Intersection of 44th Street and Venician Road	*10
			Intersection of Central Avenue and 36th Street	*10
Maps available for inspection at the Office of the City Clerk, City Hall, 4416 Landis Avenue, Sea Isle City, New Jersey.				
New Jersey	Somerville, borough, Somerset County (Docket No. FEMA-6278).	Raritan River	Upstream corporate limits	*51
			Upstream of U.S. Route 206	*48
			Downstream corporate limits	*47
		Peters Brook	Downstream corporate limits	*47
			Upstream North Bridge Street	*48
			Upstream corporate limits	*60
		Ross Brook	Confluence with Peters Brook	*47
			Upstream corporate limits	*64
		Mars Brook	Confluence with Peters Brook	*56
			Upstream coroporate limits	*62
Maps available for inspection at the Municipal Building, 25 West End Avenue, Somerville, New Jersey.				
New Jersey	South Toms River, borough, Ocean County (Docket No. FEMA-6278).	Toms River	Entire shoreline within community	*6
		Jakes Branch	At confluence with Toms River	*6
			Parkway Access Road (upstream)	*10
			Double Trouble Road (upstream)	*18

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Approximately 1,950 feet upstream of Double Trouble Road.	*21
Maps available for inspection at the Municipal Building, 144 Mill Street, South Toms River, New Jersey.				
New Jersey	Wildwood, city, Cape May County (Docket No. FEMA-6286).	Atlantic Ocean	Hand Avenue extended 50 feet seaward from its intersection with the Boardwalk.	*14
			Spencer Avenue extended 50 feet seaward from its intersection with the Boardwalk.	*14
			Poplar Avenue extended 50 feet seaward from its intersection with the Boardwalk.	*14
			Intersection of Andrews Avenue and the Boardwalk	*11
			Intersection of Ocean and Wildwood Avenues	*11
			Intersection of Bennett and Atlantic Avenues	*10
			Intersection of Andrews and Mediterranean Avenues	*10
			Intersection of Ocean and Magnolia Avenues	*10
			Intersection of Park Boulevard and Pine Avenue	*10
Maps available for inspection at the Office of the City Clerk, City Hall, 4400 New Jersey Avenue, Wildwood, New Jersey.				
New Jersey	Wildwood Crest, borough, Cape May County (Docket No. FEMA-6286).	Atlantic Ocean	St. Louis Avenue extended 400 feet seaward from its intersection with Atlantic Avenue.	*14
			Intersection of Beach Avenue and Rosemary Road	*14
			Heather Avenue extended 400 feet seaward from its intersection with Ocean Avenue.	*14
			Intersection of Ocean Avenue and Primrose Road	*11
			Intersection of Beach Avenue and Lavender Road	*11
			Intersection of Charleston and Pacific Avenues	*10
			Intersection of Ocean Avenue and Orchid Road	*10
			Intersection of Lake and Morning Glory Roads	*10
Maps available for inspection at the Office of the Borough Clerk, Borough Hall, 6101 Pacific Avenue, Wildwood Crest, New Jersey.				
New Mexico	Town of Bernalillo, Sandoval County (FEMA-6278)	Rio Grande	Just upstream of New Mexico Highway 44	*5,056
Maps available for inspection at Town Hall, 901 Camino Del Pueblo, Bernalillo, New Mexico 87004.				
New Mexico	Village of Corrales, Sandoval County (FEMA-6278)	Rio Grande	Just upstream of Corrales Bridge-New Mexico State Highway 46.	*4,997
		Arroyo de los Monotoyos	Just upstream of confluence of Unnamed Arroyo No. 4.	*5,071
Maps available for inspection at Village Hall, Corrales, New Mexico 87048.				
New Mexico	Village of Tijeras, Bernalillo County (FEMA-6278)	Tijeras Arroyo	Just upstream of State Highway 14 South Bridge	*6,275
			Just upstream of Primera Agua Bridge	*6,341
			Just upstream of U.S. Highway 66	*6,421
Maps available for inspection at Village Hall, Tijeras, New Mexico 87059.				
New York	Canajoharie, town, Montgomery County (Docket No. FEMA-6247).	Mohawk River	At downstream corporate limits	*298
			At upstream corporate limits	*304
Maps available for inspection at the Town Office, Church Street, Canajoharie, New York.				
New York	Colesville, town, Broome County (Docket No. FEMA-6278).	Susquehanna River	Approximately 700' downstream of Ouaquaga Bridge	*931
			Welton Street (extended)	*936
			Thorn Hill Road (extended)	*947
			Approximately 400' downstream of Center Village Bridge.	*953
			Delaware and Hudson Railroad	*958
			Approximately 100' upstream of Interstate Route 88	*960
			Approximately 800' upstream of Nineveh Bridge	*963
Maps available for inspection at the Colesville Town Hall, Harpersville, New York.				
New York	Fonda, village, Montgomery County (Docket No. FEMA-6247).	Mohawk River	Downstream corporate limits (extended)	*286
			Upstream State Route 30A	*288
			Upstream corporate limits (extended)	*291
		Cayadutta Creek	Confluence with Mohawk River	*291
			Upstream corporate limits	*299
Maps available for inspection at the Village Office, Main Street, Fonda, New York.				
New York	Guilderland, town, Albany County (Docket No. FEMA-6278).	Black Creek	Confluence with Bozen Kill	*284
			Upstream of Depot Road	*314
			Upstream corporate limits	*326
		Bozen Kill	Confluence with Watervliet Reservoir	*265
			Upstream of confluence of Black Creek	*284
		Normans Kill	Downstream corporate limits	*126
			Downstream of Grant Hill Road	*153
			Upstream of State Route 146	*192
			Upstream of Conrail High Level Bridge	*238
			Upstream of State Route 158	*266
			Upstream corporate limits	*277
		Altamont Tributary 2	Confluence with Bozen Kill	*342
			At Gun Club Road	*387
		Vly Creek	Confluence with Normans Kill	*127
			Upstream corporate limits	*127
Maps available for inspection at the Town Hall, Route 20, Guilderland, New York.				

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
New York	Laurel Hollow, village, Nassau County (Docket No. FEMA-6278).	Cold Spring Harbor	From the Village of Laurel Hollow-Village of Cove Neck corporate limits to a point approximately 4,000 feet south along the Cold Spring Harbor shoreline.	*15
			From a point approximately 4,000 feet south along the Cold Spring Harbor shoreline from the Village of Laurel Hollow corporate limits to the eastern end of the sand spit.	*14
		Inner Harbor	The entire Inner Harbor shoreline within the community.	*14
Maps available for inspection at the Village Hall, Moores Hill Road, Syosset, New York.				
New York	New Rochelle, city, Westchester County (Docket No. FEMA-6278).	Long Island Sound	Davids Island	*18
			From southern corporate limits to a point .71 mile north along shoreline.	*16
			From a point .71 mile north along shoreline to Echo Island.	*18
			From Echo Island to Beafort Point	*17
			From Beafort Point along shoreline of Echo Bay to northern corporate limits.	*16
Maps available for inspection at the Department of Public Works, City Hall, 515 North Avenue, New Rochelle, New York.				
North Carolina	Unincorporated areas of Greene County (FEMA-6278).	Contentnea Creek	Just downstream of State Route 1004	*31
			Just Downstream of State Highway 123	*38
			upstream of U.S. Highway 13	*49
			upstream of State Route 1222	*52
			Just downstream of State Route 1225	*59
		Little Contentnea Creek	upstream of State Highway 903	*34
			upstream of State Route 1343	*43
			upstream of State Route 1306	*84
			Just downstream of State Route 1308, at the County Limits.	*88
		Middle Swamp	upstream of State Route 1344	*44
			upstream of U.S. Highway 13	*50
			Just Downstream of U.S. Highway 258	*64
Maps available for inspection at the County Finance Office, Greene County Office Complex, 229 Kingold Boulevard, Snow Hill, North Carolina 28580.				
North Carolina	Town of Hazelwood, Haywood County (FEMA-6278)	Richland Creek	Just Downstream of Elysinia Street	*2,696
			Approximately 80 feet downstream of West Main Street.	*2,703
		Browning Branch	Approximately 80 feet downstream of Scates Street	*2,735
Maps available for inspection at Town Hall, Hazelwood, North Carolina 28738.				
North Carolina	Unincorporated areas of Lenoir County (FEMA-6278)	Neuce River	Just downstream of U.S. Highway 55	*28
			At S.R. 1,343 Extended (At confluence of Falling Creek).	*39
		xl	Just upstream of County Road 1152	*49
		Contentnea Creek	Just downstream of Southern Railway	*25
			Just downstream of State Highway 11	*27
			Just downstream of County Road 1004	*31
		Eagle Swamp	Just downstream of County Road 1800	*25
			Just downstream of State Highway 11	*31
			Just downstream of S.R. 1721	*51
		Stonyton Creek	Just downstream of State Highway 11	*33
			Just upstream of County Road 1742	*37
			Just downstream of S.R. 1,004	*50
			Just upstream of County Road 1,581	*67
		Jerico Run	Just downstream of State Highway 55	*30
		Briery Run	At confluence with Stonyton Creek	*36
		Southwest Creek	Just upstream of State Road 1804	*32
			Just upstream of U.S. Highway 258	*59
			Just downstream of County Road 1111	*89
			Just downstream of N.C. 11	*80
			Just upstream of County Road 1143	*108
		Deep Run	Just upstream of County Road 141	*81
			Just downstream of State Highway 11	*85
		Falling Creek	Just upstream of U.S. Highway 70	*48
			Just upstream of County Road 1001	*69
		Falling Creek Tributary	Approximately 150 feet downstream of County Road 1544.	*58
			Approximately 200 feet downstream of a private drive	*73
		Gum Swamp	Just downstream of County Road 1001	*67
			Just upstream of County Road 1001	*70
			Just upstream of County Road 1543	*80
		Jumping Run	Just downstream of County Road 1531	*88
			Just downstream of County Road 1628	*105
		Mosley Creek	Just downstream of County Road 1327	*69
			Just downstream of County Road 1518	*73
			Just upstream of County Road 1515	*82
		Groundnut Creek	Just upstream of County Road 1515	*78
			Just upstream of County Road 1414	*87
			Just downstream of County Road 1504	*90
		Bear Creek	Just downstream of County Road 1366	*58
			Just downstream of U.S. Highway 70 Eastbound	*67

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Tuckahoe Swamp	Just downstream of County Road 1501	*76
			Just upstream of County Road 1105	*92
			Just downstream of County Road 1109	*100
Maps available for inspection at the Countywide Building Inspector's Office, and at the City Planner's Office, Kinston City Hall, East King Street, Kinston, North Carolina 28501.				
North Carolina	Pitt County (Unincorporated areas) FEMA-6278	Tar River	Intersection of secondary roads 1535 and 1536	*19
		Hardee Creek	100 feet upstream from center of secondary road 1726.	*37
		Juniper Branch	60 feet upstream from center of secondary road 1755	*38
		Indian Wells Swamp	100 feet upstream from center of State Highway 43	*47
		Moves Run-Cannon Swamp	Intersection of secondary roads 1523 and 1537	*26
		Baldwin Swamp	Intersection of secondary roads 1534 and 1535	*20
		Baldwin Swamp-North Tributary	100 feet upstream from center of U.S. Highway 264	*22
		Pinelog Branch	50 feet upstream from center of secondary road 1217	*55
		Pinelog Branch-North Tributary	100 feet downstream from center of secondary road 1210.	*71
		Pinelog Branch-South Tributary	50 feet upstream of secondary road 1200	*74
Maps available for inspection at County Auditor's Office, 1717 West 5th Street, Greenville, North Carolina				
North Carolina	Town of Waynesville, Haywood County (FEMA-6278)	Richland Creek	Just downstream of U.S. Highway 19	*2,568
			Just upstream of Howell Mill Road	*2,594
			Just upstream of Southern Railway	*2,598
			Just upstream of Vance Street	*2,608
			Just upstream of State Road 1247	*2,640
			Just upstream of Elysinia Street	*2,696
		Racoon Creek	Just upstream of Southern Railway	*2,581
			Just upstream of State Road 1250	*2,594
			Just downstream of Ratcliffe Cove Road (State Road 1818).	*2,610
			Just downstream of State Road 1810	*2,641
		Browning Branch	Just upstream of U.S. Highway 19A and Business Road 23.	*2,759
			Just upstream of Browning Road	*2,776
			Just downstream of Polk Street	*2,795
			Just downstream of Camp Branch Road	*2,805
		Allen Creek	Just upstream of Southern Railway	*2,758
			Just upstream of U.S. Highway 19A and 23	*2,772
			Just upstream of Hendricks Street	*2,793
			Just upstream of State Road 1148	*2,877
Maps available for inspection at Town Hall, 106 South Main Street, Waynesville, North Carolina 28786.				
North Carolina	Unincorporated areas of Wilson County (FEMA-6278)	Whiteoak Swamp	Just downstream of State Highway 264	*82
		Whiteoak Swamp Tributary	Just downstream of State Road 1522	*87
		Toisnot Swamp	Just upstream U.S. Highway 264	*88
			Just downstream of State Road 1332	*116
			Just upstream of State Road 1332	*122
			Just downstream of Country Club Drive and Dam	*129
			Just upstream of Wimbledon Drive	*133
			Just upstream of State Highway 58	*135
		Contentnea Creek	Just downstream of State Highway 58	*63
			Just upstream of State Highway 222	*65
			Just upstream of State Road 1628	*70
			Just upstream of Dowing Street	*100
			Just downstream of State Road 1144	*135
		Black Creek	Just downstream of U.S. Highway 117	*91
			Just upstream of State Road	*93
		Black Creek Tributary	Just downstream of State Road 1645	*100
		Tributary to Black Creek Tributary	Just downstream of State Road 1649	*118
		Contentnea Creek Tributary	Just upstream of State Road 1613	*90
			Just downstream of State Road 1615	*103
		Hominy Swamp	Just downstream of City of Wilson extraterritorial Jurisdiction limits.	*85
		Bloomery Swamp	Just downstream of State Highway 42	*101
			Just upstream of State Road 1158	*110
			Just downstream of Interstate 95	*137
		Millstone Creek	Just upstream of State Road 1302	*160
		Shepard Branch	Just downstream of State Road 1136	*124
		Mill Branch	Just downstream of State Road 1160	*130
		Little Swamp	Just upstream of State Highway 42	*128
		Marsh Swamp	Just upstream of State Road 1149	*130
			Just downstream of State Road 1147	*151
			Just downstream of (Dam) State Road 1134	*221
		Marsh Swamp Tributary	Just downstream of State Road 1133	*193
Maps available for inspection at Planning Director's Office, County Courthouse,115 East Nash Street, Wilson, North Carolina 27893.				
Ohio	(C) Canton, Stark County (Docket No. FEMA-6278)	Nimishillen Creek	Just downstream of Mill Street	*1,003
			At confluence of West Branch Nimishillen Creek	*1,009
		East Branch Nimishillen Creek	Just upstream of Eighth Street, N.E.	*1,038
			Just upstream of Conrail about 2,800 feet upstream of Belden Avenue, N.E.	*1,050
		West Branch Nimishillen Creek	Just upstream of Cleveland Avenue, S.W.	*1,014
			About 500 feet upstream of Conrail	*1,022
			About 500 feet downstream of confluence of McDowell Ditch.	*1,042
			About 400 feet downstream of Interstate 77	*1,044
			About 150 feet upstream of Thirty-eighth Street, N.W.	*1,052

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			About 2,500 feet upstream of Vinal Avenue	*1,065
		Sherrick Run	Just downstream of Allen Avenue, S.E	*1,004
			Just upstream of Chessie System	*1,012
			About 100 feet downstream of Cherry Avenue, S.E	*1,022
			About 150 feet upstream of Cherry Avenue, S.E	*1,030
			About 250 feet upstream of Warner Road, S.E	*1,034
		McDowell Ditch	At confluence with West Branch Nimishillen Creek	*1,043
			Just downstream of Thirty-eighth Street, N.W	*1,047
		Middle Branch Nimishillen Creek	At confluence with East Branch Nimishillen Creek	*1,041
			Just downstream of Spangler Street, N.E	*1,048
			About 2,600 feet upstream of Martindale Road	*1,056
		Tributary No. 1	At confluence with Middle Branch Nimishillen Creek	*1,054
			About 1,200 feet upstream of confluence with Middle Branch Nimishillen Creek.	*1,054
			About 0.7 mile upstream of confluence with Middle Branch Nimishillen Creek.	*1,060
		Fairhope Ditch	About 1,300 feet upstream of Louisville Street	*1,084
			About 1,400 feet downstream of Lesh Street	*1,088
	Maps available for inspection at the Department of City Planning and Zoning, City Hall, 218 Cleveland Avenue, S.W., Canton, Ohio.			
Ohio	(C) Mingo Junction, Jefferson County (Docket No. FEMA-6278).	Ohio River	At downstream corporate limits	*668
			About 6,785 feet upstream of Conrail	*669
	Maps available for inspection at the Mayor's Office, City Hall, 501 Commercial Street, Mingo Junction, Ohio.			
Ohio	(C) Steubenville, Jefferson County (Docket No. FEMA-6278).	Ohio River	About 0.55 mile downstream of Conrail (near Permars Run Culvert).	*669
			At upstream corporate limit	*672
	Maps available for inspection at the Mayor's Office, City Hall, 123 South Third Street, Steubenville, Ohio.			
Oklahoma	City of Lindsay, Garvin County (FEMA-6278)	Washita River	Approximately 1,000 feet downstream of Washita River.	*975
		Hybarger Creek	Just upstream of East 4th Street	*971
			Approximately 300 feet downstream of West 7th Street.	*974
	Maps available for inspection at City Hall, 308 S.W. Second Street, Lindsay, Oklahoma 73052.			
Oklahoma	City of Waurika, Jefferson County (FEMA-6278)	Cow Creek	Just upstream of Chicago Rock Island and Pacific Railroad.	*882
			Just upstream of Meridian Street	*888
		Beaver Creek	Just upstream of U.S. Highway 70	*875
			Approximately 300 feet upstream of Chicago Rock Island and Pacific Railroad.	*890
			Just downstream of State Highway 5	*897
	Maps available for inspection at City Hall, 107 West Anderson Street, Waurika, Oklahoma 73573.			
Pennsylvania	Ridley, township, Delaware County (Docket No. FEMA-5724).	Crum Creek	Confluence with Delaware River	*10
			Confluence of Little Crum Creek	*13
			Downstream of Jefferson Avenue	*25
			Upstream corporate limits	*43
		Stony Creek	Confluence with Darby Creek	*10
			Downstream of Chester Pike	*23
			Downstream of dam	*65
			Upstream of Fourth Avenue	*85
			Upstream corporate limits	*113
		Little Crum Creek	Confluence with Crum Creek	*13
			Downstream of Haverford Road	*54
			Upstream corporate limits	*85
		Ridley Creek	Downstream corporate limits	*14
			Upstream corporate limits	*21
		Muckinipattis Creek	Downstream corporate limits	*68
			Upstream corporate limits	*91
		Delaware River	Entire shoreline within community	*10
	Maps available for inspection at the Ridley Township Municipal Building, MacDade Boulevard and Morton Avenue, Folsom, Pennsylvania.			
Commonwealth of Puerto Rico.	Rio Grande, Anasco River Basin, (FEMA-6247)	Rio Grande de Anasco	10 meters downstream of intersection of river and Puerto Rico Highway 2.	*5.1
			30 meters upstream of intersection of river and Puerto Rico Highway 406.	*16.0
		Atlantic Ocean	At mouth of Rio Grande de Anasco	*1.6
	Maps available for inspection at Puerto Rico Planning Board, P.O. Box 41119, Minillas Station, Santurce, Puerto Rico.			
South Carolina	Unincorporated areas of Lancaster County (FEMA-6286).	Camp Creek (South)	Just downstream of County Road 179	*455
			Just upstream of County Road 179	*459
			Just downstream of County Road 19	*497
		Cane Creek	Just upstream of County Road 56 (University Drive)	*444
			Approximately 800 feet downstream of U.S. Highway 521.	*462
		Rum Creek	Just downstream of State Highway 200	*473
			Just downstream of Rum Road	*490
			Just downstream of County Road 449	*506
			Just upstream of County Road 449	*511
		Bear Creek	Just upstream of County Road 19 (Lynwood Drive)	*461
			Just downstream of U.S. Highway 521	*471

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Gills Creek	Just downstream of County Road 360	*462
			Just upstream of County Road 51	*473
			Just upstream of SCS Dam No. 18A	*518
		Hannahs Creek	Just downstream of County Road 51	*476
			Approximately 240 feet upstream of South Carolina State Highway 9.	*482
		Turkey Quarter Creek	Just downstream of County Road 407	*512
			Just upstream of County Road 149	*535
			Just upstream of County Road 71	*570
		Little Turkey Creek	Just downstream of Cauthen Road	*508
			Approximately 260 feet downstream of County Road 521.	*517
			Just downstream of County Road 38	*537
		Camp Creek	Approximately 200 feet upstream of U.S. Highway 521	*454
			Just upstream of County Road 185 (Craig Drive)	*463
			Just downstream of State Highway 200	*468
		Twelvemile Creek	Approximately 500 feet upstream of U.S. Highway 521	*486
			Just upstream of County Road 92	*499
		Sixmile Creek	Just downstream of County Road 66	*503
			Just upstream of County Road 65	*526
			Just downstream of County Road 126	*530
			Just downstream of County Road 54	*563
			Just upstream of County Road 54	*568
		Sugar Creek	Approximately 100 feet downstream of Dobys Bridge Road (State Road 36).	*491
			Approximately 200 feet upstream of Dobys Bridge Road (State Road 36).	*492
			Approximately 200 feet downstream of State Road 160.	*512
			Approximately 200 feet upstream of the confluence of McAlpine Creek.	*520
			Approximately 100 feet upstream of the Southern Railway.	*536
Maps available for inspection at the County Planning Director's Office, County Office Building, 116 West Dunlap Street, Lancaster, South Carolina 29720.				
Tennessee	City of Lebanon, Wilson County (FEMA-6286)	Sinking Creek	Just upstream of U.S. Highway 70N Bypass	*523
			Just upstream of Spring Street	*532
			Just upstream of U.S. Highway 231	*544
		Bartons Creek	Just upstream of U.S. Highway 70N Bypass	*515
			Just upstream of West Main Street	*521
Maps available for inspection at City-County Planning Office, Room 5, Wilson County Courthouse, Lebanon, Tennessee 37087.				
Texas	City of Anahuac, Chambers County (FEMA-6278)	Lake Anahuac	Approximately 570 feet west of intersection of North Main Street and South Main Road along North Main Street.	*13
Maps available for inspection at City Hall, 501 Miller Street, Anahuac, Texas 77514.				
Texas	Town of Bevil Oaks, Jefferson County (FEMA-6278)	Pine Island	Just upstream of eastern corporate limits	*23
			Just downstream of State Highway 105	*27
Maps available for inspection at Town Hall, 7390 Sweet Gum Street, Bevil Oaks, Texas 77706.				
Texas	City of Bridge City, Orange County (FEMA-6278)	Gulf of Mexico, Sabine Lake	Intersection of Texas Avenue and northeastern corporate limits.	*8
			Intersection of Rosen Street and Farm Drive	*8
			Intersection of Thurman and Young Streets	*8
			Intersection of Gulf States Drive and Joel Street	*8
			Intersection of Texas Avenue and southwestern corporate limits.	*9
Maps available for inspection in Council Chambers, City Hall, 260 Rachal Street, Bridge City, Texas 77611.				
Texas	City of Groves, Jefferson County (FEMA-6278)	Shallow Flooding Area	At intersection of Little John Lane and Sherwood Lane	*4
			Approximately 800 feet southeast along Perry Avenue from the intersection of Perry Avenue and David Street.	*4
Maps available for inspection at Public Works Building, 4925 McKinley Avenue, Groves, Texas 77619.				
Texas	City of Orange, Orange County (FEMA-6278)	Sabine River	Just upstream of Interstate Highway 10	*11
		Adams Bayou	Approximately 6000 feet upstream of West Green Avenue.	*8
			Approximately 2000 feet upstream of Interstate Highway 10.	*9
		Coopers Gully	Just downstream of 10th Street	*8
		Hudson Gully	Just downstream of 37th Street	*11
		Little Cypress Bayou	Just upstream of State Highway 87	*12
Maps available for inspection at Planning Office, Fourth and Main Streets, Orange, Texas 77630.				
Texas	Unincorporated Areas of Orange County (FEMA-6278).	Anderson Gully	Approximately 200 feet downstream of Russell Street	*19
			Approximately 200 feet downstream of Bailey Street	*22
		Caney Creek	Just downstream of FM 1132	*21
		Coon Bayou	Just downstream of State Highway 87	*8
		Cow Bayou	Approximately 100 feet upstream of confluence of Sandy Creek.	*9
		Gum Gully	Approximately 300 feet upstream of Alley Payne Road	*11
		Little Cypress Bayou	Approximately 1000 feet upstream of Farm Road	*15

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Neches River	Approximately 1500 feet upstream of Interstate Highway 10.	*11
			Approximately 2000 feet below Jasper County/Orange County Line.	*20
		Sabine River	Just downstream of Southern Pacific Railroad	*14
			Approximately 1500 feet upstream of Southern Pacific Railroad.	*15
		Sandy Creek	Downstream of Southern Pacific Railroad	*9
			Just downstream of J.B. Arrington Road	*10
		Ten Mile Creek	Just downstream of State Road 1131	*17
		Ten Mile Creek West Fork	Just downstream of FM 1131	*17
		Tiger Creek	Approximately 150 feet upstream of State Road 105	*19
		Walnut Run	Just upstream of Shell Drive	*19
		Sabine Lake/Sabine River	At the confluence of Adams Bayou and Sabine River	*9
		Sabine Lake/Neches River	Just upstream of State Highway 87	*9
	Maps available for inspection at Orange County Courthouse, Room 207, Corner of Border and Division Streets, Orange, Texas 77630.			
Texas	City of Pinehurst, Orange County (FEMA-6278)	Adams Bayou	Downstream of West Park Avenue	*8
			Just upstream of Interstate Highway 10	*9
	Maps available for inspection at City Hall, 3640 Mockingbird Street, Pinehurst, Texas 77630.			
Texas	City of Pleasant Valley, Wichita County (FEMA-6278)	East Fork Pond Creek	Approximately 150 feet downstream of Fort Worth and Denver Railroad.	*968
			Middle Fork Pond Creek	*959
			Just downstream of Pleasant Valley Road	
			Just upstream of U.S. Highway 287 Business	*979
		West Fork Pond Creek	At Corporate Limits	*971
	Maps available for inspection at the Midway Fish Farm, Pleasant Valley, Texas 76367.			
Texas	City of Port Neches, Jefferson County (FEMA-6278)	Sabine Lake/Neches River	MacArthur Drive if extended	*7
			Marion Street if extended	*8
			Pine Street if extended approximately 800 feet from intersection of Old Street.	*7
			Pine Street if extended approximately 1400 feet from intersection of Old Street.	*8
	Maps available for inspection at City Hall, 634 Avenue C, Port Neches, Texas 77651.			
Texas	City of Rose City, Orange County (FEMA-6278)	Neches River	At intersection of Daisy Lane and Sparrow Drive	*11
			At intersection of Primrose City Lane and Camellia Lane.	*9
	Maps available for inspection at City Hall, Rose City, Texas 77662.			
Texas	City of Vidor, Orange County (FEMA-6278)	Anderson Gully	Just downstream of Orange Street	*22
			Just downstream of Bolivar Street	*22
		Meyers Bayou	Just Upstream of Old Spanish Trail	*8
			Just Upstream of Taylor Street	*18
	Maps available for inspection at City Hall, 170 North Main, Vidor, Texas 77662.			
Texas	City of West Orange, Orange County (FEMA-6278)	Adams Bayou	Just Upstream of Western Avenue	*8
	The flooding at this location is due to coastal surge from the Gulf of Mexico and Sabine Lake and also from backwater on Sabine River.			
	Maps available for inspection at City Hall, 2700 Austin Avenue, West Orange, Texas 77630.			
Wisconsin	(Uninc.) Oconto County (Docket No. FEMA-6278)	Oconto River	At City of Oconto corporate limits, about 8950 feet upstream of U.S. Highway 41.	*590
			Just downstream of County Highway J	*598
			Just downstream of Machickanee Dam	*609
			Just Upstream of Machickanee Dam	*623
			About 3700 feet downstream of Paper Mill Dam	*637
			About 4200 feet upstream of Power Dam	*733
			About 1600 feet upstream of County Highway BB	*744
			About 2.2 miles upstream of County Highway BB	*757
			About 2.4 miles downstream of County Highway V	*774
			About 3000 feet upstream of County Highway H	*784
			About 1.9 miles downstream of State Highway 32	*794
			Confluence of South Branch Oconto River	*797
		South Branch Oconto River	About 1.1 miles upstream of mouth at Oconto River	*799
		North Branch Oconto River	Just downstream of Chicago and North Western railroad (1.4 miles upstream of confluence of South Branch Oconto River).	*798
			About 2.8 miles downstream of North Branch Road	*802
			Just downstream of Logan Road	*817
			About 1.6 miles downstream of State Highway 32, which is about 1.1 miles downstream of confluence of Waupee Creek.	*835
			Just downstream of Chute Dam	*857
			Just upstream of Chute Dam	*870
			Just downstream of Kingston Road	*873
			About 1.2 miles upstream of Kingston Road	*913
			About 4200 feet upstream of County Highway W	*926
			About 1.17 miles downstream of State Highway 32 and 64.	*949
			Just upstream of State Highway 32 and 64	*1027
			Just upstream of Old 32 Road	*1073
			Just upstream of Tar Dam Road	*1087

FINAL BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county (Docket No.)	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			About 1.1 miles downstream of County Highway F	*1145
			Just upstream of Riverside Road	*1152
			About 1.5 miles upstream of Riverside Road	*1183
		McCaslin Brook	About 900 feet upstream of Old 32 Road	*1173
			About 2900 feet upstream of Old 32 Road	*1196
			Just downstream of North Road	*1233
			Just upstream of North Road	*1238
			Just upstream of Chain Lake Road	*1252
			Just upstream of County Highway T	*1299
			Just upstream of Old County Highway T	*1309
		Christie Brook	About 3150 feet downstream of County Highway BB	*762
			About 300 feet downstream of State Highway 32	*794
			About 700 feet upstream of Klaus Lake Road	*815
		Hayes Creek	Just upstream of Hayes Lane	*830
			Just downstream of Apple Road	*843
		Waupee Creek	About 1.4 miles downstream of County Highway W	*915
			Just upstream of Pritchard Lane	*936
		Pensaukee River	About 100 feet downstream of County Highway S	*585
			About 520 feet upstream of Old Highway 41	*592
			Just downstream of U.S. Highway 41	*596
			About 5100 feet downstream of confluence of Spring Creek.	*635
			About 150 feet upstream of U.S. Highway 141	*656
			About 175 feet upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	*667
			About 2.0 miles upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	*677
			About 1900 feet downstream of Safian Road	*756
			Just downstream of State Highway 32	*773
		Brookside Creek	Mouth at Pensaukee River	*606
			About 250 feet upstream of Moody Road	*609
			About 3200 feet upstream of U.S. Highway 41	*616
			About 100 feet upstream of Falk Road	*637
			Just upstream of Oak Orchard Road	*655
			About 125 feet upstream of Cross Road	*677
		Spring Creek	Mouth at Pensaukee River	*644
			About 1700 feet upstream of Nikodem Lane	*674
			About 175 feet upstream of Sandlewood Road	*692
			Just upstream of County Highway E, upstream of confluence of Spring Creek Tributary.	*714
		Spring Creek Tributary	Mouth at Spring Creek	*703
			About 425 feet upstream of Burdosh Road	*713
		Little Suamico River	About 2800 feet downstream of Chicago and North Western railroad.	*585
			Just upstream of Chicago and North Western railroad	*589
			About 125 feet upstream of U.S. Highways 41 and 141.	*619
			About 100 feet upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	*640
			About 200 feet upstream of Cross Road	*643
			Just upstream of Jaworski Road	*769
			About 950 feet upstream of Waste Treatment Plant Road.	*793
		Tibbet Creek	Just downstream of Old Deer Road	*585
			About 750 feet upstream of Chicago and North Western railroad.	*591
			About 800 feet downstream of Geano Beach Road	*625
		Tributary No. 1	Mouth at Green Bay	*585
			About 350 feet upstream of County Highway S	*588
			Just upstream of Pine Avenue	*591
		Tributary No. 2	Just upstream of Maple Avenue	*650
			Just downstream of Landfill Road	*684
		Green Bay	At shoreline	*585
		Shallow Flooding	East of Chicago and North Western railroad, south of County Highway S.	*594

Maps available for inspection at the Zoning Administrator's Office, Courthouse, Oconto, Wisconsin.

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

Issued: September 8, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-25880 Filed 9-22-82; 8:45 am]

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Proposed Rules

Federal Register
Vol. 47, No. 185
Thursday, September 23, 1982

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

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

7 CFR Part 1945

Emergency Loans

AGENCY: Farmers Home Administration, USDA.

ACTION: Proposed rule.

SUMMARY: The Farmers Home Administration (FmHA) proposes to amend its insured emergency (EM) loan regulations to correlate and clarify Subparts B and D so that production loss calculations will be made on a fair and equitable basis for all farmers. A termination date is established to provide that all EM loan applications will be processed under the same regulation.

This action is needed to implement administrative changes to correct program deficiencies. The intended effect is to provide for more efficient administration of the program so that EM loans will be made on a fair and equitable basis to farmers suffering substantial agricultural losses, who need the Federal assistance to continue their farming operations.

DATES: Comments must be received by November 22, 1982.

ADDRESSES: Submit written comments in duplicate to Carl O. Opstad, Chief, Directives Management Branch, Farmers Home Administration, USDA, Room 6346–S, Washington, DC 20250, telephone (202) 382–9725. All written comments made pursuant to this notice will be available for public inspection during regular work hours at the above address.

FOR FURTHER INFORMATION CONTACT: Keith L. Smalley, Emergency Loan Officer, Emergency Division, Farmers Home Administration, USDA, Room 5346–S, Washington, DC 20250, telephone (202) 382–1651.

SUPPLEMENTARY INFORMATION: This proposed action has been reviewed under USDA procedures established in Secretary's Memorandum 1512–1 which implements Executive Order 12291 and has been determined to be "non major". This action will cause no major increase in costs or prices for individuals, organizations, or other Government agencies affected; and there will be no significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This action does not directly affect any FmHA programs or projects that are subject to A–95 clearinghouse review.

Approval has been requested from the Office of Management and Budget in regard to the recordkeeping and reporting requirements contained herein.

The Catalog of Federal Domestic Assistance number is 10.404 Emergency Loans (EM).

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

Need for Governmental Action

The Congress has been critical of FmHA's overall management of the Disaster Emergency Program. The Administration agrees with these criticisms.

Emergency (EM) loans are being made to farmers who have suffered losses to one crop while having offseting good production in another crop(s). Although some corrective measures have been taken to assure that Emergency loans are made to those actually suffering production losses, it has become evident that an urgent need exists for further revision and clarification of the regulations governing the EM loan program. Revisions must be made in Subparts B and D of Part 1945 so that farmers served under these regulations receive equal and fair treatment in obtaining EM loans.

It is important to take action to prevent the policies and practices causing the program abuses from continuing. It is also important to act immediately so that the effect of these changes can be implemented before a sizeable number of loans are made having subsidized interest rates and terms that would last for several years requiring the unnecessary outlay of several million dollars.

Therefore, to help alleviate these serious problems and restore fiscal integrity to the EM program, corrective amendments are proposed.

Major Alternative Actions Considered

Alternative No. 1: Continue with existing regulations. Both Subparts B and D of 7 CFR, Part 1945 provide for making EM loans to farmers. If the regulations are not revised, EM loan applications made under designations with incidence periods beginning prior to May 26, 1981, would continue to be processed after September 30, 1982, under 7 CFR, Part 1945, Subpart B. Continuing to provide EM loans under Subpart B would permit excessive numbers of EM loans to be made which would be detrimental to the President's plan for economic recovery. The method of calculating production losses would continue to lack uniformity. The method of establishing prices and yields in making loss loan calculations for all crops would not be done on a uniform equitable basis. Acreage-poundage controls would continue to be considered in calculating production losses, thereby giving an unfair advantage to crops under this type of control. Lack of uniformity would exist between Subparts B and D of Part 1945, regarding the percentage of projected income that can be advanced as an annual production loan when only crops and/or livestock and livestock products are available as security for a loan. The definitions of joint farming operation and types of security for FmHA loans would continue to be unclear.

Alternative No. 2: Revise regulations to correlate, unify, and better define terms used in the FmHA EM regulations. All EM loan applications will be processed in a more equitable manner. Regulations governing EM loans will be clarified with regard to the meaning of a joint farming operation, types of security for EM loans, and how prices and normal yields are established.

Alternative No. 2 was selected as the best solution to correct the inequities and deficiencies that have been identified.

The following is a summary of the revisions to be made by this action.

7 CFR, Part 1945, Subpart B is amended by revising the following paragraphs as summarized below:

1. Section 1945.51(a) is revised to provide for a termination date for Part 1945, Subpart B at the close of business on September 30, 1982.

2. Section 1945.54(a)(22) is revised to delete acreage-poundage controls as a consideration in establishing normal year's production and in calculating production losses. Sources of production records for establishment of normal year's production is redesignated as § 1945.63(a)(1).

3. Section 1945.54(a)(32)(i) is revised to clarify the definition of basic security.

4. Section 1945.54(a)(32)(ii) is revised to clarify the definition of normal income security.

5. Section 1945.54(a)(32)(iii) is revised to clarify the definition of additional security.

6. Section 1945.62(c)(2) is revised to define a joint farming operation.

7. Section 1945.62(d) is revised to reference the paragraph with § 1945.63(a)(2)(xvii) in regard to calculating production losses when an applicant's farming operation is conducted in both a designated and nondesignated county(ies).

8. Section 1945.63(a)(1) is revised to clarify how production losses are calculated and the sources of records and their priority of use in establishing normal year's production. Subparagraphs (v) and (vi) are deleted.

9. Section 1945.63(a)(2)(i) through (a)(2)(vii) are revised for clarity.

Subsection (a)(2)(iii) is revised to conform to the requirements of Pub. L. 97–35 regarding average prices to be used to establish production losses, and (a)(2)(xvii) is added to this section to clarify how production losses are calculated for an EM applicant whose farming operation is conducted in both a designated and a nondesignated county(ies).

10. Section 1945.66(a)(1) is revised to reference this paragraph with § 1945.63(a)(2)(xvii).

11. Section 1945.67(d) is revised to clarify that subsequent EM loans can only be made after September 30, 1982, to borrowers who were indebted for EM loan(s) on December 15, 1979.

12. Section 1945.67(h) is added to this paragraph to provide that FmHA employees will not guarantee repayment of advances by other creditors.

13. Section 1945.68(b)(1) is revised to correct a typographical error.

14. Section 1945.69(f)(1) is revised to change the percent from 50 percent to 75 percent of planned gross farm income that can be advanced for annual production purposes, and to delete the reference to the greater of $100,000 or one-half of the estimated gross farm income when the applicant can provide only a first lien on a crop(s) and/or livestock and livestock products.

7 CFR, Part 1945, Subpart D, is amended by revising the following paragraphs as summarized below:

15. Section 1945.154(a)(23) is revised to delete the reference to tobacco under acreage-poundage control as a consideration in establishing normal year's production and in calculating production losses. The source of records and their priority of use is redesignated as § 1945.163(a)(1).

16. Section 1945.154(a)(33)(i) is revised to clarify the definition of basic security.

17. Section 1945.154(a)(33)(ii) is revised to clarify the definition of normal income security.

18. Section 1945.154(a)(33)(iii) is revised to clarify the definition of additional security.

19. Section 1945.162(c)(2) is revised to define a joint farming operation.

20. Section 1945.162(d) is revised to reference this paragraph with § 1945.163(a)(2)(xvii) in regard to calculating production losses when an applicant's farming operation is conducted in both a designated and nondesignated county(ies).

21. Section 1945.163(a)(1) is completely revised to redesignate the source of prices and priority of records to be used in calculating production losses.

22. Section 1945.163(a)(2)(i), (a)(2)(ii), (a)(2)(iv) and (a)(2)(vi) are revised for clarity and (a)(2)(xvii) is added to this paragraph to clarify how production losses are calculated for an EM applicant whose farming operation is conducted in both a designated and a nondesignated county(ies).

23. Section 1945.166(a)(1) is revised to reference this paragraph with § 1945.63(a)(2)(xvii).

24. Section 1945.166(d) is revised to substitute the word refinancing for financing in this section.

25. Section 1945.167(a) is revised to delete the word minor as it relates to crops to further clarify the paragraph.

26. Section 1945.167 (e) is revised to clarify that subsequent EM loans for any purpose can only be made after September 30, 1982 to borrowers who were indebted for EM loan(s) on December 15, 1979.

27. Section 1945.167 (i) is added to this paragraph to provide that FmHA employees will not guarantee repayment of advances from other credit sources.

28. Section 1945.169 (f) (1) is revised to state that 75 percent of planned gross farm income can be advanced for annual production purposes, and to delete the reference to the greater of $100,000 or 75 percent of the estimated gross farm income when the applicant can provide only a first lien on a crop(s) and/or livestock and livestock products.

List of Subjects in 7 CFR Part 1945

Agriculture, Disaster assistance, Intergovernmental relations, Livestock, Loan programs—Agriculture.

PART 1945—EMERGENCY

Therefore, as proposed, Subparts B and D of Part 1945, Chapter XVIII, Title 7, Code of Regulations are amended as follows:

Subpart B—Emergency Loan Policies, Procedures and Authorizations for Those Applications Associated With Disaster Designations Having a Beginning Incidence Period Dated Prior to May 26, 1981

1. In § 1945.51, paragraph (a) is revised to read as follows:

§ 1945.51 Introduction.

(a) *Policy.* This subpart prescribes the policies, procedures, and authorizations of the Farmers Home Administration (FmHA) for making Insured Emergency (EM) loans to farmers, ranchers, and aquaculture operators (hereinafter referred to as farmers). FmHA's policy is to make loans to any otherwise qualified applicant without regard to race, color, religion, sex, national origin, marital status, age, or physical/mental handicap (provided the applicant can execute a legal contract). This subpart applies to borrowers and FmHA personnel involved in making EM loans. *Use of this subpart will terminate at close of business (COB) September 30, 1982.* Any EM loans not approved by COB September 30, 1982, will be processed according to Subpart D of Part 1945 of this chapter.

* * * * *

2. In § 1945.54, paragraphs (a)(22), (a)(32)(i), (a)(32)(ii), and (a)(32)(iii) are revised to read as follows:

§ 1945.54 Definitions and abbreviations.

(a) *Definitions.*

* * * * *

(22) *Normal year's production.* The normal year's production is the average per acre yield or production per animal unit of the 4 better years out of the 5 years immediately preceding the disaster year.

* * * * *

(32) *Security.* * * *

(i) *Basic security.* Real estate, fixtures, personal property, *e.g.*, foundation herds, flocks, aquatic animals and plant

organisms; and machinery and equipment serving as security. When no collateral other than crops, livestock and/or livestock products and/or repayment ability as defined in § 1945.69 (d) of this subpart is available as security for the loan(s), such collateral is also considered to be basic security and sales proceeds *will not* be released for any purpose unless the Farm and Home Plan for that crop year includes plans for release of the proceeds for necessary farm operating or family living expenses.

(ii) *Normal income security.* All collateral (crops, livestock, and/or livestock products) planned to be marketed in the regular course of business, except as set forth in paragraph (a)(32)(i) of this section unless liquidation is approved. When liquidation is approved, all security including normal income security, becomes basic security and sales proceeds *cannot be* released except as reflected in the Farm and Home Plan for that crop year.

(iii) *Additional security.* All collateral not covered by paragraphs (a)(32)(i) or (ii) of this section including: General intangibles, accounts and contract rights, which is encumbered, in addition to basic security and normal income security. Real estate and chattels can be additional security if required by loan approval conditions.

* * * * *

3. In § 1945.62, paragraphs (c)(2) and (d) are revised to read as follows:

§ 1945.62 Eligibility requirements.

* * * * *

(c) *Established farmer.*

* * * * *

(2) An individual invovled in a joint farming operation is not considered to be an established farmer for EM loan purposes. A joint farming operation is an operation where two or more farmers work together sharing equally or unequally land, labor, equipment, expenses and income. The joint ownership of land and/or equipment or the exchange of labor and equipment in separate farming operations does not constitute a joint operation. Thus, the latter type of arrangement is not considered a joint operation, but two separate individual operations.

* * * * *

(d) *Operate in a disaster area.* An applicant for an actual loss loan must have sustained qualifying losses in an area in which the availability of EM loans for actual losses has been determined in accordance with Subpart A of Part 1945 of this chapter and must have filed an application before the expiration of the termination date. When an applicant's farming operation is located both in a designated county(ies) and a non-designated county(ies) refer to § 1945.63(a)(2)(xvii) of this subpart.

* * * * *

4. In § 1945.63, paragraphs (a)(1), and (a)(2)(i) through (a)(2)(vii) are revised, and paragraph (a)(2)(xvii) is added to read as follows:

§ 1945.63 Determining qualifying losses, eligibility for actual loss loan(s) and the maximum amount of actual loss loan(s), annual production and major adjustment loan(s).

* * * * *

(a) *Production losses.* (1) The normal year's production will be established by eliminating the poorest year of the 5-year production history immediately preceding the disaster year and averaging the remaining 4 years' production. The applicant *must* select the year to be eliminated. The year selected to be eliminated *must* be the same year for all farm enterprises (i.e., *all* crops, livestock, and livestock products), which constituted a part of the applicant's farming operation during that year. A State Supplement will be issued which will be used in connection with paragraph (a)(1)(iii) of this section. The State Supplement will contain average production figures provided by the USDA State Crop and Livestock Reporting Service, when available. If those records are not available, the State Supplement will contain statistical data on production from similar State or Federal bodies. When this information is available by County, county averages will be used. If available only by State, the State averages will be used throughout the State. In those States where neither a County nor State average is available for an agricultural commodity(ies), the State Director, with the advice of representatives of other Federal and State agricultural agencies, will establish County or State averages and advise County Offices of these averages in the State Supplement. State Directors and Farmer Programs Chiefs in adjoining States will consult with each other before releasing these figures. An applicant must use data from the production record source(s) in the order of priority as listed in paragraphs (a)(1) (i), (ii) and (iii) of this section. The applicant will identify, on Form FmHA 1945–22, the production record source(s) to be used in determining the normal year's production for each commodity that was produced on all farms operated by the applicant in the disaster year. *The order of priority of production records that will be used is:*

(i) The applicant's actual reliable farm records.

(ii) The agriculture stablization and Conservation Service (ASCS) established yields. When this production record source is used, an applicant must obtain the information from ASCS and submit it with the application to FmHA. This production record source will be used only for those commodities for which the applicant's reliable farm records were not maintained.

(iii) County or State averages. When this production record source is used, an applicant needs to provide production data for only the disaster year. The averages will be found in the State Supplement mentioned in paragraph (a)(1) of this section. This production record source will be used only for those commodities for which neither the applicant's reliable farm records nor ASCS established yields are available.

(iv) When one source of records is not available for the full 5 years preceding the disaster year combinations of record sources in paragraphs (a)(1) (i), (ii) and (iii) of this section will be used.

(2) * * *

(i) In calculating production losses, the same established unit prices will be used for the disaster year and the normal year in computing the dollar value of each enterprise. Unit prices will be established in accordance with paragraph (a)(2)(iii) of this section. In the production loss calculations, those crop production yields and production per animal unit records authorized in paragraphs (a)(1) (i), (ii) and (iii) of this section will be used.

(ii) Information certified on Form FmHA 1945–22 for the disaster year for all single enterprises (as defined in § 1945.54(a)(14)(i)), which suffered a loss due to the disaster, will be transposed from Form FmHA 1945–22 to the appropriate places on Form FmHA 1945–26. The FmHA official completing Form FmHA 1945–26 is responsible for verifying loss information provided by the applicant. Information obtained from ASCS on Form FmHA 1945–29 will be cross checked with information provided by the applicant on Form FmHA 1945–22. Any discrepancies will be resolved, loss calculations adjusted if necessary, and the correct information recorded in the County Office case file. When the applicant's disaster loss is due to a reduction in *quality*, rather than due to a reduction in *quantity*, the applicant will be given credit for this by adjusting actual production yield downward. This will be accomplished by converting the dollar value of the quality loss to a percentage of yield

reduction in sufficient amount to compensate for the quality loss. When such an adjustment is necessary, the basis used in making the adjustment will be the applicant's *accurate* records of production and sales receipts showing the price received and the grade of the commodity in question. This information will be well documented by the County Supervisor.

(iii) The gross dollar value of production losses will be computed for all crops and all livestock enterprises which suffered losses due to the disaster, by calculating the value of the disaster year's production and subtracting that amount from the calculated value of the normal year's production. Unit prices for all agricultural commodities produced commercially in each State will be established on a Statewide bases by all FmHA State Directors each year, and published in a State Supplement to be issued not later than February 15 of each year. *These commodity prices will be established by averaging the monthly market prices of each commodity for the 12-month period preceding the calendar year in which the disaster occurs.* The monthly average market prices will be provided by USDA State Crop and Livestock Reporting Service, or similar State or Federal agency or body. Once established, these prices *will not be changed* for any EM actual production loss loan processed under any disaster occurring on or after February 1 of that calendar year and through January 31 of the next calendar year. If Statewide figures are not available, the state Director will consult with other agricultural agency representatives and agricultural lenders in the local area before establishing commodity prices. State Directors and Farmer Programs Chiefs in adjoining States will consult each other before releasing their established commodity price lists.

(iv) The amount of actual production loss will be calculated for the single enterprise which is a basic part of the farming operation (see § 1945.54(a)(14) of this subpart) by subtracting all compensatory disaster payments which are related to the disaster and which have been received or will be received; *i.e.*, crop insurance indemnity payments, ASCS disaster program payments, or any other disaster compensation *for that enterprise*, from the gross dollar amount of production losses for that enterprise as determined in paragraph (a)(2)(iii) of this section.

(v) The dollar value of the actual production loss for the single enterprises, which is a basic part of the farming operation as designated by the applicant in item F, Form FmHA 1945–22, will be divided by the previously calculated normal year's gross income for that enterprise. This establishes the percentage reduction in production from normal for that enterprise. If the percentage loss in *any* single enterprise which is a basic part of the farming operation, equals or exceeds 20 percent, and the applicant is otherwise eligible, EM actual loss loan assistance will be considered.

(vi) Once eligibility is established based on production losses, the total production loss sustained by the applicant, directly attributable to the disaster, is computed by adding the gross dollar value of production losses of *all* single enterprises, whether or not they constitute a basic part of the farming operation, and subtracting from that total all compensatory disaster payments received or to be received for those enterprises.

(vii) The maximum production loss loan is limited to *90 percent* of the total calculated actual production loss sustained by the applicant.

* * * * *

(xvii) When an applicant's farming operation(s) is conducted in a designated county(ies) and a nondesignated county(ies), eligibility will be established based on losses to a single enterprise which constitutes a basic part of the farming operation without regard to whether the single enterprise is located in the designated county. The disaster year's *actual* yields, both in the designated and nondesignated counties, will be used to determine losses. Compensatory payments will be subtracted as explained in paragraph (a)(2)(iv) of this section when determining eligibility. The amount of the production loss loan will be limited to the production loss sustained in the designated county, *minus* compensatory payments received or to be received for that portion of the operation located in the designated county.

* * * * *

5. In § 1945.66 paragraph (a)(1) is revised to read as follows:

§ 1945.66 Loan purposes.

* * * * *

(a) *Loans for actual losses.*

(1) The amount of the maximum actual loss loan(s) in addition to the limitations contained in § 1945.63 (a)(2)(xvii) and (d) of this subpart, is further limited to the actual dollar loss, or the actual amount of essential family, farm, and nonfarm enterprise credit that the applicant needs to carry on normal operations, *whichever is the lesser.* Actual loss loan funds will not be used to finance a nonfarm enterprise, unless such enterprise is needed to support a reasonable standard of living for the family. The use of the loss loan funds will be identified in the farm and home plan so that a determination can be made as to whether such loan(s) were used for authorized purposes and covered all or a portion of the actual dollar loss. Actual loss loan funds not needed immediately will be scheduled for later disbursement through the Finance Office "Loan Disbursement System". After each actual loss loan is made the resulting operation must be one which is not substantially larger (due to the direct or indirect use of loan funds) than the pre-disaster operation, does not realistically project a net farm income (gross income less annual farm operating expenses) substantially greater than that of the normal operation conducted before the disaster, and is financially sound.

* * * * *

6. In § 1945.67 paragraph (d) is revised and (h) is added to read as follows:

§ 1945.67 Loan limitations and special provisions.

* * * * *

(d) *Subsequent EM loans.* Subsequent (additional) EM loans *will* be made under the provisions of this subpart, until the close of business (COB), September 30, 1982, to EM borrowers who initially became indebted for EM loans under this subpart. Effective October 1, 1982 *only those borrowers who were indebted for EM loans on December 15, 1979, and who applied for an initial annual production loan within 12 months from the disaster authorization date, may receive subsequent EM annual production loans.* Such loans will be made under the provisions of FmHA Instruction 1945–D.

* * * * *

(h) *Prohibition on guaranteeing repayment of advances from other credit sources.* FmHA employees will not guarantee repayment of advances from other credit sources, either personally or on behalf of applicants, borrowers, or FmHA.

7. In § 1945.68, the title of paragraph (b)(1) is revised to read as follows:

§ 1945.68 Rates and terms.

* * * * *

(b) *Terms of loans.* * * *

(1) *Operating purposes (Subtitle B).* * *

* * * * *

8. In § 1945.69, paragraph (f)(1) is revised to read as follows:

§ 1945.69 Security requirements.

* * * * *

(f) *Operating purposes.* (1) Loan funds used for annual production purposes will be secured by a first lien on the crop(s) and/or livestock and livestock products being financed with EM loan funds, plus enough other security, including personal property, real estate, and crop insurance, to assure that the Government's financial interest will be protected. When the applicant can provide *no* security other than a first lien on the crop(s) and/or livestock and livestock products, the amount of the loan will be limited to 75 percent of the planned gross farm income as shown on Form FmHA 431–2, or as shown on another acceptable plan of operation based on normal production and prices authorized by the State Director for developing annual farm plans within the State. When an EM borrower, who is indebted for an annual production loan which is secured by only a first lien on the crop(s) and/or livestock and livestock products, needs a subsequent EM annual production loan to complete that year's farming operation, and the loan is needed to protect the Government's investment already in the crop and/or livestock and livestock products, the 75 percent gross income requirement may be waived by the State Director.

* * * * *

Subpart D—Emergency Loan Policies, Procedures and Authorizations for Applications Associated With FmHA Disaster Designations Having a Beginning Incidence Period Date on or After May 26, 1981

9. In § 1945.154, paragraphs (a)(23), (a)(33)(i), (a)(33)(ii), and (a)(33)(iii) are revised to read as follows:

§ 1945.154 Definitions and abbreviations.

(a) *Definitions.*

* * * * *

(23) *Normal year's production.* The normal year's production is the average per acre yield or production per animal unit of the 4 better years out of the 5 years immediately preceding the disaster year.

* * * * *

(33) *Security* * * *.

(i) *Basic security.* Real estate, fixtures, personal property, *e.g.,* foundation herds, flocks, aquatic animals and plant organisms, and machinery and equipment serving as security. When no collateral other than crops, livestock and/or livestock products and/or repayment ability as defined in § 1945.169(d) of this subpart is available as security for the loan(s), the collateral is also considered to be basic security and sales proceeds *will not* be released for any purpose unless the Farm and Home Plan for that crop year includes plans for release of the proceeds for necessary farm operating or family living expenses.

(ii) *Normal income security.* All collateral (crops, livestock, and/or livestock products) planned to be marketed in the regular course of business, except as set forth in paragraph (a)(33)(i) of this section, unless liquidation is approved. When liquidation is approved, all security, including normal income security, becomes basic security and sales proceeds *cannot* be released except as reflected in the Farm and Home Plan for that crop year.

(iii) *Additional security.* All collateral not covered by paragraphs (a)(33) (i) or (ii) of this section including: General intangibles, accounts and contract rights, which is encumbered, in addition to basic security and normal income security. Real estate and chattels can be additional security if required by loan approval conditions.

* * * * *

10. In § 1945.162, paragraphs (c)(2) and (d) are revised to read as follows:

§ 1945.162 Eligibility requirements.

* * * * *

(c) *Established farmer.* * * *

* * * * *

(2) An individual involved in a joint farming operation is not considered to be an established farmer for EM loan purposes. A joint farming operation is an operation where two or more farmers work together sharing equally or unequally land, labor, equipment, expenses and income. The joint ownership of land/or equipment or the exchange of labor and equipment in separate farming operations does not constitute a joint operation. Thus, the latter type of arrangement is not considered a joint operation, but two separate individual operations.

* * * * *

(d) *Operate in a disaster area.* An applicant for an actual loss loan must have sustained qualifying losses in an area in which the availability of EM loans for actual losses has been determined in accordance with Subpart A of Part 1945 of this chapter and must have filed an application before the expiration of the termination date. When an applicant's farming operation is located both in a designated county(ies) and a non-designated county(ies) refer to § 1945.163 (a)(2)(xvii) of this subpart.

* * * * *

11. In § 1945.163, paragraphs (a)(1), (a)(2)(i), (a)(2)(ii), and (a)(2)(iv) are revised and paragraph (a)(2)(xvii) is added to read as follows:

§ 1945.163 Determining qualifying losses, eligibility for actual loss loan(s) and the maximum amount of actual loss loan(s), annual production and major adjustment loan(s).

* * * * *

(a) *Production losses.*

(1) The normal year's production will be established by eliminating the poorest year of the 5-year production history immediately preceding the disaster year and averaging the remaining 4 years' production. The applicant *must* select the year to be eliminated. The year selected to be eliminated *must* be the same year for all farm enterprises (i.e., *all* crops, livestock, and livestock products), which constituted a part of the applicant's farming operation during that year. A State Supplement will be issued which will be used in connection with paragraph (a)(1)(iii) of this section. The State Supplement will contain average production figures provided by the USDA State Crop and Livestock Reporting Service, when available. If those records are not available, the State Supplement will contain statistical data on production from similar State or Federal bodies. When this information is available by County, county averages will be used. If available only by State, the State averages will be used throughout the State. In those States where neither a County nor State average is available for an agricultural commodity(ies), the State Director, with the advice of representatives of other Federal and State agricultural agencies, will establish County or State averages and advise County Offices of these averages in the State Supplement. State Directors and Farmer Programs Chiefs in adjoining States will consult with each other before releasing these figures. An applicant must use data from the production record source(s) in the order of priority as listed in paragraphs (a)(1)(i), (ii) and (iii) of this section. The applicant will identify, on Form FmHA 1945–22, the production record source(s) to be used in determining the normal year's production for each commodity that was produced on all farms operated by the applicant in the disaster year. The order of priority of production records that will be used is:

(i) The applicant's actual reliable farm records.

(ii) The Agriculture Stabilization and Conservation Service (ASCS) established yields. When this

production record source is used, an applicant must obtain the information from ASCS and submit it with the application to FmHA. This production record source will be used only for those commodities for which the applicant's reliable farm records were not maintained.

(iii) County or State averages. When this production record source is used, an applicant needs to provide production data for only the disaster year. The averages will be found in the State Supplement mentioned in paragraph (a)(1) of this section. This production record source will be used only for those commodities for which neither the applicant's reliable farm records nor ASCS established yields are available.

(iv) When one source of records is not available for the full 5 years preceding the disaster year combination of record sources (a)(i), (ii) and (iii) of this section as set forth above will be used.

(2) * * *

(i) In calculating production losses, the same established unit prices will be used for the disaster year and the normal year in computing the dollar value of each enterprise. Unit prices will be established in accordance with paragraph (a)(2)(iii) of this section. In the production loss calculation, those crop production yields and production per animal unit records authorized in paragraphs (a)(1)(i), (ii) and (iii) of this section will be used.

(ii) Information certified on Form FmHA 1945–22 for the disaster year for all single enterprises (as defined in § 1945.154(a)(15)(i)), which suffered a loss due to the disaster, will be transposed from Form FmHA 1945–22 to the appropriate places on Form FmHA 1945–26. The FmHA official completing Form FmHA 1945–26 is responsible for verifying loss information provided by the applicant. Information obtained from ASCS on Form FmHA 1945–29 will be cross checked with information provided by the applicant on Form FmHA 1945–22. Any discrepancies will be resolved, loss calculations adjusted if necessary, and the correct information recorded in the County Office case file. When the applicant's disaster loss is due to a reduction in *quality*, rather than due to a reduction in *quantity*, the applicant will be given credit for this by adjusting actual production yield downward. This will be accomplished by converting the dollar value of the quality loss to a percentage of yield reduction in sufficient amount to compensate for the quality loss. When such an adjustment is necessary, the basis used in making the adjustment will be the applicant's *accurate* records of production and sales receipts showing the price received and the grade of the commodity in question. This information will be well documented by the County Supervisor.

* * * * *

(iv) The amount of actual production loss will be calculated for the single enterprise which is a basic part of the farming operation (see § 1945.154(a)(15) of this subpart) by subtracting all compensatory disaster payments which are related to the disaster and which have been received or will be received; *i.e.* crop insurance indemnity payments, ASCS disaster program payments, or any other disaster compensation for that enterprise, from the gross dollar amount of production losses for that enterprise as determined in paragraph (a)(2)(iii) of the section.

* * * * *

(vi) Once eligibility is established based on production losses, the total production loss sustained by the applicant, directly attributable to the disaster, is computed by adding the gross dollar amount of production losses of *all* single enterprises, whether or not they constitute a basic part of the farming operation, and subtracting from this total all compensatory disaster payments received or to be received for those enterprises.

* * * * *

(xvii) When an applicant's farming operation(s) is conducted in a designated county(ies) and a nondesignated county(ies), eligibility will be established based on losses to a single enterprise which constitutes a basic part of the farming operation, without regard to whether the single enterprise is located in the designated county. The disaster year's *actual* yields, both in the designated and nondesignated counties, will be used to determine losses. Compensatory payments will be subtracted as explained in paragraph (a)(2)(iv) of this section when determining eligibility. The amount of the production loss loan will be limited to the production loss sustained in the designated county, *minus* compensatory payments received or to be received for that portion of the farming operation located in the designated county.

* * * * *

12. In § 1945.166 (a)(1) and (d) are revised to read:

§ 1945.166 Loan purposes.

* * * * *

(a) *Loans for actual losses.* (1) The amount of the maximum actual loss loan(s) in addition to the limitations contained in § 1945.163 (a)(2)(xvii) and (d) of this subpart, is further limited to the actual dollar loss, or the actual amount of essential family, farm, and nonfarm enterprise credit that the applicant needs to carry on normal operations, *whichever is the lesser.* Actual loss loan funds will not be used to finance a nonfarm enterprise, unless such enterprise is needed to support a reasonable standard of living for the family. The use of the loss loan funds will be identified in the farm and home plan so that a determination can be made as to whether such loan(s) were used for authorized purposes and covered all or a portion of the actual dollar loss.

* * * * *

(d) *Annual production and major adjustment loan indebtedness ceiling.* During fiscal year 1982, no such loan assistance may be made or guaranteed in an amount that would cause the combined total of unpaid principal indebtedness to exceed $500,000; and during fiscal year 1983, and all fiscal years thereafter, no such loan assistance may be made or guaranteed in any amount. The combined total of *all* EM insured and/or guaranteed major adjustment loan funds used for both Subtitle A and Subtitle B purposes which are to be secured by real estate, and which will be used for refinancing secured and/or unsecured debts, will not exceed $300,000 outstanding principal indebtedness regardless of the number of qualifying disasters. Borrowers with EM loans outstanding on December 15, 1979, may receive subsequent EM annual production loans in accordance with the provisions of paragraph (b) of this section in amounts necessary to continue their normal farming operation(s) without regard to this indebtedness ceiling.

* * * * *

13. In § 1945.167, the introductory paragraph of paragraph (a) and paragraph (e) are revised, and (i) is added to read as follows:

§ 1945.167 Loan limitations and special provisions.

(a) *Use of EM loan funds not authorized for expansion purpose(s).* EM loan funds (actual loss, annual production, and major adjustment Subtitle A and Subtitle B) *will not* be used to expand an applicant's farming, ranching, or aquaculture operation beyond that which constituted the normal predisaster operation(s). This limitation is not intended to prohibit minor changes in crop or livestock enterprises provided:

* * * * *

(e) *Subsequent EM loans.* Subsequent (additional) EM loans will be made under the provisions of this subpart, until the close of business (COB), September 30, 1982, to EM borrowers who initially became indebted for EM loans under this subpart. Effective October 1, 1982, *only those borrowers who were indebted for EM loans on December 15, 1979, and who applied for an initial annual production loan within 12 months from the disaster authorization date, may receive subsequent EM annual production loans.* Such loans will be made under the provisions of this subpart.

* * * * *

(i) *Prohibition on guaranteeing repayment of advances from other credit sources.* FmHA employees will not guarantee repayment of advances from other credit sources, either personally or on behalf of applicants, borrowers, or FmHA.

14. In § 1945.169, paragraph (f)(1) is revised to read:

§ 1945.169 Security requirements.

* * * * *

(f) *Operating purposes.*

(1) Loan funds used for annual production pruposes will be secured by a first lien on the crop(s) and/or livestock and livestock products being financed with EM loan funds, plus enough other security, including personal property, real estate, and crop insurance, to assure that the Government's financial interest will be protected. When the applicant can provide *no* security other than a first lien on the crop(s) and/or livestock and livestock products, the amount of the loan will be limited to 75 percent of the planned gross farm income as shown on Form FmHA 431–2, or as shown on another acceptable plan of operation based on normal production and prices authorized by the State Director for developing annual farm plans within the State. When an EM borrower, who is indebted for an annual operating loan which is secured by only a first lien of the crop(s) and/or livestock and livestock products, needs a subsequent EM annual production loan to complete that year's farming operation, and the loan is needed to protect the Government's investment already in the crop and/or livestock and livestock products the 75 percent gross income requirement may be waived by the State Director.

* * * * *

(7 U.S.C. 1989; 7 CFR 2.23; 7 CFR 2.70)

Dated: July 19, 1982.

Charles W. Shuman,

Administrator, Farmers Home Administration.

[FR Doc. 82–26263 Filed 9–22–82; 8:45 am]

BILLING CODE 3410–07–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 82–ASW–64]

Proposed Alteration of Transition Area: Duncan, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes alteration of the transition area at Duncan, OK. The intended effect of the proposed action is to privide additional controlled airspace for aircraft executing a new instrument approach procedure to Halliburton Field. This action is necessary to provide protection for aircraft executing a new standard instrument approach procedure (SIAP) using the back course of the ILS localizer to Runway 17.

DATE: Comments must be received on or before October 25, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace, and Procedures Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

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

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in Advisory Circular AC 70–3 dated January 29, 1982, contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the transition area at Duncan, OK, will necessitate an amendment to this subpart. This amendment will be required at Duncan, OK, since there is a proposed change in IFR procedures to Halliburton Field.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 82–ASW–64." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be change in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, or by calling (817) 624–4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones, Transition areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to

amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Duncan, Ok [Amended]

That airspace extending upward from 700 feet above the surface within an 8.5–mile radius of Halliburton Field (latitude 34°28'20" N., longitude 97°57'34" W.) and within 5 miles each side of a 359° bearing from the airport, extending from the 8.5–mile radius area to 17.5 miles north of the airport; and within 2 miles each side of the Duncan VOR 155° radial extending from the 8.5–mile radius area to 7 miles southeast of the VOR.

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

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

Issued in Fort Worth, TX, on September 13, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82–26174 Filed 9–22–82; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 82–ANE–33]

Proposed Amendment to the Description of the Sanford, Maine, 700-Foot Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice (NPRM) proposes to amend the Sanford, Maine, 700-foot transition area to provide additional airspace protection for aircraft executing a Very High Frequency Omni Range (VOR) original Standard Instrument Approach Procedure (SIAP). This amendment is needed to provide controlled airspace for aircraft executing an approach to land at Sanford Municipal Airport, Sanford, Maine.

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

ADDRESSES: Send comments in triplicate to: Manager, Operations, Procedures and Airspace Branch, ANE–530, New England Region, Federal Aviation Administration, Air Traffic Division, 12 New England Executive Park, Burlington, Massachusetts 01803. The docket may be examined at the following location: Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT: David Hurley, Operations, Procedures and Airspace Branch, ANE–530, Federal Aviation Administration, Air Traffic Division, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273–7285.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking process by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the New England Region, Attention: Manager, Operations, Procedures and Airspace Branch, ANE–530, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. All communications received on or about October 30, 1982, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this amendment to a Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA–430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426–8085. Communications must identify the number of this NPRM.

Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11–2 which describes the application procedures.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition area.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations [14 CFR Part 71] to amend the 700–foot transition area at Sanford Municipal Airport, Sanford, Maine. This action will provide additional controlled airspace protection for aircraft executing the VOR original SIAP.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Section 71.181 of the Federal Aviation Regulations [14 CFR Part 71] as follows:

Sanford, Maine

Add to existing text: "and within 3.5 miles each side of the Kennebunk, Maine VOR 243° radial, extending from the 7-mile radius are a to 24.5 miles SW of the VOR; excluding the portion within the Portsmouth, New Hampshire (Pease AFB) transition area."

(Secs. 307(a) of the Federal Aviation Act of 1958 [49 U.S.C. 1348(a); Sec 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c); Sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61)].

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

Issued in Burlington, Massachusetts, on September 13, 1982.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 82–26170 Filed 9–22–82; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 82–ANE–23]

Proposed Amendment to Description of Block Island, Rhode Island Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Amendment to Notice of proposed rulemaking.

SUMMARY: On June 24, 1982, a Notice of proposed rulemaking (NPRM) was published in the **Federal Register** which proposed to amend the Block Island, Rhode Island, 700-foot transition area to provide additional airspace protection

for aircraft executing the proposed Very High Frequency Omni Range (VOR) Runway 28 original Standard Instrument Approach Procedure (SIAP) at Block Island State Airport, Block Island, Rhode Island. The proposed amendment, however, provided insufficient airspace. Accordingly, the Notice of proposed rulemaking is being amended to further increase the size of the transition area.

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

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Operations, Procedures and Airspace Branch, ANE-530, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. The docket may be examined at the following location: Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

FOR FURTHER INFORMATION CONTACT: David Hurley, Operations, Procedures and Airspace Branch, ANE-530, Federal Aviation Administration, Air Traffic Division, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7285.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking process by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Chief, ANE-530, Operations, Procedures and Airspace Branch, ANE-530, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. All communications received on or about October 30, 1982, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this amendment to a Notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8085. Communications must identify the number of this NPRM.

Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Amended Proposal

On June 24, 1982 (47 FR 27373), a Notice of proposed rulemaking (NPRM) was published in the Federal Register which proposed to amend the Block Island, Rhode Island, 700-foot transition area to provide additional airspace protection for aircraft executing the proposed VOR for Runway 28 SIAP at Block Island State Airport, Rhode Island. The FAA Flight Inspection Field Office has since revised the VOR Runway 28 SIAP to accommodate a greater variety of aircraft, while at the same time providing lower minimum altitudes. This revision does, however, require additional airspace protection for aircraft executing subject approach. Accordingly, the Notice of proposed rulemaking is being amended to further increase the size of the transition area.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition area.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Section 71.181 of the Federal Aviation Regulations [14 CFR Part 71] by amending the 700-foot transition area at Block Island State Airport, Block Island, Rhode Island, as follows:

Block Island, Rhode Island

Delete: "within a 5 mile radius."

Insert in lieu thereof: "within a 8.5 mile radius."

(Sec. 307(a) of the Federal Aviation Act of 1958 [49 USC 1348(a); sec. 6(c) of the Department of Transportation Act (49 USC 1655(c); sec. 11.61 of the Federal Aviation Regulations (14 CFR 11.61))

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

Issued in Burlington, Massachusetts, on September 13, 1982.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 82-26171 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-ASW-63]

Proposed Designation of Transition Area: Caldwell, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes to designate a transition area at Caldwell, TX. The intended effect of the proposed action is to provide controlled airspace for aircraft executing a new instrument approach procedure to the Caldwell Municipal Airport. This action is necessary to provide protection for aircraft executing a standard instrument approach procedure (SIAP) using the College Station VORTAC. Coincident with this proposed action, the airport is changed from visual flight rules (VFR) to instrument flight rules (IFR).

DATE: Comments must be received on or before October 22, 1982.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8 a.m. and 4:30 p.m. The FAA Rules Docket is located in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

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

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in Advisory Circular AC 70-3 dated January 29, 1982, contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR)

activity. Designation of the transition area at Caldwell, TX, will necessitate an amendment to this subpart. This amendment will be required at Caldwell, TX, since there is a proposed change in IFR procedures to the Caldwell Municipal Airport.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 82-ASW-63." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones, Transition areas.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Caldwell, TX [New]

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Caldwell Municipal Airport (latitude 30°31'12" N., longitude 96°42'13" W).

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

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

Issued in Fort Worth, TX, on September 13, 1982.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 82-26175 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM79-76-089 (Louisiana—3 Addition) et al.]

High-Cost Gas Produced From Tight Formations; Louisiana; Public Hearing

September 17, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of hearing on proposed rules.

SUMMARY: On August 6, 1982, the Director of the Office of Pipeline and Producer Regulation of the Federal Energy Regulatory Commission issued a Notice of Proposed Rulemaking in Docket No. RM79-76-089 (Louisiana—3 Addition), (47 FR 35232, August 13, 1982)) on the recommendation of the Louisiana Office of Conservation that the Cotton Valley Group be designated as a tight formation under § 271.703 of the Commission's regulations (18 CFR 271.703).

The commission has received several requests in response to this Notice of Proposed Rulemaking that a public hearing be held at which time interested parties may present their comments, views, arguments and data concerning the recommendation made by the Louisiana Office of Conservation that the Cotton Valley Group be designated as a tight formation. The Commission agrees that a public hearing should be held in this rulemaking. The parties seeking the hearing have indicated that the hearing is needed to specifically address the issues raised in conjunction with the methodologies used to calculate permeability and flow rate values for recommended formations under the guidelines found in § 271.703 (c)(2)(i).

Because the issues raised in this proceeding are raised as well in several other cases currently pending before the Commission, these cases will be consolidated for the purposes of this hearing, and persons interested in any of the following cases are invited to present their views at the hearing scheduled below. The following cases are consolidated for the purpose of holding a public hearing: Docket No. RM79-76-089 (Louisiana—3 Addition); Docket No. RM79-76-136 (Utah—5); Docket No. RM79-76-090 (Texas—9 Addition II); Docket No. RM79-76-091 (Texas—10 Addition); Docket No. RM79-76-093 (Texas—18); Docket No. RM79-76-094 (Texas—19); Docket No. RM79-76-101 (Colorado—23); Docket No. RM79-76-130 (Colorado—28); Docket No. RM79-76-098 (Montana—1). Persons desiring to participate in such hearing are requested to follow the procedures stipulated herein.

DATES: The public hearing will be held on Thursday, October 14, 1982, at 10:00 a.m. Requests to participate and amount of time requested should be directed to the Secretary of the Commission no later than October 1, 1982.

ADDRESS: The hearing will be held in a hearing room at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

Requests to participate and questions regarding participation should be directed to the Office of the Secretary, 825 North Capitol Street, NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357-8511.

SUPPLEMENTARY INFORMATION: In the Notice of Proposed Rulemaking issued on August 6, 1982, in Docket No. RM79-76-089 (Louisiana—3 Addition), the

Director of the Office of Pipeline and Producer Regulation noted that although the Louisiana Office of Conservation had submitted to the Commission its original recommendation for the Cotton Valley Group based on geometric means or median permeability and flow rate values, the Louisiana Office of Conservation had amended its recommendation so that based on the average permeability and flow rate values for such formation, it satisfied the Commission's guidelines for designation found in § 271.703(c)(2)(i). The Louisiana Office of Conservation stated in its amended recommendation that it still believes that the median method of calculating permeability and flow rate is a proper method for estimating reservoir performance and therefore should be acceptable to the Commission, to demonstrate compliance with the guidelines.

Persons requesting a public hearing in this matter have cited the issue concerning the proper method of determining flow rate and permeability values as the issue on which they felt a public hearing was needed. Since the issue of the proper methodology is also raised in several other tight formation recommendations which the commission has received from other jurisdictional agencies, the Commission believes that the public interest would best be served by holding a hearing in which all these cases are consolidated. This will enable all persons who are interested in pending tight formation cases concerning the proper methodology for calculating premeability and flow rate values to present their views on the issue. The Commission will then be in the position to resolve the issue in all such cases, having developed a record on the issue.

The public hearing will not be of a judicial or evidentiary type. There will be no cross-examination of persons presenting statements. However, the panel may question such persons and any interested persons may submit to the presiding officer questions to be asked of persons making statements. The presiding officer will determine whether the questing is relevant and time limitations permit it to be presented. Any further procedural rules will be announced by the presiding officer at the hearing. Transcripts of the hearing will be available in the public file for this proceeding, Docket No. RM79-76-089 (Louisiana—3 Addition) *et al.*, in the Commission's Office of Public Information and may be ordered from that office.

Requests to participate in the hearing should be submitted by September 30, 1982, to the Office of the Secretary, and should request the amount of time required for the oral presentation. Persons participating at the hearing should, if possible, bring 50 copies of their testimony to the hearing. A list of the participants in the hearing will be available in the Commission's Office of Public Information and at the hearing room on the morning the hearing is convened.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26184 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 115

[CGD 81-057]

General Bridge Permit Program Regulations

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The proposed rules would establish a program for the issuance of General Bridge Permits. Presently, an individual permit is issued for the construction, reconstruction or modification of each bridge across navigable waters of the United States after a detailed review of the impact on navigation and the environment. The proposed procedures would permit bridges having common characteristics to be evaluated as a group. Thereafter, individual bridges could be authorized by simply verifying that they met the criteria of a General Bridge Permit. This would eliminate significant delay in many instances, thereby reducing costs for the public and the government.

DATE: Comments must be received on or before November 22, 1982.

ADDRESSES: Comments should be mailed to Commandant, G-CMC/44, 2100 Second St., SW, Rm 4402, Washington, D.C. 20593. The comments will be available for inspection and copying at that address. Normal office hours are between 8 a.m. and 4 p.m., Monday through Friday. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: Jerome D. Schwartz, Project Manager, Bridge Permits Branch, G-NBR/24, 2100 Second St., SW, Room 2418, Washington, DC 20593. Telephone number (202) 755-7620.

SUPPLEMENTARY INFORMATION:

The public is invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, the proposal to which their comments apply (CGD 81-057) and give reasons for each comment. If acknowledgement is desired, a stamped self-addressed post card should be enclosed.

The proposed rules may be changed in view of comments received. All comments received on or before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in drafting this notice are Jerome D. Schwartz, Project Manager, Bridge Permits Branch, Bridge Administration Division, Office of Navigation, G-NBR/24, 2100 Second St., SW, Room 2418, Washington, DC 20593 and Michael Tagg, Project Counsel, Office of the Chief Counsel.

Discussion of the Proposed Regulations

These regulations will establish a General Bridge Permit program for the Coast Guard. The program is designed to establish a "fast track" method for the authorization of bridges of similar design over a waterway or an area of many waterways. The current program requires the authorization of each individual bridge over waterways in the same region, despite similiarity of design and siting. The proposed General Bridge Permit will grant authority for the construction, reconstruction, or modification of a specific category of bridges across waterways in a defined region subject to conditions which protect navigation and the environment. This will result in a shift of focus from specific bridges to similar bridge structures in a region with respect to navigational and environmental aspects. It is a movement away from a review of detailed construction plans, towards a review of criteria for work under a General Bridge Permit.

General permits of the type envisioned by this rulemaking have been used sucessfully in other permit programs administered by federal agencies. For many years the U.S. Army Corps of Engineers has issued general permits for a variety of structures and dredge and fill work in the waterways of many different regions of the United States. The U.S. Geological Survey and the Bureau of Land Management, in a

joint effort, have general permits in effect for outer continental shelf oil and gas development structures. General permits for certain industrial pollutant discharges are presently under development by the Environmental Protection Agency.

The common characteristics of bridges or other structures which may be covered by a General Bridge Permit may include: the type of bridge or structure; the nature of the waterway to be crossed; the geographic area in which the bridges will be built; or other common features. Suggested categories of General Bridge Permits may be submitted to the Commandant or any District Commander. Proposed General Bridge Permits will normally be initiated by the District Comander of the district in which the construction will take place or which will be primarily impacted by the anticipated construction. Notice of a proposed General Bridge Permit will be published in the **Federal Register** and opportunity given for public comment. In appropriate cases, public hearings may be held. The decision to issue or deny a particular General Bridge Permit will be made by the Commandant subsequent to review of the record submitted by the District Commander. The Commandant will conduct a navigational and environmental review and analysis of the record prior to taking final agency action. If a General Bridge Permit proposal is found not to provide for the reasonable needs of navigation with minimal environmental impact, a General Bridge Permit will not be issued. If a General Bridge Permit proposal is found to provide for the reasonable needs of navigation with minimal environmental impact, a General Bridge Permit containing appropriate criteria and permit conditions will be issued. The permit will be published in the **Federal Register** and become effective immediately.

When an application is made for an individual bridge permit, the Coast Guard will conduct a search to determine if the bridge application proposal falls within an existing General Bridge Permit. If it does, authorization is granted for the construction to commence. If it does not, the District Commander may propose a new General Bridge Permit or process the applicant's request for an individual bridge permit.

Authorization to construct a bridge project under a General Bridge Permit will not relieve the permittee of the obligation or responsibility to obtain any other Federal, State or local approvals required to construct a project, nor will it allow a permittee to ignore the provisions of such approvals.

Certain standard criteria are specified in the proposed regulations which will apply to all bridges to be constructed, reconstructed or modified under the authority of General Bridge Permits. Basically, the standard criteria require that the bridge project provide for the reasonable needs of present and prospective navigation and have no significant effect on wetlands, historic and archeological properties, parklands, the National Wild and Scenic River System, floodplains, barrier islands or endangered species.

General Bridge Permits will also contain specific conditions to ensure that the bridge will provide for the reasonable needs of present and prospective navigation with minimal effect on the quality of the human environment. Only those project categories determined by the Coast Guard to be categorically excluded from the National Environmental Policy Act (NEPA) will qualify to be considered for General Bridge Permits. Under this program no bridge project may be authorized for construction under a General Bridge Permit unless it is covered by a water quality certification and coastal zone management consistency certification and the state's concurrence, as appropriate.

Water Quality Certification: Section 401(a)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1341(a)(1)) provides that bridge permits will not be issued until the state in which the bridge construction work will occur has certified that the construction and operation of the bridge will comply with applicable provisions of that Act. A certification waiver procedure is also provided by Section 401. States will be requested to exercise their certification authority at the time a specific General Bridge Permit is proposed or to indicate that this authority will be waived. This will eliminate later delays when the General Bridge Permit is finalized and a permittee applies for approval from the Coast Guard to proceed with construction work under a General Bridge Permit. A General Bridge Permit will contain special conditions of certification, if any, and list those states which have not granted their certification or waiver. If prospective permittees desire to perform bridge construction work in a state which has not granted a certification or waiver for the General Bridge Permit, they must receive certification or waiver on a project-by-project basis before construction may be authorized. The Coast Guard solicits comments on this certification procedure, particularly from state agencies responsible for water quality certification. Public comment on this issue will also be welcomed.

Coastal Zone Management Consistency Certification: Section 307(c) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456 (c)) requires non-Federal applicants for permits affecting state coastal zones to certify that the proposed activity will comply with the state's approved coastal zone management program. States will be requested to exercise their authority for concurrence in that certification at the time a specific General Bridge Permit is proposed. This will eliminate later days when the permit is finalized and a permittee expects to receive approval from the Coast Guard to proceed with construction under a General Bridge Permit. A General Bridge Permit document will contain any special conditions of the state's concurrence and list those states which require consistency certification on a project-by-project basis. The Coast Guard solicits comments on this certification procedure, particularly from state agencies responsible for coastal zone management plans. Public comment on this issue will also be welcomed.

Evaluation

The review procedure for issuance of a General Bridge Permit will enhance the environmental evaluation for applicable bridge projects. Before individual permits are issued, the investigation is concentrated on the specific or cumulative effect of a single proposed project in an area rather than the cumulative effects of a number of projects in a region. Through consideration of the cumulative effects of several similar bridge projects before a General Bridge Permit is issued, segmented review and adverse impacts will be minimized.

Issuance of General Bridge Permits will improve the efficiency of the Coast Guard Bridge Administration Program by reducing the backlog of individual bridge permit applications, allowing for additional attention to be directed toward major bridge proposals, and by reducing the paperwork burden. An intensive analysis of Coast Guard bridge permit files from 1978 through September 1981 indicates that similar projects which would qualify categorically for a General Bridge Permit have historically had minimal environmental and navigational impacts. Therefore, individual in-depth environmental and navigational evaluation could have been dispensed with. For example, of the 181 individual

bridge permits issued by the Coast Guard in fiscal year 1981, at least 15 of these, pedestrian bridges, could have been constructed without delay under the authority of just one General Bridge Permit had these proposed regulations been in effect. Ultimately, one-third of the bridges that would otherwise be permitted individually each year could be constructed under the authority of a small number of General Bridge Permits through this proposed General Bridge Permit Program. Coast Guard review of each particular proposed bridge project merely would be to ascertain that the location and design of the proposal qualifies under the standard criteria and bridge project category of a specific General Bridge Permit, and ensure that the permittee is aware of the General Bridge Permit conditions. The resultant reduction in permit paperwork processing is one of the objectives of the Administration in its efforts to reform the regulatory system.

Construction costs will be reduced because of the elimination of delays incurred during processing of an individual bridge permit, which ordinarily takes approximately one year. It is difficult to quantify the savings, due to uncertainty as to the number and types of bridges that might be built under the General Bridge Permit program, however, the percentage savings will coincidentally be equal to the inflation rate experienced by the general construction industry (12%). Based on the 181 bridge permits issued in fiscal year 1981, the estimated savings would have been $24,000 for each bridge.

An Environmental Assessment of this proposed rulemaking has been prepared which includes a discussion of the environmental impacts of the standard criteria. The Environmental Assessment is available for examination at the above address. This assessment indicates that the proposed regulations will not significantly affect the environment. It is anticipated that a Finding of No Significant Impact (FONSI) will be issued in accordance with Coast Guard procedures under the National Environmental Policy Act of 1969.

These proposed regulations have been reviewed under the provisions of E.O. 12291 and have been determined not to be a major rule and are considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5–22–80). The economic impact of these proposed rules will be beneficial, e.g., reduce costs and delays. However, it is certified in accordance with § 605(b) of the Regulatory Flexibility Act (94 Stat. 1164) that these rules, if promulgated, will not have a significant economic impact on a substantial number of small entities. This is because very few small entities build bridges across navigable waters of the United States.

We are having difficulty in making an assessment of the number of people affected by this proposed rulemaking under the Paperwork Reduction Act and Executive Order 12291. We are especially interested in receiving comments on the information collection or reporting requirements of the proposed rulemaking.

List of Subjects in 33 CFR Part 115

Administrative practice and procedure, Bridges.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 115 of Title 33, Code of Federal Regulations, as follows:

PART 115—BRIDGE LOCATIONS AND CLEARANCES; ADMINISTRATIVE PROCEDURES

The authority citation for Part 115 is revised to read as follows:

Authority: c. 425, sec. 9, 30 Stat. 1151 (33 U.S.C. 401); c. 1130, sec. 1, 34 Stat. 84 (33 U.S.C. 491); sec. 5, 28 Stat. 362, as amended (33 U.S.C. 499); sec. 11, 54 Stat. 501, as amended (33 U.S.C. 521); c. 753, Title V, sec. 502, 60 Stat. 847, as amended (33 U.S.C. 525); 86 Stat. 732 (33 U.S.C. 535); 14 U.S.C. 633; sec. g(6), 80 Stat. 941 (49 U.S.C. 1655(g)); 49 CFR 1.46(c).

Subpart A [Heading Added]

2. By inserting "Subpart A—Individual Bridge Permits" before § 115.01.

3. By adding Subpart B as follows:

* * * * *

Subpart B—General Bridge Permits

Sec.

115.80 General Bridge Permits.
115.85 Procedures for issuing permits.
115.90 Standard and special criteria for bridges under a General Bridge Permit.
115.95 Authorization to proceed under a General Bridge Permit.
115.100 Revocation or withdrawal of General Bridge Permits and authorization to proceed.

Subpart B—General Bridge Permits.

§ 115.80 General Bridge Permits.

(a) A General Bridge Permit is a permit issued by the Commandant for a category of bridge structure or construction work in a specific region of the United States or nationwide. The permit will be issued when the structures or work to be performed are substantially similar and would cause no more than a minimal individual and cumulative environmental impact. The permits issued through this program apply to routine and obvious actions which satisfy the conditions of a categorical exclusion as described in Commandant Instruction M16475.1A which is based upon the requirements set forth in the National Environmental Policy Act of 1969, as amended (Pub. L. 91–190) as implemented by the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500–1508).

(b) A General Bridge Permit for any region of the United States may be issued by the Commandant after notice and opportunity for public participation have been provided. The permit will include standard and special criteria and conditions which apply to minimum horizontal and vertical clearances, any necessary environmental protective measures, the effective time limits, and any other requirements necessary to comply with the bridge statutes and environmental control laws.

(c) A General Bridge Permit is reevaluated five years after the date of issuance. The permit may be extended by the Commandant provided the permit criteria continue to be met.

(d) The definitions found in § 114.05 of this chapter apply to this subpart.

§ 115.85 Procedures for issuing permits.

(a) A General Bridge Permit may be proposed by any District Commander having responsibility for one or more of the bridges to be covered by the permit. If the permit is limited to proposed bridge construction work in that district, the District Commander is responsible for developing the permit record. If the permit would cover proposed bridge construction work in more than one district, the Commandant designates the official who will have primary responsibility for developing the permit record or assumes this responsibility.

(b) Notice of the proposed General Bridge Permit is published in the **Federal Register** and disseminated by other means in the district or districts most affected. In appropriate cases, public hearings may be held. The permit record includes the findings of fact made by the responsible official, necessary environmental documentation and evaluation, all public comments, and transcripts of any public hearings.

(c) The following criteria are considered in the evaluation of every proposal for the establishment of a General Bridge Permit:

(1) The likelihood that the proposed permit will be utilized.

(2) The potential cumulative environmental impacts created by the bridge projects which could be constructed under the proposed permit.

(3) The necessity that the proposed category of bridges provides for the reasonable needs of present and prospective navigation.

(d) Upon completion of the permit record, the responsible official prepares conclusions and recommendations and submits the record to the Commandant for final action.

(e) The Commandant conducts a navigational and environmental review of the permit record prior to taking final action. If the proposed General Bridge Permit is found to provide for reasonable needs of navigation with not more than a minimal environmental impact, a permit containing appropriate standard and special criteria and conditions is issued.

(f) The issuance or denial of a General Bridge Permit is published in the **Federal Register**. A permit is effective upon publication.

§ 115.90 Standard and special criteria for bridges under a General Bridge Permit.

(a) The following standard criteria describe the basic characteristics of any bridge construction project which may be authorized under a specific General Bridge Permit.

(1) The bridge must provide for the reasonable needs of present and prospective navigation.

(2) The bridge must not interfere with any Federal navigation or flood control project.

(3) The bridge must have no significant effect on flood heights and associated drift.

(4) The bridge must not relocate the stream or riverbed channel.

(5) The bridge must not be located across wetlands if the District Commander determines that there is a feasible and prudent alternative location for the proposed bridge construction work, the following apply:

(i) A bridge may be located across tidal wetlands provided the proposed design and construction does not require dredging or the placement of fill material in the waterbody or wetlands.

(ii) A bridge may be located across non-tidal wetlands provided that the bridge structure will pass the 100 year flood and that dredging or the placement of fill into any wetlands adjacent to the waterbody does not extend beyond 100 feet on either side of the ordinary high water mark of that waterbody. Bridge projects which incorporate a maximum of 200 cubic yards of fill below the ordinary high water mark may be constructed, reconstructed, or modified across non-tidal wetlands provided the District Commander determines that the fill will not have a significant environmental impact on the wetlands.

(6) The bridge must not be located within one-half mile of any property eligible to be, proposed to be, or listed in the National Register of Historic Places (16 CFR Part 60).

(7) The bridge must not be located within one-half mile of any property protected under Section 4(f) of the Department of Transportation Act (49 U.S.C. 1653) unless it is to be used solely for park purposes and will not promote development of any type within the area protected under Section 4(f).

(8) The bridge must not be located in or over, or affect any federally, listed established or prospective component of the National Wild and Scenic River System under 16 U.S.C. 1274 and 1276.

(9) The bridge must not cause a significant encroachment within the base floodplain, or increase the probability of loss of human life, lead to the interruption or loss of a vital transportation link, or adversely affect the beneficial values of the floodplain.

(10) The bridge must not be located on or provide access to a barrier island.

(11) The bridge must not be located within the critical habitat of any federally listed endangered or threatened species.

(b) In addition to the standard criteria in paragraph (a) of this section, a General Bridge Permit contains special criteria specifying:

(1) The maximum quantity of fill material that is authorized for bridge construction work;

(2) A description of the category of bridge construction, reconstruction or modification;

(3) The characteristics of the waterway(s) in which construction, reconstruction or modification may occur; and

(4) Any other limitation deemed appropriate by the Commandant.

§ 115.95 Authorization to proceed under a General Bridge Permit.

(a) Prior to the commencement of any bridge construction work which may be covered by an existing General Bridge Permit, the appropriate District Commander determines that the project meets the standard and special criteria of the General Bridge Permit. The builder or owner of the proposed project must request authorization to proceed from the District Commander. The request must contain the following:

(1) The name and address of the bridge builder and owner.

(2) A vicinity map which shows the waterway and location of the proposed bridge project. The vicinity map submitted for the authorization must be of letter size and of good reproducible quality. It shall have a simple title and date in the lower right hand corner, a graphic scale, and north arrow. It shall identify the entire work site showing the distance to the nearest town, community, or other identifying location, and the latitude and longitude, if known. The course of the waterway shall be shown and any structures crossing the waterway within one-half mile of the proposed structure shall be identified. The location of any historic sites, wetlands, public parks, recreation areas, or wildlife or waterfowl refuges shall be shown.

(3) The plans of the proposed bridge project, in letter size and of good producible quality.

(b) Upon receipt of a request for authorization to proceed, the District Commander reviews the authority for the bridge project under a particular General Bridge Permit.

(1) No bridge construction work will be authorized unless certification or waiver under 33 U.S.C. 1341 is received from the appropriate water pollution control agency.

(2) No bridge construction work will be authorized unless certification and concurrence or waiver under 16 U.S.C. 1456 is received indicating that the proposed construction, reconstruction or modification, and the operation and maintenance of the bridge complies with a state's Federally approved coastal zone management program.

(3) If the proposed project qualifies, the Distict Commander issues authorization to proceed accompanied by a copy of the applicable General Bridge Permit.

(c) If the District Commander determines that the proposed bridge project does not qualify under an existing General Bridge Permit and denies authorization to proceed, the builder or owner may appeal as provided in § 114.50 of this chapter.

(d) A bridge builder or owner who is denied authorization to proceed under a General Bridge Permit may apply for an individual permit as provided by § 115.50.

§ 115.100 Revocation or withdrawal of General Bridge Permits and authorization to proceed.

(a) Authorization to proceed under a General Bridge Permit may be revoked by the cognizant District Commander when that person determines that the builder or owner fails to comply with

any of the conditions of the General Bridge Permit or authorization, or that the bridge structure constitutes an unreasonable obstruction to navigation of Federal flood control programs. The bridge builder or owner may appeal the action of the District Commander under § 114.50 of this chapter.

(b) The Commandant may withdraw a General Bridge Permit when the character of navigation, environmental quality, or other circumstances warrant. Withdrawal action is taken only after notice and opportunity to comment is given by publication in the **Federal Register.**

Dated September 16, 1982.

R. A. Bauman,

Rear Admiral, U.S. Coast Guard Chief, Office of Navigation.

[FR Doc. 82-26239 Filed 9-22-82; 8:45 am]

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33 CFR Part 175

[CGD 82-073]

Visual Distress Signal Equipment Requirements

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend its regulation governing the carriage of visual distress signals on boats. Members of the boating public have expressed considerable confusion over language in the present regulation that identifies the waters on which they are required. The visual distress regulations are being rewritten to define more clearly where the signals are required.

DATE: Comments must be received prior to November 8, 1982.

ADDRESSES: Comments should be mailed to Commandant (G-CMC), U.S. Coast Guard, Washington, D.C. 20593. The comments will be available for inspection and copying at the Marine Safety Council, Room 4402, 2100 2nd Street S.W., Washington, D.C. Normal office hours are between 9:00 A.M. and 4:00 P.M., Monday through Friday. Comments may also be hand delivered to this address.

FOR FURTHER INFORMATION CONTACT: Mr. William Sobeck, Office of Boating, Public and Consumer Affairs (G-BEL), U.S. Coast Guard Headquarters, Washington, D.C. 20593, (202) 426-4176.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and the proposal to which the comments apply, and give the reasons for each comment. Receipt of comments will be acknowledged if a stamped self-addressed postcard or envelope is enclosed.

The rules may be changed in light of the comments received. All comments received before the expiration date of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Discussion of Proposed Rule

The Coast Guard published final rules on the carriage of visual distress signals on boats on December 17, 1979 (44 FR 73024). The intent of that rule is to require carriage of visual distress signals on boats subject to the jurisdiction of the United States when used on the high seas, the territorial seas of the United States, and the U.S. waters of the Great Lakes. It also applies to waters which share key characteristics of the open seas or the Great Lakes (e.g., high probability of unconfined search areas for a boat in distress). It was not, however, intended to include restricted or otherwise confined waters where a boater in distress would normally be able to attract the attention of others nearby. In summary, if a boat in distress must pass within a mile of the shore before entering unconfined waters, the occupants have reasonable opportunity of attracting attention without special distress signals.

Existing demarcation lines, such as those used for navigational Rules of the Road, were not chosen since they do not satisfactorily discriminate between waters which are relatively confined and waters which are not.

Since publication of those rules the Coast Guard has received numerous inquiries on the definition of coastal waters. Confusion exists regarding the requirement in waters which, although named "bays" or "sounds," do not appear to meet the intent of the rules. The intent was not to include small bodies of water or restricted, even though large, bodies of water other than the five Great Lakes.

This change seeks to establish a definition not dependent on the size or name a body of water has been given, and to clearly delimit those areas where visual distress signals are *most* needed. By using the words "waters" in the current proposed definition of "coastal waters," the interpretation of the applicability of the regulation can be shifted away from the artifice of the name of the water toward that of the potential need to use the required signals. Likewise, in describing a two mile wide entrance into a body of water, the words "any distance" allows the distance between shorelines, including those of charted islands, to delimit the carriage requirements.

An example of waters on which visual distress signals may be required is Mobile Bay, whose entrance between Dauphin Island and Mobile Point (2.8 nautical miles) exceeds two miles. An example of water on which visual distress signals will not be required is Tampa Bay, whose largest entrance (Southwest Channel) is 1.4 nautical miles between Egmont Key and Passage Key.

In practice, these do not differ from the current enforcement interpretation, although it is hoped that the reasoning may now be more readily understood.

Regulatory Evaluation

An economic evaluation has not been conducted, since the impact is expected to be minimal. No new costs will be imposed on the boating public or the manufacturers of visual distress signals. To the extent that a person may have interpreted the existing regulations to require the devices in restricted waters, there may be some slight savings.

These proposed regulations have been reviewed under the provisions of Executive Order 12291 and have been determined to be a nonmajor rule. In addition, the proposed regulations are considered to be nonsignificant in accordance with the guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of May 22, 1980). In accordance with Section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164) it is certified that these rules, if promulgated, will not have a significant economic impact on a substantial number of small entities.

DRAFTING INFORMATION: The principal persons involved in drafting this rule are William B. Sobeck, Project Manager, Office of Boating, Public and Consumer Affairs, and Lieutenant Walter Brudzinski, Project Attorney, Office of the Chief Counsel.

List of Subjects in 33 CFR Part 175

Marine safety.

PART 175—EQUIPMENT REQUIREMENTS

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 175 of Title 33, Code of Federal Regulations as set forth below.

1. The authority citation for Part 175 is revised to read as follows:

Authority: Secs. 5 and 39, 85 Stat. 215, 228 (46 U.S.C. 1454, 1488); 49 CFR 1.46(n)(1).

2. Part 175 is amended by revising § 175.105(b) to read as follows:

§ 175.105 Definitions.

* * * * *

(b) "Coastal waters" means:

(1) The U.S. waters of the Great Lakes (Lake Erie, Huron, Michigan, Ontario, and Superior);

(2) The territorial seas of the United States; and

(3) Those waters directly connected to the Great Lakes and territorial seas (i.e. bays, sounds, harbors, rivers, inlets, etc.), where any entrance exceeds 2 nautical miles between opposite shorelines to the first point where the largest distance between shorelines narrows to 2 miles as shown on the current edition of the appropriate National Ocean Survey chart used for navigation. Shorelines of islands or points of land present within a waterway are considered when determining the distance between opposite shorelines.

Dated: September 17, 1982.

H. W. Parker,

Chief, Office of Boating, Public and Consumer Affairs.

[FR Doc. 82-26252 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 183

[CGD 81-092]

Electrical and Fuel System Standards; Miscellaneous Amendments

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: This notice proposes miscellaneous amendments to the Electrical and Fuel Systems Standards in Subparts I and J of Part 183 that apply to boats having gasoline powered engines for propulsion or electrical generation. The Coast Guard undertook a review of its regulations governing construction standards which apply to the manufacture of recreational boats in an effort to reduce the burden of existing regulations, while insuring that well reasoned regulations were retained. Based upon the review effort, many sections have been determined to be no longer necessary, or are of limited value in terms of their impact toward improving boating safety. Therefore, these proposed amendments would repeal and revise the unnecessary regulations to relieve the regulatory burden recreational boat manufacturers. A proposed change to § 183.460(a) would increase the regulatory standards.

DATES: Comments must be received on or before December 22, 1982.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/44), (CGD 81-092), U.S. Guard, Washington, D.C. 20593. Comments will available for examination at the Marine Safety Council (G-CMC/44), Room 4402, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, D.C. 20593, between *8* am and *4* pm, Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Alston Colihan, Office of Boating, Public, and Consumer Affairs (G-BBT/42), U.S. Coast Guard Headquarters, Washington, D.C. 20593 (202) 426-4027, between *8* am and *4* pm Monday through Friday, except holidays.

SUPPLEMENTARY INFORMATION: The National Boating Safety Advisory Council has been consulted and its opinions and advice have been considered in the formulation of this proposed rule. The transcripts of the proceedings of the National Boating Safety Advisory Council at which this proposed rule was discussed are available for examination in Room 4224, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. The minutes of the meetings are available from the Executive Director, National Boating Safety Advisory Council, c/o Commandant (G-BA), U.S. Coast Guard, Washington, D.C. 20593.

Interested persons are invited to participate in this proposed rulemaking by submitting written views, data or arguments. Each comment submitted should include the name and address of the person submitting it, identify this notice [CGD 81-092] and the specific section of the propsal to which the comment applies, and give the reasons for the comment. Those desiring acknowledgement that their comment has been received should enclose a stamped, self-addressed post card or envelope.

The proposal may be changed in light of comments received. All comments received will be considered before final action is taken on the proposal. Copies of all written comments received will be available for examination by interested persons.

No public hearing is planned but one may be held at a time and place to be set in a later notice in the **Federal Register** if written requests for a hearing are received and it appears that an opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Mr. Alston Colihan, Project Manager, Office of Boating, Public, and Consumer Affairs, and LT. Mark Hanlon, Project Attorney, Office of the Chief Counsel.

Discussion of the Proposed Amendment

This proposal is in furtherance of Executive Order No. 12291. It will make the Electrical and Fuel Systems regulations easier to understand, easier for a manufacturer to comply with, and make them more cost-beneficial, with a minimal loss in the degree of safety assured by the regulations. The proposed changes would eliminate provisions determined to be necessary because they are standard industry practices. Other proposed changes would ease overly restrictive requirements or clarify confusing language.

Paragraph 183.401(b) presently lists the effective dates for various electrical system regulations, the latest of which became effective on February 1, 1979. This list was published to provide interested parties notice of effective dates 18 to 24 months from the date of publication. Effective dates were delayed to provide manufacturers and distributors time to redesign and retool. Since all of the listed regulations have been in effect for a period of years, the paragraph is unnecessary. This proposal would remove this paragraph.

Paragraph 183.420(e) presently requires that hydrogen gas discharged by a battery must not accumulate in the boat. The industry believes that the present statement is too much of an absolute. The proposal would require the provision of a vent system or other means to permit the discharge from the boat of hydrogen gas discharged by a battery.

Paragraph 183.420(f) presently requires the positive terminal of each battery to be identified by the letters, "POS" or "P" or the symbol "+" marked on the terminal, or on the battery case near the terminal. Since the markings are standard industry practice, the proposal would delete this requirement.

Paragraph 183.425(g) presently specifies certain exceptions to the

general requirements for conductors. Manufacturers of electronic equipment such as fuel vapor detectors and depth sounders have complained that many circuits, particularly sensor circuits, carry only a tiny fraction of an ampere, which require only very small wires, as small as number 32 AWG. Also, automotive electrical circuitry uses strips of metal foil laminated into plastic ribbons for multiple conductors in circuits used for controls and instrumentation. In order to give manufacturers greater flexibility in designing this equipment, the proposal would amend the exceptions noted to except electronic circuits having a current flow of less than one ampere and conductors which are totally inside an equipment housing.

Paragraph 183.445(a) presently requires, with certain exceptions, support and protection for each conductor or group of conductors; paragraph 183.445(b) requires a loop, slack or strain relief for conductors between two components that move in relation to each other; and parapraph 183.445(d) specifies the exceptions for the section. The proposal would delete all three paragraphs, since the only fires that the Coast Guard is aware of that were related to these requirements were caused by chafing on sharp edges, and they are covered by § 183.445(c).

Section 183.450 prescribes requirements for conductor terminations. Paragraph 183.450(a) presently requires the use of a closed ring connector, eyelet connector, captive spade connector, mechanical locking connector or spring locking connector for each connection to a screw terminal or stud that is outside of a junction box or enclosure. Paragraph 183.450(b) requires that each stripped conductor connected to a compression screw terminal that is outside a junction box or enclosure be secured mechanically to provide strain relief for the stripped conductor connection. Paragraph 183.450(c) requires that each single friction connector, spring-type connector, and multi-connector plug that is outside of a junction box or enclosure must not separate if subjected to a six pound tensile force along the axial direction of the connector for one minute. Paragraph 183.450(d) requires that a soldered connection that is outside a function box or enclosure must not be the sole means of connection between two or more conductors or between a conductor and a connector, except a conductor may be soldered to a connector that joins the conductor to a battery terminal or stud, if the length of the stranded joint is at least 1.5 times the diameter of the stranded portion of the battery conductor. Paragraph 183.450(e) requires that each connection that is outside of a junction box or enclosure and that is used to join conductors to each other or that is used to join a conductor to a connector must not break when subjected for one minute to a tensile force shown in Table 6 for the smallest conductor size in the connection. Paragraph 183.450(g) requires that each termination composed of an ungrounded current carrying conductor, terminal fitting, and connector be protected from accidental short-circuiting with: (1) Another termination from another circuit composed of an ungrounded current carrying conductor, terminal fitting, and connector; or (2) any metal that is grounded. Paragraph 183.450(h) prohibits a conductor from being joined to another conductor by a wire nut or wire screw. Paragraph 183.450(i) excepts communication systems and electronic navigation equipment from the requirements of the section. The proposal would delete all eight of these paragraphs as well as Table 6 which gives the tensile test values for conductor splices, because this section is covered in voluntary standards and by normal commercial practices. For example, no crimp connectors are available that would not pass the specified pull test when properly installed. Also, the failure of a connector or the disconnection of a friction connector is unlikely to cause a fire or explosion because the loose conductor usually is still insulated by the remaining part of the connector. Even when it is not insulated and does manage to come into contact with a metal surface which could cause a short circuit, the fuse or circuit breaker, which is required in nearly all circuits, will open the circuit.

Paragraph 183.460(a) presently requires that each ungrounded supply conductor from a storage battery must have a manually reset, tripfree circuit breaker or fuse, unless the supply conductor is in the main power feed circuit from the battery to an engine cranking motor. The circuit breaker or fuse must be within 72 inches of the battery measured along the conductor unless the circuit has a switch that disconnects the battery. The proposal would delete the exception for a circuit that has a switch that disconnects the battery. This is, in effect, an increase in the requirement of the paragraph rather than a relaxation. The phrase has caused some difficulty in the enforcement of the electrical systems regulations because it is inconsistent with the engineering concept that overcurrent protection for a conductor should protect against both an overload and a short to ground. With the fuse or circuit breaker located at the output end of a conductor, away from the source of power, a short to ground would not interrupt the current flow until the conductor itself was destroyed.

Paragraph 183.501(b) presently lists the effective dates for various fuel system regulations, the latest of which became effective on February 1, 1979. This list was published to provide interested parties notice of effective dates 18 to 24 months from the date of publication. Effective dates were delayed to provide manufacturers and distributors time to redesign and retool. Since all of the listed regulations have been in effect for a period of years, this paragraph is unnecessary. This proposal would remove this paragraph.

Paragraph 183.510(a) presently requires that each fuel tank in a boat must have been tested by its manufacturer under § 183.580 and not leak. The proposal would delete the requirement for testing under § 183.580 and would add a requirement that the tank not leak when subjected to the pressure marked on the tank label under § 183.514(b)(5). There are many methods for conducting a leak test and the manufacturer should be granted maximum flexibility in selecting a suitable test as long as the method selected will detect a leaking tank.

Paragraph 183.510(d) presently requires that each fuel tank with a capacity of 25 to 99 gallons not leak if tested under § 183.586. The proposal would change the applicable capacity to 25 to 199 gallons to raise the size threshold limit of fuel tanks tested in accordance with § 183.586.

Paragraph 183.510(e) presently requires that each fuel tank of 100 gallons capacity or more must not leak if tested under §§ 183.586 and 183.588. The proposal would change the applicable capacity to fuel tanks having a capacity of 200 gallons or more to raise the size threshold limit of fuel tanks tested in accordance with the slosh test in § 183.588. The proposal would raise the size above 199 gallons for tanks subject to the slosh test in § 183.588 because it's expensive and testing laboratories have found that very few tanks of smaller sizes fail it. Those which do fail have been damaged by the pressure impulse test. The pressure impulse test is still valid for the larger tanks.

Paragraph 183.514(b)(7) presently requires that the label required on fuel tanks by § 183.514(a) contain the statement, "This tank has been tested

under 33 CFR 183.580." The proposal would change the statement to, "This tank has been tested under 33 CFR 183.510." The Coast Guard would still require that the tank be tested, but would not specify the procedure to be used.

Paragraph 183.516(c) presently requires that polyurethane cellular plastic used to encase metallic fuel tanks must have a density of at least 3.2 pounds per cublic foot, measured under ASTM D–1622, "Apparent Density of Rigid Cellular Plastics." The proposal would change the minimum density from 3.2 pounds to 2.0 pounds density per cubic foot. Normal production foam used for flotation in boat manufacturing has a nominal two pound density. The higher density foam was originally chosen for this regulation because it is more reliable structurally and physically. However, it is possible to produce a good quality two pound density foam under carefully controlled production conditions. It is also doubtful that polyurethane foam of less than two pound density will be able to pass the physical test prescribed in Section 183.516(a).

Paragraph 183.522 presently requires that fuel must not blow back through the fill fitting when a tank is between one-fourth and three-fourths full and when the tank is refueled at a rate of at least nine gallons per minute. The proposal would delete this paragraph, since, in general, fuel tank fill systems meet this requirement and the Coast Guard does not have any records of any accidents caused by a failure to meet this requirement.

Paragraph 183.528(b) presently requires that if a fuel stop valve is tested under § 183.590, it must not leak fuel. The proposal would require the fire test only when the valve is installed in a system which requires fuel hose that meets the fire test. If "USCG Type B" hose is permitted, then the fuel stop valve would not be required to pass the fire test.

Paragraph 183.532(b) presently requires that a clip, strap or hose clamp, when tested under § 183.590, must not separate under a one pound tensile force. The proposal would require the fire test only when the clip, strap or hose clamp is installed in a system which requires fuel hose that meets the fire test. If "USCG Type B" hose is permitted, then the clip, strap or hose clamp would not be required to pass the fire test.

Paragraph 183.532(c) presently requires that the minimal nominal band width of a hose clamp be determined under Table 7 by the outside diameter of the hose. The proposal would delete this requirement as well as Table 7. The clamp widths delineated in Table 7 were taken from catalog dimensions of commercially available hose clamps. Manufacturers are constrained to purchasing commercially available hose clamps.

Paragraph 183.536(a) presently requires that each gasket and seal used in a fuel filter and strainer must form an unsplit ring. The proposal would delete this requirement, since this requirement has existed in voluntary standards for over 20 years. The Coast Guard knows of no fuel filter available to the marine market that is available with a split ring gasket.

Paragraph 183.540(a) presently requires that each "USCG Type A" hose and each "USCG Type B" hose be identified by the hose manufacturer by a marking on the hose itself, or if the complete text of the marking is not on a section of the hose, the boat manufacturer must attach a tag that meets the requirements of paragraphs (a) and (b) of the section. The proposal would delete the requirement for a tag, since even though a short length of hose may be used in a part of the boat, the same type of hose is probably used elsewhere on the boat. If all else fails, the Coast Guard could contact the manufacturer to determine whether the hose complies with Federal regulations.

Paragraph 183.540(b) states in part, that "each marking and tag must contain * * *" In accordance with the reasoning for the deletion of the requirement for the tag in paragraph 183.540(a) above, the net effect would be to eliminate the requirement for a tag, but retain the requirement that the hose be marked with the required information.

Paragraph 183.542 presently requires that each fuel system in a boat must have been tested under Section 183.582 by the boat manufacturer and not leak. The proposal would require that each fuel system in a boat be tested by the boat manufacturer and not leak when subjected to the greater of: (1) three pounds of pressure per square inch; or one and one-half times the pressure created in the lowest part of the fuel system when it is filled to the level of overflow with fuel. The proposal would further specify that the test pressure must be obtained with air or inert gas. These proposed changes would eliminate the detailed requirements stated in § 183.582 and simply state that the system should be tested and prescribe the pressure for the test.

Paragraph 183.550(d) presently requires that water must drain from the surface of each metallic fuel tank when the boat is in its static floating position. The proposal would specify the top surface of tanks, since the present wording sounds like it prohibits manufacturers from installing fuel tanks where they would come in contact with water in the bilge of a boat.

Paragraph 183.560(b) presently requires that each hose clamp on a hose from the fuel tank to the fuel inlet connection on the engine, a hose between the fuel pump and the carburetor, or a vent line, must be at least one clamp width from the end of the hose. The proposal would delete this requirement, since there are many installation points where this additional space is not available because of the design of standard hose and fuel tank fittings.

Paragraph 183.564(d)(2) presently requires that hose clamps used in the tank fill system must be over the hose and the spud, pipe or hose fitting and must be not less than one-half inch from the end of the hose. The proposal would delete the distance requirement from the end of the hose, since there are many installations where this additional space is not available because of the design of standard hose and fuel tank fittings.

Paragraph 183.568 presently prescribes three alternative methods for providing anti-siphon protection between the fuel tank and the fuel inlet connection on the carburetor. The proposal would provide a fourth alternative if "USCG Type A" hose is used with one or two manual shutoff valves. One manual shutoff valve that is so arranged as to be readily accessible for operation from outside of the compartment would be required directly at the tank connection. An additional shutoff valve would be required at the fuel inlet connection to the engine, if any part of the fuel tank is above the level of the carburetor.

Paragraph 183.582 presently prescribes detailed requirements for the static pressure testing of fuel systems. The procedures are very detailed and specify the type of pressure gauge, the method of testing, and that two separate tests must be conducted, a pressure drop test and some other type of leak detection test. Double testing of the completed system is redundant if one test is conducted properly. The proposal would delete these detailed requirements.

Regulatory Evaluation

These regulations have been reviewed under the provisions of Section 2 of Executive Order No. 12291 and have been determined not to be a major rulemaking. Additionally, these regulations have been determined to be nonsignificant in accordance with the

guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of May 22, 1980). An economic evaluation will not be conducted since the impact of these regulations is expected to be minimal. To the extent that there is any impact upon the boating industry it will be favorable, because it will reduce the cost of doing business. Specifically, it is estimated that these proposed amendments will result in savings in the manufacturing costs of a boat of up to ten dollar per boat. The adoption of these proposed amendments will also mean that Coast Guard personnel will not have to inspect as many items per boat on each factory visit, and it is estimated that this will result in savings of one-half manhour per visit. Since the Coast Guard presently makes 5811 factory visits per year, this will save 2905.5 manhours per year. Therefore, the costs to society will decrease with a minimal reduction in the safety level of boats.

In accordance with section 605(b) of the Regulatory Flexibility Act (94 Stat. 1164), it is certified that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities, since these proposed amendments would result in only a minor reduction in the costs of manufacturing a boat that is subject to the Electrical and Fuel System standards.

List of Subjects in 33 CFR Part 183

Fire prevention, Electrical power, Marine safety, Passenger vessels.

PART 183—BOATS AND ASSOCIATED EQUIPMENT

In consideration of the foregoing, the Coast Guard proposes to amend Part 183 of Title 33, Code of Federal Regulations as set forth below:

Subpart I—Electrical Systems

1. By removing and reserving § 183.401(b) as follows:

§ 183.401 Purpose, applicability, and effective dates.

* * * * *

(b) [Reserved]

2. By revising § 183.420 to read as follows:

§ 183.420 Batteries.

* * * * *

(e) A vent system or other means must be provided to permit the discharge from the boat of hydrogen gas released by the battery.

(f) [Reserved]

* * * * *

3. By revising § 183.425(g) to read as follows:

§ 183.425 Conductors: general.

* * * * *

(g) This section does not apply to communications systems; electronic navigation equipment; electronic circuits having a current flow of less than one ampere; conductors which are totally inside an equipment housing; resistance conductors that control circuit amperage; high voltage secondary conductors and terminations that are in ignition systems; pigtails of less than seven inches of exposed length and cranking motor conductors.

* * * * *

4. By revising § 183.445 to read as follows:

§ 183.445 Conductors: protection.

(a) Each conductor or group of conductors that passes through a bulkhead, structural member, junction box, or other rigid surface must be protected from abrasion.

(b) Each ungrounded terminal or stud that is continuously energized must meet Section 183.455 or must have a boot, nipple, cap, cover, or shield that prevents accidental short-circuiting at the terminals or studs.

§ 183.450 [Removed]

5. By removing § 183.450, conductors: termination.

6. By revising § 183.460(a) to read as follows:

§ 183.460 Overcurrent protection: special applications.

(a) Each ungrounded output conductor from a storage battery must have a manually reset, trip-fee circuit breaker or fuse, unless the supply conductor is in the main power feed circuit from the battery to an engine cranking motor. The circuit breaker or fuse must be within 72 inches of the battery measured along the conductor.

* * * * *

Subpart J—Fuel Systems

7. By removing and reserving § 183.501(b)

§ 183.501 Applicability.

* * * * *

(b) [Reserved]

8. By revising § 183.510(a), (d) and (e) to read as follows:

§ 183.510 Fuel tanks.

(a) Each fuel tank in a boat must have been tested by its manufacturer and not leak when subjected to the pressure marked on the tank label under § 183.514(b)(5).

* * * * *

(d) Each fuel tank with a capacity of 25 to 199 gallons must not leak if tested under Section 183.586.

(e) Each fuel tank of 200 gallons capacity or more must not leak if tested under §§183.586 and 183.588.

9. By revising §183.514(b)(7) to read as follows:

§ 183.514 Fuel tanks: labels.

* * * * *

(b) * * *

(7) The statement, "This tank has been tested under 33 CFR 183.510."

* * * * *

10. By revising § 183.516(c) to read as follows:

§ 183.516 Cellular plastic used to encase fuel tanks.

* * * * *

(c) Polyurethane cellular plastic used to encase metallic fuel tanks must have a density of at least 2.0 pounds per cubic foot, measured under ASTM D–1622, "Apparent Density of Rigid Cellular Plastics."

§ 183.522 Fuel tank fill systems [Removed].

11. By removing § 183.522, "Fuel tank fill systems."

12. By revising § 183.528(b) to read as follows:

§ 183.528 Fuel stop valves.

* * * * *

(b) If tested under § 183.590, a fuel stop valve installed in a fuel line system requiring metallic fuel lines or "USCG Type A" hose must not leak fuel.

13. By revising § 183.532(b) to read as follows:

§ 183.532 Clips, straps, and hose clamps.

* * * * *

(b) If tested under § 183.590 a clip, strap, or hose clamp installed on a fuel line system requiring metallic fuel lines or "USCG Type A" hose must not separate under a one pound tensile force.

* * * * *

14. By removing and reserving § 183.532(c) and removing Table 7.

§ 183.532 Clips, straps and hose clamps.

* * * * *

(c) [Reserved]

15. By removing and reserving § 183.536(a).

§ 183.536 Seals and gaskets in fuel filters and strainers.

(a) [Reserved]

* * * * *

16. By revising § 183.540(a) and (b) to read as follows:

§ 183.540 Hoses: identification.

(a) Each "USCG Type A" hose and each "USCG Type B" hose must be identified by the manufacturer by a marking on the hose itself.

(b) Each marking must contain the following information in English:

* * * * *

17. By revising § 183.542 to read as follows:

§ 183.542 Fuel systems.

(a) Each fuel system in a boat must have been tested by the boat manufacturer and not leak when subjected to the greater of the following pressures:

(1) Three pounds per square inch; or

(2) One and one-half times the pressure created in the lowest part of the fuel system when it is filled to the level of overflow with fuel.

(b) The test pressure shall be obtained with air or inert gas.

18. By revising § 183.550(d) to read as follows:

§ 183.550 Fuel tanks: installation.

* * * * *

(d) Water must drain from the top surface of each metallic fuel tank when the boat is in its static floating position.

* * * * *

19. By removing and reserving § 183.560(b).

§ 183.560 Hose clamps: installation.

* * * * *

(b) [Reserved]

* * * * *

20. By revising § 183.564(d)(2) to read as follows:

§ 183.564 Fuel tank fill system.

* * * * *

(d) * * *

(2) Be over the hose and the spud, pipe, or hose fitting.

21. By revising § 183.568 to read as follows:

§ 183.568 Anti-siphon protection.

* * * * *

(b) Have an anti-siphon device or an electrically operated fuel stop value—

(1) At the tank withdrawal fitting; or

(2) Installed so the line from the fuel tank is above the top of the tank; *OR*

(c) Provided that the fuel tank is below the level of the carburetor inlet, be "USCG Type A" hose with one or two manual shutoff values installed as follows—

(1) Directly at the fuel tank connection arranged to be readily accessible for operation from outside of the compartment, and

(2) If the length of fuel line from the tank outlet to the engine inlet is greater than 12 feet, a manual shutoff value shall be installed at the fuel inlet connection to the engine.

H. W. Parker,

Rear Admiral, U.S. Coast Guard, Chief, Office of Boating, Public and Consumer Affairs

[FR Doc. 82-26253 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-14-M

VETERANS ADMINISTRATION

38 CFR Part 36

Loan Guaranty; To Allow Closing of Refinancing Loans on an Automatic Basis and Requiring That the Maximum Allowable Discount Points Paid by a Veteran-Borrower Be Uniformly Established Based on a Readily Ascertainable Source

AGENCY: Veterans Administration.

ACTION: Proposed regulations.

SUMMARY: The VA (Veterans Administration) is proposing to amend its regulations to allow those lenders who have authority to close acquisition loans automatically (without VA prior approval) to begin closing refinancing loans on the automatic basis. The proposal also includes a provision requiring that the maximum allowable discount points, if any, paid by a veteran-borrower for a refinancing loan shall be uniformly established based on a readily ascertainable source.

The governing statute and the regulations currently allow a veteran to pay an unspecified reasonable discount as required by a lender for such loans. The proposed amendment will eliminate the requirement that lenders must obtain the prior approval of the VA as to the amount of discount points charged a veteran for a refinancing loan and provide for a uniform objective determination of the maximum allowable discount points chargeable by lenders for these types of loans. The proposal will allow the lender and the veteran-borrower to compute the maximum allowable discount points on or immediately prior to the day of loan closing. The proposed amendment should simplify the processing of refinancing loans.

DATES: Comments must be received on or before October 25, 1982. VA proposes to make these regulations effective on the date of approval of the final regulations.

ADDRESS: Interested persons are invited to submit written comments, suggestions or objections regarding this proposal to the Administrator of Veterans Affairs (217A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All written comments received will be available for public inspection at the above address only between 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), until November 2, 1982. Persons visiting the Veterans Administration Central Office in Washington, D.C. for the purpose of inspecting comments will be received by the Central Office Veterans Services Unit in room 132 of the above address. Visitors to VA field stations will be informed that the records are available for inspection only in Central Office and will be furnished the address and room number.

FOR FURTHER INFORMATION CONTACT: Mr. George D. Moerman, Assistant Director for Loan Policy (264), Loan Guaranty Service, Veterans Administration, Washington, D.C. 20420, (202) 389-3042.

SUPPLEMENTARY INFORMATION: The VA is proposing to amend §§ 36.4306, 36.4306a and 36.4312 of the regulations to allow for automatic processing of refinancing loans and to incorporate into the regulations a provision for objectively calculating the maximum allowable discount points which a lender may collect from a veteran-borrower when making a refinancing loan.

A VA guarantee refinancing loan is a loan for the purpose of paying off existing mortgage loans or other liens secured by a home which is owned and occupied by the veteran. A veteran may refinance up to 100% of the reasonable value of the property and use the cash proceeds as he or she chooses. Hereafter, this type of loan will be referred to as regular refinancing loans.

Another type of refinancing loan may be used to reduce the interest rate on an existing VA guaranteed loan on a home owned and occupied by the veteran. The veteran may not obtain any cash proceeds from the loan for his/her personal use as the loan may only be used to payoff an existing loan which has a higher interest rate. Hereafter, this type of loan will be referred to as interest rate reduction refinancing loans.

VA currently requires that applications for VA guaranteed loans must be submitted to the local VA office for approval of the amount of loan discount to be paid by the veteran homeowner. Loan discount, sometimes called points, is a charge by the lender. It is based on the fact that investors often do not purchase mortgages for par or 100% of the face amount of the loan notes. An investor will purchase a group of mortgages known as a pool at a

certain simple interest rate and a certain loan term for a price; e.g., the investor would purchase the loans at the price of 97% of the total dollar value shown on the face amount of the loan notes making up the pool of mortgages. Since the lender is lending 100% of the face amount of the note to the consumer and the investor is only purchasing the note at 97%, the lender will charge 3% discount or points to make up the money difference. The investor by paying less than 100% of the face amount of the note increases the return or yield on the mortgage. On VA guaranteed loans to acquire a home the discount may not be paid by the buyer. On a refinancing loan, the veteran homeowner is the party who must bear the expense. Title 38, U.S.C. section 1803(c)(3) authorizes the veteran to pay a reasonable discount on a refinancing loan. Currently, the reasonableness of the proposed discount charge must be approved by the local VA office. In addition regular refinancing loans must be submitted to the local VA office for credit underwriting approval.

We propose to amend the regulations to allow lenders to charge a discount on a refinancing loan without VA prior approval provided the discount charged does not exceed a predetermined reasonable maximum based upon a readily available source for determining such maximum. We propose that lenders may use the GNMA (Government National Mortgage Association) pass through securities Issues bid quote for the day previous to loan closing or two days previous to loan closing as a readily ascertainable point for determining the maximum allowable discount on a VA guaranteed refinancing loan. If a bid quote is more than a whole number it may be rounded to the lower whole number; e.g., 97.7 may be rounded to 97. The GNMA bid quote must be for the GNMA pool for loans with a note rate ½% higher than the pool rate. Thus, if a refinancing loan with a 15½% note rate is to be closed, the lender should refer to the previous day and 2 days' previous GNMA Issues quote. If the bid quotes for example were 97.7 and 97.4, the lender may close the refinancing loan for a discount of up to 3% of the loan amount.

GNMA Issues quotes indicate both a Bid price and an Asked price. We propose to use the bid price as the basis for determining the maximum VA loan discount because this price reflects the price investors are willing to pay for a pool of loans at a particular interest rate.

The proposed amendments would authorize the Administrator to allow a lender to charge a veteran a higher discount than determined by the GNMA Issues in unusual cases. For instance, an investor might determine that a home's size or age would require a slightly higher yield thereby requiring a higher discount than authorized by the use of GNMA Issues. In these unusual circumstances, the lender could seek approval from the Administrator to charge the higher amount of loan discount.

Since we propose to establish a method which would allow lenders to readily determine the maximum allowable discount on refinancing loans, we are also proposing to delete the requirement that all refinancing loans must be submitted to the local VA office for prior approval of the amount of discount or credit underwriting.

Three other types of loans are similar to VA refinancing loans in that the veteran is authorized to pay a loan discount. These are loans on existing, occupied homes for the purposes of repairs, alterations, or improvements when such loans are to be secured by a first lien; loans to construct homes on land already owned or to be acquired by the veteran when the veteran acts as his/her own contractor; and loans to purchase a dwelling from a class of sellers who are legally precluded from paying a loan discount. For consistency, the amendments propose to allow lenders to close these types of loans on the automatic basis using the GNMA Issues bid quote to determine the maximum allowable loan discount to be paid by the veteran.

Alteration, improvement, or repair loans which are unsecured or secured by less than a first lien must continue to be submitted to the local VA regional office for approval of the credit underwriting and the loan discount to be paid by the veteran, if any. These loans are more akin to second mortgage financing or consumer installment loans than to first mortgage loans for the purpose of acquiring real estate. Thus, the use of the GNMA Issues bid price would probably not be reflective of the current discount being charged by lenders for home improvement loans secured by less than a first mortgage.

An advantage to the proposals suggested by these amendments would be that a lender would know in advance that it could collect discount points at closing which would be fully representative of market conditions. Loans could be closed much quicker by lenders with automatic processing authority which would be to the benefit of many veteran-borrowers. It would also simplify the task of the VA regional office personnel in not having to make a determination as to whether the amount of the discount points required by a lender in each individual refinancing loan was reasonable. It would prevent losses by lenders who made loan commitments with discount points predicated on market conditions at the time of commitment only to find that at the time of closing the lender could not sell the loan in the secondary market without a loss due to escalating interest rates since the time of VA loan approval.

A disadvantage of these proposals would be that veteran-borrowers would not know the amount of discount points, if any, they would have to pay until the day before or the day of loan closing. Since the GNMA bid price is based on the composite collective judgment of a wide spectrum of buyers and investors, it may be possible that in some instances the indicated maximum discount rate provided by the index may exceed the market in certain areas. Lender competition in these areas should correct any such imbalances. In addition, a veteran obtaining a refinancing loan or a loan for alterations, improvements or repairs would have the added protection of a Right of Rescission as afforded by the Truth in Lending Act (Pub. L. 90–321, as amended). If the veteran determined that the discount charges requested by the lender were excessive, he/she could rescind the loan transaction thereby canceling the loan.

The proposal to use the GNMA pass through securities bid price as the source for determining reasonable discount points for refinancing and similar loans does not preclude the adoption of some other method for establishing a reasonable uniform discount rate for such loans. Any suggestions for an alternative method by which reasonable discount points may be readily ascertained on a uniform basis are welcomed and will be carefully considered.

An editorial amendment has been proposed to § 36.4312(d)(6)(iii) to correct a regulatory citation. In addition we propose to combine paragraphs (a) and (b) of § 36.4306 to make the regulation more understandable.

The Administrator hereby certifies that these proposed regulation changes will not, if promulgated, have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C., sections 601–612. Pursuant to 5 U.S.C. 605(b), these proposed regulations are exempt from the initial and final regulatory flexibility

analyses requirements of sections 603 and 604. The reason for this certification is that these proposed changes will allow refinancing and similar loans to be closed on the automatic basis with a maximum discount charge reflective of current mortgage money market conditions. Lenders will be only small entities which are directly affected, and the effect on them will not be significant in economic terms. We believe that the proposed regulations, if promulgated, will have no impact on small government jurisdictions. Small lenders should be aided since automatic loan processing of these types of loans is simpler and should be less costly. In addition, they could rely upon the certainty of a competitive discount rate set by market forces at the time of loan closing. Small lenders should be aided but not in a significant manner by these proposed amendments. There will be no new compliance costs or reporting burdens imposed on individuals or small entities.

The proposed regulations have been reviewed pursuant to Executive Order 12291 and have been found to be nonmajor regulation changes. The proposed amendments will expedite processing of refinancing and similar loans and will allow loan discounts to be charged to the veteran based upon free market forces. These changes will not impact on the public or private sectors as major rules. They will not have an annual effect on the economy of $100 million or more, and will not cause a major increase in costs or prices for consumers, individual industries, government agencies, or geographic regions; nor will they have other 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.

(Catalog of Federal Domestic Assistance Program number, 64.114)

List of Subjects in 38 CFR Part 36

Condominiums, Handicapped, Housing, Loan programs—housing and community development, Mobile homes, Veterans.

These amendments are proposed under authority granted the Administrator by sections 210(c) and 1803(c) (1) and (3) of title 38, United States Code.

Approved: September 3, 1982.

By direction of the Administration.

Everett Alvarez, Jr.,

Deputy Administrator.

PART 36—LOAN GUARANTY

It is proposed to amend 38 CFR Part 36 as follows:

1. In § 36.4306, paragraph (a) is revised and paragraphs (b) and (e) are removed. Paragraph (a) reads as follows:

§ 36.4306 Refinancing of mortgage or other lien indebtedness.

(a) Any loan for the purpose of refinancing (38 U.S.C. 1810(a)(5)) an existing mortgage loan or other indebtedness secured by a lien of record on a dwelling or farm residence owned and occupied by an eligible veteran as the veteran's home may be submitted to the Administrator for prior approval or may be processed on the automatic basis by those lenders of a class specified in 38 U.S.C. 1802(d). A loan for such purpose shall be eligible for guaranty in an amount not to exceed sixty (60) percent of the loan amount or $27,500, whichever is less, *Provided,* That—(38 U.S.C. 1810(c))

(1) Unless otherwise approved by the Administrator, the discount, if any, to be paid by the veteran may not exceed the difference between the bid price and the par value for GNMA (Government National Mortgage Association) Issues rounded to the lower whole number as quoted in the securities market on the business day preceding or 2 business days previous to loan closing (consummation) for pass through securities ½ percent less than the note rate of the refinancing loan,

(2) The loan is otherwise eligible for guaranty, and

(3) The issuance of a guaranty commitment on any such loan which exceeds eighty (80) percent of the reasonable value of the veteran's dwelling or farm residence shall require, unless the Chief Benefits Director otherwise directs, the approval of the Director, Loan Guaranty Service.

(b) [Removed]

* * * * *

(e) [Removed]

* * * * *

2. In § 36.4306a, paragraph (a) is revised as follows:

§ 36.4306a Interest rate reduction refinancing loan.

(a) Pursuant to 38 U.S.C. 1810(a)(8), a veteran may refinance an existing Veterans Administration guaranteed, insured or direct loan to reduce the interest rate payable on the Veterans Administration loan provided the following requirements are met:

(1) The loan must be secured by the same dwelling or farm residence as the loan being refinanced and such dwelling or farm residence must be owned and occupied by the veteran as such veteran's home;

(2) The amount of the refinancing loan may not exceed an amount equal to the sum of the balance of the loan being refinanced and such closing costs as authorized by § 36.4312(d) and a discount not to exceed a dollar amount determined in accordance with § 36.4312(d)(6)(i);

(3) The dollar amount of the guaranty of the 38 U.S.C. 1810(a)(8) loan may not exceed the original dollar amount of guaranty applicable to the loan being refinanced, less any dollar amount of guaranty previously paid as a claim on the loan being refinanced; and

(4) The term of the refinancing loan (38 U.S.C. 1810(a)(8)) may not exceed the original term of the loan being refinanced.

* * * * *

3. In § 36.4312, paragraph (d)(6)(i), the introductory text of (ii) and (iii), and subdivision (iv) is revised as follows:

§ 36.4312 Charges and fees.

* * * * *

(d) * * *

(6) Allowable discounts. (i) The veteran borrower subject to the limitations set forth in this paragraph, may pay a discount required by a lender when the proceeds of the loan will be used for any of the following purposes:

(A) To refinance existing indebtedness pursuant to 38 U.S.C. 1810(a)(5) or (8);

(B) To repair, alter or improve a dwelling owned by the veteran pursuant to 38 U.S.C. 1810(a)(4) or (7) if such loan is to be secured by a first lien;

(C) To construct a dwelling or farm residence on land already owned or to be acquired by the veteran, provided that the veteran did not or will not acquire the land directly or indirectly from a builder or developer who will be constructing such dwelling or farm residence;

(D) To purchase a dwelling from a class of sellers which the Administrator determines are legally precluded under all circumstances from paying such a discount if the best interest of the veteran would be so served.

Unless otherwise approved by the Administrator, the discount, if any, to be paid by the veteran may not exceed the difference between the bid price and the par value for GNMA (Government National Mortgage Association) Issues

rounded to the lower whole number as quoted in the securities market on the business day preceding or 2 business days previous to loan closing (consummation) for pass through securities ½ percent less than the note rate of the refinancing loan.

(ii) The veteran-borrower subject to the limitations set forth in this paragraph, may pay a discount required by the lender when the proceeds of the loan will be used to repair, alter or improve a dwelling owned by the veteran pursuant to 38 U.S.C. 1810(a)(4) or (7) if such loan is unsecured or secured by less than a first lien. No discount may be charged unless:

* * * * *

(iii) A veteran may pay the discount on an acquisition and improvement loan (as defined in § 36.4301) provided:

* * * * *

(iv) All powers of the Administrator under paragraph (d)(6) of this section, except the authority to revise the discount after the commitment is issued and the authority to approve a discount higher than authorized by the GNMA Issues, are hereby delegated to those officials designated by § 36.4342(b). The powers of the Administrator to approve an increase in the discount after the commitment is issued or approve a discount higher than authorized by the GNMA Issues are delegated to those officials designated by § 36.4335.

(38 U.S.C. 1803(c)(1) and (3), 1810(a))

[FR Doc. 82-26254 Filed 9-22-82; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-7 FRL 2199-7]

Approval and Promulgation of Implementation Plans, State of Nebraska

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the Nebraska State Implementation Plan (SIP) covering procedures to be followed by a source when excess emissions result from a startup, shutdown or malfunction. The new procedures require a source to submit information to be used by the state to determine if the excess emissions were due to an unavoidable malfunction, or if additional enforcement action is required in addition to a notice of excess emission. The new rule gives the state greater enforcement capability than malfunction provisions currently provided in the approved SIP.

Public comment is invited on the proposal.

DATE: Comments must be received before November 22, 1982.

ADDRESSES: Comments should be sent to Mrs. Eloise Reed, Air Branch, Environmental Protection Agency, 324 East 11th Street, Kansas City, Missouri 64106. Copies of the submittal and the EPA prepared evaluation report are available for review at the address above and at the following locations:

Nebraska Department of Environmental Control, 301 Centennial Mall, Lincoln, Nebraska 68509

Lincoln-Lancaster County Air Pollution Control Agency, 2200 St. Mary's Avenue, Lincoln, Nebraska 68502

Permits and Inspection Division, Housing and Community Development Department, 1819 Farnam, Route 402, Omaha, Nebraska 68102

Lincoln-Lancaster County Planning Commission, 55 South Tenth Street, Lincoln, Nebraska 68508

Omaha-Council Bluffs Metropolitan Area Planning Agency, 7000 West Center Road, Omaha, Nebraska 68106

FOR FURTHER INFORMATION CONTACT: Contact Eloise Reed at (816) 374-3791 or FTS 758-3791.

SUPPLEMENTARY INFORMATION: On August 9, 1982, the state of Nebraska submitted a new Rule 18, "Compliance; Exceptions Due to Startup, Shutdown, or Malfunction," to EPA as a SIP revision. The new rule replaced previous Rule 18 "Compliance; Exceptions Due to Breakdown or Scheduled Maintenance." Former Rule 18 allowed excessive emissions due to malfunctions and/or necessary repairs to control or processing equipment and appurtenances, as long as (1) the source notified the state of the occurrence of the malfunction or repair within a specified time; and (2) the number of breakdowns was not deemed excessive by the state; and (3) appropriate, reasonable action was taken to initiate and complete necessary repairs and place the equipment back in operation as quickly as possible. The new rule recognizes all instances of excess emissions as violations and requires that to mitigate the violation the source must provide information to demonstrate that the excess emissions were due to an *unavoidable* malfunction. The state may initiate additional enforcement action, at its discretion, after review of the submitted information, based on criteria specified in the regulation.

The information to be supplied by the source (not later than fifteen days after receipt of a notice of excess emissions) includes, but is not limited to, identification of the emission points; the magnitude of the excess emissions; the identity of the process or control equipment causing the excess emissions; the cause and nature of the excess emissions; and a description of the steps taken by the owner or operator of the source to remedy the situation causing the emissions, prevent a recurrence and limit the excess emissions.

Similar information as above is also required to be mailed by the owner or operator of a source to the state no later than ten days prior to a *planned* startup or shutdown; within forty-eight hours of the beginning of each period of excess emissions (or potential excess emissions) due to a malfunction or *unplanned* shutdown; and within forty-eight hours of the beginning of a startup following an unplanned shutdown. Based on review of this information, the state will determine if additional enforcement action is needed in these instances.

Nothing in the new regulations relieves the source of its obligations to attain and maintain the National Ambient Air Quality Standards during the excess emission period, nor precludes the state from initiating appropriate enforcement actions.

EPA believes that the new rule is consistent with EPA policy that state enforcement discretion should be used in determining whether excess emissions due to malfunction, startup or shutdown required additional enforcement action.

PROPOSED ACTION: EPA proposes to approve Rule 18 as submitted on August 9, 1982, and to incorporate it into the Nebraska SIP. Previous Rule 18 would be deleted.

List of Subjects in 40 CFR Part 52

Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

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

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

This notice of proposed rulemaking is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated: August 17, 1982.

William W. Rice,

Acting Regional Administrator.

[FR Doc. 82-26250 Filed 9-22-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 81

[A-5-FRL 2204-6]

Designations of Areas for Air Quality Planning Purposes; Attainment Status Designations: Ohio

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: EPA proposes to change the sulfur dioxide (SO_2) attainment status designation for a portion of Lorain County, Ohio, from nonattainment to attainment. This revision is in response to a request from the State of Ohio to redesignate this area and is based on the supporting certifications of compliance and ambient air monitoring data the State submitted. Under the Clean Air Act (Act), designations can be changed if sufficient data are available to warrant such change.

DATE: Comments on this revision and on EPA's proposed action must be received by October 25, 1982.

ADDRESSES: Copies of the redesignation request, technical support documents and the supporting air quality data are available at the following addresses:

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

Ohio Environmental Protection Agency, Office of Air Pollution Control, 361 East Broad Street, Columbus, Ohio 43216

Comments on this proposed rule should be addressed to: Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, USEPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604 (Please submit an original and thirteen copies if possible).

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

SUPPLEMENTARY INFORMATION: Under Section 107(d) of the Act the Administrator of EPA has promulgated the National Ambient Air Quality Standards (NAAQS) attainment status for each area of every State. See 43 FR 8962 (March 3, 1978) and 43 FR 45993 (October 5, 1978). These area designations may be revised whenever the data warrant.

On October 5, 1978 (43 FR 46014; 40 CFR 81.336), EPA designated the portion of Lorain County north of Route 80 and the City of Elyria as nonattainment for the primary SO_2 NAAQS.

At the time that this designation was made, a number of sources in the nonattainment portion of Lorain County, Ohio, were not complying with the federally promulgated SO_2 emission limits. These limits were developed using reference modeling techniques and have been demonstrated to ensure attainment and maintenance of the NAAQS. Certification of compliance with these limits, thus, is an acceptable basis for redesignation to attainment.

On June 14, 1982, the State of Ohio EPA requested that EPA revise the area of SO_2 primary nonattainment in Lorain County from the entire area north of U.S. Route 80 and the City of Elyria to the area surrounding the U.S. Steel Corporation (USS) facility in northern Lorain County. The boundaries of the remaining nonattainment area would be:

North—The Norfolk and Western Railroad Tracks
East—State Route 301 (Abbe Road)
South—State Route 254
West—Oberlin Road

To support the redesignation request from nonattainment to attainment, the Ohio EPA submitted recent, quality assured ambient SO_2 reference monitoring data collected by the State and two utility companies in the existing nonattainment area. All of the SO_2 monitoring data support the designation of attainment for the area.

In addition to the SO_2 monitoring data, EPA considered modeling data and compliance certifications in its review of the State's request. According to reference modeling analyses, the existing SO_2 emission limitations, which have been promulgated for sources in Lorain County, are adequate to protect the ambient air quality standards. Certifications of compliance with these limits are also an acceptable basis for a redesignation of Lorain County. All major sources of SO_2 emissions in the county have submitted data to EPA and Ohio EPA showing compliance with their federally-approved emission limitations, except for USS. Thus, EPA has determined that all of the county can be designated as attainment except for the area defined above surrounding USS.

EPA today is proposing to revise the SO_2 designation for that portion of Lorain County previously designated nonattainment to attainment, except for the area within the boundaries listed above.

All interested persons are invited to submit written comments on the proposed redesignation. Written comments received by the date specified above will be considered in determining whether EPA will approve the redesignation. After review of all comments submitted, the Administrator of EPA will publish in the **Federal Register** the Agency's final action on the redesignation.

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

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

List of Subjects in 40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

(Sec. 107(d) of the Act, as amended (42 U.S.C. 7407))

Dated: August 9, 1982.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 82-26235 Filed 9-22-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 19045; RM-1637]

TV Broadcast Station in Clarksville, Tennessee; Changes Made in Table of Assignments

Correction.

FR Doc. 82-25091, an FCC release which denied a request by Tennessee Televentures to Assign VHF Television channel 10 to Clarksville, Tennessee, was published in the Rules section of the Monday, September 13, 1982 issue at pages 40169-40170. It should have appeared in the Proposed Rules section. The "ACTION LINE" should have read "Denial of Petition for Rulemaking".

BILLING CODE 1505-01-M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 218

[FRA Docket No. RSOR-3, Notice No. 19]

Blue Signal Protection of Workmen Recordkeeping Requirements

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to amend the FRA regulations concerning the Blue Signal Protection of Railroad Employees while they are inspecting, repairing, and servicing rolling equipment. It would reduce the recordkeeping requirements of the existing rules. This action is taken by FRA in an effort to improve its safety regulatory program by reducing unnecessary recordkeeping requirements.

DATES: (1) Written Comments: Written comments must be received before November 12, 1982. Comments received after that date will be considered so far as possible without incurring additional expense or delay.

(2) Requests for Public Hearings: Requests for public hearings must be received before October 8, 1982.

ADDRESSES: (1) Written comments: Written comments should identify the docket number and the notice number and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Written comments will be available for examination both before and after the closing date for written comments, during regular business hours in Room 7321A of the Nassif Building at the above address.

(2) Requests for Public Hearings: Requests for public hearings should be submitted in triplicate to the Docket Clerk at the above address.

FOR FURTHER INFORMATION CONTACT: Bruce Fine, Office of Safety, Federal Railroad Administration, Washington, D.C. 20590 (Phone 202–426–4345).

SUPPLEMENTARY INFORMATION:

Background

On April 1, 1981, The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*, Pub. L. 96–511) became effective. One purpose of that statute was to minimize the paperwork burden imposed by the Federal Government.

The FRA in conjunction with the Office of Management and Budget (OMB) began a review of FRA regulations to identify ways of reducing the regulatory paperwork burden associated with the FRA safety regulatory program. The FRA Railroad Operating Rules (49 CFR Part 218) were selected for detailed analysis. Based on that analysis, the FRA has concluded that the recordkeeping requirements prescribed in Section 218.30(c)(1) should be reduced by eliminating some of the data required to be recorded by operators of remotely controlled switches and by reducing the retention period for the remaining data from 30 days to 15 days. Under the proposal, the date and time an operator actually receives notification that work is to be performed would no longer have to be recorded. FRA believes that, while this information may be useful for internal management purposes, it is not necessary to accomplish the safety objective of assuring that railroad employees are protected against the movement of equipment that they are inspecting, repairing, or servicing. FRA also believes that a 15 day record retention period is sufficient for safety enforcement purposes.

FRA estimates that these changes will result in a annual savings to railroads of approximately 60,000 manhours of effort.

Regulatory Impact

This proposal has been evaluated in accordance with existing regulatory policies. The proposed amendment will only have a direct impact on railroads. It will not have an adverse economic impact on any entity since it reduces regulatory requirements and burdens. It may have a positive economic impact through cost reductions for the approximately 400 railroads to which the regulation is applicable. Even though some of these railroads may constitute small entities, this proposed amendment will not have a significant impact on a substantial number of small entities. In fact, the overall economic impact is sufficiently minimal that it does not warrant a regulatory evaluation under the terms of Executive Order 12291.

Based on the facts contained in this notice, it is certified that this proposed amendment will not have a significant economic impact on a substantial number of small entities under the provisions of the Regulatory Flexibility Act (Pub. L. 95–354, 94 Stat. 1164, September 19, 1980). The proposed amendment does not constitute a major Federal action significantly affecting the quality of the human environment and, therefore, an environmental impact is not required. The proposed amendment does not constitute a significant rule under the Department of Transportation regulatory policies and procedures.

Public Participation

Interested persons are invited to participate in this proceeding by submitting written data, views or comments. Communications should identify the regulatory docket number and the notice number and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, 400 Seventh Street S.W., Washington, D.C. 20590. Persons desiring receipt of their communications to be acknowledged should attach a stamped pre-addressed postcard to the first page of each communication. Communications received before November 12, 1982, will be considered before final action is taken on the proposed rule. All comments received will be available for examination by interested persons at any time during regular working hours in Room 7321A, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

FRA has not scheduled a public hearing to provide an opportunity for oral comments because the facts do not appear to warrant a hearing. Requests for a public hearing must be submitted in writing and received by the FRA Docket Clerk at the above address before October 8, 1982.

List of Subjects in 49 CFR Part 218

Railroad safety.

The Proposed Rule

PART 218—RAILROAD OPERATING RULES

It is proposed to amend Part 218 of Title 49, Code of Federal Regulations by revising paragraph (c) of Section 218.30 to read as follows:

§ 218.30 Remotely controlled switches.

* * * * *

(c) The operator must maintain for 15 days a written record of each notication which contains the following information:

(1) The name and craft of the employee in charge who provided notification;

(2) The number or other designation of the track involved;

(3) The date and time the operator notified the employee in charge that protection had been provided in accordance with paragraph (a) of this section; and

(4) The date and time the operator was informed that the work had been completed, and the name and craft of the employee in charge who provided this information.

This notice is issued under the authority of section 2 of the Hours of Service Act, as amended 45 U.S.C. 61–64(b); and the regulations of the Office of the Secretary of Transportation (49 CFR 1.49(d)).

Issued in Washington, D.C. on September 13, 1982.

Robert W. Blanchette,

Administrator.

[FR Doc. 82-25926 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-06-M

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49 CFR Part 228

[FRA Docket No. HS-4, Notice No. 9]

Hours of Service of Railroad Employees Recordkeeping Requirements

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to amend FRA regulations concerning the Hours of Service of Railroad Employees. It would eliminate two recordkeeping provisions of existing regulations. This action is taken by FRA in an effort to improve its safety regulatory program by reducing unnecessary recordkeeping requirements.

DATES: (1) Written Comments: Written comments must be received before November 12, 1982. Comments received after that date will be considered so far as possible without incurring additional expense or delay.

(2) Requests for Public Hearings: Requests for public hearings must be received before October 8, 1982.

ADDRESSES: (1) Written Comments: Written comments should identify the docket number and the notice number and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Written comments will be available for examination both before and after the closing date for written comments, during regular business hours in Room 7321A of the Nassif Building at the above address.

(2) Requests for Public Hearing: Requests for a public hearing should be submitted in triplicate to the Docket Clerk at the above address.

FOR FURTHER INFORMATION CONTACT: Bruce Fine, Office of Safety, Federal Railroad Administration, Washington, D.C. 20590 (Phone 202-426-4345).

SUPPLEMENTARY INFORMATION:

Background

On April 1, 1981, the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*, Pub. L. 96-511) became effective. One purpose of that statute was to minimize the paperwork burden imposed by the Federal Government.

The FRA in conjunction with the Office of Management and Budget (OMB) began a review of FRA regulations to identify ways of reducing the regulatory paperwork burden associated with the FRA safety regulatory program. The FRA regulations in Part 228 issued under the Hours of Service Act (45 U.S.C. 61-64b) were selected for detailed analysis.

The purpose of Part 228 is to assure that rail carriers maintain appropriate records to enable FRA to administer effectively the requirements of the Hours of Service Act. As a result of a detailed analysis, FRA has concluded that the recordkeeping requirements prescribed in sections 228.13 and 228.15 are not necessary to achieve that purpose. Section 228.13 requires rail carriers to keep a record of time delays of 10 minutes or more that are experienced at a single location by train and engine crews. Section 228.15 requires rail carriers to keep a record of train movements at specified locations. Examination of current enforcement practices revealed that these records were seldom utilized. In those rare instances where the information they contain would be useful, it can be obtained from other sources. For example, section 228.17 requires rail carriers to keep detailed records concerning train movements in each operating district.

FRA estimates that maintenance of the records required under sections 228.13 and 228.15 causes rail carriers to expend approximately 1,200,000 manhours each year.

Regulatory Impact

This proposal has been evaluated in accordance with existing regulatory policies. The proposal will only have a direct impact on railroads. It will not have an adverse economic impact on any entity since it reduces regulatory requirements and burdens. It may have a positive economic impact through cost reductions realized by the approximately 400 rail carriers subject to the regulation. However, the economic impact would be so minimal that it does not warrant a regulatory evaluation under the terms of Executive Order 12291.

Based on the facts set forth in this notice, it is certified that the proposed amendment will not have a significant economic impact on a substantial number of small entities under the provisions of the Regulatory Flexibility Act (Pub. L. 95-354, 94 Stat. 1164, September 19, 1980). The proposed amendment does not constitute a significant rule under the DOT regulatory policies and procedures.

Public Participation

Interested persons are invited to participate in this proceeding by submitting written data, views or comments. Communications should identify the regulatory docket number and the notice number and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street S.W., Washington, D.C. 20590. Persons desiring receipt of their communications to be acknowledged should attach a stamped pre-addressed postcard to the first page of each communication. Communications received before November 12, 1982, will be considered before final action is taken on the proposed rule. All comments received will be available for examination by interested persons at any time during regular working hours in Room 7321A, Nassif Building, 400 Seventh Street S.W., Washington, D.C. 20590.

FRA has not scheduled a public hearing to provide an opportunity for oral comments on this proposal because the facts do not appear to warrant it. Requests for a public hearing must be submitted in writing and received by the FRA Docket Clerk at the above address before October 8, 1982

List of Subjects in 49 CFR Part 228

Railroad safety.

The Proposed Rule

PART 228—HOURS OF SERVICE OF RAILROAD EMPLOYEES

In consideration of the foregoing, it is proposed to amend Part 228 of Title 49, Code of Federal Regulations as follows:

1. The references to §§ 228.13 and 228.15 are to be removed from the list of sections at the beginning of Part 228.

§ 228.13 [Removed]

2. Section 228.13 is to be removed in its entirety.

§ 228.15 [Removed]

3. Section 228.15 is to be removed in its entirety.

This notice is issued under the authority of Section 2 of the Hours of Service Act, as amended, 45 U.S.C. 61-64b; and the regulations of the Office of the Secretary of Transportation (49 CFR 1.49(d).

Issued in Washington, D.C. on September 13, 1982.

Robert W. Blanchette,

Administrator.

[FR Doc. 25927 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-06-M

National Highway Traffic Safety Administration

49 CFR Parts 565 and 571

[Docket No. 1-22; Notice 11]

Federal Motor Vehicle Safety Standards; Vehicle Identification Number; Notice of Proposed Rulemaking

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes, in response to a petition for rulemaking filed by the Motor Vehicle Manufacturers Association (MVMA), that portions of Federal Motor Vehicle Safety Standard No. 115, Vehicle Identification Number (49 CFR 571.115), be withdrawn and reissued as a regulation. This action is being taken because the recall and remedy provisions which apply to violations of the motor vehicle safety standards would be inappropriate to correct certain vehicle identification number (VIN) errors. Any violations of the VIN regulations could be corrected by submitting corrected data to the agency or by other relatively simple means.

DATE: Comments on this proposal must be submitted by November 22, 1982.

ADDRESS: Comments on this notice should refer to the docket number and notice number set forth in the heading above and should be submitted to: Docket Section, Room 5109, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590 (Docket hours are 8 a.m. to 4 p.m.)

FOR FURTHER INFORMATION CONTACT: Roger Fairchild, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202-426-2992)

PAPERWORK REDUCTION ACT: Information collection requirements contained in this regulation have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act (Pub. L. 96-511) and have been assigned OMB Control Number 2127-0051.

SUPPLEMENTARY INFORMATION: The Motor Vehicle Manufacturers Association (MVMA) filed a petition on June 13, 1980, requesting that Federal Motor Vehicle Safety Standard No. 115 be withdrawn as a safety standard and reissued as a general agency regulation. On April 15, 1982, that petition was modified to request that only portions of FMVSS 115 be reissued as a regulation, with the other portions remaining a safety standard. As discussed below, the agency is herein proposing to make the changes sought by MVMA in their April 15 submission.

The current vehicle identification number (VIN) requirements were established on March 22, 1979, in 44 FR 17489, and became effective for the 1981 model year. Standard 115 specifies a 17 digit format, with specified digits or groups of digits providing such information as the identity of the manufacturer, a description of certain vehicle characteristics (such as engine type and body style), the model year, the plant where the vehicle was produced, and the sequence of production of the vehicle. Also included is a "check digit" which assists in detecting errors in transcription of VIN's by users of those numbers.

The standardized VIN serves a variety of functions. The agency's primary use for the VIN is in connection with safety defect recalls under section 154 of the National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1414, to identify and categorize vehicles. The VIN is also useful to law enforcement officials as an anti-theft mechanism, to insurance companies to identify and classify vehicles, to researchers for identifying vehicles in accident investigation programs, and to State governments for vehicle registration and titling purposes.

The basis for MVMA's concern with regard to the VIN standard is that section 152(b) of the Safety Act specifies that in cases of violation of a Federal motor vehicle safety standard, the affected manufacturer must notify owners and dealers of the violation and remedy the noncompliance. The only exception to this requirement is provided by section 157 of the Act, which authorizes manufacturers to petition for a determination that the noncompliance is "inconsequential." If, however, the VIN requirements were issued not as a standard but as a regulation, the mandatory recall requirements would not apply. That would also eliminate the necessity for submitting inconsequentiality petitions.

MVMA's objections to having to conduct a recall relating to incorrect VIN labeling are: that owners would be unlikely to bring vehicles to dealers to correct the VIN; that the VIN would, as a practical matter, have to be corrected at every location where it appears on the vehicle (one visible and three or more hidden places) to maintain the anti-theft benefits of the VIN, a potentially expensive process; that dealers could not maintain a stock of blank VIN plates due to the expense of the embossing equipment used to imprint the VIN on the plate and the need to control access to blank VIN plates to avoid the creation of false VIN's by thieves; that some States require that law enforcement personnel must witness any changing of VIN plates or require that only employees of the manufacturer may change a VIN, making corrections impracticable; and that many documents would have to be revised if a VIN were corrected, including manufacturer warranty records, State titling and registration files, insurance records, financing records, and records of the National Automobile Theft Bureau. MVMA argues that these problems militate against the use of recall campaigns to remedy VIN errors, and in favor of submitting corrective information to NHTSA, which operates as the central repository for other VIN decoding information.

MVMA argues that the advantage of their modified approach over that advocated in their original petition—coverting the entire VIN standard into a regulation—is clear preservation of Federal preemption. A VIN standard preempts non-identical state VIN requirements on the same aspects of performance (see Section 103(d) of the Safety Act), but MVMA argues that a VIN regulation may preempt state VIN reguirements only when there is a head-on conflict; i.e., when the state requirements cannot be obeyed without disobeying the Federal regulation. Therefore, to the extent that VIN's covered by a Federal standard rather than a Federal regulation, no valid non-identical state VIN requirements would be enforceable. Subjects such as the total number of VIN characters and the permanency and location of the VIN label or plate, which would be retained in MVMA's requested new Federal Motor Vehicle Safety Standard, would occupy the field and preclude non-identical state requirements.

The agency believes that MVMA's suggested course of corrective action may be appropriate. However, the agency is also mindful of the concerns expressed by Allstate Insurance Company in a letter opposing the MVMA petition. Allstate argued that maintaining the accuracy and uniqueness of VIN's issued under Standard 115 is critical to assuring the safety and other benefits of that standard. The agency has tentatively concluded that it can maintain the

accuracy and unique characteristics of the VIN system whether that system takes the form of a Federal Motor Vehicle Safety Standard or a general regulation or a composite of both.

Under the MVMA proposal, the VIN standard would control the more essential elements of the VIN, namely its general physical characteristics and location. The standard would specify that VIN's must have 17 characters including a check digit in the ninth position, and that no two vehicles manufactured within a 30-year period may have identical VIN's. The standard would also specify that the VIN must be affixed clearly and indelibly on the vehicle, and must be located on the driver's side dashboard on passenger cars and light trucks. The VIN regulation would specify the VIN format, structure and content as well as all reporting requirements. Also specified in the regulation would be the manner in which check digits are to be calculated.

From the agency's perspective, the main issue in evaluating the MVMA petition (other than possible impacts on Federal preemption) is the extent to which granting the petition would increase the number of uncorrected VIN errors and thereby possibly impair the usefulness of the VIN system in the agency's research. Certain types of VIN errors, such as numbers having more or less than the specified 17 characters or erroneous check digits, may be detected by State motor vehicle agencies when vehicle purchasers attempt to register vehicles. In that situation, the States may well deny applications for registration. MVMA in its revised petition has assured the agency that in that type of situation, manufacturers would voluntarily correct the error to avoid the inconvenience owners might encounter. Other types of VIN errors could be corrected by simply providing the necessary decoding information to the agency, which would place that information in a public file to make it available to other VIN users. Under the MVMA proposal, the agency could still take enforcement action where necessary, but would not be required to use the recall/inconsequentiality petition process for all errors, no matter how small.

In addition to responding to MVMA's petition, the notice also responds to several issues raised by other parties. Freightliner Corporation and others have raised an issue relating to the requirement in section 6.3 of the current standard that vehicle manufacturers submit to the agency at least 60 days prior to the date a VIN is affixed to a vehicle all information necessary to decipher the VIN. Several manufacturers, particularly small companies which are more likely to build vehicles to fill specific orders, have indicated that they will in many cases not know 60 days prior to the manufacturing date all the necessary VIN-related information about a future vehicle. For example, a company might receive an order for a unique version of a trailer which does not fit within its current VIN numbering system, and might be required to complete manufacturing of the trailer within less than 60 days. The purpose of the 60-day requirement was to permit users of the VIN to obtain necessary decoding information before vehicle purchasers begin registering the vehicles using the new VIN system. Therefore, the agency is proposing to modify section 6.3 of the current standard to permit manufacturing to submit decoding information less than 60 days prior to the manufacturing date if sufficient information to specify the VIN is unavailable in time to meet the generally applicable 60-day requirement.

The agency has also received inquiries as to the applicability of VIN requirements to vehicles manufactured abroad and not in compliance with Federal safety standards, but subsequently imported into the U.S. Requiring full compliance would be burdensome for the individual who imported the vehicle, and would involve obtaining a world manufacturer identifier and submitting diciphering information to NHTSA. Further, adding a conforming VIN would create a situation in which the vehicle had two identifying numbers, the one originally assigned by the manufacturer and the one added by the importer. The potential for confusion and anti-theft problems resulting from two VIN's on the same vehicle is deemed significant by the agency. Therefore, the agency is proposing to exempt such importers from the format and content requirements of the VIN standard and regulation, and basically require that the original VIN assigned by the manufacture be maintained by the importer.

Some minor clarifications are also being proposed in this notice. The first proposed revision would make explicit the agency's policy of requiring vehicle alterers to retain the VIN assigned by the vehicle's original manufacturer. Vehicle alterers modify completed vehicles in some significant manner, such as by replacing the vehicle's original engine with a different one. The agency believes this policy would avoid problems involving tampering with previously assigned VIN's. A second revision would make clear that the manufacturer identifier portion of VIN's will be assigned by the Society of Automotive Engineers, under a contract with the agency. See 44 FR 52784, September 10, 1979. The agency is also proposing to clarify that the VIN for multipurpose passenger vehicles must be affixed in the same location as for light trucks, and that trailers kits are subject to VIN requirements.

The principal impact of this proposal is to remove the threat of an unduly burdensome recall requirement to correct VIN errors. The new Part 565 would have no requirements not now in FMVSS 115. The agency anticipates that the manufacturers will continue to assign VIN's in the same manner regardless of whether VIN requirements take the form of a safety standard or a regulation. Further, the agency anticipates that the corrective action required in case of erroneous VIN's would not essentially differ as a result of this proposed change, since only in extreme cases can the agency envision ordering a vehicle recall.

For these reasons, the agency has concluded that the environmental consequences of this action will be of such limited scope that they clearly will not have a significant effect on the quality of the human environment; that this proposal does not qualify as a "major rule" within the meaning of Executive Order 12291; and that, due to its minimal cost impacts, this rule is not "significant" within the meaning of the Department's regulatory procedures. Therefore, preparation of a regulatory analysis or full regulatory evaluation is not necessary for this proposal. The agency recognizes this rulemaking action, if promulgated, would have a small, positive impact on small firms—particularly small manufacturers and small importers. If established as a final rule, this action would provide relief to small manufacturers from the generally applicable 60-day VIN pre-notification requirements in the case of orders for unique vehicle configurations. The agency is also proposing to exempt small importers (principally individuals importing one vehicle for their own use) from certain VIN format and content requirements. Given the relatively minor economic consequences of these changes, I certify that this proposal, if adopted, would have no significant economic impacts on a substantial number of small entities, including small organizations or governmental units. For this reason no Regulatory Flexibility Analysis will be prepared. If adopted, these proposed changes should have no

impact on vehicle prices. Nor does the agency anticipate any impacts on small organizations or governmental units.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must be limited not to exceed 15 pages in length. Necessary attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wished to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. Any claim of confidentiality must be supported by a statement demonstrating that the information falls within 5 U.S.C. section 552(b)(4), and that disclosure of the information is likely to result in substantial competitive damage; specifying the period during which the information must be withheld to avoid that damage; and showing that earlier disclosure would result in that damage. In addition, the commenter or, in the case of a corporation a responsible corporate official authorized to speak for the corporation must certify in writing that each item for which confidential treatment is requested is in fact confidential within the meaning of section 552(b)(4) and that a diligent search has been conducted by the commenter or its employees to assure that none of the specified items has previously been disclosed or otherwise become available to the public.

All comments received before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose, in the envelope with their comments, a self addressed stamped postcard. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Parts 565 and 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

(Secs. 108, 112, 119, and 152, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1397, 1401, 1407, and 1412); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on August 30, 1982.

Courtney M. Price,

Associate Administrator for Rulemaking.

For the reasons stated above, the agency is proposing to amend Chapter V of Title 49 of the Code of Federal Regulations as follows:

1. A new Part 565 would be added, reading as follows:

PART 565—VEHICLE IDENTIFICATION NUMBER

Sec.

565.1 Purpose and scope.
565.2 Application.
565.3 Definitions.
565.4 General requirements.
565.5 Reporting requirements.

Authority: Secs. 108, 112, 119, 152, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1397, 1401, 1407, and 1412); delegations of authority at 49 CFR 1.50 and 501.8.

§ 565.1 Purpose and scope.

This regulation specifies the format and content for a vehicle identification number (VIN) system to simplify vehicle identification information retrieval and increase the accuracy and efficiency of vehicle defect recall campaigns.

§ 565.2 Applicability.

This regulation applies to passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, trailer kits, incomplete vehicles and motorcycles. Vehicles imported into the United States under 19 CFR 12.80(b)(1)(iii) are exempt from the requirements of this Part.

§ 565.3 Definitions.

(a) Statutory Definitions: All terms used in this part that are defined in section 102 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1391) are used as defined in the Act.

(b) Motor Vehicle Safety Standard Definitions: Unless otherwise indicated, all terms used in this part that are defined in 49 CFR 571.115 are used as defined therein.

(c) "Body Type" means the general configuration or shape of a vehicle distinguished by such characteristics as the number of doors or windows, cargo-carrying features and the roofline (e.g., sedan, fastback, hatchback).

(d) "Engine Type" means a power source with defined characteristics such as fuel utilized, number of cylinders, displacement, and net brake horsepower. The specific manufacturer and make shall be represented if the engine powers a passenger car or a multipurpose passenger vehicle, or truck with a gross vehicle weight rating of 10,000 pounds or less.

(e) "Line" means a name which a manufacturer applies to a family of vehicles within a make which have a degree of commonality in construction, such as body, chassis or cab type.

(f) "Make" means a name which a manufacturer applies to a group of vehicles or engines.

(g) "Model" means a name which a manufacturer applies to a family of vehicles of the same type, make, line, series, and body type.

(h) "Model Year" means the year used to designate a discrete vehicle model irrespective of the calendar year in which the vehicle was actually produced, so long as the actual period is less than two calendar years.

(i) "Plant of manufacture" means the plant where the manufacturer affixes the VIN.

(j) "Series" means a name which a manufacturer applies to a subdivision of a "line" denoting price, size or weight identification, and which is utilized by the manufacture for marketing purposes.

(k) "Type" means a class of vehicle distinguished by common traits, including design and purpose. Passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, incomplete vehicles, and motorcycles are separate types.

§ 565.4 General requirements.

The VIN shall consist of four sections of characters which shall be grouped accordingly:

(a) The first section shall consist of three characters which occupy positions one through three (1–3) in the VIN. This

section shall uniquely identify the manufacturer, make and type of the motor vehicle if its manufacturer produces 500 or more motor vehicles of its type annually. If the manufacturer produces less than 500 motor vehicles of its type annually, those three characters along with the third, fourth and fifth characters of the fourth section shall uniquely identify the manufacturer, make and type of the motor vehicle. These characters are assigned in accordance with section 565.5(c) of this Part.

(b) The second section shall consist of five characters which occupy positions four through eight (4–8) in the VIN. This section shall uniquely identify the attributes of the vehicle as specified in Table I. For passenger cars, and for multipurpose passenger vehicles and trucks with a gross vehicle weight rating of 10,000 pounds or less, the first and second characters shall be alphabetic and the third and fourth characters shall be numeric. The fifth character may be either alphabetic or numeric. The characters utilized and their placement within the section may be determined by the manufacturer, but the specified attributes must be decipherable with information supplied by the manufacturer in accordance with § 565.5(d) of this Part. In submitting the required information to the NHTSA relating to gross vehicle weight rating, the designations in Table II shall be utilized. The use of these designations within the VIN itself is not required.

TABLE I.—TYPE OF VEHICLE AND INFORMATION DECIPHERABLE

Passenger car: Line, series, body type, engine type,[1] and restraint system type.
Multi-purpose passenger vehicle: Line, series, body type, engine type,[1] gross vehicle weight rating.
Truck: Model or line, series, chassis, cab type, engine type,[1] brake system and gross vehicle weight rating.
Bus: Model or line, series, body type, engine type,[1] and brake system.
Trailer: Type of trailer, series, body type, length, and axle configuration.[1]
Motorcycle: Type of motorcycle, line, engine type,[1] and net brake horsepower.[1]
Incomplete vehicle: Model or line, series, cab type, engine type,[1] and brake system.

[1] Engine net brake horsepower when encoded in the VIN shall differ by no more than 10 percent from the actual net brake horsepower; shall, in the case of motorcycle with an actual net brake horsepower of 2 or less, be not more than 2; and shall, in the case of a motorcycle with an actual brake horsepower greater than 2, be greater than 2.

TABLE II.—GROSS VEHICLE WEIGHT RATING CLASSES

Class A	Not greater than 3,000 pounds.
Class B	3,001–4,000 pounds.
Class C	4,001–5,000 pounds.
Class D	5,001–6,000 pounds.
Class E	6,001–7,000 pounds.
Class F	7,001–8,000 pounds.
Class G	8,001–9,000 pounds.
Class H	9,001–10,000 pounds.
Class 3	10,001–14,000 pounds.
Class 4	14,001–16,000 pounds.
Class 5	16,001–19,500 pounds.
Class 6	19,501–26,000 pounds.
Class 7	26,001–33,000 pounds.
Class 8	33,001 pounds and over.

(c) The third section shall consist of one character which occupies position nine (9) in type VIN. This section shall be the check digit whose purpose is to provide a means for verifying the accuracy of any VIN transcription. After all other characters in the VIN have been determined by the manufacturer, the check digit shall be calculated by carrying out the mathematical computation specified in paragraphs (c)(1) through (4) of this section.

(f) Assign to each number in the VIN its actual mathematical value and assign to each letter the value specified for it in Table III.

TABLE III.—ASSIGNED VALUES

A=1	J=1	T=3
B=2	K=2	U=4
C=3	L=3	V=5
D=4	M=4	W=6
E=5	N=5	X=7
F=6	P=7	Y=8
G=7	R=9	Z=9
H=8	S=2	

(2) Multiply the assigned value for each character in the VIN by the position weight factor specified in Table IV.

TABLE IV.—VIN POSITION AND WEIGHT FACTOR

1st	8	10th	9
2d	7	11th	8
3d	6	12th	7
4th	5	13th	6
5th	4	14th	5
6th	3	15th	4
7th	2	16th	3
8th	10	17th	2
9th (check digit)	0		

(3) Add the resulting products and divide the total by 11.

(4) The numerical remainder is the check digit. If the remainder is 10 the letter "X" shall be used to designate the check digit. The correct numerical remainder zero through nine (0–9) or the letter "X" shall appear in VIN position nine (9).

(5) A sample check digit calculation is shown in Table V.

TABLE V.—CALCULATIONS OF A CHECK DIGIT

VIN Position	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Sample VIN	1	G	4	A	H	5	9	H		5	G	1	1	8	3	4	1
Assigned value	1	7	4	1	8	5	9	8		5	7	1	1	8	3	4	1
Multiply by weight factor	8	7	6	5	4	3	2	10	0	9	8	7	6	5	4	3	2

Add products $8+49+24+5+32+15+18+60+0+45+56+7+6+40+12+12+2=411$

Divide sum of products by 11: $411/11=37\frac{4}{11}$

Remainder is check digit #4 [insert in VIN position nine (9)]

(d) The fourth section shall consist of eight characters which occupy positions ten through seventeen (10–17) of the VIN. The last five (5) characters of this section shall be numeric for passenger cars, and for multi-purpose passenger vehicles and trucks with a gross vehicle weight rating of 10,000 pounds or less, and the last four (4) characters shall be numeric for all other vehicles.

(1) The first character of the fourth section shall represent the vehicle model year. The year shall be designated as indicated in Table VI.

TABLE VI

Year	Code	Year	Code
1980	A	1997	V
1981	B	1998	W
1982	C	1999	X
1983	D	2000	Y
1984	E	2001	1

TABLE VI—Continued

Year	Code	Year	Code
1985	F	2002	2
1986	G	2003	3
1987	H	2004	4
1988	J	2005	5
1989	K	2006	6
1990	L	2007	7
1991	M	2008	8
1992	N	2009	9
1993	P	2010	A
1994	R	2011	B
1995	S	2012	C
1996	T	2013	D

(2) The second character of the fourth section shall represent the plant of manufacture.

(3) The third through the eighth characters of the fourth section shall represent the number sequentially assigned by the manufacturer in the production process if the manufacturer produces 500 or more vehicles of its type annually. If the manufacturer produces less than 500 motor vehicles of its type annually, the third, fourth, and fifth characters of the fourth section, combined with the three characters of the first section, shall uniquely identify the manufacturer, make and type of the motor vehicle and the sixth, seventh, and eighth characters of the fourth section shall represent the number sequentially assigned by the manufacturer in the production process.

§ 565.5 Reporting requirements.

(a) Information collection requirements contained in this regulation have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act (Pub. L. 96–511) and have been assigned OMB Control Number 2127–0051.

(b) Manufacturers of motor vehicles subject to this regulation shall submit, either directly or through an agent, the unique identifier for each make and type of vehicle it manufacturers a least 60 days before affixing the first VIN using the identifier. Manufacturers whose unique identifier appears in the fourth section of the VIN shall also submit the three characters of the first section which constitutes a part of their identifier.

(c) The NHTSA has contracted with the Society of Automotive Engineers (SAE) to coordinate the assignment of manufacturer identifiers. Manufacturer identifiers will be supplied by SAE at no charge. All requests for assignments of manufacturer identifiers should be forwarded directly to: Society of Automotive Engineers, 400 Commonwealth Avenue Warrendale, Pennsylvania 15096, Attention: WMI Coordinator.

Any requests for identifiers submitted to NHTSA will be forwarded to SAE. Manufacturers may requests a specific identifier or may request only assignment of an identifier(s) SAE will review requests for specific identifiers to determine that they do not conflict with an identifier already assigned or block of identifiers already reserved. SAE will confirm the assignments in writing to the requester. Once confirmed by SAE, the identifiers need not be resubmitted to the NHTSA.

(d) Manufacturers of motor vehicles subject to the requirements of this regulation shall submit to the NHTSA the information necessary to decipher the characters contained in its VIN's. Amendments to this information shall be submitted to the agency for VIN's containing an amended coding. The agency will not routinely provide written approvals of these submissions, but will contact the manufacturer should any corrections to these submissions be necessary.

(e) The information required under paragraph (d) of this section 565.5.3 shall be submitted at least 60 days prior to offering for sale the first vehicle identified by a VIN containing that information, or if information concerning vehicle characteristics sufficient to specify the VIN Code is unavailable to the manufacturer by that date, then within one week after that information first becomes available. The information shall be addressed to: Admininistrator, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, Attention: VIN Coordinator.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARD

2. Section 571.115 would be revised to read as follows:

§ 571.115 Standard No. 115; Vehicle identification number.

S1. *Purpose and Scope.*

This standard specifies general physical requirements for a vehicle identification number (VIN) and its installation to simplify vehicle information retrieval and to reduce the incidence of accidents by increasing the accuracy and efficiency of vehicle recall campaigns. Vehicles imported into the United States under 19 CFR 12.80(b)(1)(iii) are exempt from the requirements of sections 4.1, 4.2, and 4.7 of this standard.

S2. *Application.*

This standard applies to passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, incomplete vehicles and motorcycles.

S3. *Definitions.*

"Check digit" means a single number or the letter X used to verify the accuracy of the transcription of the vehicle identification number.

"Incomplete vehicle" means an assemblage consisting, as a minimum, of frame and chassis structure, power train, steering system, suspension system, and braking system, to the extent that those systems are to be part of the completed vehicle, that requires further manufacturing operations, other than the addition of readily attachable components, such as mirrors or tire and rim assemblies, or minor finishing operations such as painting, to become a completed vehicle.

"Vehicle identification number" means a series of arabic numbers and roman letters which is assigned to a motor vehicle for identification purposes.

S4. *Requirements.*

S4.1 The VIN shall consist of seventeen (17) characters.

S4.2 A check digit shall be part of each VIN. The check digit shall appear in position nine (9) of the VIN on the vehicle and on any transfer documents containing the VIN and prepared by the manufacturer to be given to the first owner for purposes other than resale.

S4.3 The VIN's of any two vehicles manufactured within a 30-year period shall not be identical.

S4.4 The VIN of each vehicle shall appear clearly and indelibly upon either a part of the vehicle other than the glazing that is not designed to be removed except for repair or upon a separate plate or label which is permanently affixed to such a part.

S4.5 The VIN for passenger cars, multipurpose passenger vehicles, and trucks of 10,000 pounds or less GVWR shall be located inside the passenger compartment. It shall be readable, without moving any part of the vehicle, through the vehicle glazing under daylight lighting conditions by an observer having 20/20 vision (Snellen) whose eye-point is located outside the vehicle adjacent to the left windshield pillar.

S4.6 Each vehicle manufactured in one stage shall have a VIN that is assigned by the manufacturer. Each vehicle manufactured in more than one stage shall have a VIN assigned by the incomplete vehicle manufacturer. Vehicle alterers, as specified in 49 CFR 567.7, shall utilize the VIN assigned by the original manufacturer of the vehicle.

S4.7 Each character in the VIN shall be one of the Arabic or Roman letters set forth in Table 1.

TABLE 1

Numbers:
1234567890
Letters:
ABCDEFGHJKLMNPRSTUVWXYZ

All spaces provided for in the VIN must be occupied by a character specified in Table 1.

S4.8 The type face utilized for the VIN shall consist of capital, san serif characters. Each character in the VIN shall have a minimum height of 4 mm.

[FR Doc. 82-25930 Filed 9-22-82; 8:45 am]
BILLING CODE 4910-59-M

49 CFR Part 571

[Docket No. 82-16; Notice 1]

Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The purpose of this notice is to propose an amendment to Safety Standard No. 108 that would allow installation of a modulating headlamp on motorcycles. Such a headlamp, whose use is currently not allowed, could improve conspicuity of a motorcycle and its operator during daylight. The proposal implements the agency's grant of a petition by Harley-Davidson Motor Co., Inc.

DATES: Comment closing date for the proposal is November 8, 1982. Effective date of an amendment would be 30 days after publication of the final rule in the Federal Register.

ADDRESSES: Comments should refer to the docket number and notice number of this notice and be submitted to: Docket Section, Room 5109, 400 Seventh Street, SW., Washington, D.C. 20590. (Docket hours are from 8 a.m. to 4 p.m., Monday through Friday.)

FOR FURTHER INFORMATION CONTACT: Marx Elliott, Office of Rulemaking, National Highway Traffic Safety Administration, Washington, D.C. 20590 (202-426-1714).

SUPPLEMENTARY INFORMATION: Paragraph S4.6(b) of Standard No. 108 requires headlamps to be steady burning when in use although allowing them to be flashed for signalling purposes. This allows cycles of activation and deactivation of the headlamp but it has not been interpreted as allowing cycles of varying intensity (modulation).

Harley-Davidson Motor Co., Inc. of Milwaukee, a manufacturer of motorcycles would like to introduce headlamp modulation as an option and petitioned the agency for an amendment to allow it. The agency has granted the petition. Under agency procedures (49 CFR 552.9(a)) the granting of a petition and the commencement of a rulemaking proceeding does not signify, however, that the standard will be amended. A decision as to the amendment of the standard is made on the basis of all available information developed in the course of the rulemaking proceeding, in accordance with statutory criteria.

In 1979, on behalf of the agency, the Highway Safety Research Institute evaluated various means of increasing the conspicuity of motorcycles and their operators (DOT-HS-805143). More than 30 types of conspicuity treatments were developed. Three principal means of improvement were found. One was the wearing by the cyclist of a high visibility vest and helmet cover. Another was continual operation of the low beam of the headlamp during daylight (it is now the practice of virtually all cycle manufacturers to wire the headlamp so that it is on when the engine is running). The third was a modulation of the headlamp from high beam to low beam three times per second. Data show that about 75 percent of motorcycle accidents occur in daytime. Therefore, enhancement of conspicuity is manifestly in the interests of motor vehicle safety. State legislatures have shown interest in allowing modulated headlamps on their highways, and NHTSA believes that cyclists should be afforded an option to choose this type headlamp.

The proposal would amend what is presently designated as S4.6 to allow a normally steady burning motorcycle headlamp to be wired to modulate on the upper beam from higher to lower intensity at a pulse rate from 150 to 240 cycles per minute. S4.6 specifies which lamps are to be steady burning and which may flash. Since those requirements relate to wiring, it is proposed to renumber this section S4.5.8, since paragraph S4.5 contains all the standard's other specific wiring requirements for lighting equipment. S4.7 would then be renumbered S4.6.

The agency is particularly interested in comments from States, and from individuals who have used these lamps, with emphasis on whether there is a potential for misuse, such as the likelihood of use of the modulating mode under conditions such as inclement weather or dusk when the steady-burning mode is required for safety, or inadvertently by novice motorcyclists or others unfamiliar with this type of headlamp system.

NHTSA has considered the impacts of this proposal and has determined that it is neither major within the meaning of Executive Order 12291 nor significant under Department of Transportation guidelines regarding regulatory policy and procedure. The proposal will have an impact only on those who voluntarily choose to produce and buy an alternative headlamp. Because the modulating headlamp will not be required but simply an option to a standard motorcycle headlamp, there will be no mandatory increased manufacturing costs connected with this proposal. The cost to the consumer who wishes to purchase a headlamp with a modulating switch could be as much as $60. The impacts are so minimal that preparation of a regulatory impact analysis or a full regulatory evaluation is not warranted.

NHTSA has analyzed this proposal for the purposes of the National Environmental Policy Act, and has determined that it would not have a significant effect on the human environment since neither the weight nor quantity of materials used in the manufacture of the lamps is greatly affected. The agency has also considered the impacts of this proposal in relation to the Regulatory Flexibility Act, and certifies that this proposal would not have a significant economic impact on a substantial number of small entities. Accordingly, the agency has not prepared a flexibility analysis. Manufacturers of motorcycle headlamps, those affected by the proposal, are generally not small businesses within the meaning of the Regulatory Flexibility Act. Further, compliance with the proposed changes would be optional. Small organizations and governmental jurisdictions would be affected only to the extent that law enforcement agencies chose to purchase motorcycles with modulating headlamps.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must be limited not to exceed 15 pages in length. Necessary attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of

confidentiality, three copies of the complete submission, including purportedly confidential information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. Any claim of confidentiality must be supported by a statement demonstrating that the information falls within 5 U.S.C. 552(b)(4), and that disclosure of the information is likely to result in substantial competitive damage; specifying the period during which the information must be withheld to avoid that damage; and showing that earlier disclosure would result in that damage. In addition, the commenter or, in the case of a corporation, a responsible corporate official authorized to speak for the corporation must certify in writing that each item for which confidential treatment is requested is in fact confidential within the meaning of section 552(b)(4) and that a diligent search has been conducted by the commenter or its employees to assure that none of the specified items has previously been disclosed or otherwise become available to the public.

All comments received before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose, in the envelope with their comments, a self addressed stamped postcard. Upon receiving the comments, the docket supervisor will return the postcard by mail.

The engineer and attorney primarily responsible for this notice are Marx Elliott and Taylor Vinson, respectively.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Motor vehicle equipment, Lamps—reflective devices and associated equipment.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

In consideration of the foregoing, it is proposed that 49 CFR 571.108 be amended as follows:

§ 571.108 [Amended]

1. Paragraph S4.6 would be retitled S4.5.8 and revised to read:

S4.5.8 The wiring requirements for lighting equipment in use are:

(a) Turn signal lamps, hazard warning signal lamps, and school bus warning lamps shall be wired to flash;

(b) Headlamps and side marker lamps may be wired to flash for signaling purposes;

(c) A motorcycle headlamp may be wired to be both steady burning and to modulate its upper beam from a higher intensity to a lower intensity at any rate between 150 and 240 pulses per minute;

(d) All other lamps shall be wired to be steady burning.

2. Paragraphs S4.7, S4.7.1 and S4.7.2 would be renumbered "S4.6", "S4.6.1" and "S4.6.2" respectively.

3. The reference in S4.7.2 to "S4.7.1" would be changed to "S4.6.1".

(Secs. 103, 119, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.50 and 501.8)

Issued on September 20, 1982.

Courtney M. Price,

Associate Administrator for Rulemaking.

[FR Doc. 82–26284 Filed 9–22–82; 8:45 am]

BILLING CODE 4910–59–M

Notices

Federal Register
Vol. 47, No. 185
Thursday, September 23, 1982

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

DEPARTMENT OF AGRICULTURE

Forest Service

Stanislaus National Forest, Alpine County, Calif.; Change of dates in Original Notice of Intent To Prepare an Environmental Statement

The Notice of Intent for preparation of an environmental impact statement for expansion of the Mt. Reba Ski Area was published in the **Federal Register** on Friday, October 30, 1981. At that time it was anticipated the draft impact statement would be available for public review in September 1982, with the final statement to be completed in January 1983. These dates are being changed. The draft will be available for public review in June 1983 and the final will be completed by April 1984.

Blaine L. Cornell,

Forest Supervisor.

[FR Doc. 82-26226 Filed 9-22-82; 8:45 am]

BILLING CODE 3410-11-M

COMMISSION ON CIVIL RIGHTS

Arizona Advisory Committee; Agenda and Notice of Public 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 Arizona Advisory Committee to the Commission will convene at 9:00 a.m., on October 28, 1982 and will adjourn at 12:00 p.m., on October 29, 1982, at the Phoenix Civic Plaza, 225 East Adams, in room N-10, Phoenix, Arizona, 85004. The Committee will conduct a factfinding meeting to gather information on civil rights issues pertaining to minorities and women in the State of Arizona.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Dr. Morrison F. Warren, 1061 East Magdalena Drive, Tempe, Arizona, 85283, (602) 965-6529 or the Western Regional Office, 3660 Wilshire Boulevard, Suite 810, Los Angeles, California, 90010, (213) 688-3437.

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

Dated at Washington, D.C., September 17, 1982.

John I. Binkey,

Advisory Committee Management Officer.

[FR Doc. 82-26166 Filed 9-22-82; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket No. 1-81]

Application for Expansion of Foreign-Trade Zone 62 (Brownsville Customs Port of Entry); Withdrawal Approved

Notice is hereby given that the Brownsville Navigation District, Grantee of Foreign-Trade Zone No. 62, Brownsville, has requested withdrawal of the application to expand its zone, filed with the Foreign-Trade Zones Board on January 5, 1981 (Docket No. 1-81). The reason is that the proposal is no longer appropriate because of a more current and comprehensive application (Docket No. 15-82) for expansion filed on July 26, 1982 (47 FR 35266, 8/13/82).

The withdrawal has been approved and the case is considered closed effective September 15, 1982.

Dated: September 17, 1982.

John J. Da Ponte, Jr.,

Executive Secretary, Foreign-Trade Zones Board.

[FR Doc. 82-26246 Filed 9-22-82; 8:45 am]

BILLING CODE 3510-25-M

[Order No. 200]

Resolution and Order Approving the Application of the City of San Antonio, Tex., for a Foreign-Trade Zone in San Antonio and Bexar County, Within the San Antonio Customs Port of Entry

Proceedings of the Foreign-Trade Zones Board, Washington, D.C.

Resolution and Order

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board has adopted the following Resolution and Order:

The Board, having considered the matter, hereby orders:

After consideration of the application of the City of San Antonio, Texas, filed with the Foreign-Trade Zones Board (the Board) of February 1, 1982, requesting a grant of authority for establishing, operating, and maintaining a general-purpose foreign-trade zone in San Antonio and Bexar County, within the San Antonio Customs port of entry, the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the application.

As the proposal involves open space on which buildings may be constructed by parties other than the grantee, this approval includes authority to the grantee to permit the erection of such buildings, pursuant to Section 400.815 of the Board's regulations, as are necessary to carry out the zone proposal, providing that prior to its granting such permission it shall have the concurrences of the local District Director of Customs, the U.S. Army District Engineer, when appropriate, and the Board's Executive Secretary. Further, the grantee shall notify the Board's Executive Secretary for approval prior to the commencement of any manufacturing operation within the zone. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized to issue a grant of authority and appropriate Board Order.

Foreign-Trade Zones Board, Washington, D.C.

Grant To Establish, Operate, and Maintain a Foreign-Trade Zone in San Antonio, Texas

Whereas, by an Act of Congress approved June 18, 1934, an Act "To provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized and empowered to grant to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under the jurisdiction of the United States;

Whereas, the City of San Antonio, Texas (the Grantee), has made application (filed February 1, 1982) in due and proper form to the Board, requesting the establishment, operation, and maintenance of a foreign-trade

zones at three sites in San Antonio and Bexar County, Texas, within the San Antonio Customs port of entry;

Whereas, notice of said application has been given and published, and full opportunity has been afforded all interested parties to be heard; and,

Whereas, the Board has found that the requirements of the Act and the Board's regulations (15 CFR Part 400) are satisfied;

Now, Therefore, the Board hereby grants to the Grantee the privilege of establishing, operating, and maintaining a foreign-trade zone, designated on the records of the Board as Zone No. 80 at the locations mentioned above and more particularly described on the maps and drawings accompanying the application in Exhibits IX and X, subject to the provisions, conditions, and restrictions of the Act and the regulations issued thereunder, to the same extent as though the same were fully set forth herein, and also to the following express conditions and limitations:

Operation of the foreign-trade zone shall be commence by the Grantee within a reasonable time from the date of issuance of the grant, and prior thereto the Grantee shall obtain all necessary permits from Federal, State, and municipal authorities.

The Grantee shall allow officers and employees of the United States free and unrestricted access to and throughout the foreign-trade zone site in the performance of their official duties.

The Grantee shall notify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operations within the zone.

The grant shall not be construed to relieve the Grantee from liability for injury or damage to the person or property of others occasioned by the construction, operation, or maintenance of said zone, and in no event shall the United States be liable therefor.

The grant is further subject to settlement locally by the District Director of Customs and the Army District Engineer with the Grantee regarding compliance with their respective requirements for the protection of the revenue of the United States and the installation of suitable facilities.

In Witness Whereof, the Foreign-Trade Zones Board has caused its name to be signed and its seal to be affixed hereto by its Chairman and Executive Officer at Washington, D.C. this 16th day of September 1982, pursuant to Order of the Board.

Foreign-Trade Zones Board.

Malcolm Baldrige,

Chairman and Executive Officer.

Attest:

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 82-26247 Filed 9-22-82; 8:45 am]

BILLING CODE 3510-25-M

International Trade Administration

Chain of Iron or Steel From Japan; Preliminary Results of Administrative Review of Countervailing Duty Order

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of countervailing duty order.

SUMMARY: The Department of Commerce has conducted an administrative review of the countervailing duty order on chain of iron or steel from Japan. The review covers the period January 1, 1981 through December 31, 1981. As a result of this review, the Department has preliminarily determined the amount of the net subsidy to be 1.95 percent of the f.o.b. invoice price of the merchandise. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: September 23, 1982.

FOR FURTHER INFORMATION CONTACT: Joseph A. Black or Richard W. Moreland, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202, 377-1774/2786).

SUPPLEMENTARY INFORMATION:

Background

On May 24, 1982, the Department of Commerce ("the Department") published in the **Federal Register** (47 FR 22391) the final results of its first administrative review of the countervailing duty order on chain of iron or steel from Japan (43 FR 37685) and announced its intent to conduct the next administrative review by the end of August 1982. As required by section 751 of the Tariff Act of 1930 ("the Tariff Act"), the Department has now conducted that administrative review.

Scope of the Review

The merchandise covered by the review is chain of iron or steel, the links of which are essentially round in cross section, and parts thereof. This merchandise is currently classifiable under items 652.2410 through .2450, 652.2710 through .2740, 652.3010 through .3040, 652.3310 thorugh .3330 and 652.3510 through .3530 of the Tariff Schedules of the United States Annotated.

The review covers the period January 1, 1981 through December 31, 1981. The program covered by this review is tax deferrals on funds held in the Overseas Market Development Reserve.

Analysis of Programs

The Government of Japan has not responded to our questionnaire on the status of benefits bestowed on the covered merchandise under this program during the review period. Therefore, the Department is using the subsidy calculated during our previous administrative review as the best information available.

Preliminary Results of Review

As a result of our review, we preliminarily determine that the net subsidy conferred by the program cited above is 1.95 percent *ad valorem*. Accordingly, the Department intends to instruct the Customs Service to assess countervailing duties of 1.95 percent of the f.o.b. invoice price on the merchandise exported during the period January 1, 1981, through December 31, 1981.

Further, the Department intends to instruct the Customs Service to collect a cash deposit of esitmated countervailing duties of 1.95 percent on all shipments of this merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of the current review. This deposit requirement shall remain in effect until publication of the final results of the next administrative review.

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 request for an administrative protective order must be made no later than 5 days after the date of publication. The Department will publish the final results of this administrative review including the results of its analysis of issues raised in written comments or at a hearing.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1))

and § 355.41 of the Commerce Regulations (19 CFR 355.41).

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

September 30, 1982.

[FR Doc. 82-26245 Filed 9-22-82; 8:45 am]
BILLING CODE 3510-25-M

Instant Potato Granules From Canada; Preliminary Results of Administrative Review of Antidumping Finding and Intent To Revoke in Part

AGENCY: International Trade Administration, Commerce.

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 instant potato granules from Canada. The review covers the three known exporters of this merchandise to the United States and generally the period October 1, 1980 through September 30, 1981. The review indicates the existence of dumping margins for two of the firms reviewed and no shipments for the third firm.

As a result of this review, the Department has preliminarily determined to assess dumping duties for the two firms based on the best information available. The response by one of the firms was inadequate and that by the other was untimely, incomplete and not properly summarized. The Department intends to revoke the finding with respect to the third firm. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: September 23, 1982.

FOR FURTHER INFORMATION CONTACT: Dennis U. Askey or David R. Chapman, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-2923).

SUPPLEMENTARY INFORMATION:

Background

On November 30, 1981, the Department of Commerce ("the Department") published in the **Federal Register** (46 FR 55297-8) the preliminary results of its first administrative review of, and tentative determination to revoke in part, the antidumping finding on instant potato granules from Canada. For Carnation, Inc., the firm covered by the tenative determination, the review covered the period January 1, 1974 through September 30, 1980. On May 11, 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 September 1982 (47 FR 20170-1). 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 instant potato granules from Canada, currently classifiable under items 140.5000, 140.7000, and 141.8610 through 141.8630 of the Tariff Schedules of the United States Annotated (TSUSA).

The review covers the three known exporters of Canadian instant potato granules to the United States and the period October 1, 1980 through September 30, 1981. In addition, we have reviewed for one of the three firms, Carnation, Inc., the period October 1, 1981 through November 30, 1981, the date of publication of the Department's tenative determination to revoke with regard to this firm.

The Department received an inadequate response from one of the firms, Vauxhall Foods, Ltd. ("Vauxhall"). Another firm, McCain Foods, Ltd. ("McCain"), provided an untimely response that was both incomplete and not accompanied by a proper non-confidential summary as required by section 353.28(a) of the Commerce Regulations. Therefore, for Vauxhall and McCain we used the best information available to determine the assessment and estimated duty deposit rates. The best information available is the most recent rate for each firm.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that the following margins exist:

Manufacturer/exporter	Time period	Margin (percent)
Carnation	Oct. 1, 1980 to Nov. 30, 1981	0
McCain	Oct. 1, 1980 to Sept. 30, 1981	8.7
Vauxhall	do	38.5

[1] No shipments during the period.

As provided for in § 353.54(e) of the Commerce Regulations, Carnation has agreed in writing to an immediate suspension of liquidation and reinstatement of the finding if circumstances develop which indicate that instant potato granules produced by Carnation and thereafter imported into the United States are being sold by it at less than fair value.

Intent To Revoke in Part

As a result of our review we intend to revoke the finding on instant potato granules from Canada with regard to Carnation. If the finding is revoked with regard to Carnation it shall apply to unliquidated entries of instant potato granules exported by Carnation entered, or withdrawn from warehouse, for consumption on or after November 30, 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 or the first workday 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 shall determine, and the U.S. Customs Service shall assess, dumping duties on all appropriate entries made with purchase dates during the time period involved. The Department will issue assessment instructions on each exporter directly to the Customs Service.

Further, as provided for in § 353.48(b) of the Commerce Regulations, a cash deposit of estimated antidumping duties based on the above margin for each firm shall be required on all shipments of Canadian instant potato granules from the remaining firms entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

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.

September 17, 1982.

[FR Doc. 82-26244 Filed 9-22-82; 8:45 am]

BILLING CODE 3510-25-M

Preliminary Affirmative Countervailing Duty Determination; Pectin From Mexico

AGENCY: International Trade Administration, Commerce.

ACTION: Preliminary affirmative countervailing duty determination.

SUMMARY: We preliminarily determine that certain benefits which constitute bounties or grants within the meaning of the countervailing duty law are being provided to manufacturers, producers, or exporters in Mexico of pectin as described in the "Scope of the Investigation" section of this notice. The estimated net subsidy is 8.353 percent *ad valorem.* Therefore, we are directing the U.S. Customs Service to suspend liquidation of all entries of the product subject to this determination which are entered, or withdrawn from warehouse, for consumption, and to require a cash deposit or bond on pectin in the amount equal to the estimated net subsidy. If this investigation proceeds normally, we will make our final determination by December 1, 1982.

EFFECTIVE DATE: September 23, 1982.

FOR FURTHER INFORMATION CONTACT: Mary A. Martin, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 377-1276.

SUPPLEMENTARY INFORMATION:

Preliminary Determination

Based upon our investigation, we preliminarily determine that there is reason to believe or suspect that the government of Mexico provides certain benefits which constitute bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (the Act), to manufacturers, producers, or exporters in Mexico of pectin as described in the "Scope of Investigation" section of this notice.

We estimate the net subsidy to be 8.353 percent *ad valorem.*

Case History

On June 24, 1982, we received a petition from Hercules, Inc. of Wilmington, Delaware, on behalf of the U.S. industry producing pectin. The petition alleged that certain benefits which constitute bounties or grants within the meaning of section 303 of the Act are being provided, directly or indirectly, to the manufacturer, producer, or exporter of pectin in Mexico.

Since Mexico is not a "country under the Agreement" within the meaning of section 701(b) of the Act, and pectin is dutiable, the domestic industry is not required to allege that, and the U.S. International Trade Commission (ITC) is not required to determine whether, imports of this product cause or threaten material injury to the U.S. industry in question.

We reviewed the petition, and on July 12, 1982, determined that an investigation should be initiated (47 FR 31414).

We presented a questionnaire concerning the allegations to the government of Mexico at its embassy in Washington, D.C. On August 27, 1982, we received a partial response to the questionnaire. Additional information was supplied on September 7 and 9, 1982. We are considering the government of Mexico's request that the response be classified pursuant to Executive Order 12356 (effective August 1, 1982).

Scope of the Investigation

The merchandise covered by this investigation is pectin from Mexico. The merchandise is currently classifiable under *Tariff Schedules of the United States* item number 455.04. Pectin is used as an ingredient in food and drugs. In food, pectin is used principally as a jelling agent for jams, jellies, and confectionary and as an ingredient in dairy products.

Pectina de Mexico, S.A. (Pectina) is the only known producer in Mexico of pectin. The period for which we are measuring subsidization is the first half of 1982.

Analysis of Programs

Based upon our analysis to date of the petition and the response to our questionnarie, we preliminarily determine the following.

I. Program Preliminarily Determined to be a Bounty or Grant

We preliminarily determine that bounties or grants are being provided to Pectina, the manufacturer, producer and exporter of pectin in Mexico, under preferential financing programs.

The Fund for the Promotion of Exports of Mexican Manufactured Products (FOMEX) is a trust established by the government of Mexico to promote the manufacture and sale of exported products. The fund is administered by the Mexican Treasury Department, with the Bank of Mexico (Mexico's central bank) acting as the trustee. The Bank of Mexico administers the financing of FOMEX loans through financial institutions which establish contracts for lines of credit with manufacturers and exporters.

In order for a company to be eligible for FOMEX financing for exports, the following requirements must be met: (1) The product to be manufactured must be included on a list made public by FOMEX; (2) the articles to be exported must have a minimum of 30 percent national content in direct production costs; (3) loans granted for pre-export must be in Mexican currency, while loans for export sales are established in U.S. dollars or any other foreign currency acceptable to the Bank of Mexico; and (4) the exporter must carry insurance against commercial risks to the extent of the loans. We found that the maximum annual interest rate that credit institutions may charge borrowers for FOMEX pre-export financing is 8 percent in Mexican pesos. The maximum annual interest rate for FOMEX export financing is 6 percent in the currency of the country of importation.

The government of Mexcio's response indicated that Pectina received pre-exprt and export financing FOMEX loans. The response provides no information on the commercial rate of interest in Mexico for short term peso and dollar-denominated loans. On the basis of the best information available, we have used a national average commerical rate of interest in Mexico for peso loans and the average company rate received from non-FOMEX dollar-denominated loans in the litharge, red lead and lead stabilizers from Mexico preliminary affirmative countervailing duty determinations of September 15, 1982.

We have preliminarily determined that during the first six months of 1982, comparable peso-denominated loans were available at 46.95 percent, and comparable dollar-denominated loans were available at 17.16 percent.

For those FOMEX loans obtained by Pectina during the period January 1, 1982–June 30, 1982, we computed the difference in interest expense between the FOMEX loans and that which would have been incurred had the loans been made at commercial rates. We allocated this amount over the value of total exports during the same period in the case of pre-export financing loans, and over the value of exports to the U.S.

during the same period in the case of export financing loans.

We have preliminarily determined the net amount of the benefit rate for loans granted for pre-exports to be 4.757 percent *ad valorem* and the net amount of the benefit rate for export financing to be 3.596 percent *ad valorem*, for a total subsidy under the program of 8.353 percent *ad valorem*.

II. Programs Preliminarily Determined Not To Be Utilized

We preliminarily determine that the programs listed below which were described in the notice of "Initiation of Countervailing Duty Investigation" are not being utilized by Pectina for the manufacture, production, or exportation of pectin to the United States.

A. The CEDI Program

The Certificado de Devolucion de Impuesto (CEDI) is a tax certificate issued by the government of Mexico in an amount equal to a percentage of the f.o.b. value of the exported merchandise or, if national insurance and transportation are utilized, a percentage of the c.i.f. value of the exported product. The Secretary of Commerce of Mexico is responsible for setting the CEDI rate, which is not published. Exporters are required to apply for each CEDI by providing to the Ministry of Commerce (SECOM) documentation with respect to each individual shipment of qualifying exports. SECOM processes the application and, on approval, instructs the Ministry of Treasury (TESORERIA) to issue the CEDIs in the amount specified. The CEDIs are non-transferable and may be applied against a wide range of federal tax liabilities (including payroll taxes, value added taxes, federal income taxes, and import duties) over a period of five years from the date of issuance.

The government of Mexico's response states that it discontinued the eligibility of pectin for CEDI tax rebates by an Executive Order published in the *Diario Oficial de la Federacion* (Official Gazette) on August 25, 1982. The order abrogates prior Executive Orders which contained the lists of products eligible to receive CEDI certificates. Discontinuance of the CEDI was effective one day after publication of the Executive Order in the *Diario Oficial*.

B. The CEPROFI Program

In 1979, the government of Mexico introduced a four-year National Industrial Development Plan (NIDP) which spells out broad economic goals for the country. Tax credits, which are called Certificates of Fiscal Promotion (CEPROFI), are used to promote the NIDP goals, which include increased employment, regional decentralization, industrial development, the promotion of small and medium sized firms, and the promotion of exports.

CEPROFI certificates are similar to CEDI certificates; both are non-transferable tax certificates of a set value which may be used for a five-year period to pay federal taxes. CEPROFI certificates are granted for carrying out investments in "priority" industrial activities. The amount of the CEPROFI is based upon the location of the activity, the number of jobs generated, the value of the investments in new plants and equipment, or the value of the purchase of capital goods produced in Mexico.

The response states that Pectina neither received nor applied for CEPROFI certificates during the periods of calendar year 1981 and January–March 1982.

Verification

In accordance with Section 776(a) of the Act, we will verify all the information used in making our final determination.

Suspension of Liquidation

In accordance with section 703 of the Act, we are directing the U.S. Customs Service to suspend liquidation of all entries of pectin from Mexico which are entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice in the **Federal Register**, and to require a cash deposit or bond, for each such entry of the merchandise in the amount of 8.353 percent *ad valorem*.

This suspension will remain in effect until further notice.

Public Comment

In accordance with section 355.35 of the Commerce Department Regulations, if requested, we will hold a public hearing to accord interested parties an opportunity to comment on this preliminary determination at 10 a.m. on October 19, 1982, at the U.S. Department of Commerce, Room 3104, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Individuals who wish to participate in the hearing must submit a request to the Deputy Assistant Secretary for Import Administration, Room 3099B, at the above address within ten days of this notice's publication. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; (3) the reason for attending; and (4) a list of the issues to be discussed. In addition, prehearing briefs must be submitted to the Deputy Assistant Secretary by October 12, 1982. Oral presentations will be limited to issued raised in the briefs. All written views should be filed in accordance with 19 CFR 355.34, within thirty days of this notice's publication, at the above address and in at least ten copies.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

September 17, 1982.

[FR Doc. 82-26243 Filed 9-22-82; 8:45 am]

BILLING CODE 3510-25-M

Preliminary Affirmative Countervailing Duty Determination; Polypropylene Film From Mexico

AGENCY: International Trade Administration, Commerce.

ACTION: Preliminary affirmative countervailing duty determination.

SUMMARY: We preliminarily determine that certain benefits which constitute bounties or grants within the meaning of the countervailing duty law are being provided to manufacturers, producers, or exporters in Mexico of polypropylene film, as described in the "Scope of the Investigation" section of this notice. The estimated net subsidy is 5.945 percent *ad valorem*. Therefore, we are directing the U.S. Customs Service to suspend liquidation of all entries of the product subject to this determination which are entered, or withdrawn from warehouse, for consumption, and to require a cash deposit or bond on polypropylene film in the amount equal to the estimated net subsidy. If this investigation proceeds normally, we will make our final determination by December 1, 1982.

EFFECTIVE DATE: September 23, 1982.

FOR FURTHER INFORMATION CONTACT: Mary A. Martin, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 377–1276.

SUPPLEMENTARY INFORMATION:

Preliminary Determination

Based upon our investigation, we preliminarily determine that there is reason to believe or suspect that the government of Mexico provides certain benefits which constitute bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended (the Act), to manufacturers, producers, or exporters in Mexico of polypropylene film as described in the "Scope of the Investigation" section of this notice.

We estimate the net subsidy to be 5.945 percent *ad valorem*.

Case History

On June 24, 1982, we received a petition from Hercules, Inc. of Wilmington, Delaware, on behalf of the U.S. industry producing polypropylene film. The petition alleged that certain benefits which constitute bounties or grants within the meaning of section 303 of the Act are being provided, directly or indirectly, to the manufacturers, producers, or exporters of polypropylene film in Mexico.

Since Mexico is not a "country Under the Agreement" within the meaning of section 701(b) of the Act, section 303 of the Act applies to this investigation. Because the merchandise is nondutiable and there is no "international obligation" within the meaning of section 303(a)(2) of the Act which requires an injury determination for nondutiable merchandise from Mexico, the domestic industry is not required to allege that, and the U.S. International Trade Commission is not required to determine whether, imports of this product cause or threaten material injury to a U.S. industry. We reviewed the petition, and on July 12, 1982, determined that an investigation should be initiated (47 FR 31414).

We presented a questionnaire concerning the allegations to the government of Mexico at its embassy in Washington, D.C. On August 30, 1982, we received a partial response to the questionnaire. Additional information was supplied on September 7 and 9, 1982. We are considering the government of Mexico's request that the response be classified pursuant to Executive Order 12356 (effective August 1, 1982).

Scope of the Investigation

The merchandise covered by this investigation is polypropylene film, which is a thin transparent film made from polypropylen resin. It is currently provided for in items 774.5590 and 771.4316 of the *Tariff Schedules of the United States Annotated*.

Polypropylene film is used for packaging a wide variety of articles and in the manufacture of pressure sensitive packaging tape, dielectric material in electrical capacitors, and for wrapping power and communication cables.

The period for which we are measuring subsidization is the first half of 1982.

Analysis of Programs

Based upon our analysis to date of the petition and the response to our questionnaire, we preliminarily determine the following.

I. Programs Preliminarily Determined To Be Bounties or Grants

We preliminarily determine that bounties or grants are being provided to manufacturers, producers, or exporters in Mexico of polypropylene film under the programs listed below.

A. The CEPROFI Program

In 1979, the government of Mexico introduced a four-year National Industrial Development Plan (NIDP) which spells out broad economic goals for the country. Tax credits, which are called Certificates of Fiscal Promotion (CEPROFI), are used to promote the NIDP goals, which include increased employment, regional decentralization, industrial development, the promotion of small and medium sized firms, and the promotion of exports.

CEPROFI certificates are non-transferable tax certificates of a set value which may be used for a five-year period to pay federal taxes. CEPROFI certificates are granted for carrying out investments in "priority" industrial activities. The amount of the CEPROFI is based upon the location of the activity, the number of jobs generated, the value of the investments in new plants and equipment, or the value of the purchase of capital goods produced in Mexico.

The Department has preliminarily determined that the government of Mexico is providing bounties or grants to its manufacturers, producers, and exporters of polypropylene film under the CEPROFI program. We have allocated the countervailable CEPROFI benefits received in the first six months of 1982 over the total production of polypropylene film during that period, which results in a net subsidy of 4.906 percent *ad valorem*.

B. Preferential Financing Programs

The Fund for the Promotion of Exports of Mexican Manufactured Products (FOMEX) is a trust established by the government of Mexico to promote the manufacture and sale of exported products. The fund is administered by the Mexican Treasury Department, with the Bank of Mexico (Mexico's central bank) acting as the trustee. The Bank of Mexico administers the financing of FOMEX loans through financial institutions which establish contracts for lines of credit with manufacturers and exporters. In order for a company to be eligible for FOMEX financing for exports, the following requirements must be met: (1) The product to be manufactured must be included on a list made public by FOMEX; (2) the articles to be exported must have a minimum of 30 percent national content in direct production costs; (3) loans granted for pre-export must be in Mexican currency, while loans for export sales are established in U.S. dollars or any other foreign currency acceptable to the Bank of Mexico; and (4) the exporter must carry insurance against commercial risks to the extent of the loans. We found that the maximum annual interest rate that credit institutions may charge borrowers for FOMEX pre-export financing is 8 percent in Mexican pesos. The maximum annual interest rate for FOMEX export financing is 6 percent in the currency of the country of importation.

The government of Mexico's response indicated that one manufacturer and exporter of polypropylene film received pre-export and export financing FOMEX loans. The response included information on some U.S. loans received by the Mexican manufacturer and exporter. The response provided no information on the commercial rate of interest in Mexico for short term peso and dollar-denominated loans. On the basis of the best information available, we have used a national average commercial rate of interest in Mexico for peso loans and the average company rate received for all non-FOMEX dollar-denominated loans in the litharge, red lead and lead stabilizers from Mexico preliminary affirmative countervailing duty determinations of September 15, 1982.

We have preliminarily determined that during the first six months of 1982, comparable peso-denominated loans were available at 46.95 percent, and comparable dollar-denominated loans were available at 17.16 percent. For those FOMEX loans obtained by the manufacturer during the period January 1, 1982–June 30, 1982, we computed the difference in interest expense between the FOMEX loans and that which would have been incurred had the loans been made at commercial rates. We allocated this amount over the value of total exports during the same period in the case of pre-export financing loans, and over the value of exports to the U.S. during the same period in the case of export financing loans.

We have preliminarily determined the net amount of the benefit rate for loans granted for pre-exports to be 0.408 percent *ad valorem* and the net amount of the benefit rate for export financing to be 0.631 percent *ad valorem*, for a total subsidy under the program of 1.039 percent *ad valorem*.

II. Program Preliminarily Determined Not To Be Utilized

We preliminarily determined that the Certificado de Devolucion de Impuesto (CEDI) program which was described in the notice of "Initiation of Countervailing Duty Investigation" is not utilized by the manufacturers, producers, or exporters in Mexico of polypropylene film.

The CEDI is a tax certificate issued by the government of Mexico in an amount equal to a percentage of the f.o.b. value of the exported merchandise or, if national insurance and transportation are utilized, a percentage of the c.i.f. value of the exported product. The Secretary of Commerce of Mexico is responsible for setting the CEDI rate, which is not published. Exporters are required to apply for each CEDI by providing to the Ministry of Commerce (SECOM) documentation with respect to each individual shipment of qualifying exports. SECOM processes the application and, on approval, instructs the Ministry of Treasury (TESORERIA) to issue the CEDIs in the amount specified. The CEDIs are non-transferable and may be applied against a wide range of federal tax liabilities (including payroll taxes, value added taxes, federal income taxes, and import duties) over a period of five years from the date of issuance.

The government of Mexico's response states that it discontinued the eligibility of polypropylene film for CEDI tax rebates by an Executive Order published in the *Diario Oficial de la Federacion* (Official Gazette) on August 25, 1982. The order abrogates prior Executive Orders which contained the lists of products eligible to receive CEDI certificates. Discontinuance of the CEDI was effective one day after publication of the Exective Order in the *Diario Oficial.*

Verification

In accordance with section 776(a) of the Act, we will verify all the information used in making our final determination.

Suspension of Liquidation

In accordance with section 703 of the Act, we are directing the U.S. Customs Service to suspend liquidation of all entries of polypropylene film from Mexico which are entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice in the **Federal Register**, and to require a cash deposit or bond, for each entry of the merchandise in the amount of 5.945 percent *ad valorem.*

This suspension will remain in effect until further notice.

Public Comment

In accordance with section 355.35 of the Commerce Department Regulations, if requested, we will hold a public hearing to afford interested parties an opportunity to comment on this preliminary determination at 10 a.m. on October 20, 1982, at the U.S. Department of Commerce, Room 1851, 14th Street and Constitution Avenue N.W. Washington, D.C. 20230. Individuals who wish to participate in the hearing must submit a request to the Deputy Assistant Secretary for Import Administration, Room 3099B, at the above address within ten days of this notice's publication. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; (3) the reason for attending; and (4) a list of the issues to be discussed. In addition, prehearing briefs must be submitted to the Deputy Assistant Secretary by October 13, 1982. Oral presentations will be limited to issues raised in the briefs. All written views should be filed in accordance with 19 CFR 355.34, within thirty days of this notice's publication, at the above address and in at least ten copies.

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

September 17, 1982.

[FR Doc. 82-26242 Filed 9-22-82; 8:45 am]

BILLING CODE 3510-25-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

September 13, 1982.

The USAF Scientific Advisory Board Ad Hoc Committee on Advanced Technology Fighters will meet at Nellis AFB, NV, on October 18–19, 1982. The purpose of the meeting will be to review USAF activities in design of advanced technology airplanes. The meeting will convene at 9:00 a.m. and adjourn at 5:30 p.m. on the 18th and will convene at 9:00 a.m. and adjourn at 3:30 p.m. on the 19th.

The meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly, will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at 697–4648.

Winnibel F. Holmes,

Air Force Federal Register Liaison Officer.

[FR Doc. 82-26223 Filed 9-22-82; 8:45 am]

BILLING CODE 3910-01-M

USAF Scientific Advisory Board; Meeting

September 13, 1982.

The USAF Scientific Advisory Board Weapons Panel will meet at the Sandia National Laboratory on October 20–21, 1982. The purpose of the meeting is to review the current programs and technology application that affect advanced tactical fighter designs. The meeting will convene at 8:00 a.m. on both days and adjourn at 4:00 p.m. on both days.

The meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly, will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at 697–4648.

Winnibel F. Holmes,

Air Force Federal Register Liaison Officer.

[FR Doc. 82-26222 Filed 9-22-82; 8:45 am]

BILLING CODE 3910-01-M

Department of the Navy

Final Notice of Decision to Construct New Steam Plant at Puget Sound Naval Shipyard, Bremerton, Washington

Pursuant to the regulations implementing the procedural provisions of the National Environmental Policy Act (NEPA) (§ 1505.2 of Title 40, Code of Federal Regulations), the Department of the Navy announces its decision to construct a central, coal-fired steam plant onsite, at the Puget Sound Naval Shipyard (PSNS), Bremerton, Washington.

PSNS is the largest ship-repair and overhaul facility on the West Coast. It is the only west coast facility with a drydock large enough to accommodate Forrestal and Enterprise-class carriers. The shipyard has a range of capabilities exceeding most other facilities, including the repair and overhaul of all ship types. PSNS also provides support to more than 20 tenant commands, the two largest being the Naval Supply Center and the Inactive Ship Maintenance Facility.

The purpose of the proposed action is to provide a reliable and improved-capability utilities system at PSNS.

Although steam would be the principal service provided, other utilities would include compressed air, emergency electrical generation, and pure-water systems. The shipyard utilizes steam as the basic source of heat energy for building space heating, hotel service to ships, and shipyard process uses, as well as to run turbine generators during test evolutions. PSNS currently generates the steam required to satisfy its process and heating demands onsite from multiple plants. There are no offsite sources of steam and/or equivalent thermal energy available for purchase by PSNS.

Four alternative scenarios were proposed for steam generation capability at PSNS. Those were: the preferred alternative, a central, coal-fired steam plant; central steam plant—multiple, oil-fired boilers; multiple, oil-fired satellite boiler plants; and no project.

The siting alternatives also considered alternative fuel sources pursuant to the Powerplant and Industrial Fuel Use Act of 1978 (FUA). All sites were located on-shipyard; no off-shipyard sites were considered feasible. The FUA requires industrial plants which are "major fuel-burning installations" (i.e., single boiler heat input rate in excess of 100 million BTU's/hour or combined rate of 250 million BTU's/hour) to utilize alternate energy resources. Alternative energy resources are fuel sources other than petroleum-derived products or natural gas. The purpose of FUA is to reduce our dependence on foreign oil by making better use of domestic fuel supplies. Thus, the alternative fuel sources considered for this project included coal, with provisions for conversion to use of waste or refuse-derived fuels and synthetic fuels, and oil, the fuel currently used for the existing steam plant. The oil-fired alternatives would also be able to be converted for use of synthetic fuels in the future.

The central steam plant will consist of three new coal-oil fired steam generators to be installed in a new steam plant located at the west end of the shipyard. Each boiler would be designed for stoker coal (low-sulfur) firing with No. 2 fuel oil as a backup source of fuel. The central steam plant will be designed to accommodate a fourth steam generator. The four steam generators would have the capacity to meet the ultimate projected needs of PSNS. The central steam plant will include emergency diesel generators. Additionally, the central steam plant is designed to accommodate a turbine room for steam electric generation at some future date. Air compressors would be installed at two locations within the shipyard, in the new central steam plant and in a new compressor building to be constructed. The plant aslo is designed for modification at a later date to permit the use of 50 percent refuse-derived fuel (RDF) mixed with coal, and liquid and/or solid synthetic fuels.

The following impact summary is based on currently available design information. Treated industrial and cooling wasterwaters from the plant will be discharged separately into either Sinclair Inlet or the City of Bremerton's wastewater treatment system. These discharges would have to meet applicable Washington State Water Quality Standards for thermal and dissolved oxygen criteria.

Since standards are set for both stack emissions as well as ambient air quality, alternatives studied could meet one set of criteria and not the other. The preferred alternative may require the filing of a Prevention of Significant Deterioration (PSD) application. Air quality standards would be met only with the use of pollution control equipment. Also, the preferred alternative would produce the greatest volume of fly ash, but less SO_2 than other arrangements studied. The preferred alternative would also create the largest amount of solid waste due to ash production.

The preferred alternative, due to the size of the facility and its close proximity to the PSNS west boundary, will have a greater impact on surrounding residential land uses than other alternatives studied. Additionally, the preferred alternative is closest to the USS MISSOURI historical site, and would have a visual impact on this historical site. However, it should be noted that the USS MISSOURI is still a Navy ship and is scheduled for reactivation.

Finally, since availability of the Final Environmental Impact Statement in March 1982, several minor changes to projected specifics have occurred. The FEIS was based on an expected building height of 110 feet, and a stack height of 250 feet. The current design calls for a building height of 120.5 feet and a stackheight of 300 feet. Also the building height over the boilers is expected to increase by 20–30 feet, but this will not affect the maximum building height.

The project also calls for tapping into the existing salt water system to cool the air compressors. The existing salt water intake capacity will not be changed. The base usage of salt water will decrease by 9.5 millions gallons/day (MGD) but the usage at one intake will increase by 1 MGD. Because of these changes, the State of Washington Department of Fisheries will not grant approval unless the Navy also modifies the salt water intakes. At present, the most likely changes appear to be modifying the intakes, using separate cooling towers for the air compressors, or negotiating a compromise with the Washington Department of Fisheries.

Dated: September 17, 1982.

F. N. Ottie,

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

[FR Doc. 82-26185 Filed 9-22-82; 8:45 am]

BILLING CODE 3810-AE-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER82-785-000]

Cincinnati Gas & Electric Co.; Filing

September 20, 1982.

Take notice that on September 7, 1982, the Cincinnati Gas & Electric Company (Cincinnati) tendered for filing a First Supplemental Agreement dated as of June 24, 1982 to the Agreement for Winter Capacity Reservation Service dated September 18, 1979 , between Cincinnati's Rate Schedule FERC No. 40.

Cincinnati states that the First Supplemental Agreement increases the capacity Charge for Winter Capacity Reservation Service from $3.75 per kilowatt per month to $5.50 per kilowatt per month and adds a provision for a Supplemental Demand Capactiy Charge at the same rate in the event the City's peak demand exceeds 86.956% of the net seasonal demonstrated capability of the City's installed generation. There is no estimate of increased revenues from the proposed charges since Winter Capacity Reservation Service transactions will occur only as load and capacity conditions dictate.

Cincinnati further states that the reason for the increase is to establish equitable rates for Winter Capacity Reservation Service for the City of Lebanon.

A copy of the filing was served upon the City of Lebanon and the Public Utilities Commission of Ohio.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed

on or before October 1, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26193 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-787-000]

Commonwealth Electric Co.; Filing

September 20, 1982.

Take Notice that on September 9, 1982, Commonwealth Electric Company (Commonwealth) tendered for filing, an implementation of its currently-effective Rate Schedule FERC No. 34 as initially accepted for filing by letter order of the Commission issued March 30, 1979 in Docket No. ER78-579.

Boston Edison Company, the party receiving service thereunder, wishes to abandon use and support of certain physical facilities used by Commonwealth to render the wheeling service contemplated by such Rate Schedule. Boston Edison Company has the right to so abandon upon payment to Commonwealth of its unrecovered cost of the facilities proposed to be abandoned. Commonwealth's filing in this docket constitutes the agreement between the parties as to the facilities to be abandoned by Boston Edison and Commonwealth's unrecovered costs thereof at the proposed abandonment date of May 31, 1982.

Copies of this filing have been served by Commonwealth upon Boston Edison Company and upon the Massachusetts Department of Public Utilities.

An person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.W., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214) All such motions or protests should be filed on or before October 5, 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. 82-26194 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-788-000]

Florida Power & Light Co.; Filing

September 20, 1982.

Take notice that on September 9, 1982, Florida Power & Light Company (FP&L) tendered for filing documents entitled Amendment Number Two, Amendment Number Three, Amendment Number Four and Amendment Number Five to Agreement to Provide Specified Transmission Service between FP&L and City of St. Cloud.

FP&L states that under Amendment Number Two FP&L will transmit power and energy for the City of St. Cloud (St. Cloud) as is required by St. Cloud in the implementation of its interchange agreement with the Utilities Commission, City of New Smyrna Beach.

Under Amendment Number Three FP&L will transmit power and energy for St. Cloud as is required by St. Cloud in the implementation of its interchange agreement with Lake Worth Utilities Authority.

Under Amendment Number Four FP&L will transmit power and energy for St. Cloud as is required by St. Cloud in the implementation of its interchange agreement with the City of Vero Beach.

Amendment Number Five updates the rates for transmission service provided by FP&L, bringing them in accord with the increased rates filed by the Commission on July 1, 1981, in *Florida Power & Light Company,* Docket No. ER81-588-000.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 5, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb.

Secretary.

[FR Doc.82-26195 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-781-000]

Idaho Power Co. Filing

September 20, 1982.

Take notice that on September 8, 1982, the Idaho Power Company (Idaho) tendered for filing in compliance with the Federal Energy Regulatory Commission's Order of October 7, 1978, a summary of sales made under the Company's 1st Revised FERC Electric Tariff, Volume No. 1 (Supersedes Original Volume No. 1) during July, 1982, along with cost justification for the rate charged. This filing includes the following supplements:

Utah Power & Light Company—Supplement 10
Montana Power Company—Supplement 10
Sierra Pacific Power Company—Supplement 8
Portland General Electric Company—Supplement 8
Pacific Power & Light Company—Supplement 8
City of Pasadena—Supplement 6
Los Angeles Department of Water & Power—Supplement 6
City of Glendale—Supplement 6
Southern California Edison Company—Supplement 7
City of Burbank—Supplement 6

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 1, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26196 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-397-000]

Midwestern Gas Transmission Co.; Informal Conference

September 20, 1982.

Take notice that an informal conference in the above captioned docket will be held on October 5, 1982, at 10:00 a.m. at the offices of the Federal Energy Regulatory Commission, 825 N. Capitol St. NE., Washington, D.C. 20426.

The informal conference is being called by the Commission Staff to discuss Midwestern Gas Transmission Company's (Midwestern) July 1, 1982, application pursuant to Section 7 of the Natural Gas Act for permission and approval to abandon its storage service to Peoples Gas Light and Coke Company (Peoples) and for a certificate of public convenience and necessity authorizing the use of the top gas capacity available for storage released by Peoples as system storage, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Customers and other interested persons will be permitted to attend but if such persons have not previously been permitted to intervene by order of the Commission, attendance will not be deemed to authorize intervention as a party in this proceeding.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26197 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER81-645-000 and ER81-646-000]

New England Power Co.; Refund Report

September 20, 1982.

Take notice that on September 2, 1982, New England Power Company filed a refund report pursuant to the Commission's August 2, 1982 acceptance of an offer for settlement.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before October 4, 1982. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26198 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-784-000]

Northern States Power Co.; Filing

September 20, 1982.

Take notice that Northern States Power Company (NSP) on September 7, 1982, tendered for filing a Termination Agreement, dated August 19, 1982, with Missouri Basin Municipal Power Agency.

NSP states that the Agreement terminates the Transmission and Interchange Service Agreement, dated March 28, 1978, between the Parties.

NSP requests an effective date of August 19, 1982.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 1, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26199 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-791-000]

Pacific Gas and Electric Co.; Filing

September 20, 1982.

Take notice that Pacific Gas and Electric Company (Pacific) on September 10, 1982, tendered for filing a contract dated May 12, 1982, between Pacific and Sierra Pacific Power Company (Sierra), hereinafter jointly referred to as "Parties". This contract, entitled "Interconnection Agreement Between Pacific Gas and Electric Company and Sierra Pacific Power Company" (Contract) provides the terms and conditions for power sales and purchases between the Parties.

Pacific states that on a scheduled basis, either Party, at the other Party's request, may offer to provide capacity as reserve, spinning reserve or capacity and associated energy to satisfy the other Party's requirements. Emergency assistance, limited short-term service, or energy without capacity are other services also provided for by the Contract.

Pacific requests an effective date of September 1, 1982, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 6, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26200 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-790-000]

Pennsylvania-New Jersey-Maryland Interconnection; Filing

September 20, 1982.

Take notice that on September 9, 1982, the Pennsylvania-New Jersey-Maryland Interconnection (PJM) tendered for filing a new Schedule 4.02 and revised Schedules 7.01 and 9.0 to the Interconnection Agreement dated September 26, 1956, as heretofore amended and supplemented.

PJM states that this filing establishes a rate to be used in accounting for import capability whenever a party to the Agreement is allocated the use of a portion of the share of such capability of other parties to the Agreement. The filing also introduces provisions for sharing negative savings and modifies the procedure of allocating among the parties and the cost and expenses of the Office of the Interconnection.

PJM further states no new facilities will be installed nor will existing facilities be modified in connection with these schedules.

PJM requests an effective date of August 9, 1982, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211

and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 6, 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 motion to intervene. Copies of this filing are on file with the Commnission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26201 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. SA82-19-000]

Phillips & Spradley, et al.,[1] John L. Hada, Jr., Application for Staff Adjustment

September 20, 1982.

On April 29, 1982, Phillips & Spradley, 900 American Bank Tower, Austin, Texas 78701 filed an application for a staff adjustment pursuant to section 502(c) of the Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C. 3301-3432, (Supp. IV 1980), and Rule 1101 of the Federal Energy Regulatory Commission (Commission) Rules of Practice and Procedure. Specifically, Applicant seeks an adjustment from § 273.202 of the Commission's Regulations. This notice for staff adjustment was issued on May 20, 1982, 47 FR 23202 (May 27, 1982). On September 10, 1982, Phillips and Spradley filed on behalf of John L. Hada, Jr., a nonoperator working interest owner of gas produced from the Kirk Gas Unit No. A-3 Well (A-3 Well), an amendment to the application for staff adjustment requesting to be included as a party to this proceeding. The gas produced from the A-3 Well is purchased by Florida Gas Transmission Company and Valero Transmission Company.

Applicants state they would suffer inequity, special hardship and unfair distribution of burdens if unable to collect the section 102 price in place of the section 109 price for natural gas sales for the period between April 20, 1981 and May 5, 1981. Applicants state that they failed to file timely the section 102 application with the jurisdictional agency prior to beginning sales of gas from the A-3 Well due to the blow out of the adjacent A-1 Well. Further Applicants state that it was necessary to immediately attach the A-3 Well to the pipeline in order to relieve bottom hole pressure in the A-1 Well, and bring it under control. As further reason for their inability to file timely, Applicants state that the application included the jurisdictional agency requirement of a completion report which could not be filed until the A-3 Well was completed and tested.

The procedures applicable to the conduct of this adjustment proceeding are found in Rules 1101-17 of the Commission's Rules of Practice and Procedure. Order No. 24, issued March 22, 1979 (44 FR 18961, March 30, 1979).

Any person desiring to participate in this adjustment proceeding shall file a petition to intervene in accordance with the provisions of Rule 214. All petitions to intervene must be filed within 15 days after publication of this notice in the Federal Register.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26202 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[1] OXOCO—Texas, Inc., Don O.Chapel, Joe Dawson; W. J. Hedrrick, Richard Phillips, Jon C. Spradley, W. A. Stickard, Trustee; W.B. Yarborough; and Amoco Production Company.

[Project No. 6618-000]

Quinn Hydrotech Corp.; Exemption from Licensing

September 20, 1982.

A notice of exemption from licensing of a small hydroelectric project known as the Frankfort Project No. 6618, was filed on August 19, 1982, by Quinn Hydrotech Corporation. The proposed hydroelectric project would have an installed capacity of 550 kW and would be located on Marsh Stream near the town of Frankfort, Waldo County, Maine.

Pursuant to § 4.109(c) and 375.308(ss) of the Commission's regulations, and subject to the terms and conditions set forth in Section 4.111 of the Commission's regulations, which incorporates the migratory fish restoration measures prescribed by any fish and wildlife agency, except for measures relating to public access to project waters for public use of fish and wildlife resources,[1] the Director, Office of Electric Power Regulation, issues this notification that the above project is exempted from licensing as of September 19, 1982.

Lawrence R. Anderson,

Director, Office of Electric Power Regulation.

[FR Doc. 82-26203 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[1] *See Van Buren Township*, 19 FERC ¶ 61,251 (June 8, 1982).

[Docket No. ER82-789-000]

Southern California Edison Co.; Filing

September 20, 1982.

Take notice that on September 9, 1982, the Southern California Edison Company (SCE) tendered for filing an agreement entitled "Edison/M-S-R Interruptible Transmission Service Agreement (Matrix)" which has been executed by SCE and M-S-R Public Power Agency ("M-S-R").

SCE states that under the terms and conditions of the agreement, SCE will make available to M-S-R interruptible transmission service between several points of receipt and points of delivery.

Copies of this filing were served upon the Public Utilities Commission of the State of California and M-S-R Public Power Agency.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 385.214). All such motions or protests should be filed on or before October 5, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26204 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP81-296-001 and CP81-296-002]

Tennessee Gas Pipeline Co., a Division of Tenneco, Inc.; Extended Environmental Comment Period for the Draft Environmental Impact Statement of the Tennessee/Boundary Looping Project

September 17, 1982.

Notice is hereby given that the Federal Energy Regulatory Commission is extending the comment period for the *Tennessee/Boundary Looping Project Draft Environmental Impact Statement* (DEIS). The extended comment period will be 30 days, commencing with the date this notice is published in the Federal Register. This action is prompted by recent Tennessee Gas Pipeline Company, a Division of

Tenneco, Inc. (Tennessee) filings to the Commission related to its original application discussed in the DEIS. This extension of time serves a number of purposes by providing for the following: (1) An opportunity for interested parties to incorporate comments on the facility amendments and supplement (most notably the newly proposed Niagara River crossing) into their comments on the DEIS; and (2) an opportunity for interested parties to submit comments on Tennessee's proposed sediment and erosion control plan.

On August 9, 1982, Tennessee submitted four filings related to Docket No. CP81–296–000: (1) an application in Docket No. CP82–470–000, under section 3 of the Natural Gas Act, to import an additional 309 million cubic feet per day (cfd) from Canadian-Montana Pipeline Company, KannGaz Producers Limited, and Ocelot Industries Limited near Niagara Falls, New York; (2) an amendment in Docket No. CP81–296–001 to construct additional facilities to transport the proposed additional volumes; (3) a supplement in Docket No. CP81–296–002 to discuss the feasibility of a 48-inch diameter pipeline to transport all the Canadian gas proposed to be imported near Niagara Falls; and (4) an amendment to its existing Presidential Permit in Docket No. G–1922 for the construction, operation, and maintenance of facilities on the international border near Niagara Falls (as proposed in Docket No. CP81–296–001).

The additional facilities proposed by Tennessee in Docket No. CP81–296–001 to accommodate the additional 309 million cfd of imported gas include:

(1) A new 36-inch-diameter pipeline, 0.25 mile long, to cross the Niagara River as an extension of the originally proposed 42-inch-diameter pipeline (loop 14) in Niagara and Erie Counties, New York;[1]

(2) An additional 6,000 horsepower (hp.) of compression to supplement the currently proposed 6,000-hp. Compressor Station 230B in Niagara County, New York; and

(3) Minor piping modifications at its existing Compressor Station 224 in Chautaugua County, New York, to permit reverse flow.

The estimated cost of these additional facilities to Tennessee is $11,391,000.

In its supplement (Docket No. CP81–296–002), Tennessee expresses its willingness to construct a single large-diameter pipeline to transport proposed U.S. imports of Canadian gas at Niagara Falls, including the 794 million cfd to be transported by Tennessee and 1,418.9 million cfd proposed to be transported by Trans-Niagara Pipeline (Trans-Niagara) in Docket No. CP82–125–003.[2] Tennessee's supplement contemplates that the alternative (similar to the Niagara Spur Alternative identified in the DEIS) would require the following facilities:

1. 48.6 miles of 48-inch-diameter pipeline loop from MP 230B–107+0, Niagara County, to MP 230B–101+0, Erie County, New York;

2. Dual 36-inch-diameter pipelines crossing the Niagara River, Niagara County, New York; and

3. A 52,000-hp. compressor station at the proposed Compressor Station 230B site, Niagara County, New York.

On September 8, 1982, Tennessee indicated that Tennessee and Trans-Niagara have agreed in principle to a joint venture involving the construction of one large diameter pipeline near Niagara Falls, New York. The specific facilities to be constructed are unknown at this time. However, indications are that the facilities would be similar to those described for the alternative submitted by Tennessee and the staff's Niagara Spur Alternative, except that the compression would probably increase (i.e., it would be more than 52,000 horsepower).

Tennessee states that the 36-inch-diameter pipeline crossing of the Niagara River would occur near Stella Niagara, about 6 miles south of Youngstown, where the river is approximately 1,800 feet wide. (See map.) Tennessee indicates that this crossing would use the push/pull method of construction. In this process, the river would be dredged from a dredge barge. The ditch would be dug deep enough to obtain proper cover on the pipeline and wide enough to maintain stability. Pipeline construction would take place on firm ground on the riverbank inside Tennessee's property in Niagara County. The pipeline would be fabricated by welding and joint-coating the concrete-coated pipe in approximately 300-foot-long sections on the bank. The welded and coated pipe would be continuously pulled until it reaches across the river. These sections would have enough floatation devices to keep them off ditch bottom, enabling equipment on the Canadian side of the river to pull the sections across. Divers would continuously inspect and guide the pipe crossing. When the pipeline segment is in position, the floatation devices would be removed and the pipe would be allowed to sink to the bottom of the ditch. As a final step, the ditch would be backfilled.

Crossing the Niagara River would temporarily increase turbidity and sedimentation at the crossing site and for some distance downstream. Fish and other aquatic organisms would temporarily avoid the area of disturbance. Also, construction of the crossing could resuspend contaminated bottom sediments, if they are present at the crossing location. If available information indicated the potential for contaminated sediments, Tennessee could be required to conduct water quality and sediment tests. (See discussion of the Housatonic River crossing, pages 103–104 of the DEIS.)

A possible alternative to the proposed push/pull method of constructing this river crossing would be to use the horizontal directional drilling method. A description of this procedure appears on page 104 of the DEIS.

Because the Niagara River is classified by the U.S. Army Corps of Engineers (Corps) as navigable and because dredging and backfilling are proposed, the crossing would require an individual Department of the Army permit in accordance with section 10 of the Rivers and Harbors Act of 1899 and the guidelines promulgated under section 404(b)(1) of the Clean Water Act. In its application for an individual Corps permit, Tennessee would be required to submit construction plans and specifications for evaluation. Further, crossing of the Niagara River would require a full public interest review before a permit could be issued. This review would involve public notice and receipt of comments, consultations with the U.S. Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service, and various state agencies, and possible public hearings.

The addition of 6,000 horsepower of compression (two 3,000-hp. turbine compressor units) would bring the total horsepower compression proposed at Tennessee's new Compressor Station 230B to 12,000. Tennessee states that all applicable Federal and state emissions and ambient air quality standards would be met. According to calculations made by the Commission's Environmental Evaluation Branch (EEB), a prevention of significant air quality deterioration (PSD) determination by EPA would not be required. However, a compressor station equal to or greater than 52,000 horsepower would require a PSD determination by EPA.

[1] Trans Canada Pipelines Limited would also construct 0.25 mile of 36-inch diameter to complete this river crossing in Canada.

[2] Trans-Niagara has subsequently filed two amendments to its application; one increases the total gas volume proposed to be imported to 1,518.9 million cfd.

Tennessee calculates that with the ambient noise level, an L_{dn} of 57 dB(A), the proposed 12,000-hp. compressor station would produce an L_{dn} at the nearest residence of 60.6 dB(A), an increase of 3.6 dB(A). Under the EEB's recommendation identified in the DEIS (page 162), the noise level of any new compressor station at this site could not exceed an L_{dn} of 59.1 dB(A), an increase of 2.1 dB(A) over the existing ambient level.

To premit reverse flow of gas, Tennessee would make some minor piping changes at its existing Compressor Station 224. These changes would include pipe, valves, and fittings modifications within the compressor station.

On September 10, 1982, Tennessee submitted its sediment and erosion control plan for the proposed project. Concurrent with the EEB's review, copies of the plan have been sent to relevant Federal, state, and local agencies for their review and comment. (See attachment A.) Copies of the plan will be available to other interested parties on request. Copies of the plan or the DEIS may be requested from Mr. James P. Daniel at (202) 357-9042.

After an initial systematic analysis, the EEB believes that no *new significant* environmental impact would result from the construction and operation of facilities proposed in these amendments and the supplement. The EEB's determination is based upon the fact that Tennessee's amendment proposes construction substantially similar to that contemplated by the staff in the Niagara-Spur Alternative described in the DEIS. The EEB's expertise in evaluating the changes in Tennessee's proposal is based, in part, on its numerous environmental analyses of similar proposals for construction of pipeline river crossings and compressor facilities. At present, the staff intends to incorporate in impact analysis of the revisions into the final environmental impact statement (FEIS). However, the staff requests that interested persons comment on the environmental impact of the proposed amendments and supplement and on the EEB's opinion that no new significant environmental impact would result.

The Commission staff therefore requests public comment on the environmental consequences of the modifications in Tennessee's proposed project. These comments, along with those received earlier, will be used in developing the FEIS, which will be *one of the factors used* by the Commission in determining whether the proposed Tennessee/Boundary Looping Project is in the public interest. Comments should be mailed to the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. All comments should reference Docket No. CP81-296.

Kenneth F. Plumb,

Secretary.

Attachment A.—Agencies Receiving Tennessee's Erosion Control and Restoration Plan

Army Corps of Engineers
Department of Agriculture
Department of Energy
Department of the Interior
Environmental Protection Agency
Fish and Wildlife Service
Soil Conservation Service
Connecticut Department of Environmental Protection
Connecticut State Clearinghouse
Norwalk Conservation Commission
Norwalk Planning and Zoning Commission
Massachusetts Department of Environmental Management
Massachusetts Department of Environmental Quality Engineering
Massachusetts Division of Water Pollution Control
Massachusetts Division of Forests and Parks
Massachusetts Energy Facilities Siting Council
Massachusetts Environmental Impact Review
Massachusetts, Secretary of Environmental Affairs
Pittsfield Conservation Commission
Pittsfield Planning Board
New Hampshire Coordinator of Federal Funds (State Clearinghouse)
New Hampshire Natural Resources Council, Inc.
Southern New Hampshire Planning Commission
New Jersey Department of Agriculture
New Jersey Department of Environmental Protection
New Jersey Division of Fish, Game, and Wildlife
Newark Watershed Corporation
Albany County Environmental Management Council
Capitol District Regional Planning Commission
New York Department of Agriculture and Markets
New York Department of Environmental Conservation
New York Farm Bureau
New York Public Service Commission
Onondaga County Environmental Management Council
Syracuse-Onondaga County Planning Agency
Pennsylvania Bureau of Forests
Pennsylvania Department of Environmental Resources
Pennsylvania Division of State Forest Management
Pennsylvania Fish Commission
Pennsylvania Game Commission.
Tioga County Planning Commission.

[FR Doc. 82-26205 Filed 9-22-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER82-786-000]

Virginia Electric and Power Co.; Cancellation

September 20, 1982.

Take notice that Virginia Electric and Power Company (VEPCO) on September 7, 1982, tendered for filing a Notice of Cancellation of service to its Rivers Edge Delivery Point with Prince George Electric Cooperative (FERC Rate Schedule No. 101-15 dated August 9, 1974).

VEPCO requests an effective date of June 24, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 5, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26206 Filed 9-22-82; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. ER82-783-000]

Wisconsin Power and Light Co.; Filing

September 20, 1982.

Take notice that on September 7, 1982, Wisconsin Power and Light Company (WPL) tendered for filing an amendment to its existing wholesale power contract dated May 27, 1982 between the City of Wisconsin Rapids and WPL. WPL states that this filing is for the purpose of modifying the current agreement between the parties to add an additional delivery point for the providing energy and power to the City. The current

agreement was previously designated FERC Rate Schedule 212 by the Commission.

WPL requests an effective date of May 27, 1982, and therefore requests waiver of the Commission's notice requirements.

Copies of this filing were served upon the municipality and the Public Service Commission of Wisconsin.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 1, 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-26207 Filed 9-22-82; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-140018; TSH-FRL 2211-4]

MITRE Corp.; Transfer of Data to Contractor

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA will transfer to its contractor, the MITRE Corporation of McLean, Virginia, information which has been or will be submitted by manufacturers and importers under section 5 of the Toxic Substances Control Act (TSCA). Some of the information may be claimed to be confidential. The MITRE Corporation will review this information and use it to assist EPA in performing exposure and health and environmental hazard assessments of new chemical substances prior to manufacture.

DATE: The transfer of data submitted to EPA and claimed to be confidential will occur no sooner than 10 working days after publication of this notice in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Douglas G. Bannerman, Acting Director, Industry Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-511, 401 M St., SW., Washington, D.C. 20460, Toll-free: (800-424-9065), in Washington, D.C.: (554-1404), Outside the USA: (Operator—202-554-1404).

SUPPLEMENTARY INFORMATION: Under section 5 of TSCA, EPA is provided 90 days to review new chemical substances prior to commercial manufacture to determine whether they present the potential for an unreasonable risk of injury to health or the environment from their manufacture, processing, distribution in commerce, use, or disposal. To make the unreasonable risk determination, the Agency must evaluate the potential exposures and health and/or environmental hazards associated with the substance in question. To accomplish this, EPA will require assistance from an outside contractor. The MITRE Corporation will assist EPA in these evaluations. (Contract No. 68-01-6610). The MITRE Corporation previously performed this work for the Agency under contract No. 68-01-5863 announced in the Federal Register of October 5, 1979 (44 FR 57490).

Under 40 CFR 2.306(j), EPA has determined that it may need to disclose confidential business information to the MITRE Corporation. Under the terms of the contract, EPA will provide the MITRE Corporation with information submitted in the premanufacturing notices (PMN's) on chemical identity, product formulation, and specific processes used to manufacture or process new chemical substances, as well as other information related to the uses, release rates, exposure levels, and assessment of exposures and potential hazards to health and the environment of new chemical substances.

In accordance with the EPA manual, "Contractor Requirements for the Control and Security of TSCA Confidential Business Information", the MITRE Corporation has been authorized to have access to this information. EPA has approved the MITRE Corporation Security Plan and has conducted the required inspection of the MITRE facilities in McLean, Virginia and found them to be in compliance with the provisions of the manual.

Since the MITRE Corporation will review information claimed to be confidential, EPA is publishing this notice to inform all potential submitters of PMN's that the MITRE Corporation will receive confidential business information from EPA. After completing the exposure and health and environmental hazard assessments, the MITRE Corporation will return all confidential business information to EPA.

The MITRE Corporation personnel will be required to sign a nondisclosure agreement before they are permitted access to such information. The MITRE Corporation is required to treat all confidential business information in accordance with the requirements of the "TSCA Confidential Business Information Security Manual" and the "Contractor Requirements for the Control and Security of TSCA Confidential Business Information Manual."

Dated: September 10, 1982.

Marcia Williams,

Acting Director, Office of Toxic Substances.

[FR Doc. 82-26080 Filed 9-22-82; 8:45 am]

BILLING CODE 6560-50-M

[WH-FRL 2200-1]

State and Local Assistance; Grants for Construction of Treatment Works

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of allotment.

SUMMARY: This notice sets forth the allotments to the States of the $2.4 billion appropriated for fiscal year 1982 on July 19, 1982 by Pub. L. 97-216 for the municipal wastewater treatment works construction grants program.

Section 205(c)(2) of the Clean Water Act (the Act), as amended by Pub. L. 97-117, provides that sums authorized to be appropriated for fiscal year 1982 be allotted to the States in accordance with Table 3 of Committee Print 95-30 of the Committee on Public Works and Transportation of the House of Representatives. That table was also the basis for the original allotments of fiscal years 1978, 1979, 1980 and 1981 appropriations.

Through promulgation of this notice, the requirements of the Act are fulfilled and the public is notified of the amounts made available to the States for grants for the construction of municipal wastewater treatment works.

EFFECTIVE DATE: September 23, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Albert Pelmoter, Chief, Program Policy Branch, Municipal Construction Division, Office of Water Program Operations, (202) 426-8820.

SUPPLEMENTARY INFORMATION: As required by section 205(c)(2) of the Act, funds authorized to be appropriated for fiscal year 1982 were allotted on the basis of the percentages listed in Table 3 of the Committee Print Numbered 95-30 of the Committee on Public Works and

Transportation of the House of Representatives. The percentages were adjusted as required by several statutory provisions and applied to the appropriation to arrive at the actual dollar amount allotted to each State.

One adjustment was made to satisfy section 205(e) of the Act, which requires that no State shall receive less than one-half of one percent of a total allotment. Since supplemental funds were not provided to raise certain States to the 0.5 percent "floor", the percentages for the other States were adjusted to satisfy the "floor" requirement and, at the same time, have the total amount allotted not exceed the appropriation.

As in previous allotments, the table of fiscal year 1982 allotments reflects adjustments to provide a minimum of 0.5 percent of the $2.4 billion to each State. The table appears at the end of this notice.

Pub. L. 97–117 further amended the Act by adding a subsection (k) to section 205. Subsection (k) provides for an additional allotment within the appropriation to fund a connection sewer for the New York City Convention Center. Pub. L. 97–216 (Urgent FY 1982 Supplemental Appropriation Act) provides that one third of the special project costs be allocated prior to the national distribution of the appropriation, the remaining two thirds to be divided evenly between New York's and New Jersey's regular allotments, as explained below. The estimated total cost of the special project is $2.8 million.

Pub. L 97–216 also provides for the reinstatment of $3,965,426 to the State of Kansas to compensate for an accounting error by the Federal Government. Like the special project allocation, the $3,965,426 (rounded to $3,965,400) was allocated to Kansas prior to the national distribution of funds.

The allotments were computed by:

(a) Deducting $933,000 (one third of $2.8 million) for the special project in the State of New York and $3,965,400 for Kansas from the total appropriation of $2.4 billion;

(b) Allotting the remaining $2.395 billion to all the States, including New York and Kansas, using the percentages in "Table 3;"

(c) Deducting $933,000 from each of the resulting allotments to New York and New Jersey; and

(d) Allocating $2,799,000 to the New York City Convention Center project.

The $2.4 billion was allotted as follows:

STATE ALLOTMENT BASED ON $2.4 BILLION APPROPRIATION, JULY 16, 1982

	Fiscal year 1982	
	Ratio	Dollars
Alabama	.012664	30,331,500
Alaska	.004931	11,810,100
Arizona	.007650	18,322,500
Arkansas	.007409	17,745,300
California	.078410	187,800,000
Colorado	.009060	21,699,500
Connecticut	.010919	26,152,100
Delaware	.004931	11,810,100
District of Columbia	.004931	11,810,100
Florida	.037834	90,616,200
Georgia	.019149	45,863,800
Hawaii	.007818	18,724,800
Idaho	.004931	11,810,100
Illinois	.051223	122,684,200
Indiana	.027295	65,374,200
Iowa	.012774	30,595,000
Kansas	.008681	20,791,800
Kentucky	.014415	34,525,300
Louisiana	.012450	29,819,000
Maine	.007391	17,702,100
Maryland	.027392	65,606,600
Massachusetts	.029133	69,776,400
Michigan	.040734	97,562,000
Minnesota	.018432	44,146,400
Mississippi	.009526	22,815,600
Missouri	.024611	58,945,700
Montana	.004931	11,810,100
Nebraska	.005429	13,003,000
Nevada	.004931	11,810,100
New Hampshire	.008688	20,808,600
New Jersey	.035220	[1]83,422,400
New Mexico	.004931	11,810,100
New York	.104737	[1]249,922,300
North Carolina	.019534	46,785,900
North Dakota	.004931	11,810,100
Ohio	.063759	152,709,200
Oklahoma	.009150	21,915,100
Oregon	.012794	30,642,900
Pennsylvania	.043012	103,018,100
Rhode Island	.005179	12,404,100
South Carolina	.011603	27,790,300
South Dakota	.004931	11,810,100
Tennessee	.015271	36,575,500
Texas	.043029	103,058,800
Utah	.004931	11,810,100
Vermont	.004931	11,810,100
Virginia	.019330	46,297,200
Washington	.017443	41,777,700
West Virginia	.017655	42,285,500
Wisconsin	.019233	46,064,900
Wyoming	.004931	11,810,100
Samoa	.000607	1,453,800
Guam	.000734	1,758,000
N. Marianas	.000136	325,700
Puerto Rico	.011571	27,713,700
Pac. Tr. Ter	.001373	3,288,400
Virgin Islands	.000373	893,300
U.S. Totals	1.000000	2,393,235,600
Reinstatement funds to Kansas		3,965,400
New York City Convention Center		2,799,000
Total		2,400,000,000

[1] Excludes $933,000 allocated to fund New York Convention Center Project.

These allotments are available for expenditure until September 30, 1983. After that date, unobligated balances will be reallocated under section 205(b) of the Act (40 CFR 35.2010).

Dated: September 10, 1982.

Anne M. Gorsuch,

Administrator.

[FR Doc. 82-26249 Filed 9-22-82; 8:45 am]

BILLING CODE 6560-50-M

[SWH-FRL 2215-2]

RCRA Permit Advisory Committee; Establishment

AGENCY: Environmental Protection Agency.

ACTION: Notice of establishment of RCRA Permit Advisory Committee.

SUMMARY: The Administrator of the U.S. Environmental Protection Agency announces the establishment of the RCRA Permit Advisory Committee in accordance with section 9(a)(2) of the Federal Advisory Committee Act.

It has been determined that the establishment of this Committee is in the public interest and essential to the Agency's implementation of the Resource Conservation and Recovery Act of 1976, as amended, (Pub. L. 94–580), 42 U.S.C. 6901 *et seq.*

The Committee will serve to improve communications between the public and the Assistant Administrator, Office of Solid Waste and Emergency Response. The Committee, with membership representing affected interests, will assist the Assistant Administrator in developing effective policies and procedures relating to RCRA permits for hazardous waste treatment, storage and disposal facilities. The Committee will provide expert advice and make recommendations on policy, technical and procedural matters related to the environmental, economic and social impacts of RCRA permits as authorized by and in the manner set forth in the Committee Charter which will be filed with the appropriate Congressional committees and the Library of Congress.

This Committee will terminate within one year of the establishment date.

SUPPLEMENTARY INFORMATION:

1. Composition

The Committee shall consist of no more than 35 members, excluding the Chairperson, who will represent the following groups: State and local government officials, hazardous waste generators, hazardous waste managers, groups involved in the design and construction of hazardous waste facilities, environmental groups, and the affected public.

EPA will select members on the basis of their qualifications and will consider the affiliations of the applicants in order to achieve an appropriate balance of interest and expertise.

It should be noted that members of the Committee will not be compensated nor reimbursed by EPA for travel or per diem.

2. Applications for Committee Membership

Individuals who wish to be considered for membership or organizations and associations which desire representation should apply by providing the following information by October 12, 1982.

Name:
Title:
Organization:
Business address & telephone:
Home address & telephone:
Area of interest or expertise: (a) Storage, (b) class permits, (c) mobile treatment units, (d) incineration, (e) land disposal. Experience and qualifications (a current résumé is acceptable). Membership applications, questions and requests for copies of the Charter should be addressed to: John H. Skinner, Acting Director, Office of Solid Waste (WH-562), U.S. EPA, Washington, D.C. 20460. ATTN: RCRA Permit Advisory Committee.

3. Meetings

It is expected that the first meeting of the Committee will be held in November 1982 and last one day. The Task Forces may meet for an additional day following adjournment of the Committee meeting and four or more times subsequently during the year.

Dated: September 16, 1982.

Rita M. Lavelle,

Assistant Administrator, Office of Solid Waste and Emergency Response.

[FR Doc. 82-26310 Filed 9-22-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Federal Insurance Administration

[Docket Number (N81)]

Offer to Provide Reinsurance Against Excess Aggregate Loss Resulting From Riots or Civil Disorders

Correction

In FR Doc. 82-25000, appearing at page 40477, in the issue of Tuesday, September 14, 1982, make the following change:

On Page 40477, in the third column, following the second paragraph, insert the following paragraph:

"As of August 1, 1982, the States of Connecticut, Georgia, Illinois, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, North Carolina, Rhode Island, Washington, and Wisconsin, and the District of Columbia were in compliance with the statutory requirements."

BILLING CODE 1505-01-M

FEDERAL RESERVE SYSTEM

Acquisition of Bank Shares by Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire voting shares or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. **Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Bank of Poplar Bluff Bancshares, Inc.*, Popular Bluff, Missouri; to acquire at least 80 percent of the voting shares of Bank of Marble Hill, Marble Hill, Missouri. Comments on this application must be received not later than October 18, 1982.

2. *Ridgway Bancorp, Inc.*, Ridgway, Illinois; to acquire 81.1 percent of the voting shares or assets of The Bank of West Frankfort, West Frankfort, Illinois, and 100 percent of the voting shares or assets of Drovers State Bank, Vienna, Illinois. Comments on this application must be received not later than October 18, 1982.

Board of Governors of the Federal Reserve System, September 17, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-26230 Filed 9-20-82; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than the date indicated for each application.

A. **Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *The Chase Manhattan Corporation*, New York, New York (trust services; Florida): To engage through its subsidiary, The Chase Manhattan Trust Company of Florida, National Association, in performing the activities that may be conducted by a trust company (including activities of a fiduciary, investment advisory, agency or custodian nature) in the manner authorized by Federal or State law. These activities would be provided from an office in Boca Raton, Florida, serving the State of Florida. Comments on this application must be received not later than October 18, 1982.

B. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. **Hawkeye Bancorporation**, Des Moines, Iowa (financing activities; Iowa): To engage directly in making or acquiring and servicing loans or other extensions of credit, including mortgage, consumer and commercial loans. These

activities would be conducted from an office in Des Moines, Iowa, serving Iowa. Comments on this application must be received not later than October 8, 1982.

2. *Heritage Wisconsin Corporation,* Wauwatosa, Wisconsin (crop hail insurance activities; Wisconsin): To engage in the sale of crop hail insurance through its subsidiary Heritage Insurance Agency, Inc., Wauwatosa, Wisconsin. This activity will be conducted from the offices of Heritage Insurance Agency, Inc., in Milwaukee, Wisconsin; Heritage Bank Beloit, Beloit, Wisconsin, and Heritage Bank of West Bend, West Bend, Wisconsin, serving the Beloit and West Bend communities and surrounding rural areas. Comments on this application must be received not later than October 12, 1982.

Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

1. *U.S. Bancorp,* Portland, Oregon (consumer, industrial and insurance; Colorado): To engage through its subsidary U.S. Bancorp Financial Services, Inc., in the making, acquiring and servicing of loans and other extensions of credit either secured or unsecured for its own account or for the account of others, including the making of consumer installment loans, purchasing consumer installment and real estate sales finance contracts and evidences of debt and making consumer home equity secured by real estate, making industrial loans, and acting as insurance agent with regard to credit life and credit disability insurance. These activities would be conducted from an office in Colorado Springs, Colorado and would serve the entire city of Colorado Springs, Colorado. Comments on this application must be received not later than October 18, 1982.

Board of Governors of the Federal Reserve System, September 17, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-26229 Filed 9-22-82; 8:45 am]

BILLING CODE 6210-01-M

Formation of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become bank holding companies by acquiring voting shares and/or assets of a bank. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated for that application. With respect to each application, interested persons may express their views in writing to the address indicated for that application. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *Merchants & Farmers Bancshares, Inc.,* Leesville, Louisiana; to become a bank holding company by acquiring 100 percent of the voting shares of Merchants & Farmers Bank and Trust Company, Leesville, Louisiana. Comments on this application must be received not later than October 18, 1982.

B. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Shell Rock Bancorporation,* Shell Rock, Iowa; to become a bank holding company by acquiring 90 percent of the voting shares of Security State Bank, Shell Rock, Iowa. Comments on this application must be received not later than October 18, 1982.

2. *Viroqua Bancshares, Inc.,* Viroqua, Wisconsin; to become a bank holding company by acquiring 100 percent of the voting shares of The State Bank of Viroqua, Viroqua, Wisconsin. Comments on this application must be received not later than October 15, 1982.

C. **Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Pioneer Bank Shares,* Evanston Wyoming; to become a bank holding company by acquiring at least 80 percent of the voting shares of Pioneer Bank of Evanston, Evanston, Wyoming. Comments on this application must be received not later than October 13, 1982.

D. **Board of Governors of the Federal Reserve System** (William W. Wiles, Secretary) Washington, D.C. 20551:

1. *Dixie Bancorp, Inc.,* and Dixie Financial Services, Inc., both of Miami, Florida; to become a bank holding company by direct and indirect acquisition of at least 80 percent of the voting shares of Dixie National Bank of Dade County, Miami, Florida. This application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Comments on this application must be received not later than October 18, 1982.

2. *Drew Bancshares, Inc.,* Monticello, Arkansas; to become a bank holding company by acquiring 80 percent of the voting shares of Commercial Bank and Trust Company, Monticello, Arkansas. This application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Comments on this application must be received not later than October 18, 1982.

3. *First National of South Dakota, Inc.,* Omaha, Nebraska; to become a bank holding company by acquiring 92.6 percent of the voting shares of Valley State Bank, Yankton, South Dakota. This application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Comments on this application must be received not later than October 18, 1982

Board of Governors of the Federal Reserve System, September 17, 1982.

Dolores S. Smith,

Assistant Secretary of the Board.

[FR Doc. 82-26231 Filed 9-22-82; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

Rental Contract for Motor Vehicle; Profit and Loss Operating Statement (GSA Form 2817)

AGENCY: General Services Administration.

ACTION: Notice of information collections; new/reinstatement.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the General Services Administration plans to request the Office of Management and Budget to review and approve a new information collection requirement and the reinstatement of an expired reporting requirement for the collection of data.

DATES: Comments on these information collections must be submitted on or before September 30, 1982.

ADDRESSES: Send comments to Franklin S. Reeder, GSA Desk Officer, Room 3235, NEOB, Washington, DC 20503, and to Anthony Artigliere, GSA Clearance Officer, General Services Administration (ORAI), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: James Flowers, Directives and Reports Management Branch (202-566-1164).

SUPPLEMENTARY INFORMATION:

a. Rental Contract for Motor Vehicle

The purpose of the new information collection is to provide GSA data on motor vehicle rental firms under GSA contract. This information is necessary for future adjustments in vehicle allocations at individual contract locations.

b. Profit and Loss Operating Statement (GSA Form 2817)

The reinstatement of the established information collection will enable GSA to continue receiving data on food service contractors proposing to do business with the agency. The information is used to project the estimated revenue and expense and profit and loss items of contractors.

c. Obtaining copies of the proposals

A copy of the information collection proposals may be obtained from the Directives and Reports Management Branch (ORAI), Room 3011, GS Building, Washington, DC 20405, telephone 566–1164.

Dated: September 10, 1982.

Clarence A. Lee, Jr.,

Director of Administrative Services.

[FR Doc. 82–26225 Filed 9–22–82; 8:45 am]

BILLING CODE 6820–34–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N–82–1131]

Urban Development Action Grants; Revised Minimum Standards for Small Cities; Correction

AGENCY: Office of Assistant Secretary for Community Planning and Development (CPD), HUD.

ACTION: Notice; Correction.

SUMMARY: This document corrects a Notice published in the Federal Register of Tuesday, June 8, 1982, at 47 FR 24820, which provided current minimum standards of physical and economic distress for small cities for the Urban Development Action Grants program. The action is necessary to correct an omission.

FOR FURTHER INFORMATION CONTACT: Frank Ridenour, Office of Urban Development Action Grants, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. Telephone: 202–755–6784. This is not a toll free number.

SUPPLEMENTARY INFORMATION: In a **Federal Register** Notice published June 8, 1982 at 47 FR 24820, 48 New York towns were omitted from Part V. This document corrects that omission, and lists the missing towns which met the minimum standards of physical and economc distress and which are in States where towns and townships may have powers comparable to the powers of municipalities.

New York

Note, name, and county name

Inc. Gouverneur Town, St. Lawrence County
Grafton Town, Rensselaer County
Granger Town, Allegany County
Inc. Granville Town, Washington County
Inc. Green Island Town, Albany County
Greenville Town, Greene County
Inc. Greenwich Town, Washington County
Greenwood Town, Steuben County
Inc. Groton Town, Tompkins County
Grove Town, Allegany County
Guilford Town, Chenango County
Hague Town, Warren County
Hallcott Town, Greene County
Hamden Town, Delaware County
Inc. Hamilton Town, Madison County
Inc. Hammond Town, St. Lawrence County
Hampton Town, Washington County
Inc. Hancock Town, Delaware County
Inc. Hanover Town, Chautauqua County
Hardenbergh Town, Ulster County
Inc. Harpersfield Town, Delaware County
Inc. Harrietstown Town, Franklin County
Harrisburg Town, Lewis County
Inc. Harland Town, Niagara County
Hartsville Town, Steuben County
Hartwick Town, Otsego County
Hebron Town, Washington County
Henderson Town, Jefferson County
Inc. Herkimer Town, Herkimer County
Inc. Hermon Town, St. Lawrence County
Highland Town, Sullivan County
Inc. Homer Town, Cortland County
Inc. Hodsick Town, Rensselaer County
Inc. Hornells Ville Town, Steuben County
Inc. Horseheads Town, Chemung County
Inc. Hounsfield Town, Jefferson County
Howard Town, Steuben County
Inc. Hume Town, Allegany County
Humphrey Town, Cattaraugus County
Inlet Town, Hamilton County
Ischua Town, Cattaraugus County
Italy Town, Yates County
Jasper Town, Steuben County
Jay Town, Essex County
Jefferson Town, Schoharie County
Johnsburg Town, Warren County
Inc. Kingsbury Town, Washington County
Kortright Town, Delaware County

Dated: September 15, 1982.

Claire E. Freeman,

Deputy Assistant Secretary for Program Policy Development and Evaluation.

[FR Doc. 82–26163 Filed 9–22–82; 8:45 am]

BILLING CODE 4210–29–M

Office of the Secretary

[Docket No. N–82–1165]

Submission of Proposed Information Collections to OMB

AGENCY: Office of Administration, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirements described below have been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposals.

ADDRESS: Interested persons are invited to submit comments regarding these proposals. Comments should refer to the proposal by name and should be sent to: Robert Neal, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: David S. Cristy, Acting Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410, telephone (202) 755–5310. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposals described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Acting Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposals should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirements are described as follows:

Notice of Submission of Proposed Information Collection to OMB

Proposal: Section 8 Housing Assistance Payments Program—Application for Existing Housing
Office: Housing
Form No.: HUD–52515
Frequency of submission: On occasion
Affected public: State or Local Governments
Estimated burden hours: 6,000
Status: Extension
Contact: Myra E. Newbill, HUD, (202) 755–5353, Robert Neal, OMB, (202) 395–6880

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Notice of Submission of Proposed Information Collection to OMB

Proposal: Urban Development Action Grant Program
Office: Community Planning and Development
Form No.: HUD–3440 and SF–424
Frequency of submission: Quarterly
Affected public: State or Local Governments
Estimated burden hours: 57,760
Status: Revision
Contact: Sue Shinderman, HUD, (202) 755–5898, Robert Neal, OMB, (202) 395–6880

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: September 7, 1982.

Judith L. Tardy,

Assistant Secretary for Administration.

[FR Doc. 82–26265 Filed 9–22–82; 8:45 am]

BILLING CODE 4210–01–M

[Docket No. N–82–1166]

Submission of Proposed Information Collection to OMB

AGENCY: Office of Administration, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

ADDRESS: Interest persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and should be sent to: Robert Neal, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: David S. Cristy, Acting Reports Management Officer, Department of Hoursing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410, telephone (202) 755–5310. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Acting Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposal should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirement is described as follows:

Notice of Submission of Proposed Information Collection to OMB

Proposal: Inspection Form—Section 8 Existing Housing Program
Office: Housing
Form No.: HUD–52580
Frequency of submission: Annually
Affected public: State or Local Governments
Estimated burden hours: 400,000
Status: Extension
Contact: Gerald J. Benoit, HUD, (202) 755–5433, Robert Neal, OMB, (202) 395–6880

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: September 9, 1982.

Judith L. Tardy,

Assistant Secretary for Administration.

[FR Doc. 82–26266 Filed 9–22–82; 8:45 am]

BILLING CODE 4210–01–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[F–14831–A]

Alaska Native Claims Selection

On November 19, 1974, Aniak Limited, for the Native village of Aniak, filed selection application F–14831–A, as amended, under the provisions of Sec. 12(a) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1611 (1976) (ANCSA), for the surface estate of certain lands in the vicinity of Aniak, Alaska.

Aniak Limited in application F–14831–A excluded several bodies of water. Because certain of those water bodies have been determined to be nonnavigable, they are considered to be public lands withdrawn by Sec. 11(a)(1) of ANCSA and available for selection by the village pursuant to Sec. 12(a) of ANCSA. Section 12(a) and 43 CFR 2651.4 (b) and (c) provide that a village corporation must, to the extent necessary to obtain its entitlement, select all available lands within the township or townships within which the village is located, and that additional lands selected shall be compact and *in whole sections.* The regulations also provide that the area selected will not be considered to be reasonably compact if it excludes other lands available for selection within its exterior boundaries. For these reasons, the water bodies which were improperly excluded in application F–14831–A are considered selected by Aniak Limited.

On April 25, 1977, in accordance with Title 10, Chapter 05, Secs. 396 and 399 of the Alaska Business Corporation Act, and as authorized by 43 U.S.C. 1627, Georgetown Incorporated, a domestic corporation, merged with Aniak Limited, Chuathbaluk Company, Kipchaughpuk Limited, Lower Kalskag Incorporated, Napamute Limited, Red Devil Incorporated, Sleetmute Limited, Stony River Ltd., and Upper Kalskag Incorporated, all domestic corporations, into Georgetown Incorporated, which consolidated individual village interests into one single constituent corporation whose name was changed to The Kuskokwim Corporation. The surviving corporation, The Kuskokwim Corporation, is entitled to all rights, privileges, and benefits of the Alaska Native Claims Settlement Act.

As to the lands described below, selection application F–14831–A, as amended, is properly filed and meets the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto.

These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 104,935 acres, is considered proper for acquisition by The Kuskokwim Corporation (for the village of Aniak) and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

U.S. Survey No. 2638 Amended, Alaska, Aniak Air Navigation Site, excluding Native allotments F-15818 Parcel A and F-15824 Parcel A, Revocation/Restoration F-677, ANCSA Sec. 3(e) application AA-41758 and quitclaim deed F-035092.

Containing approximately 872 acres.

Seward Meridian, Alaska (Unsurveyed)

T. 16 N., R. 56 W.,
Secs. 6, 7 and 8;
Secs. 16, 17 and 18;
Secs. 20 and 21;
Secs. 28, 29, 32 and 33.
Containing approximately 6,776 acres.

T. 17 N., R. 56 W.,
Sec. 3, excluding U.S. Survey No. 5030 and Native allotments F-14170, F-15819 and F-15822;
Sec. 4, excluding U.S. Survey No. 5030 and Native allotment F-15821;
Sec. 5, excluding U.S. Survey No. 3095 and Native allotments F-16123 Parcel C and F-16190 Parcel B;
Sec. 6, excluding U.S. Survey No. 2851;
Sec. 7, excluding U.S. Survey No. 2354;
Secs. 8 and 9;
Sec. 10, excluding Native allotment F-14170;
Secs. 15 and 16;
Sec. 17, excluding Native allotment F-16338 Parcel B;
Sec. 18, excluding U.S. Survey No. 2354;
Secs. 19 and 20;
Sec. 21, excluding U.S. Survey No. 6453 and Native allotment F-16189 Parcel B;
Sec. 22;
Sec. 27, excluding Native allotment F-15817;
Secs. 28 to 34, inclusive.
Containing approximately 12,198 acres.

T. 18 N., R. 56 W.,
Sec. 31;
Sec. 32, excluding Native allotment F-16190 Parcel B;
Sec. 33, excluding Native allotment F-15821;
Sec. 34, excluding Native allotments F-15819 and F-15822.
Containing approximately 2,248 acres.

T. 15 N., R. 57 W.,
Secs. 2 and 3;
Secs. 6, 7 and 8;
Secs. 11, 14 and 17;
Secs. 20, 21 and 23;
Secs. 25, 26 and 28;
Secs. 33, 35 and 36.
Containing approximately 10,820 acres.

T. 16 N., R. 57 W.,
Secs. 1 and 2;
Secs. 6, 7, 8 and 12;
Secs. 16, 17, 21 and 22;
Secs. 27 and 34.
Containing approximately 7,599 acres.

T. 17 N., R. 57 W.,
Sec. 1, excluding U.S. Survey No. 3093;
Sec. 2, excluding U.S. Survey No. 2638 and U.S. Survey No. 3093;
Sec. 3, excluding U.S. Survey No. 2638 and Native allotment F-15823;
Sec. 4, excluding Native allotment F-15816;
Sec. 5, excluding Native allotment F-17330;
Sec. 6, excluding Native allotment F-15820;
Secs. 7, 8 and 9;
Sec. 10, excluding U.S. Survey No. 2638;
Sec. 11, excluding U.S. Survey No. 2638 and U.S. Survey No. 3093;
Sec. 12, excluding U.S. Survey No. 2236, U.S. Survey No. 2638, U.S. Survey No. 3093, U.S. Survey No. 4036, U.S. Survey No. 4286 and U.S. Survey No. 4312 and Native allotment F-15824 Parcel A;
Sec. 13, excluding U.S. Survey No. 2638, U.S. Survey No. 3650, U.S. Survey No. 4158 and U.S. Survey No. 4312;
Sec. 14, excluding U.S. Survey No. 2638;
Secs. 15 to 26, inclusive;
Sec. 27, excluding Native allotment F-15814 Parcel A;
Secs. 28 and 29;
Sec. 30, excluding Native allotment F-15845 Parcel A;
Sec. 31;
Secs. 32 and 33, excluding Native allotment F-15846;
Secs. 34, 35 and 36.
Containing approximately 16,559 acres.

T. 18 N., R. 57 W.,
Sec. 31;
Sec. 32, excluding Native allotment F-17330;
Sec. 33, excluding Native allotments F-15816, F-15826 and F-17332;
Sec. 34, excluding Native allotments F-15823 and F-17328;
Sec. 35, excluding U.S. Survey No. 6497 and Native allotment F-15815;
Sec. 36.
Containing approximately 2,689 acres.

T. 15 N., R. 58 W.,
Secs. 1 and 6.
Containing approximately 1,249 acres.

T. 16 N., R. 58 W.,
Secs. 1 to 5, inclusive;
Secs. 7, 8 and 12;
Sec. 17, excluding Native allotment F-015999;
Secs. 18 and 19;
Sec. 20, excluding Native allotment F-015999;
Secs. 25 to 31, inclusive;
Sec. 32, excluding Native allotment F-15824 Parcel B;
Secs. 33 to 36, inclusive.
Containing approximately 14,861 acres.

T. 17 N., R. 58 W.,
Sec. 1, excluding Native allotment F-16918;
Secs. 2, 3 and 4;
Sec. 5, excluding U.S. Survey No. 4135 and Native allotment F-029318;
Sec. 6;
Sec. 7, excluding Native allotments F-17329 Parcels B and C and F-17348 Parcel A;
Sec. 8, excluding Native allotment F-15665 Parcel A;
Sec. 9, excluding U.S. Survey No. 6473 and Native allotment F-17331;
Sec. 10;
Sec. 11, excluding Native allotment F-15825;
Secs. 12 and 13;
Sec. 14, excluding Native allotment F-15825;
Sec. 15;
Sec. 16, excluding U.S. Survey No. 6473 and Native allotment F-17331;
Secs. 17 to 36, inclusive.
Containing approximately 18,209 acres.

T. 18 N., R. 58 W.,
Secs. 25 to 36 inclusive.
Containing approximately 7,655 acres.

T. 15 N., R. 59 W.,
Sec. 1.
Containing approximately 640 acres.

T. 16 N., R. 59 W.,
Secs. 25 and 26;
Secs. 35 and 36.
Containing approximately 2,560 acres.
Aggregating approximately 104,935 acres.

Excluded from the above-described lands herein approved for conveyance are the submerged lands, up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Lands Management to be navigable because they have been or could be used in connection with travel, trade and commerce. The following named water bodies, together with any unnamed water bodies, are identified on the attached navigability maps, the original of which will be found in easement case file F-14831-EE:

Kuskokwim River
Aniak River
Aniak Slough
Doestock Creek
Owhat River

All other water bodies not depicted as navigable on the attached maps within the lands to be conveyed were reviewed. Based on existing evidence, they were determined to be nonnavigable.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one or more of the following reasons: Lands are no longer under Federal jurisdiction; lands are under applications pending further adjudication; lands are pending a determination under Sec. 3(e) of ANCSA; or lands were previously rejected by decision. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions *do not* constitute a rejection of the selection application, unless specifically so stated.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(f); and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b), the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F–14831–EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail—The uses allowed on a twenty-five (25) foot wide trail easement are: Travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (ATV's) (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

60 Foot Road—The uses allowed on a sixty (60) foot wide road easement are: Travel by foot, dogsled, animals, snowmobiles, two and three-wheel vehcles, small and large all-terrain vehicles, track vehicles, four-wheel drive vehicles, automibles, and trucks.

One Acre Site—The uses allowed on a one (1) acre site easement are: Vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, loading or unloading. Temporary camping, loading or unloading shall be limited to 24 hours.

a. (EIN 3 C3, D1, D9) An easement twenty-five (25) feet in width for an existing access trail from the townsite of Aniak southeasterly to Sec. 33, T. 17 N., R. 56 W., Seward Meridian, thence southwesterly to public land and the village of Tuluksak. The uses allowed are those listed for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

b. (EIN 6 C3, D1, D9) A one (1) acre site easement upland of the ordinary high water mark in Sec. 3, T. 17 N., R. 56 W., Seward Meridian, on the left bank of the Owhat River at the river's mouth. The uses allowed are those listed for a one (1) acre site easement.

c. (EIN 8 C3, D1, D9) An easement sixty (60) feet in width for an existing road from the west boundary of the Alaska Division of Aviation Tract 1 (Aniak Airport) westerly for approximately 2,900 feet to the "CT Site" thence northwesterly for approximately 1,830 feet to the "H Marker Site". The uses allowed are those listed for a sixty (60) foot wide road easement.

d. (EIN 16 C4, C5) An easement twenty-five (25) feet in width for a proposed access trail from the Kuskokwim River in Sec. 2, T. 17 N., R. 57 W., Seward Meridian, northeasterly to public land. The uses allowed are those listed for a twenty-five (25) foot wide trail easement.

e. (EIN 16a C4, C5) A one (1) acre site easement upland of the ordinary high water mark in Sec. 2, T. 17 N., R. 57 W., Seward Meridian, on the right bank of the Kuskokwim River. The uses allowed are those listed for a one (1) acre site easement.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therin, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958, 48 U.S.C., Ch. 2, Sec. 6(g)), contract, permit, right-of-way, or easement, and the right of the leasee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1616(b)(2) (ANCSA), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(c), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

The Kuskokwim Corporation (for the village of Aniak) is entitled to conveyance of 115,200 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 104,935 acres. The remaining entitlement of approximately 10,265 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA and Departmental regulation 43 CFR 2652.4, conveyance of the subsurface estate of the lands described above shall be issued to Calista Corporation when the surface estate is conveyed to The Kuskokwim Corporation (for the village of Aniak), and shall be subject to the same conditions as the surface conveyance, except for those provisions under Sec. 14(c) of ANCSA; also the right to explore, develop or remove mineral materials from the subsurface estate in lands within the boundaries of the Native village shall be subject to the consent of The Kuskokwim Corporation.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks, in the Tundra Drums.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the attached regulations in Title 43 Code of Federal Regulations (CFR), Part 4, Subpart E, as revised. However, pursuant to Pub. L. 96–487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

If an appeal is taken the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of ANCSA and State Conveyances (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501.

The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until October 25, 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of ANCSA and State Conveyances.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

The Kuskokwin Corporation, 429 D Street, Suite 307, Anchorage, Alaska 99501
Calista Corporation, 516 Denali Street, Anchorage, Alaska 99501
State of Alaska, Department of Natural Resources, Division of Research and Development, Pouch 7–005, Anchorage, Alaska 99510

Ann Johnson,

Chief, Branch of Alaska Nature Claims Settlement Act Adjudication.

[FR Doc. 82–26236 Filed 9–22–82; 8:45 am]

BILLING CODE 4310–84–M

[C–12610]

Colorado; Partial Cancellation of Withdrawal Application for Arapaho National Wildlife Refuge

The U.S. Fish and Wildlife Service filed withdrawal application Serial No. C–12610 on March 23, 1971. This application was published as FR Doc. 71–4462 on March 26, 1971, and republished as FR Doc. 79–27783 on September 6, 1979. The requesting agency has canceled this application as to the following described lands:

Sixth Principal Meridian

T. 7 N., R. 79 W.,
Sec. 4, lot 4, SW¼NW¼, NW¼SW¼, and that part of the SW¼SW¼ lying northeast of a diagonal line from the northwest corner to the southeast corner of said quarter-quarter of the section;
Sec. 9, SW¼SE¼;
Sec. 14, that part of the SW¼SW¼ lying northeast of a diagonal line from the northwest corner to the southeast corner of said quarter-quarter of the section;
Sec. 15, that part of the SW¼NE¼ lying northeast of a diagonal line from the northwest corner to the southeast corner of said quarter-quarter of the section.
T. 8 N., R. 79 W.,
Sec. 6, that part of lot 7 lying northwest of a diagonal line from the northeast corner to the southwest corner of said lot, the exact boundary being the existing fence marking the Arapaho National Wildlife Refuge;
Sec. 8, S½;
Sec. 9, S½;
Sec. 17;
Sec. 19, lot 4, SE¼SW¼, and S½SE¼;
Sec. 21, that part of the NW¼SE¼ lying southeast of a diagonal line from the northeast corner to the southwest corner of said quarter-quarter of the section, the exact boundary being the existing fence marking the boundary of the Arapaho National Wildlife Refuge, and SW¼SE¼;
Sec. 28, W½NE¼;
Sec. 33, SW¼SW¼.
T. 8 N., R. 80 W.,
Sec. 11, NE¼NE¼, and that part of the SW¼NE¼ lying northwest of a diagonal line from the northeast corner to the southwest corner of said quarter-quarter of the section, the exact boundary being the existing fence marking the Arapaho National Wildlife Refuge, and those portions of the N½SW¼ and SW¼SW¼ lying northwest of a diagonal line between the northeast corner of the NE¼SW¼ and the southwest corner of the SW¼SW¼ of said quarter-quarter of the section, the exact boundary being the existing fence marking the Arapaho National Wildlife Refuge;
Sec. 12, NE¼, and N½NW¼;
Sec. 15, NW¼NE¼, and NE¼NW¼.

The areas described aggregate approximately 2,315.00 acres.

Therefore, in accordance with the regulations contained in 43 CFR 2310.2–1(c), at 10:00 a.m. on October 28, 1982, the land herein described shall be relieved of the segregative effect of this application and open to operation of the public land laws, including the United States mining laws, subject to any valid existing rights. The land remains open to the mineral leasing laws.

All valid applications received at or prior to 10:00 a.m. on October 28, 1982, shall be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

Any questions concerning this land should be directed to the Chief, Lands and General Mining Law Section, Colorado State Office, Bureau of Land Management, 1037—20th Street, Denver, Colorado 80202.

September 16, 1982.

Robert D. Dinsmore,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 82–26218 Filed 9–22–82; 8:45 am]

BILLING CODE 4310–84–M

Federal-State Coal Advisory Board Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Meeting notice.

SUMMARY: This notice advises the public that a special Federal-State Coal Advisory Board Technical Task Force will meet October 12, 1982, in Denver, Colorado.

DATE AND PLACE: The Technical Task Force will meet at 9:00 a.m. on October 12, at the Travelodge-Denver North, 200 West 48th Avenue, Denver, Colorado 80216, phone (303) 893–8811.

SUPPLEMENTARY INFORMATION: At a technical meeting held August 26, 1982, the Federal-State Coal Advisory Board established a technical task force to further develop the technique for forecasting the demand for coal reserves.

Detailed procedures to be used to develop a range of leasing levels will be discussed by the task force. This is a working meeting; no formal public presentations will be made.

FOR FURTHER INFORMATION CONTACT: Bureau of Land Management, Colorado State Office, 1037 20th Street, Denver, CO 80202, Attn: Ken Smith. Phone: (303) 837–3008.

George C. Francis,

State Director.

[FR Doc. 82–26219 Filed 9–22–82; 8:45 am]

BILLING CODE 4310–84–M

[M–046727]

Montana; Partial Termination of Small Tract Classification

1. On September 29, 1961 (26 FR 9387), pursuant to authority delegated to the State Director by Bureau Order No. 541, dated April 21, 1954 (10 FR 2473), and further delegated by State Director's Order of June 28, 1961, 40 acres of public land were classified as suitable for transfer under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 682a–e), as amended. The classification segregated the land from appropriation under the public land laws, including location and entry under the mining laws. The lands have not been selected for transfer.

2. Pursuant to Section 702 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2789), the classification has been reviewed and 32.50 acres have been determined suitable for return to unreserved public lands status. The classification is hereby terminated, in part, as to the following described land:

Principal Meridian

T. 9 N., R. 3 W.,
Sec. 14, N½N½SE¼SE¼, SW¼NW¼SE¼SE¼, and S½SE¼SE¼

The area contains 32.50 acres located in Jefferson County.

3. At 8 a.m. on November 1, 1982, the lands described in Paragraph Two will be open to operation of the public land laws including the general mining laws, subject to valid existing rights, the provisions of existing withdrawals, and requirements of applicable law. All valid applications received at or prior to 8 a.m. on November 1, 1982, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The lands have been and continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning these lands should be addressed to Chief, Branch of Lands and Minerals Operations, Bureau

of Land Management, P.O. Box 30157, Billings, Montana 59107.

Michael J. Penfold,

State Director.

September 15, 1982.

[FR Doc. 82-26213 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-84-M

[M 10816, et al]

Montana; Termination of Classifications for Multiple Use Management

1. Pursuant to authority delegated by Bureau Order No. 701, dated July 23, 1964 (29 FR 10526), as amended, the Bureau of Land Management multiple use classification orders summarized as follows are hereby terminated:

M 10816, 35 FR 18404 (December 3, 1970), containing 313.96 acres in Valley County;

M 12080, 35 FR 13221 (August 19, 1970), aggregating 17,682.99 acres in Dawson and Wibaux Counties;

M 14191, 35 FR 11419 (July 16, 1970), containing 1,274.88 acres in Prairie County;

M 15352, 35 FR 15852–15853 (October 8, 1970); as corrected, 35 FR 16182 (October 22, 1970), aggregating 2,622.32 acres in Yellowstone, Park, Sweet Grass, Stillwater and Treasure Counties;

M 16782, 35 FR 19528 (December 23, 1970), containing 457.04 acres in Carbon County; and

M 16802, 35 FR 19528–19529 (December 23, 1970), aggregating 2,950.34 acres in Yellowstone County.

The total acreage described in the above orders aggregates approximately 25,301 acres.

2. At 8 a.m. on October 27, 1982, the lands of paragraph one shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 8 a.m. on October 27, 1982, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

3. The lands described in paragraph one have been and continue to be open to location under the mining laws and to application and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107.

Kannon Richards,

Acting State Director.

September 14, 1982.

[FR Doc. 82-26212 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-84-M

Reduction and Redesignation of Mathers Research Natural Area in New Mexico—Serial No. NM-53076

AGENCY: Bureau of Land Management, Interior.

ACTION: Reduction and Redesignation of Mathers Research Natural Area.

SUMMARY: Pursuant to the authority in 43 CFR, Subpart 2070, and authorization from the Director, Bureau of Land Management, dated August 9, 1982, I hereby remove the designation "Mathers Natural Area" from 120.8 acres of public lands in the following described area:

T. 10 S., R. 30 E., Section 1, N½SE¼, NMPM and T. 10 S., R. 31 E., Section 6, Lot 6, NMPM.

and change the designation applied to the public lands in the following described area from "Mathers Natural Area" to "Mathers Research Natural Area":

T. 10 S., R. 30 E., Section 1, Lots 1 and, S½NE¼, NMPM and T. 10 S., R. 31 E., Section 6, Lots 4, and 5, NMPM.

The remaining redesignated area aggregates approximately 241.54 acres of public land in Chaves County, New Mexico.

In accordance with 43 CFR 2071.4(a), this designation removal and redesignation action is only for the purpose of identifying the Bureau of Land Management's current management objectives for the area and has no effect upon established use or management of the lands and resources involved. The entire 362.34 acres subject to this action were originally classified for multiple-use management under the Classification and Multiple Use Act of September 19, 1964, and were segregated from all forms of appropriation under the public land laws on August 27, 1970 (FR Vol. 35, No. 167, page 13670). An opening order was published May 29, 1981, (FR Vol. 48, No. 103, page 28954) which opened the 120.8 acres removed from the designation to the operation of the public land laws. This reduction and redesignation of Mathers Natural Area implements decisions contained in the East Chaves Management Framework Plan which was approved in 1976. This action also brings the boundaries of the Mathers Research Natural Area into full conformance with those of the National Natural Landmark designation applied to the area by the Secretary of the Interior on May 14, 1982.

The remaining Mathers Research Natural Area is designated under the general category of Natural Resources Experiment and Research Areas, which covers relatively small areas used for research or experimental purposes (43 CFR 2071.4(b)(4)). The established primary management objectives for Mathers Research Natural Area, as prescribed by the East Chaves Management Framework Plan and implemented in accordance with a site-specific management plan approved in 1978, are to preserve and maintain the natural quality of its unique plant community and to provide opportunities for nondestructive scientific and educational studies of its natural characteristics.

The redesignated area has been determined to meet the Bureau of Land Management's criteria for Research Natural Areas contained in 43 CFR 8223.0–5. Mathers Research Natural Area may be used by individuals and groups for scientific study, research and demonstration purposes, and for other uses compatible with its established management objectives or authorized by the Roswell District Manager, by law, or by other Federal regulations in accordance with 43 CFR 8223.1.

Inquiries concerning these lands should be addressed to the Bureau of Land Management, P.O. Box 1449, Santa Fe, NM 87501.

Marvin LeNoue,

Acting State Director.

[FR Doc. 82-26221 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-84-M

[INT DEIS 82-50]

Draft Andrews Grazing Management Environmental Impact Statement; Notice of Public Meeting and DEIS Availability

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Meeting on Andrews Grazing Management DEIS.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environment Policy Act of 1969, the Department of the Interior has prepared a Draft Environmental Impact Statement for the Andrews EIS area. The proposal involves implementing a livestock grazing program on public lands within the Andrews EIS area of the Burns District in central Oregon.

Public reading copies will be available for review at the following locations:

Bureau of Land Management, Office of Public Affairs, 825 N.E. Multnomah Street, Portland, Oregon
Bureau of Land Management, Burns District Office, 745 Alvord St., Burns, Oregon
Library, University of Oregon, Eugene, Oregon
Central Oregon Community College, College Way, Bend, Oregon
Library, Portland State University, 727 SW Harrison, Portland, Oregon
Harney County Library, 80 West D, Burns, Oregon
Library, Oregon State University, Corvallis, Oregon

A limited number of copies are available upon request to the BLM Oregon State Office or the Burns District Office.

Informal public information meetings will be held on November 16 in the Community Hall in Denio, Nevada and November 17 in the Club Room of The Harney County Museum in Burns, Oregon.

Written comments on the draft EIS may be sent to: State Director (935), Bureau of Land Management, P.O. Box 2965, Portland, Oregon 97208.

Comments should be postmarked on or before December 1, 1982 to be considered in preparation of the Final Andrews EIS.

FOR FURTHER INFORMATION CONTACT:
Gerry Fullerton, Oregon State Office, Telephone: (503) 231–6955.

Dated: August 24, 1982.

Stanley D. Butzer,

Chief, Division of Resources.

[FR Doc. 82–26269 Filed 9–22–82; 8:45 am]

BILLING CODE 4310–84–M

[OR 17158]

Oregon; Order Providing for Opening of Public Lands

1. Pursuant to Section 103(a) of the Act of July 14, 1960 (74 Stat. 506, 43 U.S.C. 1364), the following described land was donated and reconveyed to the United States and title was accepted pursuant to Section 205 of the Act of October 21, 1976 (43 U.S.C. 1715):

Willamette Meridian

T. 33 S., R. 5 W.,
Sec. 12, Mineral Survey 920.
The area described contains 19.29 acres in Douglas County, Oregon.

2. At 9:30 a.m., on October 29, 1982, the land will be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 9:30 a.m., on October 29, 1982, will be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

3. At 9:30 a.m., on October 29, 1982, the land will be open to location and entry under the United States mining laws and to applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the State Director, Bureau of Land Management, P.O. Box 2965, Portland, Oregon 97208.

Harold A. Berends,

Chief, Branch of Lands and Minerals Operations.

Dated: September 15, 1982.

[FR Doc. 82–26210 Filed 9–22–82; 8:45 am]

BILLING CODE 4310–84–M

Richfield District Grazing Advisory Board; Meeting

September 17, 1982.

Notice is hereby given in accordance with Pub. L. 92–463 that a meeting of the Richfield District Grazing Advisory Board will be held on November 9, 1982.

The meeting will begin at 9 a.m. in the conference room of the Bureau of Land Management Office at 150 East 900 North, Richfield, Utah.

The agenda for the meeting includes discussion of the following items:

1. A discussion of the function of the Board;
2. The expenditure of range betterment and advisory board funds for range improvements;
3. A review of the current policy and program relating to allotment and management plans, including ongoing and future grazing environmental statement effort;
4. Election of officers;
5. Discussion of the board's future involvement in the allotment management plan program, and;
6. The arrangements for the next meeting.

The meeting is open to the public. Interested persons may make oral statements to the board between 3 p.m. and 4 p.m. on November 9, 1982, or file written statements for the board's consideration.

Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, 150 East 900 North, Richfield, Utah 84701 by November 8, 1982. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager.

Summary minutes of the board meeting will be maintained in the District Office and be available for public inspection and reproductions during regular business hours within 30 days following the meeting.

Donald L. Pendleton,

District Manager.

[FR Doc. 82–26208 Filed 9–22–82; 8:45 am]

BILLING CODE 4210–84–M

[W–4471–A]

Wyoming; Proposed Continuation of Public Water Reserves

September 15, 1982.

The Bureau of Land Management, U.S. Department of the Interior, proposes that the existing Public Water Reserves, withdrawn by the Executive and Secretarial Orders as indicated below, be continued in part as to the following described lands for a period of 20 years, pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751, 43 U.S.C. 1714. The purpose of the withdrawal is to protect existing permanent water sources.

Sixth Principal Meridian, Wyoming

1. Public Water Reserve No. 32, withdrawn by Executive Order of February 29, 1916.

T. 43 N., R. 93 W.,
Sec. 15, SW¼NE¼;
Sec. 24, SE¼SE¼;
Sec. 27, W½NW¼;
Sec. 29, SW¼NW¼.

The area described contains 200 acres in Hot Springs County, Wyoming.

2. Public Water Reserve No. 45, withdrawn by Executive Order of April 13, 1917.

T. 56 N., R. 103 W.,
Sec. 31, NE¼SW¼.

The area described contains 40 acres in Park County, Wyoming.

3. Public Water Reserve No. 58, withdrawn by Secretarial Order of February 25, 1919.

T. 50 N., R. 100 W.,
Sec. 27, SW¼NW¼, and N½SW¼.
Sec. 28, S½NE¼, and SE¼NW¼.

The area described contains 240 acres in Park County, Wyoming.

4. Public Water Reserve No. 63, withdrawn by Executive Order of April 30, 1919.

T. 49 N., R. 103 W.,
Sec. 15, W½NW¼, NE¼SW¼;
Sec. 16, lots 1, 2, and 3.

The area described contains 226.63 acres in Park County, Wyoming.

5. Public Water Reserve No. 64, withdrawn by Executive Order of June 5, 1919.

T. 49 N., R. 101 W.,
Sec. 1, lot 6.

The area described contains 36.45 acres in Park County, Wyoming.

6. Public Water Reserve No. 75, withdrawn by Executive Order of October 27, 1920.

T. 47 N., R. 87 W.,
Sec. 15, SW¼NE¼.
T. 43 N., R. 94 W.,
Sec. 22, SE¼SE¼;
Sec. 27, E½NE¼.
T. 50 N., R. 101 W.,
Lot 37–D (Sec. 28).
T. 52 N., R. 101 W.,
Sec. 29, SW¼.

The area described contains 360.02 acres in Hot Springs, Park and Washakie Counties, Wyoming.

7. Public Water Reserve No. 119, withdrawn by Executive Order of February 16, 1929.

T. 48 N., R. 87 W.,
Sec. 30, NE¼SE¼, and S½SE¼,
Sec. 31, N½NE¼.
T. 47 N., R. 99 W.,
Sec. 13, NW¼SW¼, and SE¼SW¼.

The area described contains 280 acres in Hot Springs and Washakie Counties, Wyoming.

8. Public Water Reserve No. 132, withdrawn by Executive Order No. 5407 of June 25, 1930.

T. 41 N., R. 90 W.,
Sec. 31, lot 3, and E½SW¼.
T. 55 N., R. 94 W.,
Sec. 1, lots 1, 2, 3, S½NW¼, and NW¼SW¼;
Sec. 2, NE¼SE¼, and S½SE¼;
Sec. 11, NW¼NE¼.

The area described contains 518.90 acres in Hot Springs and Big Horn Counties, Wyoming.

9. Public Water Reserve No. 146, withdrawn by Executive Order No. 5907 of April 18, 1932.

T. 45 N., R. 94 W.,
Sec. 21, lots 1 and 2.

The area described contains 65.51 acres in Washakie County, Wyoming.

10. Public Water Reserve No. 149, withdrawn by Executive Order No. 6025, of February 14, 1933.

T. 46 N., R. 100 W.,
Sec. 14, lot 1;
Sec. 15, NW¼SW¼.

The area described contains 80.13 acres in Hot Springs County, Wyoming.

11. Public Water Reserve No. 107, withdrawn by the Secretarial Orders of February 16, 1929, January 17, and April 15, 1931, April 8, 1932, February 15, and March 23, 1933, May 26, and September 27, 1934, January 18, 1935, March 19, 1936, and August 7, 1959.

T. 42 N., R. 86 W.,
Sec. 11, NE¼NE¼.
T. 47 N., R. 87 W.,
Sec. 21, NW¼NW¼.
T. 48 N., R. 88 W.,
Sec. 24, lot 4, and SW¼SE¼;
Sec. 25, lot 1, W½NE¼, and SE¼NW¼.
T. 50 N., R. 88 W.,
Sec. 5, lot 5.
T. 49 N., R. 89 W.,
Sec. 30, lot 5;
Sec. 35, NW¼SW¼.
T. 51 N., R. 89 W.,
Sec. 21, S½SE¼;
Sec. 28, E½NE¼.
T. 49 N., R. 90 W.,
Sec. 20, lot 5.
T. 51 N., R. 90 W.,
Sec. 1, lot 5, and SE¼NE¼.
T. 49 N., R. 91 W.,
Sec. 12, lot 3.
T. 43 N., R. 92 W.,
Tract 53–C (Sec. 22).
T. 58 N., R. 93 W.,
Sec. 31, lots 2 and 3.
T. 57 N., R. 94 W.,
Sec. 12, NW¼SW¼.
T. 48 N., R. 96 W.,
Sec. 12, lot 1.
T. 57 N., R. 96 W.,
Sec. 26, SW¼NE¼.
T. 45 N., R. 98 W.,
Sec. 6, lot 2.
T. 46 N., R. 99 W.,
Sec. 34, NW¼SW¼.
T. 50 N., R. 100 W.,
Sec. 11, W½NW¼, and NW¼SW¼.

The area described contains 1,185.83 acres in Washakie, Big Horn, Hot Springs and Park Counties, Wyoming.

12. Public Water Reserves No. 107, withdrawn by Bureau of Land Management Orders of November 2, 1949, November 25, 1957, June 29, 1965, November 3, 1967, October 21, and December 30, 1969, April 15, 1970, January 20, 1971, May 30, 1972, August 27, 1973, and January 22, and December 19, 1975.

T. 48 N., R. 88 W.,
Sec. 8, lot 1.
T. 42 N., R. 89 W.,
Sec. 22, NE¼NE¼.
T. 47 N., R. 89 W.,
Sec. 6, lot 9.
T. 49 N., R. 89 W.,
Sec. 28, NE¼NW¼.
T. 43 N., R. 90 W.,
Sec. 6, lot 10.
T. 42 N., R. 91 W.,
Sec. 7, SE¼SE¼.
T. 43 N., R. 91 W.,
Sec. 26, SW¼NW¼.
T. 44 N., R. 91 W.,
Sec. 35, SE¼NE¼.
T. 47 N., R. 91 W.,
Sec. 3, SW¼NE¼.
T. 49 N., R. 91 W.,
Sec. 2, lot 6.
T. 55 N., R. 94 W.,
Sec. 25, NW¼NE¼.
T. 58 N., R. 95 W.,
Sec. 20, SW¼NW¼;
Sec. 23, NE¼SW¼.
T. 46 N., R. 96 W.,
Sec. 27, lot 12.
T. 56 N., R. 100 W.,
Sec. 1, lot 3.

The area described contains 588.98 acres in Washakie, Big Horn, Hot Springs, and Park Counties, Wyoming.

Upon the Secretary's approval of the Public Land Order, all of the lands described above will be opened to nonmetalliferous mineral location, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. The lands have been and will continue to be open to applications and offers under the mineral leasing laws.

13. The following lands were withdrawn by Public Water Reserve No. 107, established by Executive Order of April 17, 1926, but were not previously noted on the official land office records. Upon the Secretary's approval of the Public Land Order, the following described lands will be segregated from the operations of the public land laws generally. The lands have been and will continue to be open to mineral location and mineral leasing, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law.

Sixth Principal Meridian, Wyoming

T. 44 N., R. 86 W.,
Sec. 8, NW¼SW¼;
Sec. 12, NW¼NW¼, S½NW¼, and SE¼SW¼;
Sec. 14, SW¼NE¼.
T. 45 N., R. 86 W.,
Sec. 24, SE¼SE¼;
Sec. 32, SW¼NE¼.
T. 46 N., R. 86 W.,
Sec. 29, lot 10.
T. 45 N., R. 87 W.,
Sec. 29, NE¼NW¼.
T. 48 N., R. 87 W.,
Sec. 18, NE¼SW¼;
Sec. 28, SW¼SW¼.
T. 42 N., R. 88 W.,
Sec. 8, NW¼SW¼.
T. 48 N., R. 88 W.,
Sec. 12, lot 2;
Sec. 13, SW¼NE¼.
T. 50 N., R. 88 W.,
Sec. 3, SE¼NW¼;
Sec. 4, SE¼NW¼;
Sec. 8, lot 4;
Sec. 9, NE¼NW¼, and NE¼SW¼;
Sec. 10, W½NW¼;
Sec. 11, NW¼NW¼;
Sec. 23, SW¼SW¼.
T. 43 N., R. 89 W.,
Sec. 3, lot 8.
T. 53 N., R. 90 W.,
Sec. 33, NW¼SW¼.
T. 43 N., R. 91 W.,
Sec. 25, lot 3;
Sec. 35, NW¼NW¼.
T. 50 N., R. 91 W.,
Sec. 26, SW¼SE¼.
T. 42 N., R. 92 W.,
Sec. 5, lot 4;
Sec. 18, NW¼NE¼.
T. 43 N., R. 92 W.,
Sec. 4, lot 11.

T. 44 N., R. 92 W.,
Sec. 17, NW¼SW¼.
T. 54 N., R. 92 W.,
Sec. 5, NW¼SW¼.
T. 55 N., R. 92 W.,
Sec. 14, lot 4.
T. 56 N., R. 92 W.,
Sec. 30, lot 5;
Sec. 31, lot 1.
T. 47 N., R. 92½ W.,
Tract 65–C (Sec. 13).
T. 42 N., R. 93 W.,
Sec. 5, SE¼SW¼.
T. 43 N., R. 93 W.,
Sec. 25, NE¼NW¼.
T. 48 N., R. 93 W.,
Sec. 36, lot 3.
T. 56 N., R. 93 W.,
Sec. 17, lot 8;
Sec. 26, NW¼NW¼.
T. 57 N., R. 93 W.,
Sec. 1, NW¼SW¼, and SW¼SE¼;
Sec. 12, SW¼NW¼.
T. 58 N., R. 93 W.,
Sec. 32, SW¼NW¼.
T. 42 N., R. 94 W.,
Sec. 1, SW¼NE¼.
T. 43 N., R. 94 W.,
Sec. 25, SE¼NW¼, and N½SW¼;
Sec. 28, E½SW¼.
T. 45 N., R. 94 W.,
Sec. 4, lot 20.
T. 42 N., R. 95 W.,
Sec. 17, NW¼NW¼.
Sec. 23, SW¼SW¼.
T. 43 N., R. 95 W.,
Sec. 19, SE¼SW¼;
Sec. 20, SW¼SW¼;
Sec. 30, SW¼NE¼.
T. 44 N., R. 95 W.,
Sec. 2, NE¼SE¼;
Sec. 20, SE¼SE¼;
Sec. 21, SE¼SE¼;
Sec. 22, SE¼SW¼.
T. 45 N., R. 95 W.,
Sec. 5, lot 18;
Sec. 7, lot 6;
Sec. 31, lot 8;
Sec. 32, lot 7.
T. 47 N., R. 95 W.,
Sec. 9, lot 13.
T. 57 N., R. 95 W.,
Sec. 22, NE¼NE¼.
T. 44 N., R. 96 W.,
Sec. 20, NE¼SE¼;
Sec. 21, NW¼SW¼, and W½SE¼;
Sec. 22, SW¼NW¼;
Sec. 23, SW¼NW¼;
Sec. 24, NW¼SW¼.
T. 45 N., R. 96 W.,
Sec. 1, lot 12;
Sec. 26, lots 13, and 16;
Sec. 27, lots 10, 12, and 16;
Sec. 28, lot 14;
Sec. 33, lot 5.
T. 47 N., R. 96 W.,
Sec. 21, lot 16.
T. 44 N., R. 97 W.,
Sec. 3, NW¼NE¼;
Sec. 7, lot 4;
Sec. 17, NE¼NW¼, and SW¼SW¼;
Sec. 19, SE¼NW¼;
Sec. 27, NW¼SE¼;
Sec. 29, NE¼NW¼.
T. 45 N., R. 97 W.,
Sec. 5, NE¼SE¼;
Sec. 17, NE¼SW¼, and NW¼SE¼.
T. 46 N., R. 97 W.,
Sec. 17.
T. 48 N., R. 97 W.,
Sec. 30, NW¼SW¼.
T. 50 N., R. 97 W.,
Sec. 2, NE¼SW¼;
Sec. 28, NE¼NW¼;
Sec. 34, NW¼SE¼.
T. 44 N., R. 98 W.,
Sec. 11, NW¼SE¼;
Sec. 12, NW¼SW¼;
Sec. 13, NE¼SE¼;
Sec. 14, NW¼SW¼;
Sec. 24, NE¼SW¼.
T. 45 N., R. 98 W.,
Sec. 7, SW¼NE¼;
Sec. 14, SW¼NW¼;
Sec. 15, NE¼NE¼, SW¼SW¼, and SW¼SE¼;
Sec. 21, NE¼NE¼, and SE¼NW¼;
Sec. 24, SE¼NW¼;
Sec. 29, NE¼NE¼.
T. 46 N., R. 98 W.,
Sec. 17, NE¼SE¼.
T. 47 N., R. 98 W.,
Sec. 12, SE¼NE¼.
T. 48 N., R. 98 W.,
Sec. 25, SE¼NE¼.
T. 44 N., R. 99 W.,
Sec. 3, SW¼NW¼, and NW¼SW¼;
Sec. 4, SE¼NE¼, and NW¼SW¼;
Sec. 5, lot 4;
Sec. 8, NW¼NW¼, and NW¼SE¼;
Sec. 9, SE¼SW¼;
Sec. 10, SE¼NE¼, S½NW¼, and NW¼SW¼;
Sec. 31, lot 3, SE¼NW¼, and SW¼SE¼;
Sec. 33, NE¼SE¼.
T. 45 N., R. 99 W.,
Sec. 1, SE¼SW¼;
Sec. 2, SE¼NW¼;
Sec. 8, NW¼NE¼;
Sec. 9, SE¼SW¼;
Sec. 17, NW¼SE¼;
Sec. 18, NW¼SE¼;
Sec. 19, SW¼NE¼;
Sec. 25, SW¼NW¼, and SE¼SW¼;
Sec. 26, SW¼NE¼;
Sec. 28, NE¼NW¼;
Sec. 31, lot 4, and NE¼SW¼.
T. 46 N., R. 99 W.,
Sec. 7, NE¼SE¼;
Sec. 10, W½NW¼;
Sec. 20, NW¼SW¼, and W½SE¼;
Sec. 35, SW¼NE¼.
T. 47 N., R. 99 W.,
Sec. 20, SE¼SE¼.
T. 48 N., R. 99 W.,
Sec. 12, NE¼NW¼.
T. 43 N., R. 100 W.,
Sec. 2, SW¼NE¼, and SE¼NW¼;
Sec. 4, SW¼NW¼, and N½SE¼;
Sec. 5, SW¼SW¼;
Sec. 6, SW¼SE¼.
T. 44 N., R. 100 W.,
Sec. 1, lots 3 and 7;
Sec. 2, SE¼NE¼;
Sec. 4, lots 1, 2, 4, SW¼NE¼, and SE¼NW¼;
Sec. 6, NW¼SW¼;
Sec. 9, NW¼NE¼, and NE¼SE¼;
Sec. 10, NW¼SW¼, and NW¼SE¼;
Sec. 15, SW¼NE¼;
Sec. 18, NW¼NE¼;
Sec. 19, NW¼NW¼;
Sec. 23, lot 2;
Sec. 30, SE¼SE¼;
Sec. 31, E½NE¼;
Sec. 33, SW¼NW¼, and NW¼SE¼;
Sec. 35, NW¼SE¼.
T. 45 N., R. 100 W.,
Sec. 4, SW¼SW¼;
Sec. 5, NE¼SW¼;
Sec. 6, SW¼NE¼, and SE¼SE¼;
Sec. 8, SW¼NW¼;
Sec. 24, NE¼NW¼, and NE¼SE¼;
Sec. 30, SW¼NE¼;
Sec. 31, lot 3;
Sec. 35, E½SE¼.
T. 46 N., R. 100 W.,
Sec. 4, SW¼NW¼;
Sec. 14, SW¼SW¼;
Sec. 29, NW¼SW¼.
T. 47 N., R. 100 W.,
Sec. 1, lot 6;
Sec. 4, NE¼SW¼;
Sec. 14, SW¼SE¼;
Sec. 24, NE¼NE¼, and SE¼NW¼;
Sec. 27, SE¼SE¼.
T. 53 N., R. 100 W.,
Sec. 12, SW¼NE¼;
Sec. 13, NW¼SW¼;
Sec. 33, lot 40–A.
T. 42 N., R. 101 W.,
Sec. 5, NE¼SW¼.
T. 43 N., R. 101 W.,
Sec. 1, lot 8;
Sec. 2, lots 5, 9, and NE¼SE¼;
Sec. 13, SW¼NW¼.
T. 44 N., R. 101 W.,
Sec. 1, lot 2, and NE¼SE¼;
Sec. 3, SE¼NW¼;
Sec. 4, SW¼NW¼;
Sec. 14, NW¼SE¼;
Sec. 19, NW¼NE¼;
Sec. 30, lot 1;
Sec. 34, NW¼NW¼.
T. 45 N., R. 101 W.,
Sec. 1, lot 11;
Sec. 3, SE¼SE¼;
Sec. 4, lot 8, S½NW¼, and SW¼SE¼;
Sec. 9, NE¼SW¼, and SW¼SW¼;
Sec. 10, NW¼NE¼,SE¼NE¼, and SW¼NW¼;
Sec. 25, SW¼SW¼;
Sec. 26, E½SW¼;
Sec. 27, SW¼NW¼.
T. 46 N., R. 101 W.,
Sec. 11, NW¼SW¼;
Sec. 14, SW¼SW¼;
Sec. 15, NE¼NE¼;
Sec. 26, SW¼SW¼;
Sec. 27, lot 6, and SW¼SE¼;
Sec. 34, NE¼NE¼.
T. 50 N., R. 101 W.,
Sec. 34, SW¼SW¼.
T. 51 N., R. 101 W.,
Sec. 2, SW¼NW¼.
T. 43 N., R. 102 W.,
Sec. 2, NW¼NW¼;
Sec. 3, N½NE¼;
Sec. 26, NE¼NE¼.
T. 44 N., R. 102 W.,
Sec. 20, NE¼NW¼, and NW¼SE¼;
Sec. 23, NW¼SW¼, and SW¼SE¼;
Sec. 24, SW¼SE¼;
Sec. 25, lot 3, S½SW¼, and SW¼SE¼;
Sec. 27, SE¼SW¼, and SW¼SE¼;
Sec. 28, SW¼NE¼, and SW¼NW¼;
Sec. 32, SW¼NE¼, and NW¼NW¼;
Sec. 34, NW¼NE¼, and W½SE¼.
T. 49 N., R. 102 W.,

Sec. 35, lot 5.
T. 55 N., R. 102 W.,
Sec. 1, SW¼SW¼.
T. 56 N., R. 102 W.,
Sec. 34, lot 3.
T. 43 N., R. 103 W.,
Sec. 3, lots 1, 4, and NW¼SE¼;
Sec. 10, lot 1.
T. 52 N., R. 103 W.,
Sec. 18, SW¼NE¼, and NE¼SE¼;
Sec. 19, NE¼SE¼;
Sec. 30, NE¼SE¼;
Sec. 32, NW¼NE¼.
T. 53 N., R. 103 W.,
Sec. 31, NE¼NW¼.

The area described aggregates 11,779.22 acres in Big Horn, Hot Springs, Park, and Washakie Counties, Wyoming.

Notice is hereby given, that a public meeting may be afforded in connection with the proposed withdrawal continuation. All interested persons who desire a meeting to be held on the proposal must submit a written request for a meeting to the undersigned on or before December 22, 1982. Upon the determination by the State Director, Bureau of Land Management, that a public meeting shall be held, a notice stating the time and place of the meeting, shall be published in the **Federal Register** and in at least one newspaper having a general circulation in the vicinity of lands involved, at least 30 days before the scheduled date of the meeting. All persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal continuation may present their views in writing to the undersigned authorized officer of the BLM on or before December 22, 1982.

The authorized officer of the BLM will undertake such investigations as are necessary and prepare a report for consideration of the Office of the Secretary of the Interior. The final determination on the continuation of the withdrawal will be published in the **Federal Register.** The existing withdrawals will continue until such final determination is made.

All communications in connection with the proposed withdrawal continuation should be addressed to the undersigned officer, Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82001.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 82-26211 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-84-M

Minerals Management Service

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Chevron U.S.A. Inc. has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 3129, Block 213, Vermilion 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: September 17, 1982.

John L. Rankin,

Acting Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-26210 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Union Oil Company of California has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS–G 1031 and 1529, Blocks 253 and 252, Ship Shoal 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 Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: September 17, 1982.

John L. Rankin,

Acting Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-26217 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Texaco U.S.A. has submitted a Development and Production Plan describing the activities it proposes to conduct on Leases OCS–G 4437 and OCS 0310, Blocks 236 and 229, South Marsh Island 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: September 17, 1982.

John L. Rankin,

Acting Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-26270 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-31-M

National Park Service

Mining Plan of Operations at Death Valley National Monument; Availability

Notice is hereby given that pursuant to the provisions of Section 2 of the Act of September 28, 1976, 16 U.S.C. 1901 et seq., and in accordance with the provisions of § 9.17 of 36 CFR Part 9, Pfizer Inc. has filed a plan of operations in support of a proposed plan of operations on lands embracing its Wonder Lode Mining Claim within the Death Valley National Monument. This plan is available for public inspection during normal business hours at the Death Valley National Monument Headquarters, Death Valley, California.

Dated: September 7, 1982.

Edwin L. Rothfuss,

Superintendent, Death Valley National Monument.

[FR Doc. 82-26257 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-70-M

Office of the Secretary

Alaska Land Use Council Land Use Advisors Committee

The Federal and State Cochairmen of the Alaska Land Use Council are soliciting nominations for appointment or reappointment to the Council's Land Use Advisors Committee.

The Land Use Advisors Committee is mandated by Section 1201(m)(1) of the Alaska National Interest Lands Conservation Act. The Committee plays a key role in the public participation program established by the Alaska Land Use Council. Among other responsibilities, the Committee makes recommendations concerning the Council's annual work program and actions of the Federal agencies as they implement the Alaska Lands legislation.

The Alaska Lands Act requires that the Land Use Advisors Committee be representative of a balance between the State and national interests concerned with use of federally-owned public lands and resources in Alaska and the several geographic regions of the State. Members of the Committee serve without compensation but are reimbursed for necessary approved travel.

If you are interested in serving on the Land Use Advisors Committee send a letter of interest along with a resume to:

Alaska Land Use Council, Governor Jay S. Hammond, State Cochairman; Vernon R. Wiggins, Federal Cochairman, P.O. Box 120, Anchorage, Alaska 99510

The deadline for filing your letter of interest is November 17, 1982. For further information you may write to the above address or call (907) 272–3422.

William P. Horn,

Deputy Under Secretary.

September 20, 1982.

[FR Doc. 82-26260 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-10-M

INTERSTATE COMMERCE COMMISSION

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Please direct status inquiries about the following to Team 2 (202) 275–7030.

Volume No. OP2–227

Decided: September 16, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier.

MC 10223 (Sub-14), filed September 10, 1982. Applicant: CARL BROWN, ESTELLE FUNK, AND ALBERT R. FUNK d.b.a. MACK

TRANSPORTATION COMPANY, 4330 Torresdale Ave., Philadelphia, PA 19124. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966, 215–357–7220. Transporting *such commodities* as are dealt in or used by retail department stores, between points in the U.S., on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the international boundary line between the U.S., and Canada.

MC 107012 (Sub-772), filed June 7, 1982 (Clarification), previously published in the FR issue of July 2, 1982. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy 30 West, Fort Wayne, IN 46818. Representative: Bruce W. Boyarko, (same address as applicant), 219–429–2224. 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 Mobil Corporation, of Fairfax, VA, and its following subsidiaries (a) Mobil Oil Corporation of America, of Fairfax, VA, (b) Container Corporation of America, of Northlake, IL, and (c) Montgomery Ward and Company, Inc., of Chicago, IL.

Note.—This republication is to show the names of the contracting shippers.

MC 133262 (Sub-6), filed September 10, 1982. Applicant: TIGGES TRUCKING, INC., 5071 JFK Rd., Dubuque, IA 52001. Representative: James M. Hodge, 3730 Ingersoll Ave., Des Moines, IA 50312, (515) 274–4985. Transporting *commodities in bulk,* between points in IA, IL, MN, and WI.

MC 154912 (Sub-1), filed September 10, 1982. Applicant: MOTRUX TRANSPORTATION, LTD., 2345 Douglas Rd., Burnaby, B.C., Canada V5C 5A9. Representative: Michael D. Duppenthaler, 211 S. Washington St., Seattle, WA 98104, (206) 622–3220. Transporting (1) *lumber and wood products,* (2) *pulp, paper and related products,* and (3) *building materials,* between points in the U.S., under continuing contract(s) with (a) Lignum Limited, (b) MacMillan Bloedel Limited, both of Vancouver, British Columbia, Canada, and (c) Domtar, Inc., of Montreal, Quebec, Canada.

MC 156123 (Sub-1), filed September 13, 1982. Applicant: CALCIUM CHLORIDE SALES, INC., 713 West Main St., Grove City, PA 16127. Representative: S. Berne Smith, P.O. Box 1166, Harrisburg, PA 17108–1166, (717) 232–8000. Transporting *liquid calcium chloride,* between points in the U.S., under continuing contract(s) with Allied Corporation, of Morristown, NJ.

MC 161083 (Sub-2), filed September 10, 1982. Applicant: H & H TRUCKING, P.O. Box 191, Okolona, MS 38860. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205, (601) 948–8820. Transporting *metal products,* between points in Lee County, MS, on the one hand, and, on the other, points in AL, AR, FL, GA, LA, MO, OK, TN, and TX.

MC 161892, (Sub-1), filed September 9, 1982. Applicant: HUBBARD EQUIPMENT CORP., Whiskey Rd., P.O. Box 419, Coram, NY 11727. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904, 201–572–5551. Transporting (1) *building materials,* between New York, NY, and points in Suffolk County, NY, on the one hand, and, on the other, points in CT, NJ, NY, and PA, and (2) *those commodities which because of their size or weight require the use of special handling or equipment,* between those points in the U.S., in and east of WI, IA, MO, AR, and TX.

MC 162933, filed September 10, 1982. Applicant: ELLIS ROBERTS TRUCKING, Rt. 1, Box 61, Remlap, AL 35133. Representative: Donald B. Sweeney, Jr., P.O. Box 2366, Birmingham, AL 35201, 205–254–3880. Transporting (1) *metal products,* (2) *rubber and plastics products,* (3) *furniture and fixtures,* (4) *lumber and wood products,* and (5) *forest products,* between points in AL, FL, GA, LA, MS, TN, TX, NC, SC, IL, IN, AR, KY, and MO.

MC 163622, filed September 13, 1982. Applicant: GERALD N. CREASY, d.b.a. CREASY TRANSPORT, 911 Euclid Ave., Lynchburg, VA 24501. Representative: William F. Quillian, III, 801 Court St., Lynchburg, VA 24504, 804–845–6084. Transporting *enemas, douches, drugs and toilet preparations,* between Lynchburg, VA, on the one hand, and, on the other, points in AL, AR, DE, FL, GA, LA, MD, MS, NJ, NC, OK, SC, TN, TX, VA, and WV, under continuing contract(s) with C-B Fleet Company, Inc., of Lynchburg, VA.

MC 163633, filed September 7, 1982. Applicant: JAMES C. BEMIS, d.b.a. JIM BEMIS TRUCKING, R.R. No. 4, Milaca, MN 56353. Representative: James C. Bemis (same address as applicant), 612–983–6268. Transporting *lumber and wood products,* between points in the U.S., under continuing contract(s) with Foreston Dimensions Co., Inc., of Foreston, MN.

MC 163753, filed September 10, 1982. Applicant: BARD EDRINGTON, d.b.a. B.B.C. ENTERPRISES, 4851 South Pine St., Ocala, FL 32671. Representative: Wade H. Brown, P.O. Box 217, Bessemer, AL 35020, 205–428–8629. Transporting *transportation equipment,* between points in Marion County, FL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Please direct status inquiries about the following to team 3, (202) 275–5223.

Volume No. OP3–143

Decided: September 15, 1982.

By the Commission Review Board Number 2, Members Carleton, Williams and Ewing.

MC 2484 (Sub-61), filed September 2, 1982. Applicant: E & L TRANSPORT COMPANY, 23420 Ford Rd., Dearborn Heights, MI 48127. Representative: Eugene C. Ewald, 100 W. Long Lake Rd., Suite 102, Bloomfield Hills, MI 48013, (313) 645–9600. Transporting *motor vehicles,* between points in the U.S. (except AK and HI), under continuing contract(s) with persons as defined in Section 10923 of the Motor Carrier Act of 1980 who are equipped in business as manufacturers, distributors or dealers of motor vehicles.

MC 8535 (Sub-129), filed August 30, 1982. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INCORPORATED, P.O. Box 500, Parkton, MD 21120. Representative: John Guandolo, 1000 Sixteenth St., N.W., Washington, D.C. 20036, (202) 783–8131. Transporting *machinery and parts and accessories,* between points in the U.S. (except AK and HI).

MC 98694 (Sub-2), filed August 31, 1982. Applicant: FRONTIER WAREHOUSE & TRANSFER CO., 300 S. 25th Ave., Phoenix, AZ 85005. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014, (602) 264–4891. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in AZ.

MC 142655 (Sub-6), filed August 26, 1982. Applicant: BAKER TRANSPORT, INC., P.O. Box 668, Hartselle, AL 35640. Representative: Donald B. Sweeney, Jr., P.O. Box 2366, Birmingham, AL 35201, (205) 254–3880. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 142784 (Sub-2), filed September 1, 1982. Applicant: RICHARD H. GRAVES, Box 193, E. Conway Rd., Center Conway, NH 03813. Representative: Richard H. Graves (same address as

applicant), (603) 356–2257. Transporting (1) *building materials, boxes, skids, crates, and pallets,* between points in Carroll County, NH, on the one hand, and, on the other, points in ME, MA, RI, CT, VT, NY, and SC, under continuing contract(s) with John F. Chick & Son, Inc., of Silver Lake, NH, and (2) *forest products* and *lumber and wood products,* between those points in the U.S. on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the international boundary line between the U.S. and Canada, under continuing contract(s) with Bear Paw Timber Corp., of Fryeburg, ME.

MC 145475 (Sub-4), filed September 1, 1982. Applicant: FRONTIER LEASING, INC. Rt. 7, Box 173, Joplin, MO 64801. Representative: Bruce McCurry, 910 Plaza Towers, Springfield, MO 65804, (417) 883–7311. Transporting *metal products, and clay, concrete, glass or stone products,* between points in the U.S., under continuing contract(s) with Monett Steel Castings, of Monett, MO, Sipi Metals Corp. of Chicago, IL, Central States Stamping Co., Inc. of Springfield, MO, Reagent Chemical and Research, Inc. of Webb City, MO, Walton Foundry, Inc. of Iola, KS and H. Kramer and Company of Chicago, IL.

MC 149565 (Sub-5), filed September 1, 1982. Applicant: G. L. DUNPHY & SON, INC., R.F.D. No. 1, Box 2350, North Anson, ME 04958. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210, (703) 525–4050. 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 161034, filed September 1, 1982. Applicant: FAIRFIELD TRANSPORTATION GROUP INC., 28 Suzanne Circle, Box 78, Fairfield, CT 06430. Representative: Charles M. McCullough, Jr. (same address as applicant), (203) 334–6687. Transporting *passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, between points in Fairfield and New Haven Counties, CT, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR and TX .

MC 161234, filed September 2, 1982. Applicant: FAY LARISCEY, d.b.a. LARISCEY ENTERPRISES, 6301 Flamingo, Odessa, TX 79763. Representative: Michael H. Lennox, P.O. Box 75613, Oklahoma City, OK 73147, (405) 943–2477. Transporting *Mercer commodities,* between points in AL, CA, CO, KS, KY, LA, MS, ND, NM, OK, TN, TX, WY, and WV.

MC 163694, filed September 1, 1982. Applicant: GRAY SUPPLY COMPANY, 13th and Marion Sts., P.O. Box 961, North Little Rock, AR 72119. Representative: M. Douglas Wood, 201 W. Broadway, P.O. 5606, North Little Rock, AR 72119, (501) 376–3700. Transporting *metal products,* between points in the U.S. (except AK and HI), under continuing contract(s) with A. Tenebaum Company, Inc. of North Little Rock, AR and Arkansas Aluminum Alloys, Inc. of Hot Springs, AR.

Please direct status inquiries about the following to Team 4 (202) 275–7669.

Volume No. OP4–338

Decided: September 20, 1982.

By the Commission, Review Board Number 2, Members Carleton, Williams and Ewing.

MC 151576 (Sub-2), filed August 30, 1982. Applicant: CHESAPEAKE TRUCKING, INC., 4717 W. Military Hwy., Chesapeake, VA 23321. Representative: Ernest E. Stovall (same address as applicant), (804) 488–6646. Transporting (1) *Lumber and wood products,* and (2) *building materials,* between points in AL, CT, DE, FL, GA, IN, KY, ME, MD, MA, NJ, NH, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, and DC.

MC 155007, filed August 25, 1982. Applicant: FOUR STAR FREIGHTWAYS, INC., 5350 W. 39th St. (rear), Cicero, IL 60650. Representative: Albert A. Andren, 180 N. LaSalle St., Chicago, IL 60601, (312) 332–5106. Transporting *general commodities* (except classes A and B explosives, and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with Advance Transformer Co., of Elk Grove Village, IL and Harco Aluminum Inc., of Chicago, IL.

MC 162836 (Sub-1), filed August 26, 1982. Applicant: J. KENNETH KATZMAN, JR., INC., 31029 Bushnell Rd., Burlington, WI 53105. Representative: Fred H. Figge, 513 Lewis St., Burlington, WI 53105, (414) 763–6296. Transporting *general commodities* (except classes A and B explosives, and household goods), between points in IL, IN, IA, MI, MN and WI, under continuing contract(s) with Burlington Consumers Cooperative, Packaging Corporation of America, Burlington Farm Implement Co., Kenneth (Chuck) Katzman Jr. Farms, and Kenneth Katzman Jr., all of Burlington, WI. Condition: Issuance of a certificate in this proceeding is subject to the prior or coincidental cancellation, at applicant's written request, of Certificate of Registration No. MC–162836.

MC 163596, filed August 27, 1982. Applicant: ACE WAY TOURS, INC., 1407 St. John Ave., Albert Lea, MN 56007. Representative: Val M. Higgins, 1600 TCF Tower, 121 S. 8th St., Minneapolis, MN 55402. To operate as a *broker,* at Albert Lea, MN, in arranging for the transportation of *passengers and their baggage,* between points in the U.S.

Please direct status inquiries about the following to Team 5 (202) 275–7289.

Volume No. OP5–190

Decided: September 14, 1982.

By the Commission, Review Board Number 3, Members Krock, Joyce and Dowell.

MC 163679, filed September 2, 1982. Applicant: AXLS INDUSTRIES, INC., d.b.a. BY THE WAY TOURS, 6425 Darby Ave., Las Vegas, NV 89102. Representative: John E. Cebular (same address as applicant), 702–362–4010. Transporting *passengers and their baggage* in the same vehicle with passengers, in special and charter operations, between points in NV, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 163679, filed September 2, 1982. Applicant: AXIS INDUSTRIES, INC., d.b.a. BY THE WAY TOURS, 6425 Darby Ave., Las Vegas, NV 89102. Representative: John E. Cebular (same address as applicant), 702–362–4010. Transporting *passengers and their baggage* in the same vehicle with passengers, in special and charter operations, between points in NV, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 163128, filed September 2, 1982. Applicant: BMC TRANSPORTATION COMPANY, P.O. Box 569, Columbus, NE 68601. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, 402–475–6761. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. under continuing contract(s) with Lindsay Manufacturing Co., Inc of Lindsay, NE; Roberts & Dybdahl Inc. of Des Moines, IA; Reserve Lumber Company of Rock River, OH; Fox Lumber Co. of Hamilton, MT; Mid-West Lumber Company of Lincoln, NE; and Wickes Companies, Inc., of Santa Monica, CA.

MC 163279, filed August 27, 1982. Applicant: EDGAR M. HERR, INC., R.D. #2, Box 395, Quarryville, PA 17566. Representative: John W. Metzger, 49 N.

Duke St., Lancaster, PA 17602, (717) 299–1181. Transporting (1) *fertilizer* between Hopewell, VA, Wilmington, DE, and Baltimore, MD, on the one hand, and, on the other, points in Lancaster and Chester Counties, PA, and (2) *soybean meal* between points in Wicomico County, MD, and points in VA, on the one hand, and, on the other, points in PA.

MC 163689, filed September 1, 1982. Applicant: BFI, INC., 19695 Sun Circle, West Linn, OR 97068. Representative: John G. McLaughlin, 1600 One Main Pl., 101 SW Main St., Portland, OR 97204, (503) 224–5525. Transporting *bulk commodities*, between points in WA, OR, ID, and CA, under continuing contract(s) with Pozzolanic Northwest, Inc., of Mercer Island, WA, Western Industrial Supply Company, Inc., of Portland, OR, Borden Chemical, a division of Borden, Inc., of Bellevue, WA, and Reichhold Chemicals, of White Plains, NY.

MC 163698, filed September 2, 1982. Applicant: JOHN NICKEL, d.b.a. CAL WEST ENTERPRISES, 17325 Midwood Dr., Granada Hills, CA 91344. Representative: Donald R. Hedrick, P.O. Box 4334, Santa Ana, CA 92702, 714–667–8107. Transporting *passengers and their baggage* in the same vehicle with passengers, in charter operations, beginning and ending at points in Los Angeles and Orange Counties, CA and extending to points in AZ, NV and UT.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–26192 Filed 9–22–82; 8:45 am]

BILLING CODE 7035–01–M

[Volume No. 296]

Motor Carriers; Permanent Authority Decisions; Restriction Removals, Decision-Notice

Decided: September 16, 1982.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR Part 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Canadian Carrier Applicants

In the event an application to transport property, filed by a Canadian domiciled motor carrier, is unopposed, it will be reopened on the Commission's own motion for receipt of additional evidence and further consideration in light of the record developed in Ex Parte No. MC–157, *Investigation Into Canadian Law and Policy Regarding Applications of American Motor Carriers For Canadian Operating Authority.*

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with the criteria set forth in 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Shaffer, Williams, and Higgins.

Agatha L. Mergenovich,

Secretary.

MC 25443 (Sub-6)X, filed September 7, 1982. Applicant: V. J. MARRIAN TRUCKING CORPORATION, 60 Hudson Street, New York, NY 10013. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076. Subs 4 and 5 permits: (1) Remove the "uncrated" restriction, Sub 5; and (2) broaden to "between points in the U.S. (except Alaska and Hawaii)", under continuing contract(s) with named shippers, both Subs.

MC 127156 (Sub-1)X, filed September 7, 1982. Applicant: C&E BRADLEY'S INC., P.O. Box 139, Wrangell, AK 99929. Representative: Warren G. Kellicut, Suite 500, 437 "E" St., Anchorage, AK 99501. Lead certificate, which authorizes "general commodities (except those of unusual value, and classes A and B explosives)," broaden the territory to: "between points within the First Judicial District of AK" (from between points on Wrangell Island, AK).

MC 145797 (Sub-16)X, filed September 7, 1982. Applicant: NANCY TRANSPORTATION, INC., 111 Hilltown Village Center, Chesterfield, MO 60317. Representative: Daniel J. Sweeney and Steven J. Kalish, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20006. Subs 2, 3, 4, 8, 9, and 11; (1) broaden to (a) "drugs and chemicals and related products" from drugs and chemicals, in Subs 2 and 8, (b) "food and related products, and foodstuffs" from foodstuffs, in Subs 4 and 9, (c) "building and construction materials" from materials and hardware used in the manufacture and sale of overhead door sections, in Sub 11 part (2); (2) change one-way to radial, in all Subs; (3) expand to city or counties: (a) in Sub 2, Elkhart, IN (Elkhart County), facilities at St. Louis, MO and Sauget, IL (St. Louis, MO and St. Clair County, IL), Elkhart and South Bend, IN (Elkhart and Saint Joseph Counties), (b) in Sub 3, North Bergen, NJ (Hudson, Bergen, Passaic, and Essex Counties, NJ, and Kings, Queens, New York, and Bronx Counties, NY), facilities at St. Louis, MO (St. Louis, MO), (c) in Subs 4 and 9, facilities at Itasca, IL (Du Page County), facilities at St. Louis, MO (St. Louis, MO), (d) in Sub 8, facilities at Elkhart, IN (Elkhart County), West Haven, CT (New Haven County), (e) in Sub 11, facilities at Dallas and Ft. Worth, TX (Dallas and Tarrant Counties); and (4) remove originating or destined to restriction in Subs 3 and 4.

MC 146485 (Sub-4)X, filed September 7, 1982. Applicant: MARBURGER REFRIGERATED EXPRESS, INC., P.O. Box 387, Peru, IN 46970. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Lead and Sub 1F: (1) Broaden frozen fruits, frozen vegetables, frozen potatoes, frozen meats, and foodstuffs to "food and related products (except in bulk)"; (2) eliminate the facilities limitations; (3) expand (a) Caldwell and Heyburn to Canyon and Minidoka Counties, ID, in the lead; (b) Peru to Miami County, IN, in the lead and Sub 1F; and (c) Indianapolis and West LaFayette to Marion and Tippecanoe Counties, IN in the lead; and (4) remove the orginating at/and destined to restrictions.

MC 146900 (Sub-2)X, filed September 7, 1982. Applicant: BOBBY W. RAGAN d.b.a. TEKAMAH TRANSFER, 1414 "J" Street, Tekamah, NE 68061. Representative: James F. Crosby, 7363 Pacific St., Suite 210B, Omaha, NE 68114. Lead certificate: (1) Broaden commodity description from (a) general commodities with exceptions to "general commodities (except classes A and B explosives and household goods)"; and (b) feed, farm machinery, farm parts and draintile to "food and related products, transportation equipment, machinery, and clay, concrete, glass or stone products"; (2) broaden (a) regular route off-route points from Council Bluffs, IA to

Pottawattamie and Mills Counties, IA and Douglas and Sarpy Counties, NE; and Decatur, NE, to Thurston and Burt Counties, NE, and Monona County, IA; (b) irregular route Sioux City, IA to Woodbury and Plymouth Counties, IA, Dakota County, NE, and Union County, SD; Tekamah, NE and 25 miles thereof to Burt, Thurston, Cuming, Dodge, and Washington Counties, NE, and Harrison and and Monona Counties, IA, and (3) change one-way to radial authority on the irregular route; and authorize service to all intermediate points on the regular route.

[FR Doc. 82-26191 Filed 9-22-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 158]

Motor Carriers; Permanent Authority; Republications of Grants of Operating Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the **Federal Register.**

An original and one copy of opposing verified statements must be filed with the Commission within 45 days after the date of this **Federal Register** notice. Applicant may file a verified statement in rebuttal within 60 days. Such pleadings shall comply with 49 CFR 1100.247 (renumbered 1100.251) addressing specifically the issue(s) indicated as the purpose for republication. Special Rule 247 (renumbered 251) was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Agatha L. Mergenovich,

Secretary.

MC 92371 (Sub-6), (Republication), filed February 22, 1982, published March 10, 1982, and republished this issue. Applicant: SUNCREST TRANSPORTATION, INC., d.b.a. SHEARERS EXPRESS, PO Box 189, Commercial Drive, Oneonta, NY 13820. Representative: Raymond A. Richards, 35 Curtice PK, Webster, NY 14580, (716) 265-9510. A decision by the Commission, Division 2, acting as an Appellate Division, decided July 29, 1982, served August 4, 1982, finds that applicant is authorized to operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *textile mill products, pulp, paper and related products, chemicals and related products, rubber and plastic products, clay, concrete, glass or stone products, and wood products,* between points in Missouri and in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International boundary line between the United States and Canada. Applicant is fit, willing, and able properly to perform the granted service and to conform to statutory and administrative requirements. The purpose of this republication is to include Missouri in the territorial description.

Note.—Certificate served September 1, 1982, will be cancelled upon issuance of the authority granted.

[FR Doc. 82-26186 Filed 9-22-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-103 (Sub-5)]

Rail Carriers; Kansas City Southern Railway Co.—Abandonment—In Jackson County, MO; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that the Commission, Review Board Number 3, has issued a certificate authorizing the Kansas City Southern Railway Company to abandon its rail line known as the Maywood and Sugar Creek Branch extending from railroad milepost 0 to railroad milepost 1+28184 feet and the Independence Air Line Branch railroad milepost 5E+4161.6 feet to railroad milepost 8E+1874.3 feet, a distance of approximately 4.1 miles in Jackson County, MO, subject to certain conditions. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the **Federal Register** be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on the applicant, with copies to Louis E. Gitomer, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to § 1121.38(b) (2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-26188 Filed 9-22-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-3 (Sub-31)]

Rail Carriers; Missouri Pacific Railroad Co.—Abandonment—In Clark and Pike Counties, AR; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that the Commission, Review Board Number 3, has issued a certificate authorizing the Missouri Pacific Railroad Company to abandon a portion of a line of railroad known as the Norman Subdivision, extending from railroad milepost 446.6 near Delight Junction to railroad milepost 453.2 at Delight, a distance of 6.6 miles in Clark and Pike Counties, AR, subject to certain conditions. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the **Federal Register** be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (Section 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on the applicant, with copies to Louis E. Gitomer, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to § 1121.38(b) (2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-26189 Filed 9-22-82; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30017]

Rail Carriers; Old Augusta Railroad Co.—Exemption From 49 U.S.C. 11301

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts from the requirements of prior approval under 49 U.S.C. 11301 the issuance of securities by the Old Augusta Railroad Company of 1,000 shares of common stock, at $1.00 per share to Leaf River Forest Products, Inc., to finance its initial capitalization.

DATES: This exemption will be effective on October 25, 1982. Petitions to stay the effectiveness of this decision must be filed by October 4, 1982, and petitions for reconsideration must be filed by October 13, 1982.

ADDRESSES: Send pleadings to:

(1) Section of Finance, Room 5349, Interstate Commerce Commission, Washington, DC 20423.

(2) Petitioner's representative: Fritz R. Kahn, Suite 1100, 1660 L Street, NW., Washington, DC 20036.

Pleadings should refer to Finance Docket No. 30017.

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275–7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision contact: TS Infosystems, Inc., Room 2227, 12th & Constitution Ave., NW., Washington, DC 20423, (202) 289–4357—DC metropolitan area (800) 424–5403—Toll-free for outside the DC area.

Decided: September 16, 1982.

By the Commission, Chairman Taylor, Vice Chairman Gilliam, Commissioners Sterrett, Andre, Simmons, and Gradison.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–26190 Filed 9–22–82; 8:45 am]

BILLING CODE 7035–01–M

[AB 26 (SDM)][1]

Rail Carriers; Southern Railway Co.; Amended System Diagram Map

Notice is hereby given that, pursuant to the requirements contained in Title 49 of the Code of Federal Regulations, Part 1121.23, that the Southern Railway Company has filed with the Commission its amended color-coded system diagram map in docket No. AB 26 (SDM). The Commission on September 9, 1982, received a certificate of publication as required by said regulation which is considered the effective date on which the system diagram map was filed.

Color-coded copies of the map have been served on the Governor of each state in which the railroad operates and the Public Service Commission or similar agency and the State designated agency. Copies of the map may also be requested from the railroad at a nominal charge. The maps also may be examined at the office of the Commission, Section of Dockets, by requesting docket No. AB 26 (SDM).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–26187 Filed 9–22–82; 8:45 am]

BILLING CODE 7035–01–M

[1] AB 26 (SDM) includes its consolidated subsidiaries: Ab 27 (SDM), The Alabama Great Southern Railroad Company; AB 28 (SDM), Central of Georgia Railroad Company; AB 29 (SDM), The Cincinnati, New Orleans and Texas Pacific Railway Company; AB 30 (SDM), Georgia Southern and Florida Railway Company; AB 64 (SDM), Chattanooga Station Company; AB 118 (SDM), Albany Passenger Terminal Company; and AB 125 (SDM), Norfolk Southern Railway Company.

NATIVE HAWAIIANS STUDY COMMISSION

Publication of Draft Report of Findings

The Native Hawaiians Study Commission announces the publication of its Draft Report of Findings. A limited number of copies is available from the Commission's offices in Washington, D.C. (U.S. Department of the Interior Bldg., 18th and C Sts., N.W., Room 6220, Washington, D.C. 20240; 202–343–3107) and in Honolulu (P.O. Box 50247, Honolulu, Hawaii 96850; 808–546–3180).

The Commission was created by Title III of Public Law 96–565 on December 22, 1980. The mandate of the Commission is to "conduct a study of the culture, needs and concerns of the Native Hawaiians." The Commission first met September 23, 1981. The law creating the Commission states that:

> Within one year after the date of its first meeting, the Commission shall publish a draft report of findings of the study and shall distribute copies of the draft report to appropriate Federal and State agencies, to Native Hawaiian organizations, and upon request, to members of the public. The Commission shall solicit written comments from the organizations and individuals to whom copies of the draft report are distributed. (Sec. 303(c))

The Commission has set a 60-day period in which to allow government agencies and the public to comment on the draft report of findings. Written comments must be sent to the Commission no later than November 23, 1982, at the following address:

The Native Hawaiians Study Commission, Department of the Interior Building, 18th and C Sts., N.W.—Room 6220, Washington, D.C. 20240

The Commission will consider all comments received by that date as it prepares its final report. The final report will be submitted to the U.S. Congress and to the President no later than June 23, 1983.

For further information, call Mary Lyon-Allen on 202–343–3107.

Mary Lyon-Allen,

Executive Director.

[FR Doc. 82–25691 9–22–82; 8:45 am]

BILLING CODE 6820–BE–M

NATIONAL LABOR RELATIONS BOARD

Privacy Act of 1974; Systems of Records, Annual Publication

AGENCY: National Labor Relations Board.

ACTION: Annual publication of notices of systems of records.

SUMMARY: The National Labor Relations Board is publishing this document to meet the annual publication requirements of Section 3(e)(4) of the Privacy Act of 1974 (5 U.S.C. 552a). The Agency previously published a complete listing of its systems of records in 45 FR 61821 and an amended listing in 46 FR 47328. This publication is a complete and current listing of the Agency's fourteen Notices of Systems of Records identified as NLRB–1 through NLRB–14 and Appendix, listing the NLRB Offices. Modifications have been made to some of the Notices for purposes of completeness and clarity, and to show changes in organizational designations and locations. These changes are administrative in nature and do not contain any new material which requires a new or altered system report or public comment. The minor changes and the names of the systems of records for which the changes apply are described under the heading **"SUPPLEMENTARY INFORMATION,"** below.

FOR FURTHER INFORMATION CONTACT: John C. Truesdale, Executive Secretary, National Labor Relations Board, Room 701, 1717 Pennsylvania Avenue, NW., Washington, DC 20570, telephone (202) 254–9430.

SUPPLEMENTARY INFORMATION: Those systems of records for which changes apply are:

NLRB–3 Biographical Data File—Presidential Appointees;

NLRB–8 Health Maintenance Program Records;
NLRB–10 Pay Records-Retirement;
NLRB–11 Payroll-Finance Records;
NLRB–13 Time and Attendance Records, NLRB.

Changes to the above systems of records include: (1) The titles of the system managers and locations of records for systems NLRB–3 and NLRB–8; (2) textual changes to NLRB–8 for purposes of clarity and thoroughness; (3) minor modifications of NLRB–10, NLRB–11, and NLRB–13 to provide for the necessary maintenance and processing of information for the purposes of preparing and issuing employee salary and compensation checks under the recently implemented Treasury Payroll/Personnel Information System (TPPIS); and (4) a complete updating of the Appendix.

A listing of all NLRB system notices and their complete texts appear below.

Dated: Washington, D.C., September 17, 1982.

By direction of the Board.

John C. Truesdale,

Executive Secretary.

NLRB–1 Accounting Records—Financial
NLRB–2 Applicant Files for Attorney and Field Examiner Positions
NLRB–3 Biographical Data File—Presidential Appointees
NLRB–4 Claim Records
NLRB–5 Employment and Performance Records, Attorneys and Field Examiners
NLRB–6 Employment and Performance Records, Nonprofessionals and Nonlegal Professionals
NLRB–7 Grievances, Appeals, and Complaints Records
NLRB–8 Health Maintenance Program Records
NLRB–9 Occupational Injury and Illness Records
NLRB–10 Pay Records—Retirement
NLRB–11 Payroll—Finance Records
NLRB–12 Prefiling Communications
NLRB–13 Time and Attendance Records, NLRB
NLRB–14 Equal Employment Opportunity Program Management System
Appendix

NLRB–1

SYSTEM NAME:

Accounting Records—Financial.

SYSTEM LOCATION:

Current records are maintained in: Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. Each Washington and Field Office is authorized to maintain copies of records relating to reimbursements to employees of that office and other individuals covered within system. See the attached appendix for addresses of these offices. Inactive records are stored at the appropriate Federal records center in accordance with Federal Property Management Regulations of the U.S. General Services Administration (FPMR 101–11.4).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals reimbursed for expenses in connection with the official functions of the NLRB: i.e., travel on official business, witness fees and transportation expenses, and miscellaneous expenses.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include name; home or office address; organizational unit number; purpose, duration, and cost for travel assignments of Agency employees; purpose, duration, points of travel, and cost for witnesses used by the Agency; purpose, category, and cost of miscellaneous expenses incurred by Agency employees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. In the processing of claims for reimbursements.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To individuals who need the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

4. To the U.S. General Accounting Office for audit purposes or determination of validity of claims.

5. To the U.S. Department of Treasury for issuance of checks.

6. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

7. To another agency, whether Federal, state, or local, or private organization where reimbursable arrangements exists between this Agency and such other agency or private organization.

8. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

9. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on original source documents except travel summary cards which are maintained on microfilm.

RETRIEVABILITY:

Chronologically by year, and within each year alphabetically by name.

SAFEGUARDS:

Original source documents are maintained in file cabinets within the Finance Section office. Microfilm is maintained in a locked fireproof cabinet within the Services and Systems office. During duty hours cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel who have a need for access in order to perform their official functions.

RETENTION AND DISPOSAL

Maintained and disposed of in accordance with U.S. General Services Administration retention regulations.

SYSTEM MANAGER(S) AND ADDRESS:

Finance Officer, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

See the attached appendix for the titles and addresses of officials at other locations responsible for this system at their locations.

NOTIFICATION PROCEDURE:

1. Current NLRB employees inquiring whether this system contains records on them should direct such inquiries to their supervisors.

2. An individual other than a current NLRB employee inquiring whether this system contains a record on such individual should direct such inquiry to the "System Manager" specified above, or to the responsible official designated under "System Manager" as responsible for the system in the geographic area where the expense was incurred.

3. In determining whether this system contains records on the inquirer, the following information is required: The inquirer's name and the year about which inquiry is being made.

RECORD ACCESS PROCEDURES:

An individual seeking to gain access to records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure." In granting access to records in this system, the following information is required: The inquirer's name and the year about which inquiry is being made.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this sytem pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

RECORD SOURCE CATEGORIES:

Travel vouchers, witness vouchers, and lodging and miscellaneous receipts submitted by the individual; travel orders submitted by Agency officials; subpoenas; claims for reimbursements; and miscellaneous correspondence and information related thereto.

NLRB–2

SYSTEM NAME:

Applicant Files for Attorney and Field Examiner Positions.

SYSTEM LOCATION:

Office of Executive Assistant to the Associate General Counsel; Board Members' Offices; Office of the Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Washington and Field Offices are authorized to maintain the records or copies of the records in connection with processing of applications for employment in the Agency. See the attached appendix for addresses of the Washington and Field Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants for Attorney or Field Examiner positions in offices under the general supervision of the General Counsel; applicants for Attorney positions on Board Members' staffs and in the Office of the Solicitor.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include copies of employment applications, educational transcripts, resumes, employment interview reports, and other information relative to employment.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. To process applications and evaluate applicants.

b. As a data source for management information for production of summary statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To individuals who need the information in connection with the processing of a grievance, appeal, or complaint. Wherever feasible, such information shall be furnished in depersonalized form i.e., without personal identifiers.

4. To a congressional office from the record or an individual in response to an inquiry from the congressional office made at the request of that individual.

5. To officials of labor organizations recognized under Public Law 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

6. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation of potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on paper including forms, letters, and memoranda.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Maintained in file cabinets. During duty hours cabinets are under surveillance of personnel charged with custody of the records and after duty hours are behind locked doors. Access to the cabinets is limited to personnel having a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Retained for an indefinite period of time.

SYSTEM MANAGER(S) AND ADDRESS:

1. To those applicants for positions under supervision of the General Counsel—Executive Assistant to the Associate General Counsel, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

2. To those applicants for positions under supervision of a Board Member—Chief Counsel to that Board Member, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

3. To those applicants for positions under supervision of the Solicitor—Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

An individual inquiring whether this system contains a record on such individual should direct such inquiry to the appropriate System Manager specified above.

RECORD ACCESS PROCEDURES:

An individual seeking to gain access to records in this system pertaining to such individual should contact the appropriate System Manager specified above.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the appropriate System Manager specified above.

RECORD SOURCE CATEGORIES:

Applicants, educational institutions, interviewers, evaluators, personnel specialists, references, previous employers.

NLRB–3

SYSTEM NAME:

Biographical Data File—Presidential Appointees

SYSTEM LOCATION.

Office of the Executive Secretary NLRB, 1717 Pennsylvania Avenue NW., Washington, D.C. 20570.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present and former Presidential appointees to NLRB positions.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include biographical sketches: news releases, news articles on speeches and other newsmaking activities; photographs, and material incidental thereto.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information in the performance of their duties.

2. To the public upon demonstrated interest.

3. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on original sources or related papers in file folders.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Maintained in file cabinets within the Office of the Executive Secretary. During duty hours, cabinets are under the surveillance of office personnel charged with custody of the records, and after duty hours are behind locked doors.

RETENTION AND DISPOSAL:

Permanently retained.

SYSTEM MANAGER(S) AND ADDRESS:

Office of the Executive Secretary, NLRB, 1717 Pennsylvania Avenue NW., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

An individual inquiring whether this system contains a record on such individual should direct such inquiry to the System Manager specified above.

RECORD ACCESS PROCEDURES:

An individual seeking to gain access to records in this system pertaining to such individual should contact the appropriate System Manager specified above.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the appropriate System Manager specified above.

RECORD SOURCE CATERGORIES:

Information in this system is submitted by the individual, written by Agency staff and approved by the individual, and obtained from general news sources.

NLRB–4

SYSTEM NAME:

Claim Records.

SYSTEM LOCATION:

Security and Safety Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals filing claims under the Federal Tort Claims Act of 1946, the Military Personnel and Civilian Employees' Claims Act of 1964 and claims filed under subpart 101–39.8 of the Federal Property Management Regulations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include reports of accidents or other events causing damage or loss; statements of witnesses; claims for damage or loss, investigations of claims, including doctors' reports, if any; records on disposition of claims; and information relative to the above.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. In processing claims against this Agency.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To the U.S. Department of Justice for purpose of processing or adjudicating claims against the Agency.

4. To a court of competent jurisdiction for adjudicating claims.

5. To investigators utilized by the Agency to obtain information relevant to a claim against the Agency.

6. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

7. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

8. To individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

9. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on forms, documents, and other papers.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Maintained in file safe within the office of the Security and Safety Branch. File safe remains locked except during access to records. During duty hours, file safe is under the surveillance of personnel charged with the custody of the records, and after duty hours is behind locked doors. Combination is known only to designated members of Security and Safety staff. Access is limited to personnel who have a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Security and Safety Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

An individual inquiring whether this system contains records on such individual should direct such inquiries to the System Manager specified above.

RECORD ACCESS PROCEDURE:

An individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager specified above.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the System Manager specified above.

RECORD SOURCE CATEGORIES:

Claimants, investigators, and witnesses.

NLRB-5

SYSTEM NAME:

Employment and Performance Records, Attorneys and Field Examiners.

SYSTEM LOCATIONS:

Office of Executive Assistant to Associate General Counsel, Board Members' Offices; Office of the Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.
Washington and Field Offices are authorized to maintain the records or copies of the records for current and former NLRB employees of that office. See the attached appendix for addresses of the Washington and Field Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former Attorneys and Field Examiners in offices under the general supervision of the General Counsel; current and former Attorneys employed on Board Members' Staffs and in the Office of the Solicitor.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include copies of employment applications, copies of personnel records, educational transcripts, resumes, employment interview reports, evaluation reports, career development appraisals, recommendations concerning promotion, copies of the official personnel file, correspondence, memoranda, and other information relevant thereto.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information.

2. To individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

3. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

5. To the appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on paper including forms, letters, and memoranda.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Maintained in file cabinets. During duty hours cabinets are under the surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Retained for an indefinite period of time.

SYSTEM MANAGER(S) AND ADDRESS:

1. To those applicants for positions under supervision of the General Counsel—Executive Assistant to the Associate General Counsel, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570

2. To those applicants for positions under supervision of a Board Member—Chief Counsel to that Board Member, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570

3. To those applicants for positions under supervision of the Solicitor—Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

See the attached appendix for titles and addresses of officials at other locations responsible for this sytem at their locations.

NOTIFICATION PROCEDURE:

1. Current NLRB employees inquiring whether this system contains records on such individuals should direct such inquiries to their supervisors.

2. An individual other than a current NLRB employee inquiring whether this system contains a record on such individual should direct such inquiry to the appropriate System Manager specified above, or to the official designated under "System Manager" as responsible for the system in the office where the individual was formerly employed.

RECORD ACCESS PROCEDURES:

An individual seeking access to records in this sytem pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

RECORD SOURCE CATEGORIES:

The individual, the Personnel Branch, educational institutions, interviewers, evaluators, references, previous employers, and supervisors.

NLKRB-6

SYSTEM NAME:

Employment and Performance Records, Nonprofessionals and Nonlegal Professionals

SYSTEM LOCATIONS:

Records are authorized to be maintained for current and former NLRB employees in all Agency offices. See the attached appendix for the addresses of these offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former nonprofessional employees and nonlegal professional employees of the Agency.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include copies of employment applications, educational transcripts, resumes, employment interview reports, evaluation reports, career development appraisals, recommendations concerning promotion, copies of personnel records, correspondence, memoranda, and other information relevant thereto.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information to evaluate job performance, developmental needs, potential within the Agency, and readiness for promotion.

2. To individuals who have a need for the information in connection with the processing of a grievance, appeal, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

5. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on paper including forms, letters, and memoranda.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Maintained in file cabinets. During duty hours cabinets are under the surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Retained for an indefinite period of time.

SYSTEM MANAGER(S) AND ADDRESS:

See the attached appendix for the titles and addresses of officials responsible for this system at their locations.

NOTIFICATION PROCEDURE:

1. Current NLRB employees inquiring whether this system contains records on such individuals should direct such inquiries to their supervisors.

2. An individual other than a current NLRB employee inquiring whether this system contains a record on such individual should direct such inquiry to the official designated under "System Manager" as responsible for the system in the office where the individual was formerly employed.

RECORD ACCESS PROCEDURES:

An individual seeking access to records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

RECORD SOURCE CATEGORIES:

The individual, the Personnel Branch, professional employees, educational institutions, interviewers, evaluators, references and previous employers.

NLRB–7

SYSTEM NAME:

Grievances, Appeals, and Complaints Records.

SYSTEM LOCATIONS:

Records are authorized to be maintained for current and former NLRB employees in all Agency offices. See the attached appendix for the addresses of these offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Agency.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include formal or informal grievances, appeals, and complaints, together with information and documents related thereto; letters or notices to the individual; records of hearings when conducted, material placed in the file to support or contradict the decision or determination on such grievance, appeal, or complaint; affidavits or statements; testimonies of witnesses; investigative reports; and related correspondence and recommendations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To the appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

4. To respond to a subpoena and/or refer to an arbitrator or court of competent jurisdiction.

5. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

6. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

7. To individuals who have a need for the information in connection with the processing of a grievance, appeal, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on forms, documents, letters, memoranda, and other similar papers.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Access to and use of the records are limited to those persons whose official duties require such access until the records are required to be made public in support of an Agency action or position. These records are maintained in file cabinets which during duty hours are under the surveillance of personnel charged with custody of the records and after duty hours are behind locked doors.

RETENTION AND DISPOSAL:

Maintained for an indefinite period of time.

SYSTEM MANAGER(S) AND ADDRESS:

1. To those employees under supervision of the General Counsel—Deputy General Counsel, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

2. To those employees under supervision of the Board—Deputy

Executive Secretary, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

1. Inquiries from current NLRB employees on whether this system contains records on such individuals should be directed to their supervisors.

2. Inquiries from individuals other than current NLRB employees as to whether this system contains records on such individuals should be directed to the appropriate System Manager specified above.

RECORDS ACCESS PROCEDURES:

A current NLRB employee seeking to gain access to records in this system pertaining to such employee should contact his or her supervisor.

An individual other than a current NLRB employee seeking to gain access to records in this system pertaining to such individual should contact the appropriate System manager specified above.

CONTESTING RECORD PROCEDURES:

A current NLRB employee seeking to contest records in this system pertaining to such employee should contact his or her supervisor.

An individual other than a current NLRB employee seeking to contest records in this system pertaining to such individual should contact the appropriate System Manager specified above.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from the individual to whom the record pertains; Agency officials; affidavits, statements, and record testimony of individuals; and other documents and memoranda relating to the grievance, appeal, or complaint.

NLRB-8

SYSTEM NAME:

Health Maintenance Program Records

SYSTEM LOCATION:

Personnel Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current NLRB employees participating in Agency sponsored health maintenance programs, such as Employee Health Maintenance Examinations (EHME's), diabetes tests, glaucoma tests, vision tests, blood donor program, and similar program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may involve recorded information on Health Unit immunization cards which include individuals' names and dates of participation in health maintenance programs, and the name of the screening program in which participated. Also, for blood donor program, contains social security number, sex, donor identification number, home address and telephone, date of last donation, medications being taken, blood type, whether accepted or deferred as donor, and information relevant to the above.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees working with the program who have a need for the records or information:

a. In the administration of voluntary health maintenance programs.

b. As a data source for production of summary description statistics and analytical studies in support of the function for which the records are collected and maintained (without personal identification of individuals).

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To the American Red Cross insofar as the records or information pertain to the blood donor program.

4. To the U.S. Department of Health and Human Services in the administration of public health service programs.

5. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on logs, forms, and other papers.

RETRIEVABILITY:

By program name and within each program alphabetically by name.

SAFEGUARDS:

Maintained in file safe within the offices of the Personnel Branch and the Health Unit. File safe remains locked except during access to records. During duty hours, file safe is under the surveillance of personnel charged with the custody of the records, and after duty hours is behind locked doors. Combination is known only to designated members of the Personnel Branch. Access is limited to personnel who have a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Retained until employee leaves the Agency, or for six years, whichever comes first.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Special Programs and Services Unit, Personnel Branch, Room 334, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

1. An individual inquiring whether this system contains records on such individual should direct such inquiries to the System Manager specified above.

2. In determining whether this system contains records on the inquirer, the following information is required: the inquirer's name and the particular health maintenance program about which inquiry is being made.

RECORD ACCESS PROCEDURES:

An individual seeking to gain access to records in this system should contact the System Manager specified above.

In granting access to records in this system, the following information is required: The inquirer's name and the particular health maintenance program about which inquiry is being made.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the System Manager specified above.

RECORD SOURCE CATEGORIES:

Information submitted by individual; officials of the servicing health units; and American Red Cross.

NLRB-9

SYSTEM NAME:

Occupational Injury and Illness Records.

SYSTEM LOCATION:

Security and Safety Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. Each Washington and Field Office is authorized to maintain copies of records in this system. See the attached appendix for addresses of the Washington and Field Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former NLRB employees who have reported a work-related injury or illness.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include information pertaining to the complete history of the employee's occupational injury or illness, including any doctors' or investigative reports submitted, and the disposition of claims for compensation filed under the Federal Employees Compensation Act and information relative thereto.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. In processing reports of occupational injury or illness and claims for compensation under the Federal Employees Compensation Act.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personal management functions or manpower studies.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To the U.S. Department of Labor for purposes of adjudicating claims for compensation under the Federal Employees Compensation Act.

4. To the U.S. Department of Health and Human Services in the administration of public health service programs.

5. To a court of competent jurisdiction for adjudicating claims arising under the Federal Employees Compensation Act.

6. To an investigator utilized by the Agency to obtain information relevant to a claim arising under the Federal Employees Compensation Act.

7. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

8. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

9. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

10. To individuals who need the information in connection with the processing of an appeal, grievance or complaint. Whenever feasible such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on forms and related correspondence.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Maintained in file safe within the Security and Safety Office. File safe remains locked except during access. During duty hours file safe is under the surveillance of personnel charged with the custody of the records, and after duty hours is behind locked doors. Combination is known only to designated members of Security and Safety staff. Access is limited to personnel who have a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Security and Safety Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. See the attached appendix for the titles and addresses of officials at other locations responsible for this system at their locations.

NOTIFICATION PROCEDURE:

An individual requiring whether this system contains a record on such individual should direct such inquiry to the System Manager specified above.

RECORD ACCESS PROCEDURES:

An individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager specified above.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the System Manager specified above.

RECORD SOURCE CATEGORIES:

Forms completed by the employee; witnesses; investigators; employee's supervisor; claims examiners of the U.S. Department of Labor; and doctors' statements, if any.

NLRB–10

SYSTEM NAME:

Pay Records—Retirement

SYSTEM LOCATION:

Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current NLRB employees under the Civil Service Retirement System.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include name, previous name if any; social security number; sex, birth date; entrance-on-duty date; employment history, including prolonged leave without pay; and monetary contributions to retirement fund made during employment, and information relevant thereto.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. To administer the Civil Service Retirement System within the Agency.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To the Office of Personnel Management for administering the Civil Service Retirement System.

4. To the U.S. General Accounting Office for audit purposes.

5. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

6. To a congressional office from the record of an individual in response to an

inquiry from the congressional office made at the request of that individual.

7. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Whenever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

8. To individuals who need the information in connection with the processing of an appeal, grievance or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on employment history cards and source documents.

RETRIEVABILITY:

By organizational unit and within each unit by employee name or social security number.

SAFEGUARDS:

Maintained in file cabinets within the Payroll and Report Section office. During duty hours file cabinets are under survillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel who have a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Maintained only on current employees. Transferred to the Office of Personnel Management upon termination of service with the Agency.

SYSTEM MANAGER(S) AND ADDRESS:

Finance Officer, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

1. An individual inquiring whether this system contains a record on such individual to the System Manager designated above.

2. In determining whether this system contains records on the inquirer, the following information is required: The inquirer's name and the organizational unit in which currently employed.

RECORD ACCESS PROCEDURES:

1. An individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager specified above.

2. In granting access to records in this system, the following information is required: The inquirer's name and the year about which inquiry is being made.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the System Manager specified above.

RECORD SOURCE CATEGORIES:

Personnel Branch, timekeepers, and supervisors.

NLRB–11

SYSTEM NAME:

Payroll—Finance Records

SYSTEM LOCATION:

Current records are maintained in: Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

Inactive records are stored at the appropriate Federal records center in accordance with Federal Property Management Regulations of the U.S. General Services Administration (FPMR 101–11.4).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Agency.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include each employee's name, date of birth, home address, payroll identification number, organizational unit number, block number pay plan, grade and step, social security number, state identification code and name, leave earned and used, composite designator code and account number, and for the current pay period, quarterly and year-to-date hours worked, base pay, overtime pay, premium pay, miscellaneous pay, gross earnings, net earnings, and all withholdings from pay including retirement, taxes (Federal, state, and local), FICA, exemptions (Federal, state, and local), life, group, and optional insurance, bonds (authorization number and date of issuance), and miscellaneous allotments and deductions. Employment history is also maintained for retirement purposes.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. To compile payroll records.

b. To maintain agency salary and expense accounts.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

d. To transfer information from the records to the individual to whom the record pertains.

e. To determine life insurance eligibility, costs, and types of coverage employees shall receive.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To individuals who need the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

4. To the U.S. Department of the Treasury for payroll purposes.

5. To the Office of Personnel Management concerning pay, benefits, retirement deductions and other information necessary for the Office to carry out its Government-wide personnel management functions.

6. To state and local authorities for the purposes of verifying tax collections, unemployment compensation claims, and administering public assistance programs.

7. To the U.S. Department of Health and Human Services for the administration of the social security program.

8. To the U.S. Department of Labor for processing or adjudicating claims under the Federal Employees Compensation Act.

9. To the U.S. General Accounting Office for audit purposes.

10. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

11. To a congressional office made at the request of that individual.

12. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB

employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on original source documents, computer printouts, and on a computer disk file with two magnetic tape backups and microfiche.

RETRIEVABILITY:

Employee payroll file maintained chronologically by year, and within each year by organizational unit, and within each unit by social security number or by employee name.

SAFEGUARDS:

All doors to the computer room are installed with combination locks and during duty hours the computer and magnetic tape backup are under surveillance of office personnel charged with custody of the records. After duty hours all doors remain locked. Access is limited to authorized personnel, only. Use of the machines for information printouts is restricted to designated personnel and access is password protected. Original source documents are maintained in file cabinets. During duty hours cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Payroll records retained and disposed of in accordance with the applicable General Accounting Office and General Services Administration retention schedules. Microfilm, magnetic strip ledgers and microfiche are maintained for 56 years after the last entry of data.

SYSTEM MANAGER(S) AND ADDRESS:

Finance Officer, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

Chief, Data Systems Branch, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570

NOTIFICATION PROCEDURE:

1. An individual inquiring whether this system contains a record on such individual should direct such inquiry to the System Manager first specified above.

2. In determining whether this system contains records on the inquirer, the following information is required: the inquirer's name; the year about which inquiry is being made; and, for records other than the payroll file, the organizational unit or units in which employed during that year.

RECORD ACCESS PROCEDURE:

An individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager first specified above.

In granting access to records in this system the following information is required: the inquirer's name; the year about which inquiry is being made; and, for records other than the payroll file, the organizational unit or units in which employed during that year.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this sytem should contact the System Manager first specified above.

RECORD SOURCE CATEGORIES:

The individual, the Personnel Branch, timekeepers, and supervisors; U.S. CIvil Service Commission and Office of Personnel Management bulletins; taxing authority notices; and withholding authorizations.

NLRB–12

SYSTEM NAME:

Prefiling Communications

SYSTEM LOCATION:

Records are authorized to be maintained in all Field Offices of the Agency, at the address listed in the attached appendix, and

Office of the General Counsel, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Perons who have sought assistance regarding possible institution of an unfair labor practice, representation, or other civil action or proceeding before the National Labor Relations Board.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include file memoranda detailing the substance of oral communications, letters of inquiry, and responses thereto, may contain information relating to an individual's employment history, job performance, earnings, home address, telephone number, union activity, or other information relevant to a potential action or proceeding before the National Labor Relations Board.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. These records, or information therefrom, are disclosed to Agency officials and employees who have a need for the records or information in the processing of cases before the Agency.

2. These records, or information therefrom, may be referred, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

3. Disclosures may also be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in paper from file folders.

RETRIEVABILITY:

Alphabetically by name.

SAFEGUARDS:

Maintained in file cabinets in the nonpublic area of the office under the immediate control of the System Manager. During duty hours cabinets are under surveillance of personnel charged with custody of the records and after duty hours are behind locked doors.

RETENTION AND DISPOSAL:

In the recent a civil action or proceeding is instituted prior to the record being destroyed, the record is placed in the case file which is not indexed by the name of the individual. In the event no action or proceeding is instituted, the records are destroyed after varying periods of time; however, not longer than 2 years.

SYSTEM MANAGER(S) AND ADDRESS:

General Counsel, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

See the attached appendix for titles and addresses of officials responsible for this system at their locations.

NOTIFICATION PROCEDURE:

An individual inquiring whether this system contains a record on such individual should direct such inquiry to the General Counsel or to the

appropriate Regional Director, Officer-in-Charge, or Resident Officer of the Agency office where the individual sought or was referred to for assistance, at the address of that office specified in the attached appendix.

RECORD ACCESS PROCEDURE:

An individual seeking to gain access to records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

RECORD SOURCE CATEGORIES:

Individual who seeks assistance.

NLRB–13

SYSTEM NAME:

Time and Attendance Records, NLRB.

SYSTEM LOCATION: Current records are maintained in:

Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

Each Washington and Field Office maintains a copy of time and attendance records for current employees in that office, and is authorized to retain such records on former employees of that office. See the attached appendix for addresses of these offices.

Inactive records are stored at the appropriate Federal records center in accordance with Federal Property Management Regulations of the U.S. General Services Administration (FPMR 101–11.4).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Agency.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include name; home address; organizational unit number; payroll identification number; entrance-on-duty date; time worked, including regular hours, overtime, compensatory time, and premium pay status; leave earned and used; absences without leave; and doctors' certificates, when required.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. In the compilation of biweekly payrolls.

b. To maintain leave accounts.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To another Federal Government agency in connection with the transfer of an NLRB employee to that agency.

4. To the Office of Personnel Management for administering the Civil Service Retirement System.

5. To the U.S. General Accounting Office for audit purposes.

6. To another Government agency or private organization in connection with an agreement under the Intergovernmental Personnel Act.

7. To the U.S. Department of Labor for processing or adjudicating claims under the Federal Employees Compensation Act.

8. To the appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

9. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

10. To individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

11. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYTEM:

STORAGE:

Maintained on Form TDF 10–11.H–1, H–2 and H–3 and related forms and papers, and on microfilm/microfiche.

RETRIEVABILITY:

Chronologically by year, and within each year by organizational unit, and within each unit by social security number or by employee name.

SAFEGUARDS:

Original source documents or copies thereof are maintained in file cabinets. Microfilm/microfiche is maintained in locked fireproof metal cabinets. During duty hours cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Retained and disposed of in accordance with General Accounting Office and General Services Administration retention schedules. Original source documents are retained within the Agency for 3 years and then transferred to the appropriate Federal record center for the balance of the retention period. Microfilm/microfiche records are maintained within the Agency for the full period specified in the appropriate retention schedule.

SYSTEM MANAGER(S) AND ADDRESS:

Finance Officer, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

See the attached appendix for the titles and addresses of officials at other locations responsible for this system at their locations.

NOTIFICATION PROCEDURE:

1. Current NLRB employees inquiring whether this system contains records of such individuals should direct such inquiries to their supervisors.

2. An individual other than a current NLRB employee inquiring whether this "System Manager" specified above, or official designated under "System Manager" as responsible for this system in the office where the individual was previously employed.

3. In determining whether this system contains records on the inquirer, the following information is required: year about which inquiry is being made, and inquirer's name and organizational unit

or units in which employed during that year.

RECORD ACCESS PROCEDURES:

1. An indvidual seeking to gain access to records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

2. In granting access to records in this sytem, the following information is required: the year about which inquiry is being made, and the inquirer's name and organizational unit or units in which employed during that year.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the appropriate official or office designated under "Notification procedure."

RECORD SOURCE CATEGORIES:

Individual to whom the record pertains, timekeeper or supervisor, doctors' statements.

NLRB-14

SYSTEM NAME:

Equal Employment Opportunity Program Management System.

SYSTEM LOCATION:

Data Systems Branch, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former NLRB employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include information such as employee name, social security number, Minority Group Designator (MGD), Code, employment status, sex, date of birth, payroll block and unit number, pay plan, grade and step, entrance-on-duty date, date of last promotion, date of last quality step increase, employment class and date of separation.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the record or information:

a. In monitoring and evaluating the status and progress of minority/female employment.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the Agency's EEO Program (without personal identification of individuals).

c. In connection with the investigation, processing, adjudication and/or settlement of an EEO complaint or civil action.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

4. To the appropriate agency, whether Federal, state, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

5. To officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

6. To individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on computer disk file and magnetic tape backup.

RETRIEVABILITY:

By social security account number or alphabetically by name.

SAFEGUARDS:

All doors to the computer room have combination locks and during duty hours the computer and magnetic tape backup are under surveillance of Agency personnel charged with custody of the records. After duty hours the computer disk file and magnetic tape backup are stored in a fireproof safe behind locked doors. Access is limited to authorized personnel only. All format programs are password protected and use of the machines for information printouts restricted to designated personnel.

RETENTION AND DISPOSAL:

The information in these records is updated as necessary as changes in the data elements occur. Information on former employees is retained for three years following their separation from the Agency.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Equal Employment Opportunity, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

An individual inquiring whether this system contains a record on such individual should direct such inquiry to the System Manager specified above.

RECORD ACCESS PROCEDURES:

An individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager specified above.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system pertaining to such individual should contact the System Manager specified above.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from the individual to whom the record pertains, Agency officials and from personnel records.

Appendix

Names and Addresses of NLRB Offices referenced in Notice of Record Systems shown above:

NLRB Headquarters Offices

Offices of the Board
- Members of the Board
- Executive Secretary, Office of the Executive Secretary
- Solicitor

Offices of the General Counsel
- General Counsel
- Associate General Counsel, Division of Operations Management
- Associate General Counsel, Division of Advice
- Associate General Counsel, Division of Enforcement Litigation
- Director, Office of Appeals
- Director, Division of Administration
- Director, Equal Employment Opportunity

Address: 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570

Chief Administrative Law Judge, Division of Administrative Law Judges

Address: Room 1121, Hamilton Building, 1375 K Street, N.W., Washington, D.C. 20005

San Francisco Office, Division of Administrative Law Judges

Address: Room 12054, Federal Building, 450 Golden Gate Avenue, San Francisco, CA 94102

New York Office, Division of Administrative Law Judges

Address: Paramount Building, 4th Floor, 1501 Broadway Street, New York, NY 10036

Atlanta Office, Division of Administrative Law Judges

Address: 44 Broad Street NW., 9th Floor, Atlanta, GA 30303

NLRB Field Offices

Regional Director, National Labor Relations Board, Region 1, 12th Floor, Keystone Building, 99 High Street, Boston, Massachusetts 02110

Regional Director, National Labor Relations Board, Region 2, Jacob K. Javits Federal Building, Room 3614, 26 Federal Plaza, New York, New York 10007

Regional Director, National Labor Relations Board, Region 3, Federal Building, Room 901, 111 West Huron Street, Buffalo, New York 14202

Regional Director, National Labor Relations Board, Region 4, One Independence Mall, 615 Chestnut Street, Seventh Floor, Philadelphia, Pennsylvania 19106

Regional Director, National Labor Relations Board, Region 5, Candler Building, 700 East Pratt Street, Fourth Floor, Baltimore, Maryland 21202

Regional Director, National Labor Relations Board, Region 6, Federal Office Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222

Regional Director, National Labor Relations Board, Region 7, Patrick V. McNamara Federal Building, Room 300, 477 Michigan Avenue, Detroit, Michigan 48226

Regional Director, National Labor Relations Board, Region 8, Anthony J. Celebrezze Federal Building, 1240 E. 9th Street, Room 1694, Cleveland, Ohio 44199

Regional Director, National Labor Relations Board, Region 9, Federal Office Building, Room 3003, 550 Main Street, Cincinnati, Ohio 45202

Regional Director, National Labor Relations Board, Region 10, Marietta Tower—Suite 2400, 101 Marietta Street, NW., Atlanta, Georgia 30323

Regional Director, National Labor Relations Board, Region 11, US Courthouse, Federal Building, 251 North Main Street, Room 447, Winston-Salem, North Carolina 27101

Regional Director, National Labor Relations Board, Region 12, Federal Office Building, Room 706, 500 Zack Street, P.O. Box 3322, Tampa, Florida 33602

Regional Director, National Labor Relations Board, Region 13, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Illinois 60604

Regional Director, National Labor Relations Board, Region 14, 210 North 12 Boulevard, Room 448, St. Louis Missouri 63101

Regional Director, National Labor Relations Board, Region 15, Plaza Tower, Room 2700, 1001 Howard Avenue, New Orleans, Louisiana 70113

Regional Director, National Labor Relations Board, Region 16, Federal Office Building, Room 8A24, 819 Taylor Street, Fort Worth, Texas 76102

Regional Director, National Labor Relations Board, Region 17, Two Gateway Center, Room 616, Fourth at State, Kansas City, Kansas 66101

Regional Director, National Labor Relations Board, Region 18, Federal Building, Room 316, 110 South Fourth Street, Minneapolis, Minnesota 55401

Regional Director, National Labor Relations Board, Region 19, Federal Building, Room 2948, 915 Second Avenue, Seattle, Washington 98174

Regional Director, National Labor Relations Board, Region 20, Federal Building, Room 13018, 450 Golden Gate Avenue, Box 36047, San Francisco, California 94210

Regional Director, National Labor Relations Board, Region 21, City National Bank Building—24 Floor, 606 South Olive Street, Los Angeles, California 90014

Regional Director, National Labor Relations Board, Region 22, Federal Building, Room 1600, 970 Broad Street, Newark, New Jersey 07102

Regional Director, National Labor Relations Board, Region 23, One Allen Center, Room 920, 500 Dallas Avenue, Houston, Texas 77002

Regional Director, National Labor Relations Board, Region 24, Federico Degatau Federal Building, U.S. Courthouse, Room 591, Carlos E. Chardon Avenue, Hato Rey, Puerto Rico 00918

Regional Director, National Labor Relations Board, Region 25, Federal Office Building, Room 232, 575 North Pennsylvania Street, Indianapolis, Indiana 46204

Regional Director, National Labor Relations Board, Region 26, Mid-Memphis Tower Building, Suite 800, 1407 Union Avenue, Memphis, Tennessee 38104

Regional Director, National Labor Relations Board, Region 27, U.S. Custom House, Room 260, 721 19th Street, Denver, Colorado 80202

Regional Director, National Labor Relations Board, Region 28, 3030 North Central Avenue, 2nd Floor, Phoenix, Arizona 85012

Regional Director, National Labor Relations Board, Region 29, Fourth Floor, 16 Court Street, Brooklyn, New York 11241

Regional Director, National Labor Relations Board, Region 30, Commerce Building, Suite 230, 744 North Fourth Street, Milwaukee, Wisconsin 53203

Regional Director, National Labor Relations Board, Region 31, Federal Building, Room 12100, 11000 Wilshire Boulevard, Los Angeles, California 90024

Regional Director, National Labor Relations Board, Region 32, Breuner Building, 2201 Broadway, 2nd Floor, P.O. Box 12983, Oakland, California 94604

Regional Director, National Labor Relations Board, Region 33, Savings Center Tower, 16th Floor, 411 Hamilton Boulevard, Peoria, Illinois 61602

Officer-in-Charge, National Labor Relations Board, Subregion 36, 825 Pittock Block, 921 Southwest Washington Street, Portland, Oregon 97205

Officer-in-Charge, National Labor Relations Board, Subregion 37, 300 Ala Moana Boulevard, Room 7318, P.O. Box 50208, Honolulu, Hawaii 96850

Officer-in-Charge, National Labor Relations Board, Subregion 39, 750 Main Street, Suite 1200, Hartford, Connecticut 06103

Resident Officer, National Labor Relations Board, Resident Office—Region 3, Leo W. O'Brien Federal Building, Room 342, Clinton Avenue at North Pearl Street, Albany, New York 12207

Resident Officer, National Labor Relations Board, Resident Office—Region 5, Gelman Building, Suite 100, 2120 L Street, N.W., Washington, D.C. 20037

Resident Officer, National Labor Relations Board, Resident Office—Region 10, City Federal Building, Room 2102, 2026 Second Avenue North, Birmingham, Alabama 35203

Resident Officer, National Labor Relations Board, Resident Office—Region 12, Federal Building, Room 916, 51 Southwest 1st Avenue, Miami, Florida 33130

Resident Officer, National Labor Relations Board, Resident Office—Region 12, Federal Building, Room 278, 400 West Bay Street, Jacksonville, Florida 32202

Resident Officer, National Labor Relations Board, Resident Office—Region 16, Robert S. Kerr Building, 440 S. Houston Ave., Room 210, Tulsa, Oklahoma 74127

Resident Officer, National Labor Relations Board, Resident Office—Region 18, 907 Walnut Street, Room 380, Des Moines, Iowa 50309

Resident Officer, National Labor Relations Board, Resident Office—Region 19, Anchorage Federal Office Building, 701 C Street, Room 510, Box 21, Anchorage, Alaska 99513

Resident Officer, National Labor Relations Board, Resident Office—Region 21, U.S. Courthouse, Room 2–N–20, 940 Front Street, San Diego, California 92189

Resident Officer, National Labor Relations Board, Resident Office—Region 23, Federal Office Building, Room A–509, 727 E. Durango Boulevard, San Antonio, Texas 78206

Resident Officer, National Labor Relations Board, Resident Office—Region 26, 1 Union National Plaza, Suite 1120, Little Rock, Arkansas 72201

Resident Officer, National Labor Relations Board, Resident Office—Region 26, Estes Kefauver Federal Building, Room A–702, U.S. Courthouse, 801 Broadway, Nashville, Tennessee 37203

Resident Officer, National Labor Relations Board, Resident Office—Region 28, First National Building, 109 North Oregon Street, El Paso, Texas 79901

Resident Officer, National Labor Relations Board, Resident Office—Region 28, Patio Plaza Building, Upper Level, 5000 Marble Avenue, NE., Albuquerque, New Mexico 87110

Resident Officer, National Labor Relations Board, Resident Office—Region 31, 720 South Seventh Street, Second Floor, Las Vegas, Nevada 89101

[FR Doc. 82-26234 Filed 9-22-82; 8:45 am]

BILLING CODE 7545-01-M

NATIONAL SCIENCE FOUNDATION

Application Received Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permit application received under Antarctic Conservation Act of 1978 Pub. L. 95–541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act of 1978 at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

DATE: Interested parties are invited to submit written data, comments, or views with respect to this permit application by October 18, 1982. Permit applications may be inspected by interested parties at the Permit Office, address below.

ADDRESS: Comments should be addressed to Permit Office, Room 627, Division of Polar Programs, National Science Foundation, Washington, D.C. 20550.

FOR FURTHER INFORMATION CONTACT: Charles E. Myers at the above address or (202) 357–7934.

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95–541), has developed regulations that implement the "Agreed Measures for the Conservation of Antarctic Fauna and Flora" for all United States citizens. The Agreed Measures, developed in 1964 by the Antarctic Treaty Consultative Parties, recommended establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas as requiring special protection. The regulations establish such a permit system to designate Specially Protected Areas and Sites of Special Scientific Interest. The regulations appeared in final form in the June 7, 1979 **Federal Register**. Additional information was published in the July 13, 1982 **Federal Register**, page 30328.

The application received is as follows:

1. *Applicant:* Mr. Jack Laney, San Diego Hall of Science, P.O. Box 55303, San Diego, California 92103.

Activities for which permit requested.—Taking, Enter Specially Protected Areas, Enter Sites of Special Scientific Interest.

The applicant requests permission to photograph the flora and fauna of Antarctica using the OMNIMAX motion picture technique. In addition, a 16mm film on current science projects will be made. No flora or fauna will be physically taken or handled; the objective of this project is to photograph various species in their natural environment.

Location: McMurdo Station and vicinity, Palmer Station and vicinity, Selected Sites of Special Scientific Interest, Selected Specially Protected Areas.

Dates: November 10, 1982 to January 31, 1983.

Authority to publish this notice has been delegated by the Director, NSF to the Director, Division of Polar Programs.

Edward P. Todd,

Division Director, Division of Polar Programs.

[FR Doc. 82–26220 Filed 9–22–82; 8:45 am]

BILLING CODE 7555–01–M

Permits Issued Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permits issued under the Antarctic Conservation Act of 1978, Pub. L. 95–541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice of permits issued.

FOR FURTHER INFORMATION CONTACT: Charles E. Myers, Permit Office, Division of Polar Programs, National Science Foundation, Washington, D.C. 20550. Telephone (202) 357–7934.

SUPPLEMENTARY INFORMATION: On July 13 and August 10, 1982, the National Science Foundation published notices in the **Federal Register** of permit applications received. On September 13, 1982 permits were issued to: Eric P. Hoberg, Wayne Trivelpiece, David G. Ainley, David E. Murrish, Donald B. Siniff, Arthur L. DeVries, Wesley E. LeMasurier, William M. Hammer, and Vera Komarkova.

Charles E. Myers,

Permit Office, Division of Polar Programs.

[FR Doc. 82–26215 Filed 9–22–82; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL TRANSPORTATION SAFETY BOARD

Performance Review Board, Senior Executive Service; Appointment of Members

Appointments of Performance Review Board members are required to be published in the **Federal Register** by 5 U.S.C. 4314(c)(4).

The following persons have been appointed to, and will serve on, Performance Review Boards for senior executives in the National Transportation Safety Board: Patricia A. Goldman, John R. Wheatley, Robert W. Pyle, Lloyd F. Miller, James Danaher, B. Michael Levins, Thomas DeW. Styles, Barry M. Sweedler, and John M. Stuhldreher.

Robert W. Pyle,

Chief, Personnel and Training Division.

September 9, 1982.

[FR Doc. 82–26259 Filed 9–22–82; 8:45 a.m.]

BILLING CODE 4910–58–M

Reports, Recommendations; Availability

Reports Issued

Special Investigation Report —Derailments of New York City Transit Authority Trains Involving Traction Motor Mount Failures (NTSB–TSR–SIR–82–2).

Railroad Accident Reports —Brief Format, Issue Number 3—1980 (NTSB– RAB–82–2).

Highway Accident Report —Truck Engine Fuel Tank Puncture by Bridge Repair Plate, Diesel Spill, and Multiple-Vehicle Skidding Collisions, Interstate Route 10, Lake Charles, Louisiana, August 27, 1981 (NTSB–HAR–82–4).

Aircraft Accident Report —Pilgrim Airlines Flight 458, deHavilland DHC–6–100, N127PM, near Providence, Rhode Island, February 21, 1982 (NTSB–AAR–82–7).

Recommendations Issued

Federal Aviation Administration: Aug. 31: A–82–90: Issue an Airworthiness Directive requiring installation of inboard flow strips on all Piper PA–38–112 aircraft manufactured before January 25, 1979, that have not been modified with these flow strips in accordance with the provisions of Piper Service Letter No. 876. *A–82–106:* Encourage timely adoption of the Society of Automotive Engineers (SAE) standard for "general aviation" flight recorders (intended for installation in multiengine, turbine-power, fixed-wing aircraft and rotorcraft in any type of operation not currently required by 14 CFR 121.343, 121.359, 135.151, and 127.127 to have a cockpit voice recorder and/or a flight data recorder), and issue a Technical Standard Order (TSO) covering such recorders immediately after the SAE document is approved. Include in the TSO requirements that:

(a) specify a cockpit voice recorder (CVR) of high enough audio quality to render intelligible recorded data on each of two channels which reserves one channel for voice communications transmitted from or received in the aircraft by radio, and one channel for audio signals from a cockpit area microphone;

(b) specify all flight data recorder (FDR) parameters, ranges, accuracies, and sampling intervals cited in Tables I and II (attached);

(c) specify crash and fire survivability standards for CVR's and FDR's which are at least as stringent as those of TSO–C51a for Type I (nonejectable) and Type III (ejectable) recorders as appropriate. *A–82–107:* Require that all miltiengine, turbine-powered, fixed-wing aircraft certificated to carry six or more passengers manufactured on or after a

specified date, in any type of operation not currently required by 14 CFR 121.343, 121.359, and 135.151 to have a cockpit voice recorder and/or a flight data recorder, be prewired to accept a "general aviation" cockpit voice recorder (if also certificated for two-pilot operation) with at least one channel for voice communications transmitted from or received in the aircraft by radio, and one channel for audio signals from a cockpit area microphone, and a "general aviation" flight data recorder to record sufficient data parameters to determine the information in Table I (attached) as a function of time. *A–82–108:* Require that all multiengine, turbine-powered rotorcraft certificated to carry six or more passengers manufactured on or after a specified date, in any type of operation not currently required by 14 CFR 127.127 to have a cockpit voice recorder and/or a flight data recorder, be prewired to accept a "general aviation" cockpit voice recorder (if also certificated for two-pilot operation) with at least one channel for voice communications transmitted from or received in the aircraft by radio, and one channel for audio signals from a cockpit area microphone, and a "general aviation" flight data recorder to record sufficient data parameters to determine the information in Table II (attached) as a function of time. *A–82–109:* Require that "general aviation" cockpit voice recorders (on aircraft certificated for two-pilot operation) and flight data recorders be installed when they become commercially available as standard equipment in all multiengine, turbine-powered, fixed-wing aircraft and rotorcraft certificated to carry six or more passengers manufactured on or after a specified date, in any type of operation not currently required by 14 CFR 121.343, 121.359, 135.151, and 127.127 to have a cockpit voice recorder and/or a flight data recorder. *A–82–110:* Require that "general aviation" cockpit voice recorders be installed as soon as they are commercially available in all multiengine, turbine-powered aircraft (both airplanes and rotorcraft), which are currently in service, which are certificated to carry six or more passengers and which are required by their certificate to have two pilots, in any type of operation not currently required by 14 CFR 121.359, 135.151, and 127.127 to have a cockpit voice recorder. The cockpit voice recorders should have at least one channel reserved for voice communications transmitted from or received in the aircraft by radio, and one channel reserved for audio signals from a cockpit area microphone. *A–82–111:* Require that "general aviation" flight data recorders be installed as soon as they are commercially available in all multiengine, turbojet airplanes which are currently in service, which are certificated to carry six or more passengers in any type of operation not currently required by 14 CFR 121.343 to have a flight data recorder. Require recording of sufficient parameters to determine the following information as a function of time (see Table I (attached) for ranges, accuracies, etc.): altitude, indicated airspeed, magnetic heading, radio transmitter keying, pitch attitude, roll attitude, vertical acceleration, longitudinal acceleration, stabilizer trim position or pitch control position.

Federal Railroad Administration: Aug. 31: R–82–86: Conduct a safety review of Seaboard Coastline Railroad and the Duluth, Winnipeg and Pacific Railway to determine if inspection practices on these railroad properties are adequate to detect bolster and center plate interference problems, and provide the National Transportation Safety Board with a report of the findings. *R–82–87:* Inform Federal Railroad Administration safety inspectors of the circumstances of the derailment of the Seaboard Coastline train on November 13, 1981, emphasizing the potentially serious consequences of inadequate bolster and center plate inspections, and require them to include in their scheduled inspections a review of the adequacy of the inspection procedures employed by railroads to detect interference between truck bolsters and the car body center plates.

American Short Line Railroad Association: Sep. 2: R–82–84: Advise its member railroads which handle piggyback traffic to warn employees who may be at the scene of accidents that waybills may not properly identify or describe hazardous materials loaded in TOFC trailers and COFC containers.

Seabulk Transmarine II, Inc.: Sep. 2: M–82–38: Establish a formal training program for the officers of Seabulk Transmarine II, Inc.'s integrated tug-barges which includes instruction in the operation and use of the tug-barge interlocking devices, in emergency procedures to be followed in the event of interlocking device failure or the development of relative motion between the tug and barge, and in the operation of the tug and barge as independent vessels. *M–82–39:* Require each officer assigned to a Seabulk Transmarine II, Inc. integrated tug-barge to satisfactorily complete the training program developed as a result of the above recommendation. *M–82–40:* Require each officer assigned to a Seabulk Transmarine II, Inc. integrated tug-barge to periodically demonstrate competent operation of the interlocking devices and satisfactory knowledge of emergency procedures and tug-barge disconnect/reconnect procedures.

Association of American Railroads: Sep. 2: R–82–88: Inform its membership of the circumstances of the derailment of the Seaboard Coastline train on November 13, 1981, to emphasize the potentially serious consequences of inadequate inspections to detect interference between truck bolsters and body center plates of cars on repair tracks and in train yards. *R–82–82:* Advise its member railroads to warn employees who may be at the scene of accidents that "FAK" waybills may not properly identify or describe hazardous materials loaded in TOFC trailers and COFC containers. *R–82–83:* Develop and disseminate among member railroads procedures designed to provide timely detection and accurate identification of hazardous materials carried in TOFC trailers or COFC containers during rescue, firefighting, or wreck-clearing operations at railroad accidents.

International Association of Fire Chiefs, International Association of Chiefs of Police, National Fire Protection Association, Federal Emergency Management Agency: Sep. 2: R–82–85: Warn firefighters and law enforcement personnel through available communications or training programs that railroad waybills for piggyback TOFC trailers and COFC containers carrying hazardous materials may not adequately describe their contents, and that the contents of derailed trailers or containers must be checked for possible hazardous materials during rescue or firefighting operations at TOFC or COFC derailments.

Research and Special Programs Administration: Sep. 8: P–82–31: Direct its regional field office personnel and State agents to include in their inspection of regulator stations a determination of whether the relief valves are properly set and are operational and whether the control lines are protected against excavation damage.

Missouri Power and Light Company: Sep. 8: P–82–32: Implement a procedure for the systematic review of inspection records to assure that unsafe conditions noted by inspectors are promptly corrected. *P–82–33:* Conduct an inspection of all of its district regulator stations systemwide to determine if all relief valves and control sensing line valves are in their correct positions and if the regulator station control lines are adequately protected against excavation damage and take corrective action as necessary. *P–82–34:* Review its maps and records of district regulator station piping to determine their accuracy and completeness and take appropriate action where necessary to correct these documents. *P–82–35:* Establish a public awareness program for the prevention of excavation-caused damage to underground facilities and support the establishment of a "one-call" notification system in its area of operation. *P–82–36:* Install equipment to transmit gas pressure or gas flow data from district regulator stations in Centralia to the dispatcher at Moberly, Missouri, with alarms to alert the dispatchers in the event of abnormal gas flow rates or pressures.

Amrican Gas Association: Sep. 8: P–82–30: Notify its member companies of the circumstances of the accident in Centralia, Missouri, on January 28, 1982, and urge them to inspect their regulator station relief valves or other overpressure protection equipment to make sure that they are set and operating properly.

Missouri Public Service Commission and State of Missouri: Sep. 8: P–82–37: Encourage operators of underground facilities to develop and implement a statewide one-call excavation notification system.

City of Centralia, Missouri: Sep. 8: P–82–38: Require city officials to give notice to all underground and aboveground utilities of any planned excavation work to be performed for the city by a city employee or a private contractor. *P–82–39:* Instruct the city's excavation equipment operators not to commence excavation activities until they have determined the specific location of underground utility lines in the area.

Governors of the 50 States and the Mayor of the District of Columbia, excluding Colorado, Maryland, Nebraska, Utah, and Washington: Sep. 9: H–82–35: Implement a citizen awareness and citizen drunk driver reporting program such as the REDDI-type programs now used by Colorado, Maryland, Nebraska, Utah, and Washington.

International Association of Chiefs of Police, Inc., and National Safety Council: Sep. 9: H–82–36: Collaborate and act as focal points for gathering information on REDDI-type programs and provide information and assistance to the interested States and local communities.

Manufacturers of multiengine, turbine-powered airplanes and rotorcraft: Sep. 9: A–82–101: Prewire all newly manufactured multiengine, turbine-powered, fixed-wing aircraft certificated to carry six or more passengers in any type of operation not currently required by 14 CFR 121.343, 121.359, and 135.151 to have a cockpit voice recorder and/or a flight data recorder, to accept a "general aviation" cockpit voice recorder (if certificated for two-pilot operation) with at least one channel for voice communications transmitted from or received in the aircraft by radio, and one channel for audio signals from a cockpit area microphone, and a "general aviation" flight data recorder to record sufficient data parameters to determine the information in Table I (attached) as a function of time. *A–82–102:* Prewire all newly manufactured multiengine, turbine-powered rotorcraft certificated to carry six or more passengers in any type of operation not currently required by 14 CFR 127.127 to have a cockpit voice recorder and/or a flight data recorder, to accept a "general aviation" cockpit voice recorder (if certificated for two-pilot operation) with at least one channel for voice communications transmitted from or received in the aircraft by radio, and one channel for audio signals from a cockpit area microphone, and a "general aviation" flight data recorder to record sufficient data parameters to determine the information in Table II (attached) as a function of time. *A–82–103:* Install "general aviation" cockpit voice recorders (on aircraft certificated for two-pilot operation) and flight data recorders when they become commercially available as standard equipment in all newly manufactured multiengine, turbine-powered, fixed-wing aircraft and rotorcraft certificated to carry six or more passengers in any type of operation not currently required by 14 CFR 121.343, 121.359, 135.151, and 127.127 to have a cockpit voice recorder and/or a flight data recorder.

Users of multiengine, turbine-powered airplanes and rotorcraft: Sep. 9: A–82–104: Encourage your members who own or operate multiengine, turbine-powered aircraft (both airplanes and rotorcraft) certificated for two-pilot operation to carry six or more passengers, in any type of operation not currently required by 14 CFR 121.359, 135.151, and 127.127 to have a cockpit voice recorder, to install "general aviation" cockpit voice recorders, and urge that they record voice communications transmitted from or received in the aircraft by radio on one channel, and audio signals from a cockpit area microphone on a separate channel. *A–82–105:* Encourage your members who own or operate multiengine, turbojet airplanes certificated to carry six or more passengers, in any type of operation not currently required by 14 CFR 121.343 to have a flight data recorder, to install "general aviation" flight data recorders as soon as they are commercially available, and urge that they provide for recording sufficient parameters to determine the following information as a function of time (see Table I (attached) for ranges, accuracies, etc.): altitude, indicated airspeed, magnetic heading, radio transmitter keying, pitch attitude, roll attitude, vertical acceleration, longitudinal acceleration, stabilizer trim position or pitch control position.

Note.—Reports may be ordered from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, for a fee covering the cost of printing, mailing, handling, and maintenance. For information on reports call 703–487–4650 and to order subscriptions to reports call 703–487–4630. Single copies of recommendation letters (identified by recommendation number) and response letters are free on written request to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

H. Ray Smith, Jr.,

Federal Register Liaison Officer.

September 20, 1982.

[FR Doc. 82–26258 Filed 9–22–82; 8:45 am]

BILLING CODE 4910–58–M

NUCLEAR REGULATORY COMMISSION

Draft Regulatory Guide; Issuance and Availability

The Nuclear Regulatory Commission has issued for public comment a draft of a proposed revision to a guide in its Regulatory Guide Series together with a draft of the associated value/impact statement. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The draft, temporarily identified by its task number, SG 229–4, (which should be mentioned in all correspondence concerning this draft guide), is proposed Revision 1 to Regulatory Guide 5.59, "Standard Format and Content for a Licensee Physical Security Plan for the Protection of Special Nuclear Material of Moderate or Low Strategic Significance." This regulatory guide is being developed to describe the information required in the physical security plan submitted as part of an application for a license to possess, use, or transport special nuclear material of moderate strategic significance or 10 kg or more of special nuclear material of low strategic significance and to recommend a format for its presentation.

This draft guide and the associated value/impact statement are being issued to involve the public in the early stages of the development of a regulatory position in this area. They have not received complete staff review and do not represent an official NRC staff position.

Public comments are being solicited on both drafts, the guide (including any implementation schedule) and the draft value/impact statement. Comments on the draft value/impact statement should be accompanied by supporting data. Comments on both drafts should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by October 22, 1982.

Although a time limit is given for comments on these drafts, comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of draft guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Technical Information and Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 16th day of September 1982.

For the Nuclear Regulatory Commission.

Karl R. Goller,

Director, Division of Facility Operations, Office of Nuclear Regulatory Research.

[FR Doc. 82–26268 Filed 9–22–82; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–302]

Florida Power Corporation, et.al.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 57 to Facility

Operating License No. DPR–72, issued to the Florida Power Corporation, City of Alachua, City of Bushnell, City of Gainsville, City of Kissimmee, City of Leesburg, City of New Smyrna Beach and Utilities Commission, City of New Smyrna Beach, City of Ocala, Orlando Utilities Commission and City of Orlando, Sebring Utilities Commission, Seminole Electric Cooperative, Inc., and the City of Tallahassee (the licensees) which revised the Technical Specifications (TSs) for operation of the Crystal River Unit No. 3 Nuclear Generating Plant (the facility) located in Citrus County, Florida. The amendment becomes effective 30 days after its date of issuance.

This amendment modifies the Technical Specifications to reflect an expanded Plant Review Committee membership, an expanded procedural review and current title designations for CR–3 management.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated December 3, 1980, as revised January 19, 1982, (2) Amendment No. 57 to License No. DPR–72, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555, and at the Crystal River Public Library, 668 N.W. First Avenue, Crystal River, Florida. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 13th day of September 1982.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 82–26287 Filed 9–22–82; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. 301–32]

Industrial Union Department, AFL–CIO; Termination of Complaint

Pursuant to 15 CFR 2006.6, the U.S. Trade Representative is terminating, without prejudice, the investigation of the Section 301 complaint filed by the Industrial Union Department, AFL–CIO alleging that Canada has provided subsidized financing on a contract for the sale of subway cars to the New York Metropolitan Transit Authority in a manner inconsistent with the Agreement on the Interpretation and Application of Articles VI, XVI, XXIII of the General Agreement on Tariffs and Trade (the "Subsidies Code") and further alleging that such subsidization is unreasonable and a burden on U.S. commerce. The U.S. Trade Repesentative initiated an investigation on July 19, 1982 (47 FR 31764), based upon the petition filed by the Industrial Union Department, AFL–CIO.

On the date after the Section 301 investigation was initiated, the U.S. Department of Commerce announced the initiation of a countervailing duty investigation regarding the same alleged subsidy practices which were the subject of the Section 301 investigation (47 FR 31415). The countervailing duty investigation was initiated on the basis of a petition filed by The Budd Company and the Industrial Union Department, AFL–CIO. On August 18, 1982 the International Trade Commission made an affirmative preliminary determination of injury in this matter (47 FR 36042).

As a matter of policy in order to avoid redundant remedies and the waste of limited government resources, the U.S. Trade Representative will not initiate a Section 301 investigation concerning a foreign government practice which is the subject of investigation under any other provision of law. The same policy requires that a pending Section 301 investigation be terminated when the same matter is subsequently subject to investigation under some other provision of law.

In view of the pending countervailing duty investigation regarding alleged Canadian financing subsidies on the sale of subway cars, the U.S. Trade Representative is hereby terminating the subject Section 301 investigation. This termination is without prejudice to a resubmission of the Section 301 petition if action is not taken pursuant to the countervailing duty investigation.

Jeanne S. Archibald,

Chairman, Section 301 Committee.

[FR Doc. 82–26240 Filed 9–22–82; 8:45 am]

BILLING CODE 3190–01–M

PENSION BENEFIT GUARANTY CORPORATION

Exemption From Bond/Escrow Requirement Relating to Sale of Assets by an Employer: National Fruit Canning Company

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of exemption.

SUMMARY: The Pension Benefit Guaranty Corporation has granted National Fruit Canning Company an exemption from the bond/escrow requirement of section 4204(a)(1)(B) of the Employee Retirement Income Security Act of 1974, as amended. A notice of the request for exemption from this requirement was published on July 6, 1982 (47 FR 29423). The effect of this notice is to advise the public of the decision on the exemption request.

ADDRESS: The request for an exemption and the PBGC response to the request are available for public inspection at the PBGC Public Affairs Office, Suite 7100, 2020 K Street, NW., Washington, D.C. 20006, between the hours of 9:00 a.m. and 4:00 p.m. A copy of these documents may be obtained by mail from the PBGC Disclosure Officer (160) at the above address.

FOR FURTHER INFORMATION CONTACT: David Weingarten, Office of the Executive Director, Policy and Planning (140), 2020 K Street, NW., Washington, D.C. 20006; (202) 254–4862.

SUPPLEMENTARY INFORMATION:

Background

Section 4204(a)(1) of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), 29 U.S.C. 1384, provides that the sale of assets of an employer that contributes to a multiemployer pension plan will not constitute a complete or partial withdrawal from the plan if certain conditions are met. One of these conditions is that the purchaser post a bond or deposit money in escrow for five plan years after the sale.

Section 4204(c) of ERISA authorizes the Pension Benefit Guaranty

Corporation ("PBGC") to grant individual or class variances or exemptions from the purchaser's bond/escrow requirement of section 4204(a)(1)(B). Under § 2643.3(a) of the PBGC's regulation on procedures for variances for sales of assets (46 FR 46127, September 17, 1981), the PBGC shall approve a request for a variance or exemption if it determines that approval of the request is warranted, in that it—

(1) Would more effectively or equitably carry out the purposes of Title IV of the Act; and

(2) Would not significantly increase the risk of financial loss to the plan.

The legislative history of section 4204 indicates a Congressional intent that the sales rules be administered in a manner that assures protection of the plan with the least practicable intrusion into normal business transactions.

Section 4204(c) and § 2643.3(b) of the regulation require the PBGC to publish a notice of the pendency of a request for a variance or an exemption in the **Federal Register**, and to provide interested parties with an opportunity to comment on the proposed variance or exemption.

Decision

On July 6, 1982 (47 FR 29423), the PBGC published a notice of the pendency of a request from National Fruit Canning Company ("National") to waive the bond/escrow requirement of section 4204(a)(1)(B) of ERISA in connection with its purchase of substantially all of the assets of Seabrook Foods, Inc. ("Seabrook") located at Seabrook's Albany, Oregon plant, effective as of February 1, 1982. No comments were received in response to the notice.

According to National's request for an exemption, Seabrook contributed to the Western Conference of Teamsters Pension Plan (the "Plan") on behalf of covered employees at its Albany, Oregon plant. As a result of the sale, National agreed to assumed the obligation of Seabrook to contribute to the Plan.

Seabrook's withdrawal liability, absent section 4204, is approximately $734,000.[1] The amount of the bond or escrow required under section 4204(a)(1)(B) of ERISA, absent an exemption from PBGC, would be $177,745.28, the average of the contributions required to be made by Seabrook for the three plan years preceding the year of the sale.

According to its audited financial statement for its fiscal year ended April 30, 1981, National had net assets of approximately $11.6 million. National had net income after taxes of $1,714,570 for its fiscal year ended April 30, 1981, $1,511,182 for its fiscal year ended April 30, 1980 and $2,107,985 for its fiscal year ended April 30, 1979, according to its audited financial statements for those years.

Based on the facts of this case and the representations and statements made in connection with the request for exemption, PBGC has determined that an exemption under section 4204(c) is warranted, in that it would more effectively or equitably carry out the purposes of Title IV of ERISA and would not significantly increase the risk of financial loss to the plan. Therefore, PBGC hereby grants National's request for an exemption from the bond/escrow requirement. The granting of an exemption or variance from the requirement of section 4204(a)(1)(B) does not constitute a finding by PBGC that the transaction satisfies the other requirements of section 4204(a)(1). The determination of whether the transaction satisfies such other requirements is a determination to be made by the plan sponsor.

Issued at Washington, D.C. on this 17th day of September, 1982.

Edwin M. Jones,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 82-26185 Filed 9-22-82; 8:45 am]

BILLING CODE 7708-01-M

[1] Seabrook has been advised by the Plan that its withdrawal liability is (a $550,833.37, Seabrook's proportional share of the unamortized amount of the Plan's unfunded vested Benefits as of December 31, 1979, plus b) a share of the Plan's "adjusted unfunded vested benefits" as of December 31, 1081, *i.e.*, the change in the plans' unfunded vested benefits between December 31, 1979 and December 31,1981. The Plan has indicated that it cannot calculate the (b) amount at this time. However, the Plan has advised PBGC of a procedure that can be used to approximate the employer's total withdrawal liability. Under this procedure, assuming that the *de minimis* rule in section 4209 of the Act does not apply, an employer's total withdrawal liability is the employer's share of the plan's unfunded vested benefits as if the withdrawal had occurred during 1980, plus an additional 20 percent of that amount for a 1982 withdrawal. Seabrook's estimated withdrawal liability under this procedure would be approximately $734,000 (approximately $612,000 + approximately $122,000). In light of this, the Plan has advised PBGC that it believes that Seabrook's total withdrawal liability in any event should be less than $1 million.

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) Collection title: Report of payments to employee claiming sickness benefits under the RUIA
(2) Form(s) submitted: SI-5
(3) Type of request: Extension
(4) Frequency of use: On occasion
(5) Respondents: Railroads, private companies and individuals
(6) Annual responses: 5,000
(7)Annual reporting hours: 417
(8) Collection description: Section 12(o) of the Railroad Unemployment Insurance Act provides for reimbursement of sickness benefits paid under the Act if the employee receives a settlement for the same injury for which such benefits were paid. The report of personal injury settlement will obtain the information needed for determining the amount of reimbursement the Board is entitled to under the Act.

Additional Information or Comments

Copies of the proposed forms and supporting documents may be obtained from Pauline Lohens, the agency clearance officer (312-751-4692). Comments regarding the information collection should be addressed to Pauline Lohens, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Milo Sunderhauf (202-395-6880), Office of Management and Budget, Room 3201, New Executive Office Building, Washington, D.C. 20503.

William A. Oczkowski,

Director of Planning and Information Management.

[FR Doc. 82-28214 Filed 9-22-82; 8:45 am]

BILLING CODE 7905-01-M

SMALL BUSINESS ADMINISTRATION

[SBLC No. 09/B-0028]

AID America, Inc.; Issuance of Small Business Lending Company Participation Agreement

On January 21, 1982, a Notice was published in the **Federal Register** (47 FR 3054) stating that an Application had been filed with the Small Business Administration pursuant to § 120.4(b) of the Regulations governing Small Business Lending Companies (13 CFR 120.4(b) (1981)), by AID America, Inc.,

19782 MacArthur Boulevard, Irvine, California 92715, to participate with the SBA as a Small Business Lending Company (SBLC).

Interested parties were given until the close of business February 5, 1982, to submit their comments on the Applicant and/or its management. No comments were received.

Notice is hereby given that after review of the Application and all other pertinent information, SBA issued Small Business Lending Company participation Agreement No. SBLC 09/B-0028 to AID America, Inc. to operate as an SBLC on this date. AID America's area of operations will be limited initially to that territory covering the jurisdiction of SBA's San Diego, Los Angeles, Miami and New York District Offices.

(Catalog of Federal Domestic Programs N. 59.012, Small Business Loans)

Dated: September 10, 1982.

Edwin T. Holloway,

Associate Administrator for Finance and Investment.

[FR Doc. 82-26241 Filed 9-22-82; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-82-19]

Petitions for Exemption; Summary of Petitions Received; Disposition of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number involved and must be received on or before: October 13, 1982.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Petition Docket No. ——, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: The petition, any comments received and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-204), Room 916, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

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

John H. Cassady,

Assistant Chief Counsel, Regulations and Enforcement Division.

PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought
23242	Mr. Stephen Fellows	14 CFR 91.47	To permit petitioner to use a Lockheed L-18 aircraft for the purpose of sport parachute jumping, carrying 24 properly equipped and trained parachute jumpers.
23267	DHL Cargo	14 CFR Portions of Parts 121	To permit petitioner to perform certain prescribed proficiency check maneuvers during scheduled revenue flights.
23217	Cal-West Aviation	14 CFR 135.261	To permit petitioner to construe duty time to begin when a crewmember is dispatched on a flight and that telephone availability does not constitute duty in connection with flight operations.
23256	Hammonds Commuter Airlines	14 CFR 135.107	To permit petitioner to operate certain aircraft in scheduled and on-call/on-demand charter flight operations with 20 fare paying passenger seats without a flight attendant.
23276	Corsair	14 CFR 121.311(f)	To permit petitioner to operate four DC9-30 aircraft without each flight attendant having a seat for takeoff and landing in the passenger compartment that meets the seat requirements of § 25.785.
23139	Wylie Aircraft Corp	14 CFR 91.31(e)(3)	To permit petitioner to operate its DC-6B aircraft using a 5 percent increase in zero fuel and landing weight.
19911	Aerovias Nacionales de Columbia, S.A	14 CFR Portions of Parts 21 & 91	To permit petitioner to operate five U.S.-registered B-727-259 aircraft using a FAA approved master minimum equipment list and a continuous airworthiness maintenance program.
23220	Summit Airlines	14 CFR 121.583(a)(8)	To provide transportation for a dependent of an employee of petitioner on its cargo aircraft without the dependent being accompanied by the employee.
20894	Trans-Colorado Airlines, Inc	14 CFR 135.181(a)(2)	Extension of Exemption No. 3078 to permit petitioner to use alternate means of compliance with the performance requirements, the use of procedures, and operations authorized by § 121.201(b) for compliance with the en route limitations.
23286	Sealand Helicopters, Inc	14 CFR 43.3(h)	To permit petitioners' appropriately trained and certificated pilots to remove, check, and reinstall magnetic chip detector plugs on its Allison 250C series engines used on certain helicopters.

DISPOSITIONS OF PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
22992	Miami Air Lease, Inc	14 CFR 91.31(a)	To permit petitioner to operate its Douglas DC-6B aircraft for the purpose of competing with other operators who are authorized to use the 5 percent increase in zero fuel and landing weight when operating under Part 125. *Denied 9/9/82.*
23117	Air Nevada	14 CFR 135.244	To allow petitioner's pilots to operate a single-engine airplane in commuter air carrier operations without having the prerequisite operating experience. *Denied 9/7/82.*
22444	Transamerica Airlines	14 CFR 121.311(e)	Extension of Exemption No. 3488 to permit petitioner to operate certain aircraft without the aircraft being equipped with a combined seat belt and shoulder harness at the flight observer and the crew bunk triple seats located on the flight deck. *Granted 9/15/82.*
23120	American Airlines	14 CFR 121.291(b)(2), (d), & (e)	To permit petitioner to change the number of required flight attendants without conducting a partial demonstration of emergency evacuation procedures and without conducting a simulated ditching demonstration. *Denied 9/10/82.*
22958	Suburban Airlines	14 CFR 135.2(d) & SFAR 38	To permit petitioner to operate its Shorts Model 360 aircraft under the operating rules of Part 135 in lieu of the Part 121 domestic and supplemental rules. *Denied 9/15/82.*
23049	Air Cortez	14 CFR 121.311 & 25.785	To permit petitioner to operate its Fairchild F-27J aircraft without each flight deck station being equipped with a combined safety belt and shoulder harness that meets the applicable requirements and without each flight attendant having a seat for takeoff and landing in the passenger compartment that meets the seat requirements. *Considered withdrawn 9/8/82.*

[FR Doc. 82-26176 Filed 9-22-82; 8:45 am]
BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA); Special Committee 149—Airborne Distance Measuring Equipment (DME); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of RTCA Special Committee 149 on Airborne Distance Measuring Equipment (DME) to be held on October 13-15, 1982 in Conference Rooms 5A-B, Federal Aviation Administration Building, 800 Independence Avenue, S.W., Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Introductory Remarks; (2) Approval of Minutes of First Meeting Held on July 7-9, 1982; (3) Briefing on International Civil Aviation Organization (ICAO) Working Group M Activiies; (4) Briefing on Interference Problems Between JTIDS and DME/M; (5) Review Task Assignments From First Meeting; (6) Review Second Draft of Committee Report on Minimum Operational Performance Standards for Airborne Distance Measuring Equipment; and (7) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1717 H Street, N.W., Washington, D.C. 20006; (202) 296-0484. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C., on September 14, 1982.

Karl F. Bierach,

Designated Officer.

[FR Doc. 82-25856 9-22-82; 8:45 am]
BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement Supplement: Cordova, Alaska

AGENCY: Federal Highway Administration, DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a supplement to a final environmental impact statement (FEIS) will be prepared for a proposed project to establish an overland connection between the City of Cordova, Alaska and the Alaska Highway System. The supplement will consider alternatives to the proposal presented in the FEIS of a highway connection from Cordova through the Copper and Tasnuna River valleys to the Richardson Highway.

FOR FURTHER INFORMATION CONTACT: Glenn E. Johns, Environmental Coordinator, Federal Highway Administration, P.O. Box 1648, Juneau, Alaska 99802, Telephone No. (907)-586-7419 or Michael Tinker, Regional Environmental Coordinator, Alaska Department of Transportation and Public Facilities (DOT/PF), 2301 Peger Road, Fairbanks, Alaska 99701, Telephone No. (907)-452-1911.

SUPPLEMENTARY INFORMATION: A two lane, secondary highway (the Copper River Highway) presently extends from Cordova 49 miles to Miles Lake on the Copper River. The propsed project described in the FEIS would involve the construction of approximately 65 miles of additional two lane secondary roadway between Miles Lake and Mile 22 on the Richardson Highway. The proposed route would follow the Copper River valley north of Miles Lake for about 33 miles, then would turn northwest and follow the Tasnuna River valley for about 32 miles before terminating at the Richardson Highway.

The supplement to the FEIS will address the social, ecomomic and environmental impacts of various alternatives to the proposed action, including the impacts associated with the "no build" alternative. Besides the "no build", other alternatives being considered include routing the highway through the Tiekel River valley to terminate at about Mile 46 on the Richardson Highway, and following the Copper River valley upstream through Woods Canyon to terminate at Chitina (Mile 35 on the Edgerton Highway). The supplement will also discuss the relationship between the various alternatives and the effects of the development of the Bering River coal fields, a project which is under consideration by the Chugach Natives, Inc.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies and to private organizations and citizens who have previously

expressed an interest in this proposal. The draft and final supplements will be available for public and agency review and coment. No formal scoping meeting is planned at this time.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the FEIS supplement should be directed to the FHWA or Alaska DOT/PF at the addresses provided above. To be addressed in the draft supplement, comments should be received on or before October 25, 1982.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The provisions of OMB Circular A-95 (as amended by Executive Order 12372) regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued on: September 17, 1982.

Barry F. Morehead,

Division Administrator, Federal Highway Administration, Juneau, Alaska.

[FR Doc. 82-25976 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-22-M

Federal Railroad Administration

[FRA Waiver Petition Dockets HS-82-11 Through HS-82-20]

Petitions for Exemption From the Hours of Service Act

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that ten railroads have petitioned the Federal Railroad Administration (FRA) for an exemption from the Hours of Service Act (83 Stat. 464, Pub. L. 91-169, 45 U.S.C. 64a(e)). Each petition requests that the individual railroad be granted authority to permit certain employees to continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a period in excess of twelve hours. However, the Hours of Service Act contains a provision that permits a railroad, which employs no more than fifteen employees who are subject to the statute, to seek an exemption from this twelve hour limitation.

Each railroad seeks this exemption so that it can permit certain employees to remain continuously on duty for periods not to exceed sixteen hours. Each petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, each petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption. The railroads seeking this exemption are as follows:

Louisiana Southern Railroad, Docket Number HS-82-11

Natchez Trace Railroad, Docket Number HS-82-12

Springfield Terminal Railroad, Docket Number HS-82-13

Bay Colony Railroad, Docket Number HS-82-14

Cape Cod and Hyannis Railroad, Docket Number HS-82-15

Wisconsin and Southern Railroad, Docket Number HS-82-16

Fore River Railroad Corporation, Docket Number HS-82-17

East Cooper and Berkeley Railroad Company, Docket Number HS-82-18

Port Utilities Commission of Charleston, South Carolina, Docket Number HS-82-19

Port Terminal Railroad of South Carolina, Docket Number HS-82-20

Interested persons are invited to participate in these proceedings by submitting written views and comments. FRA has not scheduled an opportunity for oral comments since the facts do not appear to warrant it. Communications concerning these proceedings should identify the appropriate Docket Number (e.g., Docket Number HS-82-12) and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before October 30, 1982, will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 7321A, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

(Sec. 5 of the Hours of Service Act of 1969 (45 U.S.C. 64a), 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49(d))

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

Joseph W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 82-26248 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-06-M

Maritime Administration

Values for War Risk Insurance; Correction

AGENCY: Maritime Administration, DOT.

In the Federal Register Document 82-23769 appearing on page 38745 in the issue of Thursday, September 2, 1982 (Vol. 47, No. 171), make the following corrections:

1. On page 38748, the value for the tanker MANHATTAN (Official Number 287253), which reads $2,515,000, should read $20,515,000.

2. On page 38749, the following list of ship valuations should be inserted after the tanker PASADENA (Official Number 248894) and before the RESOLUTE (Official Number 612715).

FEDERAL REGISTER LIST OF SHIP VALUATIONS

Ship type	Led No.	Fol No.	Binder No.	Vessel name	Official No.	Valuation, Jan. 1, 1982
TKR	19	3	3390	Patriot	571049	$16,000,000
TKR	30	1	2926	Pennsylvania Sun	280202	6,385,000
SPC	3	9	3521	Penny	295108	980,000
TKR	7	5	581	Perryville	244644	1,555,000
SML	2	1	3340	Perth Amboy I	171776	140,000
SPC	2	8	2560	Philadelphia	516541	700,000
CDS	1	2	1653	Pioneer Commander	290905	1,425,000
CDS	1	5	1750	Pioneer Contender	292572	1,425,000
CDS	1	4	1715	Pioneer Contractor	291968	1,425,000
CDS	1	6	1774	Pioneer Crusader	292930	1,425,000
CDS	1	11	1432	Pioneer Moon	289263	1,425,000
SPC	7	2	2844	Pittsburgh	247275	3,200,000
SML	7	8	2999	PL1-0001-0036, 0103-0132	525001	25,000
SML	7	9	3000	PL1-0037, 0102	525037	25,000
SML	7	10	3001	PL1-0133—0198	525133	25,000
SML	7	1	3005	PL1-0361-0367, 0369-0425	525344	25,000

FEDERAL REGISTER LIST OF SHIP VALUATIONS—Continued

Ship type	Led No.	Fol No.	Binder No.	Vessel name	Official No.	Valuation, Jan. 1, 1982
SML	9	1	3313	PL1-1-0526/57—0559/0775	564526	40,000
SML	17	1	3314	PL2-0426-2-0481	540426	25,000
SPC	9	5	2428	Ponce	512975	14,000,000
SPC	2	1	3277	Portland	511487	700,000
SPC	3	2	1505	Potomac	248800	1,980,000
CDS	16	1	2501	President Adams	517120	5,000,000
CDS	16	5	2740	President Cleveland	521866	5,000,000
CDS	27	3	1419	President Eisenhower	288986	5,940,000
CDS	28	4	2447	President Fillmore	513860	7,235,000
CDS	37	3	3483	President Grant	530138	16,110,000
CDS	30	3	2148	President Harrison	502569	5,990,000
CDS	37	2	3485	President Hoover	530137	16,110,000
CDS	16	2	2526	President Jackson	517717	5,000,000
CDS	23	3	3030	President Jefferson	544900	14,100,000
CDS	23	2	3121	President Johnson	552109	14,100,000
CDS	31	1	1947	President Kennedy	296779	8,300,000
CDS	23	4	3041	President Madison	546725	14,100,000
CDS	28	2	2416	President McKinley	512593	7,235,000
CDS	30	2	2113	President Monroe	501712	5,990,000
CDS	23	1	3120	President Pierce	552108	14,100,000
CDS	30	1	2084	President Polk	500484	5,990,000
CDS	27	1	1349	President Roosevelt	287238	5,940,000
CDS	28	3	2398	President Taft	511653	7,235,000
CDS	16	3	2565	President Taylor	518517	5,000,000
CDS	27	2	1418	President Truman	287976	5,940,000
CDS	37	1	3848	President Tyler	530140	16,110,000
CDS	28	1	2359	President Van Buren	509581	7,235,000
CDS	16	4	2622	President Wilson	520392	5,000,000
TKR	2	1	3396	Prince William Sound	570108	45,000,000
TKR	17	1	2894	Puerto Rican	535000	18,000,000
STD	2	1	2706	Pure Oil	248837	650,000
TKR	19	1	3389	Ranger	573810	16,000,000
CDS	17	3	2821	Red Jacket	522650	13,500,000

(Catalog of Federal Domestic Assistance Program No. 20.803 Maritime War Risk Insurance)

Dated: September 13, 1982.

By Order of the Maritime Administrator.

Georgia P. Stamas,

Assistant Secretary.

[FR Doc. 82-26224 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-81-M

Office of the Secretary

Reports, Forms, and Recordkeeping Requirements; Submittals to OMB, August 26-September 10, 1982

AGENCY: Office of the Secretary, DOT.

ACTION: Notice.

SUMMARY: This notice lists those forms, reports, and recordkeeping requirements, transmitted by the Department of Transportation, between Aug. 26 and Sept. 10, 1982, to the Office of Management and Budget (OMB) for its approval. This notice is published in accordance with the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35).

FOR FURTHER INFORMATION CONTACT: John Windsor, John Chandler, or Annette Wilson, Information Requirements Division, M-34, Office of the Secretary of Transportation, 400 7th Street, SW., Washington, D C. 20590, (202) 426-1887 or Donald Arbuckle or Wayne Leiss, Office of Management and Budget, New Executive Office Building, Room 3228, Washington, D. C. 20503, (202) 395-7340.

SUPPLEMENTARY INFORMATION:

Background

Section 3507 of Title 44 of the United States Code, as adopted by the Paperwork Reduction Act of 1980, requires that agencies prepare a notice for publication in the **Federal Register**, listing those information collection requests submitted to the Office of Management and Budget (OMB) for approval under that Act. OMB reviews and approves agency submittals in accordance with criteria set forth in that Act. In carrying out its responsibilities, OMB also considers public comments on the proposed forms, reporting and recordkeeping requirements.

On Mondays and Thursdays, as needed, the Department of Transportation will publish in the **Federal Register** a list of those forms, reporting and recordkeeping requirements that it has submitted to OMB for review and approval under the Paperwork Reduction Act. The list will include new items imposing paperwork burdens on the public as well as revisions, renewals and reinstatements of already existing requirements. OMB approval of an information collection requirement must be renewed at least once every three years. The published list also will include the following information for each item submitted to OMB:

(1) A DOT control number.[1]

(2) An OMB approval number if the submittal involves the renewal,reinstatement or revision of a previously approved item.

(3) The name of the DOT Operating Administration or Secretarial Office involved.

(4) The title of the information collection request.

(5) The form numbers used, if any.

(6) the frequency of required responses.

(7) The persons required to respond.

(8) A brief statement of the need for and uses to be made of the information collection.

Information Availability and Comments

Copies of the DOT information collection requests submitted to OMB may be obtained from the DOT officials

[1] On August 1, 1982, numbers 1956 through 2048 were reserved for new requests proposed for submission during FY 1983.

listed in the "For Further Information Contact" paragraph set forth above.

Comments on the requests should be forwarded, as quickly as possible, directly to the OMB officials listed in the "For Further Information Contact" paragraph set forth above. If you anticipate submitting substantive comments, but find that more than 5 days from the date of publication is needed to prepare them, please notify the OMB officials of your intent immediately.

Items Submitted for Review by OMB

The following information collection requests were submitted to OMB between Aug. 26 and Sept. 10, 1982:

- DOT No: 1972.

OMB No: None.
By: U.S. Coast Guard.
Title: Requirements for the installation and use of oil discharge monitoring equipment on tank vessels and for the retention of discharge data.
Forms: None.
Frequency: On occasion.
Respondents: Tank vessel owners and operators.
Need/Use: Plans for installation of equipment are required to ensure system installation complies with safety standards. Discharge data must be retained in accordance with international treaty requirements.

- DOT No: 2065.

OMB No: 2115–0008.
By: U.S. Coast Guard.
Title: Seaman's certificate application.
Forms: CG–719B.
Frequency: As needed.
Respondents: Applicants for U.S. merchant mariners documents and documented merchant mariners applying for upgrading.
Need/Use: This information is required by the Coast Guard to determine an applicant's suitability for possessing U.S. merchant mariners documentation and to establish permanent record of those issued documents.

- DOT No: 2066.

OMB No: 2130–0022, 2130–0026, 2130–0027, 2130–0040, 2130–0508, 2130,0509, 2130–0510.
By: Federal Railroad Administration.
Title: State Participation Program.
Forms: FRA–F–6180.58; FRA–F–6180.58a; FRA–F–6180.59; FRA–F–6180.59a; FRA–F–6180.68; FRA–F–6180.68a; FRA–F–6180.69; FRA–F–6180.65; FRA–F–6180.65a; FRA–F–6180.67; FRA–F–6180.5; FRA–F–6180.5a; FRA–F–6180.10; FRA–F–6180.29; FRA–F–6180.29a; FRA–F–6180.33; FRA–F–6180.61.
Frequency: Annually; Semi-annually; On occasion (with each inspection).
Respondents: State Transportation Departments or State Public Utility Commissions.
Need/Use: Establishes standards and procedures for State participation in investigative and surveillance activities under the Federal Railroad Safety Laws and Regulations.

- DOT No: 2067.

OMB No.: 2125–0016.
By: Federal Highway Administration.
Title: Driver's Duty Status Record.
Forms: None.
Frequency: Daily.
Respondents: Drivers of commercial motor vehicles operating in interstate or foreign commerce.
Need/Use: The driver's duty status record is required as the principal means of deterring fatigued drivers from operating heavy commercial vehicles in order to protect the motoring public and persons working or residing along highway corridors. It will be the primary regulatory tool used by Federal and State enforcement personnel and commercial motor carriers to determine compliance with the maximum time limitations prescribed in the FMCSR. It will also be used to determine a motor carrier's overall compliance status.

- DOT No: 2068.

OMB No.: 2120–0057.
By: Federal Highway Administration.
Title: Safety Improvement Report Test Program.
Forms: FAA Form 8740–5.
Frequency: Non-Recurring.
Respondents: Individuals—the general aviation public, e.g., pilots, flight instructors, mechanics, etc.
Need/Use: Federal Aviation Act of 1958, Section 601 (49 U.S.C. 1421) directs the Secretary of Transportation to exercise his powers in a manner that will tend to reduce or eliminate the possibility of, recurrence of, air transportation accidents. Safety improvement information is used to initiate corrective actions.

- DOT No: 2069.

OMB No.: None.
By: Maritime Administration.
Title: Inventory of American Intermodal Equipment.
Forms: None.
Frequency: Annually.
Respondents: U.S. steamship and intermodal equipment leasing companies.
Need/Use: The Maritime Administration's Office of Port and Intermodal Development conducts an intermodal operations program. The goals are to assist industry efforts to overcome constraints to the development of improved U.S. intermodal carrier coordination, and interchange. The Maritime Administration has seen the need for the development of an inventory that identifies the capacity of U.S. owned intermodal equipment. The information serves as a planning tool for the movement of Department of Defense containerized traffic. It is also used as a marketing, investment, and planning aid by U.S. flag vessel operators and intermodal equipment leasing companies.

- DOT No: 2070.

OMB No.: 2115–0009; Also consolidates 2115–0001 and 2115–0011 into 2115–0009.
By: U.S. Coast Guard.
Title: Recreational Boat Registration, Duplicate and Change in Status.
Forms: CG–3876, CG–3919, CG–3912.
Frequency: Triennally and On Occasion.
Respondents: Individuals.
Need/Use: 46 U.S.C. 1467 and implementing regulations require the establishment of a standard recreational boat numbering system. Coast Buard is to provide for numbering in States which don't have an approved system, including application and display requirements. The Coast Guard is currently studying the possible consolidation of these three forms into one multiple use form.

- DOT No: 2071.

OMB No.: 2133–0029.
By: Maritime Administration.
Title: Shipbuilding Ordering and Shipyard Employment.
Forms: MA–832.
Frequency: Quarterly.
Respondents: U.S. Commercial Shipyards.
Need/Use: Quality shipbuilding status and employment information is essential for the formulation of national shipbuilding policies and for support of the national defense.

- DOT No: 2072.

OMB No.: 2133–0033.
By: Maritime Administration.
Title: Exporter/Importer Data.
Forms: MA–740.
Frequency: On occasion.
Respondents: Exporters and importers.
Need/Use: The information is needed by the Maritime Administration to identifying existing and potential movements of cargo that can be targeted for the marketing efforts of MARAD and/or the U.S.-flag carriers. In addition to its use in identifying specific markets, this information is passed on to U.S.-flag carriers in order to help them identify and correct

specific service problems and improve the quality of service which further strengthens the overall U.S.-flag market penetration.

Issued in Washington, D.C. on September 14, 1982.

Karen S. Lee,

Deputy Assistant Secretary for Administration.

[FR Doc. 82-26082 Filed 9-22-82; 8:45 am]

BILLING CODE 4910-62-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

During the period September 10 through September 16, 1982, the Department of Treasury submitted the following public information collection requirements to OMB, for review and clearance under the paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of these submissions may be obtained from the Treasury Department Clearance Officer, by calling (202) 634-2179. Comments regarding these information collections should be addressed to the Treasury Reports Management Officer, Information Resources Management Division, Room 309, 1625 I St. NW., Washington, D.C. 20220; *and* to the OMB reviewer listed at the end of each entry.

- *Date Submitted:* September 14, 1982
- *Submitting Bureau:* Comptroller of the Currency
- *OMB Number:* 1557-0094
- *Form Number:* None
- *Type of Submission:* Reinstatement
- *Title:* Notice for Futures and Forward Placement Contracts Activities
- *Purpose:* The information collection is conducted pursuant to the National Bank Act and related statutes empowering OCC to assure that national banks conduct their operations in a safe and sound manner. Purchase and sale of forward placement or financial futures contracts can pose great risk to the financial institution if Management and internal controls are not adequate.
- *OMB Reviewer:* Michael Abrahams (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

- *Date Submitted:* September 14, 1982
- *Submitting Bureau:* Internal Revenue Service
- *OMB Number:* 1545-0257
- *Form Number:* None
- *Type of Submission:* Extension
- *Title:* Federal Tax Deposit
- *Purpose:* The Federal Tax Deposit (FTD) form is used by taxpayers to deposit the required taxes at authorized financial institutions or Federal Reserve Banks or Branches. The depository sends the card to the IRS center where the deposit amount is credited to the depositor's tax account. The data is used to make the credit and to verify the tax deposit claimed on a return.
- *OMB Reviewer:* Michael Abrahams (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

- *Date Submitted:* September 14, 1982
- *Submitting Bureau:* Internal Revenue Service
- *OMB Number:* 1545-0086
- *Form Number:* 1040C
- *Type of Submission:* Revision
- *Title:* U.S. Departing Alien Income Tax Return
- *Purpose:* Form 1040C is used by aliens departing the U.S. to report income received or expected to be received for the entire taxable year determined as nearly as possible by the date of intended departure. The data collected is used to insure that the departing alien has no outstanding U.S. tax liability.
- *OMB Reviewer:* Michael Abrahams (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

- *Date Submitted:* September 14, 1982

Submitting Bureau: Internal Revenue Service
OMB Number: 1545-0644
Form Number: 6781
Type of Submission: Revision
Title: Gains and Losses from Commodity Futures Contracts and Straddle Positions
Purpose: Form 6781 is used by taxpayers in computing their gains and losses from regulated futures contracts and straddle positions and its special tax treatment. The data is used to verify that the tax reported accurately reflects any such gains or losses.
OMB Reviewer: Michael Abrahams (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

- *Date Submitted:* September 14, 1982

Submitting Bureau: Internal Revenue Service
OMB Number: N/A (New submission)
Form Number: 637A
Type of Submission: New
Title: Registration for Tax Free Sales and Purchases of Fuels Used in Aircraft
Purpose: Certain sellers and purchases are exempt from the IRS section 4041(c) excise tax on aviation fuel if they use this form to register for tax-free transactions. The data collected is used to determine if the applicant qualifies for exemption.
OMB Reviewer: Michael Abrahams (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

- *Date Submitted:* September 14, 1982

Submitting Bureau: Internal Revenue Service
OMB Number: N/A (New submission)
Form Number: PUB 678
Type of Submission: New
Title: Lesson Evalution Booklet (VITA)
Purpose: This form will be used by 500 volunteers to evaluate the new VITA course material. It also permits IRS to give feedback to the volunteers on their attainments of the lessons. This is a one time evaluation.
OMB Reviewer: Michael Abrahams (202) 395-6880, Ofice of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

- *Date Submitted:* September 14, 1982

Submitting Bureau: Internal Revenue Service
OMB Number: 1545-0601
Form Number: 6745 and 6743
Type of Submission: Reinstatement
Title: VITA/Retest (English) and VITA/Retest (Spanish)
Purpose: As part of the VITA training program, volunteers who fail the initial VITA test (English) and the initial VITA test (Spanish) are permitted to take a retest. If the retest is passed, volunteers may then prepare tax returns.
OMB Reviewer: Michael Abrahams (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

* * * * *

Joy Tucker,

Departmental Reports, Management Officer.

September 17, 1982.

[FR Doc. 82-26232 Filed 9-22-82; 8:45 am]

BILLING CODE 4810-25-M

VETERANS ADMINISTRATION

Station Committee on Educational Allowance; Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on October 15, 1982, at 9:00 a.m., the Veterans

Administration Regional Office, St. Petersburg, Florida, Station Committee on Educational Allowances, shall, at the Federal Building, Room 602A, 144 1st Avenue, St. Petersburg, Florida, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in an Apprenticeship Training Program at Central Florida Operating Engineers Joint Apprenticeship Committee, 8434 Avenue "C", Building 126, McCoy Annex, Orlando, Florida 32812, should be discontinued, as provided in 38 CFR 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the Committee at that time and place.

Dated: September 14, 1982.

Carlos L. Rainwater,

Director.

[FR Doc. 82-26209 Filed 9-22-82; 8:45 am]

BILLING CODE 8322-01-M

Sunshine Act Meetings

Federal Register
Vol. 47, No. 185
Thursday, September 23, 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 Deposit Insurance Corporation	2-4
Federal Election Commission	5
Federal Maritime Commission	6
National Labor Relations Board	7
Postal Service (Board of Governors)	8
Securities and Exchange Commission	9

1

COMMODITY FUTURES TRADING COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Tuesday, September 28, 1982.

CHANGES IN THE MEETING: Deleted from meeting: NOCE Corn Designation, CEOT 90-Day T-Bill Designation.

[S-1366-82 Filed 9-21-82; 3:46 pm]

BILLING CODE 6351-01-M

2

FEDERAL DEPOSIT INSURANCE CORPORATION

Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, September 20, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Memorandum and Resolution re: (Amended) Penn Square Bank, National Association, Oklahoma City, Oklahoma

By the same majority vote, the Board further determined that no earlier notice of this change in the subject matter of the meeting was practicable.

Dated: September 20, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1359-89 Filed 9-21-82; 11:11 am]

BILLING CODE 6714-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Monday, September 27, 1982, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous meetings.

Request for consent to capitalize the value of the core deposit intangible acquired in a purchase and assumption transaction:

Commercial Bank, Thomasville, Georgia, in connection with its purchase and assumption transaction with Peoples Banking Company, Boston, Georgia.

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those asssets:

Case No. 45,396-L: The Mission State Bank & Trust Company, Mission, Kansas

Memorandum and Resolution re: Bank of Enville, Enville, Tennessee

Recommendations with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities:

Schall, Boudreau & Gore, San Diego, California, in connection with the liquidation of Pacific Coast Bank, San Diego, California.

Bronson, Bronson & McKinnon, San Francisco, California, in connection with the receivership of United States National Bank, San Diego, California.

Kaye, Scholer, Fierman, Hays & Handler, New York, New York, in connection with the liquidation of The First National Bank in Humboldt, Humboldt, Iowa.

Kaye, Scholer, Fierman, Hays & Handler, New York, New York, in connection with the receivership of American Bank & Trust Company, New York, New York.

Reports of committees and officers:

Minutes of actions approved by the standing committees of the Corporation pursuant to authority delegated by the Board of Directors.

Reports of the Division of Bank Supervision with respect to applications or requests approved by the Director or Associate Director of the Division and the various Regional Directors pursuant to authority delegated by the Board of Directors.

Report of the Director, Office of Corporate Audits:

Interim Audit Report: Project Review of the Remote Entry Examination Processing System (Dated July 28, 1982)

Discussion Agenda:

Recommendations with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities:

Schroeder, Forde & Knapton, San Diego, California, in connection with the liquidation of Pacific Coast Bank, San Diego, California.

Milbank, Tweed, Hadley and McCloy, New York, New York, for itself and on behalf of Gibson, Dunn & Crutcher, Los Angles, California, in connection with the liquidation of The Greenwhich Savings Bank, New York, New York.

Witherspoon, Kelley, Davenport & Toole, P.S., Spokane, Washington, in connection with the liquidation of Fidelity Mutual Savings Bank, Spokane, Washington.

Memorandum and resolution re: Withdrawal of a proposed amendment to Part 337 of the Corporation's rules and regulations, entitled "Unsafe or Unsound Banking Practices," which would have required insured State nonmember banks to maintain their books and records of account on the accrual basis of accounting.

The meeting will be held in the Board Room on the sixth floor of the FDIC building located at 550 17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr.

Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389–4425.

Dated: September 20, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–1360–82 Filed 9–21–82; 11:11 am]

BILLING CODE 6714–01–M

4

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on Monday, September 27, 1982, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552b(c)(2), (c)(6), (c)(8), and (c)(9)(A)(ii) of Title 5, United States Code, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessment of civil money (penalties) against certain insured banks or officers, directors, employees, agents or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from the disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Note.—Some matters falling within this category may be placed on the discussion agenda without further public notice if it becomes likely that substantive discussion of those matters will occur at the meeting.

Discussion Agenda:

Application for consent to merge and establish one branch:

Farmers Bank & Trust Co., Bardstown, Kentucky, for consent to merge, under its charter and title, with Bank of New Haven, New Haven, Kentucky, and to establish the sole office of Bank of New Haven as a branch of the resultant bank.

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2) and (c)(6)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, N.W., Washington, D.C.

Requests for information concerning this matter may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389–4425.

Dated: September 20, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–1361–82 Filed 9–21–82; 11:11 am]

BILLING CODE 6714–01–M

5

FEDERAL ELECTION COMMISSION

DATE AND TIME: Tuesday, September 28, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Compliance. Litigation. Audits. Personnel.

* * * * *

DATE AND TIME: Thursday, September 30, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C. (fifth floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings
Correction and approval of minutes
Advisory opinion 1982–52—Doug Ross, Candidate for Congress (MI–17th Cong. Dist.)
Appropriations and budget
FY 83 Management Plan (Tenative)
Routine Administrative matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer; telephone: 202–523–4065.

Marjorie W. Emmons,

Secretary of the Commission.

[S–1364–82 Filed 9–21–82; 2:51 pm]

BILLING CODE 6715–01–M

6

FEDERAL MARITIME COMMISSION

TIME AND DATE: September 29, 1982—9:00 a.m.

PLACE: Hearing Room One, 1100 L Street, N.W., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Exemption of Nonexclusive Transshipment Agreements from the Filing Requirements of Section 15, Shipping Act, 1916—Proposed Rulemaking.

Portions closed to the public:

1. Dynamic International Freight Forwarder, Inc.—Compliance with Commission Order in Docket No. 80–5.

2. Japanese Pooling and Space Charter Agreements: Review of record in Docket No. 81–74; Consideration of Status of Fact Finding Investigation No. 12; Consideration of Remand from Court of Sea-Land Service, Inc., et al. v. FMC (D.C. Cir. Nos. 81–1123, 81–1130, and 81–1206).

CONTACT PERSON FOR MORE INFORMATION: Francis C. Hurney, Secretary (202) 523–5725.

[S–1365–82 Filed 9–21–82; 3:33 pm]

BILLING CODE 6730–01–M

7

NATIONAL LABOR RELATIONS BOARD

Notice of Meeting

AGENCY HOLDING THE MEETING: National Labor Relations Board.

TIME AND DATE: 10 a.m., Monday, September 27, 1982.

PLACE: Board Conference Room, sixth floor, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

STATUS: Closed to public observation pursuant to 5 U.S.C. Section 552b(c)(2) (internal personnel rules and practices) and (c)(6) (personal information where disclosure would constitute a clearly unwarranted invasion of personal privacy).

MATTERS TO BE CONSIDERED: Personnel-related matters.

CONTACT PERSON FOR MORE INFORMATION: John C. Truesdale, Executive Secretary, Washington, D.C. 20570; telephone: (202) 254–9430.

Dated: Washington, D.C., September 21, 1982.

By direction of the Board.

John C. Truesdale,

Executive Secretary, National Labor Relations Board.

[S–1362–82 Filed 9–21–82; 11:44 am]

BILLING CODE 7545–01–M

8

POSTAL SERVICE

(Board of Governors)

Vote to Close Meeting

At its meeting of September 10, 1982, the Board of Governors of the United States Postal Service unanimously voted to close to public observation its

meeting scheduled for October 4, 1982. A portion of the meeting to be closed will involve a continuation of the discussion of the most recent general ratemaking proceeding (Docket No. R80–1) in the light of the July 9, 1982, Decision of the U.S. Court of Appeals for the Second Circuit in *Time, Inc. et al* v. *United States Postal Service*, the discussion having been commenced at the meeting of the Board on August 2, 1982, and continued at the meeting of September 9, 1982, those meetings also having been closed to public observation pursuant to the unanimous vote of the Board.

The Board has determined that, pursuant to section 552b(c)(3) of Title 5, United States Code, and § 7.3(c) of Title 39, Code of Federal Regulations, the portion of the meeting to be closed is exempt from the open meeting requirement of the Government in the Sunshine Act (5 U.S.C. 552b(b), in that it is likely to disclose information prepared for use in connection with proceedings under chapter 36 of title 39 (having to do with postal ratemaking, mail classification, and postal services), which is specifically exempted from disclosure by section 410(c)(4) of title 39. The Board determined further that, pursuant to section 552b(c)(10) of title 5, United States Code, and § 7.3(j) of Title 39 Code of Federal Regulations, the discussion is exempt because it is likely to specifically concern the participation of the Postal Service in a civil action or proceeding, and the initiation of a particular case involving a determination on the record after opportunity for a hearing. The Board of Governors has determined that the public interest does not require that the Board's discussion of this matter be open to the public.

In accordance with section 552b(f)(1) of title 5, United States Code, and § 7.6(a) of Title 39, Code of Federal Regulations, the General Counsel of the United States Postal Service has certified that in his opinion the portion of the meeting to be closed may properly be closed to public observation, pursuant to section 552b(c)(3) and (10) of title 5 and section 410(c)(4) of title 39, United States Code, and § 7.3 (c) and (j) of Title 39, Code of Federal Regulations.

Another portion of the Board meeting to be closed will consist of a discussion of Postal Service strategic planning.

The Board is of the opinion that public access to this discussion would be likely to disclose information in connection with future collective bargaining and information that will become involved in future rate litigation.

Accordingly, the Board of Governors has determined that, pursuant to section 552b(c)(3) of title 5, United States Code, and § 7.3(c) of Title 39, Code of Federal Regulations, this portion of the meeting is exempt from the open meeting requirement of the Government in the Sunshine Act (5 U.S.C. 552b(b), because it is likely to disclose information in connection with proceedings under chapter 36 of title 39 (having to do with postal ratemaking, mail classification, and changes in postal services), which is specifically exempted from disclosure by section 410(c)(4) of title 39, United States Code. The Board determined further that, pursuant to section 552b(c)(10) of title 5 and § 7.3(j) of Title 39, Code of Federal Regulations, the discussion is exempt because it is likely to specifically concern the participation of the Postal Service in a civil action or proceeding or the litigation of a particular case involving a determination on the record after opportunity for a hearing. It also determined, pursuant to section 552b(c)(9)(B) and § 7.3(i) of Title 39, Code of Federal Regulations, that the discussion is exempt because premature disclosure of information to be discussed would be likely significantly to frustrate implementation of future action in regard to future collective bargaining. The Board further determined that the public interest does not require that the Board's discussion of this matter to be open to the public.

In accordance with section 552b(f)(1) of title 5, United States Code, and § 7.6(a) of Title 39, Code of Federal Regulations, the General Counsel of the United States Postal Service has certified that in his opinion the portion of the meeting to be closed may properly be closed to public observation, pursuant to sections 552(c)(3), (9)(B) and (10) of title 5 and sections 410(c) (3) and (4) of title 39, United States Code, and § 7.3 (c), (i), and (j) of Title 39, code of Federal Regulations.

Louis A. Cox,

Secretary.

[S–1358–82 Filed 9–20–82; 4:32 pm]

BILLING CODE 7710–12–M

9

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of September 27, 1982, at 450 5th Street, N.W., Washington, D.C.

A closed meeting will be held on Tuesday, September 28, 1982, at 10:00 a.m. An open meeting will be held on Wednesday, September 29, 1982, at 10:00 a.m. in Room 1C30.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the close meeting may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402(a)(4)(8)(9)(i) and (10).

Commissioners Evans, Thomas and Treadway voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, September 28, 1982, at 10:00 a.m., will be:

Litigation matter.
Settlement of administrative proceedings of an enforcement nature.
Institution of administratve proceedings of an enforcement nature.
Institution of injunctive action.
Regulatory matter regarding financial institution.

The subject matter of the open meeting scheduled for Wednesday, September 29, 1982, at 10:00 a.m., will be:

1. Consideration of whether to adopt an amendment to Rule 11Aa2–1 under the Securities Exchange Act of 1934 which would defer the eligibility date for the designation of certain securities as national market system securities from October 1, 1982, to February 1, 1983. For further information, please contact William Uchimoto at (202) 272–2409.

2. Consideration of whether to approve the Municipal Securities Rulemaking Board's ("MSRS") selection of Donald J. Robinson to serve as a public member of the MSRB and whether to delegate its authority to approve public members of the MSRB to the Director of the Division of Market Regulation. For further information, please contact Howard L. Kramer at (202) 272–2411.

The Commission will also consider whether to issue a letter from the Division of Market Regulation to Congressman Dingell commenting on legislation, proposed by the MSRB; which would amend the definition of the term "public representative" in the Securities Exchange Act of 1934 so that persons associated with a broker or dealer that is not a municipal securities broker or a municipal securities dealer could serve on the MSRB as public members. For further information, please contact Katherine A. England at (202) 272–2410.

3. Consideration of whether to approve the application of Claude Locklan Downs to become an associated person in a supervisory capacity with Commonwealth Plan of Church Finance Inc. For further

information, please contact Mary Binno at (202) 272–2318.

4. Consideration of an application filed by Union-Investment-Gesellschaft m.b.H. ("Union-Investment"), a West German management company, on behalf of Unifonds, a West German mutual fund, requesting an order pursuant to Sections 6(c) and 7(d) of the Investment Company Act of 1940, permitting registration of Union-Investment under the Act so that it may sell Unifonds shares in the United States, and granting exemptions from many of the provisions of the Act to the extent necessary to permit Union-Investment to comply with various West German regulations and business practices that conflict with those to which U.S. companies are subject. For further information, please contact Barbara Fraser at (202) 272–3042.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Catherine McGuire at (202) 272–3085.

September 20, 1982.

[S–1363–82 Filed 9–21–82; 1:48 pm]

BILLING CODE 8010–01–M

federal register

Thursday
September 23, 1982

Part II

Department of the Interior

Bureau of Land Management

Exchanges; Amendments To Modify Appraisal Procedure and Provide Segregation on Public Lands Subject to Exchange

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2200

Exchanges; Amendments To Modify Appraisal Procedure and Provide Segregation on Public Lands Subject to Exchange

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rulemaking.

SUMMARY: This proposed rulemaking would make a number of amendments to the existing regulations on exchanges that would clarify and simplify the exchange process. A significant change is one relating to the appraisal standards used in determining equal value of the lands and interests in lands subject to an exchange.

DATE: Comments by November 22, 1982.

ADDRESS: Comments should be sent to: Director (140), Bureau of Land Management, 1800 C Street, NW., Washington, D.C. 20240.

Comments will be available for public review in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

David Hemstreet (202) 343–8693
or
Robert C. Bruce (202) 343–8735

SUPPLEMENTARY INFORMATION: The proposed rulemaking would make a number of changes in the existing regulations on exchanges. The most significant change would provide for equal value appraisals rather than fair market value appraisals as now required in existing regulations. This amendment brings the regulations into greater conformity with the wording of section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) than does the wording of the existing regulations. This change will also allow greater flexibility in the exchange process, particularly in the area of oil shale exchanges where there is insufficient information to permit a fair market value appraisal. In connection with this change in the regulations, the Mineral Management Service has developed a methodology for determining equal value appraisals of oil shale and related resources that will be used in making exchanges. The methodology is being published in the **Federal Register** as a separate document, with a request for public comments. The methodology will, for the present, be limited to oil shale exchanges, but the public is asked to consider its application to other minerals when making comments.

A second change made by the proposed rulemaking concerns the notices given in connection with an exchange. The change would provide that when an amendment to the land use plan is needed to accommodate an exchange and that amendment is simultaneously processed with the exchange, the notice of amendment can be used as the notice of realty action. This change will reduce the number of publications and speed the exchange process, while at the same time keeping the public adequately informed as to the actions of the Bureau of Land Management affecting the public lands. A second part of this change would eliminate the requirement that a notice of the proposed exchange be published at the time the exchange is filed with the Bureau of Land Management. With hundreds of exchange proposals being filed each year, this requirement imposed a burden on the Bureau which served no useful purpose. The public has access to all Bureau offices by personal visit, correspondence and by telephone, and may, on a daily basis, if necessary, obtain information on exchange proposals. In addition, the existing regulations require publication of the notice of realty action prior to the execution of an exchange and another publication after issuance of patent or other conveyance document.

Another change made by the proposed rulemaking would eliminate the requirement that exchange acquisitions of non-Federal lands and interests are subject to the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.). As exchanges are a voluntary action on the part of the participants, there is no requirement that relocation assistance be provided. Condemnation or eminent domain proceedings by the United States to acquire lands are not involved in the exchange process. Additionally, exchanges are made on an equal value basis based on the current fair market value of both the lands to be acquired and the public lands to be exchanged.

The principal author of this rulemaking is David C. Hemstreet, Division of Lands, Bureau of Land Management, assisted by the staff of the Office of Legislation and Regulatory Management, Bureau of Land Management.

It is hereby determined that this rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and that it will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The changes made by this proposed rulemaking are designed to simplify the exchange process and to speed the process of exchange proposals. The changes will impact all entities equally and will benefit all of them. The exchange process is open to anyone, regardless of whether they are a large or small business, wishing to exchange their lands or interests in lands for lands or interests in lands owned by the United States.

List of subject in 43 CFR Part 2200

Administrative practices and procedures, National forests, Public lands, Public lands—classification.

PART 2200—EXCHANGES—GENERAL PROCEDURES

Under the authority of sections 205, 206 and 302 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1715, 1716, 1732), it is proposed to amend Part 2200, Group 2200, Subchapter B, Chapter II of Title 43 of the Code of Federal Regulations as set forth below:

§ 2200.0–5 [Amended]

1. Section 2200.0–5(h) is amended by removing the phrase "where fair market value appraisals" and replacing it with the phrase "where valuations."

§ 2200.1 [Amended]

2. Section 2200.1(a) is amended by adding at the end thereof the sentence "The notice published under § 1601.6–3(b)(1) of this title may, if so designated in the notice, serve as the notice of realty action required by § 2201.1 of this title and may segregate the public lands covered by the exchange proposal to the same extent that they would have been under a notice of realty action issued under § 2201.1 of this title if so stated in the notice."

§ 2200.3 [Amended]

3. Section 2200.3(e) is removed in its entirety.

§ 2201.2 [Amended]

4. Section 2201.2 is amended by:

a. Amending paragraph (a) by removing the last sentence; and

b. Adding a new paragraph (e) to read:

* * * * *

(e) Where 2 or more exchange proposals are submitted covering the same public lands, in whole or in part, the authorized officer shall review the proposals and advise the exchange proponents as to the acceptance or non-acceptance of their proposals in the same manner as specified in paragraphs (b) through (d) of this section.

5. Section 2201.3 is revised to read:

§ 2201.3 Valuations.

(a) Appraisals to determine whether the lands and interests in lands to be exchanged are of equal value shall be in accordance with the principles in the Interagency Department of Justic publication entitle "Uniform Appraisal Standards for Federal Land Acquisitions, where the authorized officer determines such an appraisal is appropriate.

(b) If the authorized officer determines that it is impracticable to asscertain under the procedures provided in paragraph (a) of this section the fair market value of lands or interests in lands containing oil shale which are being exchanged, he/she may utilize another method that will in his/her judgment ascertain their value; provided, that where the authorized officer utilizes another method, such other method shall be set forth in the notice of realty action issued in connection with such exchange.

David G. Houston,

Acting Assistant Secretary of the Interior.

September 14, 1982.

[FR Doc. 82-26237 Filed 9-22-82; 8:45 am]

BILLING CODE 4310-84-M

federal register

Thursday
September 23, 1982

Part III

Department of Health and Human Services

Office of Human Development Services

Proposed Fiscal Year 1983 Priority Areas for the Use of Discretionary Funds; Request for Comments

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

Request for Comments on Proposed Fiscal Year 1983 Priority Areas for the Use of Discretionary Funds

AGENCY: Office of Human Development Services, HHS.

ACTION: Proposed research, demonstration, evaluation, training and technical assistance priority areas for HDS' FY 1983 Discretionary Funds Program.

SUMMARY: The Office of Human Development Services (HDS) is formulating priority areas for new research, demonstration, evaluation, training and technical assistance grants authorized by its discretionary program legislation and that of its constituent programs—the Administration for Children, Youth and Families (ACYF), the Admininstration on Developmental Disabilities (ADD), the Administration on Aging (AoA), the Administration for Native Americans (ANA), the Office of Policy Development (OPD), the Office of Program Coordination and Review (OPCR) and the President's Committee on Mental Retardation (PCMR). As part of the process, HDS is requesting comments from the public on proposed priority areas for funding in Fiscal Year 1983 and the first quarter of Fiscal Year 1984. *THIS NOTICE SOLICITS PUBLIC COMMENTS ONLY AND IS NOT A REQUEST FOR APPLICATIONS.* An announcement of availability of funds and request for preapplications will be published in the **Federal Register** early this Fall.

FOR FURTHER INFORMATION CONTACT: Mr. Miguel A. Torrado, Acting Director, Division of Research and Demonstration, Office of Policy Development, Office of Human Development Services, Department of Health and Human Services, Room 732E, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201, (202) 245–6233.

DATE: The closing date for receipt of public comments is October 25, 1982.

SUPPLEMENTARY INFORMATION:

Background

In FY 1982, HDS and its constituent programs initiated a Coordinated Discretionary Funds Program. As a result, a coordinated announcement of availability of funds and request for preapplications was published in the **Federal Register** on November 16, 1981. That announcement included several separate discretionary funding programs which had previously been announced and competed independently of each other. It also requested, instead of full proposals, that preapplications be submitted in the form of concept papers.

By establishing a coordinated discretionary funds process, which included all of its programs, HDS promoted cooperative and coordinated activity around important issues common to all programs. By requesting short (thirteen pages) concept papers, HDS encouraged wider participation in its discretionary funds program.

In FY 1983, HDS plans to continue the coordinated approach initiated in FY 1982 by publishing, later this fall, a coordinated announcement of funds availability and requesting preapplications in the form of concept papers.

HDS is using a priority-setting process that makes provision for State, local and community participation. With the cooperation of several national organizations, State, local, public, private, and voluntary practitioners were invited to discuss major research, demonstration, evaluation, training and technical assistance issues which should be addressed by Human Services Research and Demonstration efforts during the next two years. As a result of the recommendations developed through that process, a review of recent discretionary program activity, and in light of its mission and goals, HDS is proposing the priority areas discussed below for research, demonstration, evaluation, training and technical assistance activities in FY 1983.

Statutory Authorities

The individual statutory authorities under which grants would be awarded by the Office of Human Development Services Discretionary Funds Program are as follows:

Head Start: Head Start Act of 1982.

Child Welfare Services: Section 426 of Social Security Act as amended.

Runaway Youth Program: Runaway and Homeless Youth Act, as amended.

Child Abuse: Child Abuse Prevention and Treatment Act, as amended.

Adoption Opportunities: Title II of Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, as amended.

Native Americans: Native American Programs Act of 1974, as amended.

Developmentally Disabled Special Projects: Section 145 of the Developmental Disabilities and Bill of Rights Act, as amended.

Social Services Research: Section 1110 of Social Security Act, as amended.

Aging Model Projects; Aging Research and Demonstration; Aging Training: Title IV of the Older Americans Act of 1965, as amended.

Purpose

The purpose of this notice is to invite public comment based on these areas, and to request suggestions for additions or deletions to the specific topics within these areas.

Process for Fiscal Year 1983

Comments received by the closing date will be considered in preparing the FY 1983 announcement of availability of discretionary funds and request for concept papers which will be published in the **Federal Register** in the fall of 1982. Concept papers received in response to that announcement will be reviewed by HDS and experts in the field. It is expected that the top ranked applicants will be invited to submit full proposals in early spring to compete for funding to be awarded in the third and fourth quarters of FY 1983 and the first quarter of FY 1984.

In addition to the coordinated HDS Discretionary Funds Program Announcement, program-specific notices and announcements will appear in the **Federal Register** from time to time. This is in accordance with the requirements of legislation establishing some of HDS' discretionary programs. On July 27, 1982 the notice of proposed Fiscal Year 1983 child abuse and neglect research and demonstration activities was published for comment in accordance with the Child Abuse Prevention and Treatment Act (Public Law 93–247, as amended); (**Federal Register** Vol. 47 No. 144 pp. 32481–32483). However, child abuse and neglect preapplications will later be considered for support under the HDS Coordinated Funds Program Announcement.

Process for Commenting

HDS invites interested members of the public to comment on the areas and topics under consideration. The sections below discuss the general themes, priority areas and topics being considered by HDS for its FY 1983 Discretionary Funds Program **Federal Register** Announcement of Funds Availability in early fall of this year.

Comments should be submitted so that they are received by October 25, 1982. Comments should be sent to: OPD/Division of Research and Demonstration, Office of Human Development Services, Department of Health and Human Services, Room 732E, Hubert H. Humphrey Building, 200

Independence Avenue, SW., Washington, D.C. 20201.

In reviewing the areas and topics presented for comment, several things should be noted. First, there has been a substantial number of projects and studies conducted in most of the areas discussed in this notice. Thus, HDS is seeking *innovative* and *new* approaches. Primary emphasis is placed on furthering and building upon previous HDS knowledge and experience through the exploration of creative approaches. Adapting existing material for use in areas of HDS populations other than the area or group for which the material was originally developed will be considered when the proposed adaptation holds promise of significant innovation.

Secondly, the proposed priority areas take into account the priorities and projects funded in FY 1982. Therefore, emphasis has shifted in many instances from FY 1982 priorities.

Finally, this notice is structured around priority areas that cut across several HDS programs and populations. Readers with primary interest in one HDS population are advised to examine all proposed priority areas, as specific research or demonstration topics particular to one population are to be found—or could be suggested—in all priority areas.

Discretionary Program Purpose

The purpose of the HDS coordinated discretionary program is to fund: research activities that seek to inquire into insightful new ways of addressing human service problems; demonstrations intended to test the effectiveness of previously untried approaches; evaluations that will assess the usefulness of existing techniques; technical assistance/training projects that promote the dissemination and use of services and techniques that have been found to be effective. Above all, HDS discretionary funds are intended to expand the boundaries of human service knowledge by drawing on a variety of fields of expertise. These new ideas and perspectives should stimulate and challenge both human service professionals and the public to respond more effectively to local needs. The HDS discretionary program is not intended to fund existing service programs or to serve as a source of supplementary funds for local activities which need operating subsidies.

In FY 1983 HDS proposes to focus its attention on priority areas that relate to four major themes:

I. The reduction of dependency on social services through social and economic development strategies which generate opportunities for individual and family self-sufficiency.

II. Increased responsiveness of social services to local needs and priorities.

III. Improved use of resources through more efficent administration of programs and provision of services.

IV. Prevention of the need for social services.

Additionally, HDS is considering soliciting ideas and issues solely related to region-specific problems.

HDS proposes to guide FY 1983 discretionary program funding decisions through the application of the following:

- The degree to which proposed projects involve new and creative approaches that add to existing knowledge or promote change through dissemination and utilization.
- The degree to which projects have a research or evaluation component.
- The degree to which applicants provide (a) non-Federal funding participation, and (b) time limited Federal support.
- The degree to which grantees have a likelihood of effecting change in the human service delivery system, as opposed to conducting a study of limited local interest.

Fiscal Year 1983 Priorities and Issues

Proposed priority areas for FY 1983 and the first quarter of 1984 are:

I. Reduction of Dependency on Social Services

Social services, when working properly, should supplement assistance from family resources and the private sector for those in need of help, stimulate increased opportunities for HDS populations to become employed, and assist those who can't be employed to become more self-sufficient through participation in family or community care arrangements. Social services should, in most cases, be an interim supplement to an individual's efforts toward self-sufficiency. They should be used in the absence of, rather than as a substitute for, adequate family and community resources.

HDS proposes to promote innovative approaches that encourage self-sufficiency and reduce dependency on publicly supported social services. HDS plans to consider projects for funding in the following priority areas: (A) Employment and income generation; (B) Community and family-based care; and (C) Targeting resources to reduce dependency.

I.A. Employment and Income Generation

In FY 1983 HDS proposes to focus on the development of new and innovative strategies for employment of HDS populations which are a departure from human services/employment approaches that have been tried in the past. Proposed topical areas include:

I.A.1. Development of new approaches to economic development, particularly with regard to older persons, Native Americans, developmentally disabled individuals, mentally retarded individuals, and AFDC recipients.

I.A.2. Investigation and development of alternative income generating strategies for HDS non-employable subgroups, e.g. reverse annuity mortgages, tax deferral, tax incentives for home maintenance and repair, and home sharing etc.

I.A.3. Development and greater utilization of employment strategies to enable HDS subgroups to enter or remain in the job market and become less dependent on public assistance. Techniques might include: flexitime; shared and part-time work; job restructuring; 2nd and 3rd careers; home-based work; and flexible insurance and fringe benefit packages.

I.A.4. Promotion of employment opportunities in high technology areas in industry through private sector training of older persons using the latest technology and through strategies to employ individuals with developmental disabilities.

I.A.5. Demonstrations which identify and build upon existing linkages between Head Start and other human services to assist parents in securing basic educational skills, vocational training, employment counseling and employment.

I.A.6. Examination of existing day care tax credits and other State tax provisions to determine if and how they can be used to increase the involvement of businesses in the provision of employment related day care.

I.A.7. Demonstrations to provide low income, inner city and minority youth with meaningful work experiences as volunteers in Head Start and other human services agencies, e.g. child and family services, and health and recreation. The focus of these efforts should be upon skill development to make these youths marketable for eventual employment by the participating agencies and organizations, as well as private sector firms.

I.A.8. Development of greater educational opportunities for older persons, including training for second careers, health and consumer education and training for greater self-sufficiency.

I.B. Community and Family-Based Care

Strengthening the family is a key factor in socio-economic growth. Of particular interest is the development of greater service and peer group support for primary care givers of older persons, special needs children and developmentally disabled individuals. Foster care and adoptive parents of hard to place children are part of this area of concern as are Head Start parents. Further effort is needed in:

I.B.1. Development of community support groups; including peer groups; intergenerational support groups; and extended family concepts.

I.B.2. Assessment of the implications of changing life styles (family relocations, dual parent employment, labor market demands on levels of education, changing supply/demand issues in the labor market) on HDS populations and service needs.

I.B.3. Conduct of demonstrations to aid families with handicapped children who are at risk of losing their children to inappropriate placement in foster care, or who need help in reducing the risk of child abuse and neglect.

I.B.4. Promotion of the role the private sector and business might play in foster care and adoption including support, identification and recruitment of prospective adoptive parents for special needs children.

I.B.5. Local development of comprehensive community based day care for children, adults and the handicapped.

I.B.6. Increased linkages of residential day care service providers with other community services.

I.B.7. Promotion of private sector involvement in more effectively addressing the mainstreaming and teaching development of learning models for deaf, hearing impaired and learning disabled individuals using advanced technology. Of particular concern are preschool Head Start children.

I.C. Targeting Resources

HDS will assist States and local governments in developing innovative approaches for targeting resources to the most needy. Emphasis in this area is on providing appropriate care in response to individual problems. Inappropriate placement into restrictive institutional settings not only reduces the individual's and family's ability to be self-sufficient, but also results in the expenditure of public funds for high cost and ineffective services. Effective targeting of resources should result in a cost effective use of services consistent with the needs and capabilities of the individuals and families being served.

To achieve this it is necessary to provide the basic, most effective services to aid individuals in attaining their maximum level of independence and self-sufficiency. It is also necessary to obtain a better definition of these target populations; to identify strategies for effective targeting; and to develop techniques which are effective in reaching those most in need.

In FY 1983 HDS is considering providing assistance to conduct projects in the following topic areas:

I.C.1. Adolescents who remain in foster care until the age of emancipation are a problem of growing concern. The number of youths in this area is increasing. With varying State laws and requirements, this group is in need of assistance in preparing for independent living, e.g. networks of coordinated counseling services to older adolescents using existing delivery systems, including schools, mental health organizations, employment agencies and child welfare agencies.

I.C.2. It is important to target resources on the prevention of runaway and homeless youth. Effective targeting is dependent on updated community information on the number of youths who are homeless. The only valid data on the number of runaway youth was collected in 1975. Valid and current data on the extent of the runaway and homeless youth is needed in order to effectively target preventive and family verification efforts.

I.C.3. Better strategies are needed to target resources on older people in the greatest economic and social need. Title III of the Older Americans Act requires State and area agencies to give preference in provision of supportive and nutrition services to older people in greatests need, including minorities, older women, rural older persons, the homebound, the poor, the impaired and those of limited English ability.

I.C.4. Study is needed on families who have a member who is handicapped, as both the parents and the handicapped person get older. To improve care models, additional information on the responsibiity of siblings, whose roles may or may not be well defined, is also needed.

I.C.5. Better strategies are needed to identify primary caregivers, and determine the education or assistance they require to provide effective services. Addtionally, there is a need for improved definition of the target populations most in need, e.g. impaired older person and the permanently poor elderly.

I.C.6. Currently there are serious procedural and operational problems between the States' child welfare agencies and the courts with regard to children in foster care placement. As a result, children are often denied access to prompt and effective decisions concerning custody, case reviews, parental rights, due process protections and permanency planning. Service improvement grants would be awarded to promote cooperative and more effective relationships between placement agencies and the courts.

I.C.7. Current practices make homestudies difficult when dealing across jurisdictions. HDS is seeking innovative practices which stimulate cooperation and sharing of completed homestudies and potential adoptive families.

I.C.8. The adoption process for special needs children is very labor intensive with many agencies being able to complete the adoptions of only 25 to 30 children per worker per year. Placement agencies need to evaluate the adoption process to determine how to streamline and reduce the costs of adoption.

I.C.9. Families adopting special needs children often do not have knowldege of nor access to the resources needed in parenting children with multiple special needs. There appears to be a direct correlation between the lack of supportive resources and the number of disruptions in these families. HDS is interested in local, regional or State adoptive parent groups for the development of innovative processes by which adoptive parents could engage in a volunteer collaborative effort with social service agencies to assist adoptive families to identify and use existing supportive resources.

I.C.10. Assisting Indian tribes to develop and implement tribal codes and court procedures on adoption, thereby reducing the number of Indian children in foster homes and in out-of-home placements.

I.C.11. Assisting Indian Tribes who are operating their own child welfare services system to reduce the number of Indian children inappropriately in out-of-home placement. This includes the application of permanency planning, case reviews and comprehensive emergency services.

I.C.12. Establishing and demonstrating partnerships of Indian Tribes and States for the development of cooperative processes for the disposition and management of child custody, jurisdiction and services.

II. Increased Responsiveness to Local Needs

HDS proposes, as the second theme of its FY 1983 Discretionary Funds Program, to foster an increase in the ability of HDS grantees—including State and local governments as well as private organizations—to administer and develop service programs responsive to local needs and priorities. Through this effort, HDS is promoting innovation in training, technical assistance, grantee cooperation, tribal and territorial relationships, and the dissemination and utilization of grantee R&D products.

The development and funding of activities with HDS discretionary funds has to an extent been dominated by a Federal perspective rather than by grantee or local needs. There is a need to reverse this pattern and to increase the flexibility grantees have in administering service programs. The underlying assumption is that greater State and local control will produce better use of resources to meet identified needs.

In FY 1983 HDS would like to address this issue by funding: (A) Alternative models of State or local planning and management of training resources; (B) successful demonstrations of new and innovative techniques for the dissemination and utilization of R&D products; and (C) projects that would address the unique service needs and special conditions of tribes and territories.

II.A. Training and Technical Assistance

Under this priority area, HDS proposes to primarily explore innovative training strategies that meet the generic needs of more than one HDS program area. Some of the topics that may be explored are:

II.A.1. State and local level training issues need to be locally determined and explicated. Of particular interest is the achievement of cost efficiencies through pooling of resources within agencies, programs and across organizations; identification of generic training needs; and innovative use of existing community resources.

II.A.2. Given the varied needs of clients, professional workers in human service networks are increasingly required to work in mulit-discipline environments. For example, in certain protective service cases it would be valuable if the social worker had the appropriate legal background. HDS is interested in strategies for addressing this issue at the State and local levels. These should use existing resources and networks, public and private expertise, peer group training and other innovative approaches to establish low-cost formal and informal training for coping with miltidiscipline demands and interface problems in the provision of human services.

II.A.3. The need for management training is generic in human service programs. HDS proposes to solicit ideas for State and local models for the provision of management training, at beginning and advanced levels, for human service managers. These should include the need and use of fiscal management and analytic tools in the delivery of human service. Concepts should be initiated by State or local agencies; have cross program involvement; be cost efficient; and have measurable goals. Of specific concern is management training which addresses gerontological and child welfare service provision needs, and joint projects between State and local agencies, and the business sector.

II.A.4. Training and technical assistance in rural areas continues to be a problem. HDS is interested in the development of methods for delivering effective T/TA to remote programs through the use of existing State and local networks and public media. Current technologies in communications should be considered in addressing this problem as well as other innovative and cooperative efforts. The focus should be on coordination and better use of existing training materials rather than the development of additional curricula.

II.A.5. An area of interest is the use of peer groups in the provision of training and technical assistance. HDS proposes to fund efforts to use social service practitioners as sources for T/TA drawing on their "hands on" experiences in upgrading the quality of service across programmatic and geographical boundaries.

II.A.6. HDS is interested in the provision of T/TA to community groups to increase their competencies in supporting service providers and to improve the quality of services provided by agencies that deal with the handicapped, developmentally disabled children, older presons and children in need of day care.

II.A.7. HDS is interested in supporting pre-service gerontological training programs in a variety of disciplinary and multi-disciplinary settings.

II.A.8. Support is important for activities which introduce aging content into the curricula of specific occupations and professions whose members deal with older persons.

II.A.9. There is a need for the development of certification standards related to training and career ladder mobility for the staff of State and Area Agencies on Aging.

II.B. Dissemination and Utilization

Too often new knowledge from research, demonstration, evaluation, training and technical assistance efforts has been unevenly applied. Information that has generic use needs to be disseminated across all program concerns.

Additionally, funds at the Federal, State and local levels should be devoted to efforts which are commonly shared beyond the confines of a local or State boundary.

Until research, demonstration, evaluation, training and technical assistance findings are put into practice, the process is not complete. Subtopics HDS would like to address in this priority area are:

II.B.1. Reshaping of research, demonstration, evaluation, training and technical assistance materials is crucial, so that they are appealing and can be marketed through paying channels. Development of strategies to effectively market creative human service ideas or practices is also central to this area.

II.B.2. There is continued interest in the establishment by a national organization of a self-sufficient and self-sustaining dissemination and utilization mechanism.

II.C. Service Needs of Tribes and Territories

In FY 1983 HDS proposes to improve human service provision to tribes and territories by exploring the following topics:

II.C.1. Regulatory and statutory barriers to improving service delivery.

II.C.2. Effective service delivery systems which take into account the unique conditions and resources in tribes and territories.

II.C.3. Symposia on tribal/territorial issues related to improved services delivery, integration, linkages and cost effectiveness.

II.C.4. Development of joint efforts between Native American tribes and the private sector to undertake social and economic development projects. Cooperative undertakings may entail one "partner" acting as a catalyst, or providing capital, while the second provides tax advantages and the third provides land or an established market; or in which government provides the regulatory/tax freedom, while the tribe provides resources, and the private organization provides the technical expertise.

II.C.5. Development of tribal commercial codes, i.e. real estate, which

protect both creditors and consumers thereby stimulating private sector economic development on Indian reservations and increased tribal management of programs which serve Indians.

III. Improved Use of Resources Through Efficient Administration

The improved use of resources through more efficient and effective administration of programs has long been a major thrust of HDS discretionary activity. Extensive research and development activity has already been undertaken on caseworker and workload management, financial management systems, management information systems, and fees for services.

In FY 1983 HDS proposes to address topics in three priority areas: (A) management information systems development; (B) program management improvements; and (C) evaluation assistance.

III.A. Management Information Systems

In the systems development area HDS is interested in activities which would demonstrate networking or selected integration of social services information systems with other appropriate data systems. Topical areas might include:

III.A.1. Innovative approaches which link information system output to the decision-making process of community organizations and State or local agencies.

III.A.2. Cooperative development and/or use of information systems.

III.A.3. The use of management information systems for evaluation of HDS programs.

III.A.4. The development of compatible State data bases for possible combination to produce national data bases for specific target groups. HDS expects to continue its current efforts to develop such a national data base on older persons.

III.A.5. Assessments of the Federal, State and private data bases in the area of mental retardation to determine the quality and comparability of such data and the possible use of sampling approaches to provide national data.

III.B. Program Management Improvements

HDS is interested in the following management topics:

III.B.1. Development and testing of techniques for determining cost and cost analysis. Further development is needed in assessing the costs and benefits of service delivery mechanisms for the various HDS populations and conducting cost benefit analyses on such topics as alternative work programs, living arrangements for the mentally retarded and other community based care models.

III.B.2. Assisting States and grantees in conducting cost/benefit analyses of indirect services or governance approaches. To be considered here would be assessment of effectiveness and costs of the planning process, and the cost savings of such alternative financing tools as regulation, taxation, administrative reform, public-private collaboration, self-help and public advocacy. For example, what are the values and trade-offs of shared housing for older persons and handicapped?

III.B.3. Purchase of service activities must move beyond good procurement and administration practices to performance contracting that results in more effective and efficient services. Included in this category is use of performance standard contracting (contracts which define minimum acceptable levels of service), as well as accountability, monitoring and effective sanctions.

III.B.4. The use of vouchers for services to specific groups is also of interest. Vouchers have been used in social services and education programs for a number of years; however, there has been no comprehensive analysis of this aproach to determine its effectiveness in the area of day care. The impact of existing voucher programs on the day care delivery system, parents, and children needs to be determined.

III.B.5. The delivery system response to individuals with multiple needs. An example would be individuals with severe behavior problems who are also developmentally disabled, mentally retarded or emotionally disturbed. There is a need for delivery system accountability. Some of the other multiple needs groups which are of interest to HDS with respect to this topic are:

—Mentally retarded individuals who are abused and neglected.
—Isolated older persons who have mental health problems.
—Mentally retarded or developmentally disabled offenders or alleged offenders who are not appropriately identified by the judicial system and, therefore, do not receive the services and treatment required to prepare them for independent living and employment.

HDS proposes to identify the deficiencies in the available information, and the development of effective service models.

III.B.6. The development of innovative service integration models that lend themselves to economies of scale. The lessons of the jointly funded HDS/DOT transportation projects can serve as a foundation upon which new models of service integration can be built.

III.B.7. The application of advanced management science or operation research techniques to the solution of human service delivery problems. In the last ten years, scientific management techniques have increasingly been used outside of industrial settings to assist in the management of service systems. Similar approaches may be useful in managing human service delivery. Many large scale, system-wide human service problems can be addressed by management science techniques. For example,

III.B.7.a. Given improved foster care data resulting from Pub. L. 96–272, many States should have sufficient information to develop more cost effective assignments for children in care, based upon factors related to quality of care, the likelihood of recidivism, and cost of inappropriate placement.

III.B.7.b. The use of probability theory to improve the number of clients that can be effectively served with reduced service workers at service locations.

III.B.7.c. Application of geographical probability techniques to assist in determining the best location for facilities such as senior centers, day care facilities, etc.

III.C. Evaluation Assistance

With States and localities assuming greater responsibility for planning and managing social services, service delivery organizations need to target their resources on the most needy and to delivery services in the most cost-effective manner. State and local delivery organizations are being pressed to assess their operational efficiency, and to determine whether the needs of their communities are being met, how effective their programs and services are, and whether client outcomes are commensurate with the resources being spent to help them. A complicating problem is that many human service delivery organizations do not currently have an adequate evaluation capacity.

In many areas of the country, a variety of non-governmental organizations such as foundations, community planning councils, local United Ways, charities, and private commercial organizations are included in human service efforts. The purpose of these community organizations is to determine community needs, and to plan

and deliver services locally. This includes priority setting, resource allocation, use of volunteers, and integrated or coordinated services at the local level. An independent evaluation capacity may be needed to assess whether or not they are performing as well as they could.

The focus in the evaluation area in FY 1983 should be to assist States, Indian tribes, local agencies and other human service organizations in enhancing their capacity to evaluate their programs. In State models, better use of MIS data for evaluation purposes is a question of concern. Proposed local efforts should involve community-wide planning agencies or public/private partnerships in addition to multi-program human services agencies.

HDS would therefore assist innovative or cost effective models or approaches that demonstrate enhanced evluation capability and its effective use.

IV. Prevention of the Need for Social Services.

In FY 1982 the HDS focus on prevention was primarily upon tertiary prevention (overcoming the effects of a condition).

In FY 1983 HDS intends to take a broader approach in addressing the issue of prevention while at the same time pursuing dissemination and utilization of FY 1982 findings and successful demonstrations.

Primary prevention (preventing a condition from occurring) and secondary prevention (ameliorating the effects of a condition) will be stressed. Demonstration of effective prevention in human services is needed. Better understanding of which services prevent or minimize what problems for given HDS populations needs to be explored, as well as the kinds of data needed to support prevention strategies.

In FY 1983 HDS proposes four prevention priority areas: (A) public awareness; (B) early prevention; (C) costs and benefits; (D) socio-medical linkages; and (E) targeting prevention.

IV.A. Public Awareness

HDS proposes to study the kinds of public awareness activities that constitute effective primary prevention. For example:

IV.A.1. Of interest is how increased public awareness can play a preventive role in family breakdown, chronic dependency, abuse and neglect and other problems which are seen in the HDS populations.

IV.A.2. Family training, peer group support in parenting, public education about the aging process and needed coping mechanism support are additional primary and secondary prevention activities which need testing.

IV.B. Early Prevention

HDS also is considering studying the kinds of early prevention strategies that are most effective for particular subgroups. Topics such as the following address this issue:

IV.B.1. Studies show that an excessively large portion of the population in correctional institutions consists of MR offenders. To deal with this problem, primary, secondary and ameliorative prevention strategies should be developed.

IV.B.2. Data indicates that similar problems exist in secure youth detention facilities i.e. inappropriate handling of at-risk youth. Minimally, innovative approaches for reducing admission of status offenders and other at-risk youth are called for.

IV.B.3. Exploitation of runaway youth is another area where prevention is needed. More effective strategies need to be developed for the provision of appropriate living arrangements, basic educational skills and vocational training for these youth. Additionally, linkages between runaway youth centers and local schools need to be established for the identification of youth in need, and provision of prevention assistance.

IV.C. Costs and Benefits

In addressing the issue of prevention, it is imperative that costs and benefits, long-term and short-term, be addressed. Broad prevention strategies must look at the initial costs versus the future value of the delayed benefits. In this connection, HDS proposes to study the linkages of indicators and problem resolution using these data bases currently being established which relate to specific HDS target groups.

IV.D. Socio-Medical Linkages

Among some HDS subgroups there is an integral health related component to prevention. HDS is interested in topics such as:

IV.D.1. To further identify socio-medical linkages and develop effective institutional communication and linkages to social service support.

IV.D.2. To develop and test models of self-help, self-care and mutual help to prevent functional disability; to make older individuals effective consumers of health care; and to reduce unnecessary reliance on health professionals.

IV.D.3. To develop strategies for the early identification of high risk older persons and at risk mothers to prevent health conditions from deteriorating significantly.

IV.D.4. To increase the capacity of aging and mental health networks and mental health professionals to address the needs of older persons, and to increase the co-location of services.

IV.E. Targeting Prevention

Predictors for given target groups is another topic critical to prevention. What are the indicators of problems? Of success? Which target groups are more likely than others to require future services? HDS proposes to develop improved assessment, screening and predictive capabilities concerning the prevention needs of target groups and the meeting of those needs. Examples would be:

IV.E.1. The development of predictors of need for home care for impaired older persons which would result in preventing institutional care.

IV.E.2. Development of population indicators of dependency and self-sufficiency among the various HDS populations. The maintenance of self-sufficiency is seen as an issue of prevention of the need for services. There is a need to obtain early indicators of decreasing self-sufficiency so that timely prevention strategies can be employed.

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Assistant Secretary for Human Development Services.

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Reader Aids

Federal Register

Vol. 47, No. 185

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INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419 523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Privacy Act	523-5237
Public Inspection Desk	523-5215
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282 523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235
United States Government Manual	523-5230

SERVICES

Agency services	523-4534
Automation	523-3408
Library	523-4986
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public Inspection Desk	523-5215
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, SEPTEMBER

38493-38672.....1
38673-38860.....2
38861-39126.....3
39127-39472.....7
39473-39654.....8
39655-39786.....9
39787-40140.....10
40141-40396.....13
40397-40522.....14
40523-40774.....15
40775-41094.....16
41095-41328.....17
41329-41508.....20
41509-41720.....21
41721-41940.....22
41941-42096.....23

CFR PARTS AFFECTED DURING SEPTEMBER

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Proclamations:
4960.....39787
4961.....39789
4962.....39791
4963.....39793
4964.....40523
4965.....40525
4966.....40527
4967.....40529
4968.....40775
4969.....40777
4970.....40779
4971.....40781
4972.....41329
4973.....41941

Executive Orders:
October 10, 1906 (Revoked by PLO 6332).....39683
April 19, 1912 (Amended by PLO 6315).....38891
April 29, 1912 (Revoked in part by PLO 6321).....39492
June 27, 1912 (Revoked in part by PLO 6327).....39495
4231 (Revoked by PLO 6325).....39494
4287 (Revoked by PLO 6319).....39492
5581 (Revoked by PLO 6336).....39826
5623 (Revoked by PLO 6320).....39492
6696 (Revoked by PLO 6320).....39492
6762 (Revoked by PLO 6333).....39824
6817 (Revoked by PLO 6318).....39491
7705 (Revoked by PLO 6316).....39490
12148 (Amended by 12381).....39795
12381.....39795
12382.....40531

Administrative Orders:

Presidential Determinations:
No. 82-19 of August 30, 1982.....39655
No. 82-20 of September 7, 1982.....41723

Memorandums:
September 8, 1982.....39797
September 20, 1982.....41721

5 CFR

Ch. XIV.....40783

Proposed Rules:
610.....41136
620.....41136
630.....41136
1320.....39515

7 CFR

2.....51725
52.....40533
54.....40141
272.....40397
273.....40397
277.....41095
301.....38861, 41096, 41509
901.....41096
910.....38862, 39799
932.....39657
946.....38493
967.....38494
981.....40783
982.....41510
985.....41331
1004.....38495
1076.....38863
1139.....38496
1427.....41725
1701.....38864
1823.....41332
1901.....39127, 41332
1904.....40398
1910.....41333
1944.....40398, 41333
1951.....41334
2700.....39128
2710.....39128

Proposed Rules:
29.....39688
53.....41934
54.....41934
68.....41383
180.....40443
272.....40443
273.....40443
278.....38905, 39832
621.....39833
800.....41385
910.....39836
932.....39530
989.....40447
1079.....40181, 40182
1207.....41578
1945.....39532, 41978

8 CFR

238.....38864
242.....40786
332c.....38673

9 CFR

92.....38673
94.....38497, 41726
309.....41335

381.....41335
Proposed Rules:
74.....38704
318.....41397
319.....41397

10 CFR

Ch. I.....41336
1.....41336
2.....40535
10.....38675
11.....38675
20.....41336
21.....41336
25.....38675
35.....40149
50.....40536
73.....41336
95.....38675
204.....40786
460.....38498
461.....38500
660.....40786
661.....40786
701.....40786
702.....40786
Proposed Rules:
50.....39836
810.....41320

12 CFR

201.....39129
217.....39657
226.....41338
309.....39130
329.....39473
545.....38865
561.....39661
563.....39661
564.....41099
618.....38865
742.....41100
Proposed Rules:
226.....38548
541.....39692
543.....39836
545.....39836
546.....39836
552.....39836
561.....39692
563.....39692, 39836
584.....39846

13 CFR

101.....41101

14 CFR

39.....38683, 39133–39136 39664, 40150, 40787–40789, 41351, 41943
43.....41076
71.....38684–38687, 39137–39141, 39669–39673, 40151–40154, 40790, 41352, 41944–41948
73.....39142–39145, 40154, 40155, 41949, 41950
75.....38687, 41948
91.....41076
97.....39145, 41352
103.....38770
231.....40537
250.....39474
298.....40538
324.....39474
375.....39474
1201.....38867
Proposed Rules:
Ch. I.....38705, 40808
39.....39189, 40182, 40808–40811, 41399
71.....38706, 39190, 41400 41984–41986
120.....41486
121.....41486
135.....41486
201.....41759
253.....40185
290.....40633
299.....40633
321.....40812

15 CFR

369.....38501
371.....40538
373.....40538
376.....40538
379.....40538
385.....40538
386.....40538
399.....40538, 41511
929.....39474
Proposed Rules:
922.....39191

16 CFR

305.....39674
460.....40156
803.....40159, 41512
1700.....40407
Proposed Rules:
13.....39695

17 CFR

1.....41513
200.....38505, 41950
211.....38868, 41727
229.....39799
230.....39799, 41950
231.....39809
239.....39986, 41950
240.....41950
249.....39986
251.....39810
274.....39986
279.....39986

18 CFR

4.....38506
141.....38869
157.....38871
271.....38877–38881, 41734
274.....38882
282.....38513
Proposed Rules:
2.....40634
32.....39851
33.....39851
34.....39851
35.....39851
45.....39851
152.....40634
154.....40634
156.....40634
157.....40634
271.....38906, 38907, 39862–39865, 40814, 41987
284.....40634
292.....39851
375.....39851
381.....39851, 40634

19 CFR

10.....40160, 41518
18.....39478
101.....40163
113.....40163
Proposed Rules:
134.....39866

21 CFR

Ch. II.....41735
14.....38883
74.....38883
81.....38883
82.....38883
131.....41519
135.....41525
145.....41526, 41529
175.....41102
176.....41102, 41103
177.....38884, 41530
178.....40409, 41104
193.....39478
203.....39147
310.....41716
314.....39155
433.....39155
510.....39155, 40409
520.....39811, 39812, 41105
540.....39813
558.....39813, 39814, 41106
561.....39479
573.....41106
606.....39816
610.....39816, 41106
640.....39816
660.....41106
809.....39155, 41106
868.....40410, 41107
880.....39816
Proposed Rules:
145.....41579
148.....38909, 38912
158.....38915
168.....41580
182.....38917, 40448, 41137
184.....38917, 39199, 40448 41137, 41139
186.....39199, 41137
330.....39470, 41580
333.....38917, 39406, 39464
347.....39436
348.....39412
357.....41581
358.....39906, 39102, 39108, 39120
876.....41139
892.....41139
1306.....41140
1308.....41401

22 CFR

Ch. V.....40790
Proposed Rules:
11.....38548

23 CFR

625.....40791
1205.....40791

24 CFR

201.....39480
203.....40410
804.....39480
805.....39480
841.....39480
882.....41735

25 CFR

23.....39978
168.....39816
Proposed Rules:
271.....40326
272.....40338
273.....40340
274.....40348
275.....40352
276.....40353
277.....40356

26 CFR

1.....38514, 39674
3.....39674
5c.....38688
6a.....41532
22.....41735
30.....38515
31.....38515
601.....39675
Proposed Rules:
1.....38918, 41141, 41581
31.....38552

27 CFR

9.....38516, 38519
19.....38521
240.....38521
245.....38521
270.....38521
285.....38521
Proposed Rules:
4.....40451
5.....38553
9.....38553
240.....41402

28 CFR

2.....40410
60.....39161
541.....39676

29 CFR

102.....40770
1601.....38885
1910.....39161, 40410
1952.....39164
2619.....40541
Proposed Rules:
220.....411304

30 CFR

840.....39678
842.....39678
843.....39678
845.....39678
915.....39482
935.....38886
946.....41556
948.....39821
Proposed Rules:
700.....39201
701.....39201
715.....39201
717.....39201
736.....39201
760.....39201
762.....39201

769.....39201
770.....39201
771.....39201
772.....39201
773.....39201
775.....39201
776.....39201
778.....39201
779.....39201
780.....39201
782.....39201
783.....39201
784.....39201
785.....39201
786.....39201
787.....39201
788.....39201
815.....39201
816.....39201
817.....39201
818.....39201
819.....39201
822.....39201
823.....39201
824.....39201
826.....39201
827.....39201
843.....39201
850.....39201
886.....38556
913.....38555, 41581
917.....39536
931.....38706
934.....39868
936.....38556
941.....41142
944.....41582
946.....39696, 41142
947.....41584

31 CFR

500 (See Memorandum of September 8, 1982).....39797
505 (See Memorandum of September 8, 1982).....39797
515 (See Memorandum of September 8, 1982).....39797
520 (See Memorandum of September 8, 1982).....39797

32 CFR

1-39.....40542
723.....41558
724.....39166
726.....41559
727.....41560
851.....41107
865.....40411
890.....38524
989.....38524

Proposed Rules

199.....40644, 41761
292a.....38921

33 CFR

147.....39678
165.....41957
320.....38530
321.....38530
322.....38530
323.....38530
324.....38530
325.....38530
326.....38530
327.....38530
328.....38530
329.....38530
330.....38530

Proposed Rules:

52.....41404
115.....41988
161.....40185
175.....41992
183.....41993

34 CFR

674.....41958

Proposed Rules

300.....39652, 40815

37 CFR

1.....40134, 41272
2.....38693, 41272
3.....40134
4.....40134
203.....39483
204.....39483

38 CFR

Proposed Rules:

36.....41997
21.....40650

39 CFR

10.....40624

40 CFR

52.....38531, 38532, 38886, 38887, 39167, 39484, 41928, 41958
61.....39168, 39485
65.....39680
81.....38888, 38890, 39822, 40165, 41107
122.....41562
123.....41561
162.....41736
180.....38533, 38534, 39488-39490, 40166, 41737
244.....41959
245.....41959
246.....41959
260.....41562
410.....38810
420.....41738
716.....38780
763.....38535

Proposed Rules:

52.....39202, 39203, 39696, 40185, 41584, 41598, 41768, 41930, 42000
55.....38557
60.....38832, 39204, 39205, 41143
65.....38557
81.....38922, 41143, 42001
123.....38922, 41599
162.....39538, 40659
171.....40667
180.....39541, 39542, 41769, 41770
228.....41402
413.....41403
433.....41403
469.....41403
716.....38800

41 CFR

Ch. I.....41354
Ch. 19.....40790
Ch. 101.....41959
1-1.....41355
1-6.....41355
1-16.....41355
1-18.....41355
101-20.....41360
101-26.....41360,41362
109-35.....39823

42 CFR

405.....40796
421.....38535
433.....41563

43 CFR

1820.....40412
2800.....38804, 38806
4100.....41702
5440.....38695
5450.....38695
5460.....38695
9260.....41702

Proposed Rules:

2200.....42086
3100.....38923
3110.....38923
3120.....38923
3130.....38923

Public Land Orders:

4873 (Revoked by PLO 6323).....39493
5150 (Amended by PLO 6329).....39495
5173 (Amended by PLO 6329).....39495
5178 (Amended by PLO 6329).....39495
5179 (Amended by PLO 6329).....39495
5180 (Amended by PLO 6329).....39495
5184 (Amended by PLO 6329).....39495
6229 (Corrected by PLO 6326).....39495
6315.....38891
6316.....39490
6317.....39491
6318.....39491
6319.....39492
6320.....39492
6321.....39492
6322.....39493
6323.....39493
6324.....39494
6325.....39494
6326.....39495
6327.....39595
6328.....39495
6329.....39495
6330.....39682
6331.....39683
6332.....39683
6333.....39824
6334.....39825
6335.....39825
6336.....39826
6337.....39827

44 CFR

64.....38891, 39499, 41364, 41564, 41741, 41960
65.....38893, 39179, 41742-41744, 41962, 41963
67.....38894, 41564, 41566, 41965
70.....38894-38901, 41745-41751

Proposed Rules:

67.....38923-38926, 41771-41789
350.....39697

45 CFR

5.....41751
95.....41575
205.....41575
206.....41108
232.....41108
233.....41108
234.....41108
238.....41108
240.....41108
304.....41575
1321.....41754
1392.....41575

46 CFR

4.....39683
10.....40800
26.....39683
33.....41368
35.....39683
75.....41368
78.....39683
94.....41368
97.....39683
109.....39683
151.....40805
157.....40800
160.....41368
167.....39683
180.....41368
185.....39683
192.....41368
196.....39683
502.....40624
507.....40413
531.....38685
536.....39685

Proposed Rules:

Ch. I.....38707
7.....40815
32.....38707, 41404
534.....40667
536.....40667, 41600

47 CFR

Ch. I.....40413, 41116
0.....41380
15.....40166
22.....39685
68.....39686
73.....38902, 38903, 39185, 40168-40173, 40428-40436, 41381
74.....40170-40175
90.....39502, 41002, 41045
97.....40178

Proposed Rules:

1.....38927
2.....38561

34.....38927
35.....38927
43.....38927
73.....38930–38937, 39207, 39697, 40451–40459, 41404, 42001
74.....38561
76.....39207, 39212
81.....40187
83.....40187, 40189
90.....40194, 41046
94.....38561

49 CFR

1.....39687
179.....38697
192.....41381
212.....41048
213.....39398
232.....40807
571.....38698
1011.....40631
1039.....38904
1057.....39185
1090.....38904
1137.....39687
1300.....38904

Proposed Rules:

1.....41404
173.....38708, 40816
178.....38708, 40816
218.....42001
228.....42003
391.....39698
565.....42004
571.....42004, 42009
572.....41406
1033.....41144
1100.....41600
1102.....38946
1111.....40668
1117.....40816
1118.....40816
1122.....41600
1127.....39700
1135.....40816
1244.....41603

50 CFR

17.....38540, 39827
20.....41252
32.....40298
258.....40437
285.....40179
611.....38543, 39186, 40438
652.....38544
654.....41757
661.....38545
671.....40180
672.....40441
674.....39513

Proposed Rules:

11.....40670
12.....40670
17.....40196, 40673, 41145
23.....39219
32.....41790–41792
33.....41790
37.....41060
216.....40676
611.....38947
645.....38948
654.....39221

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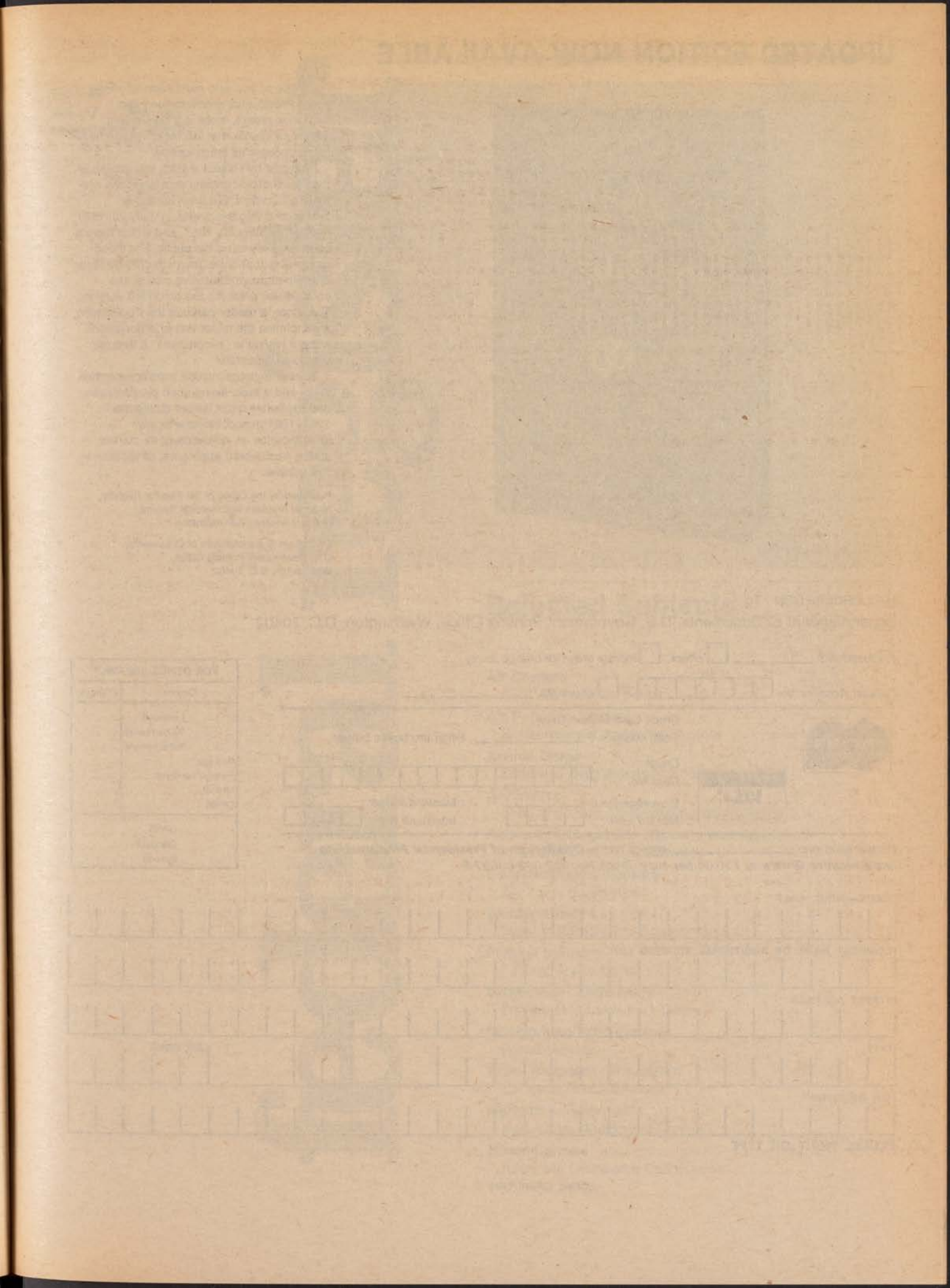
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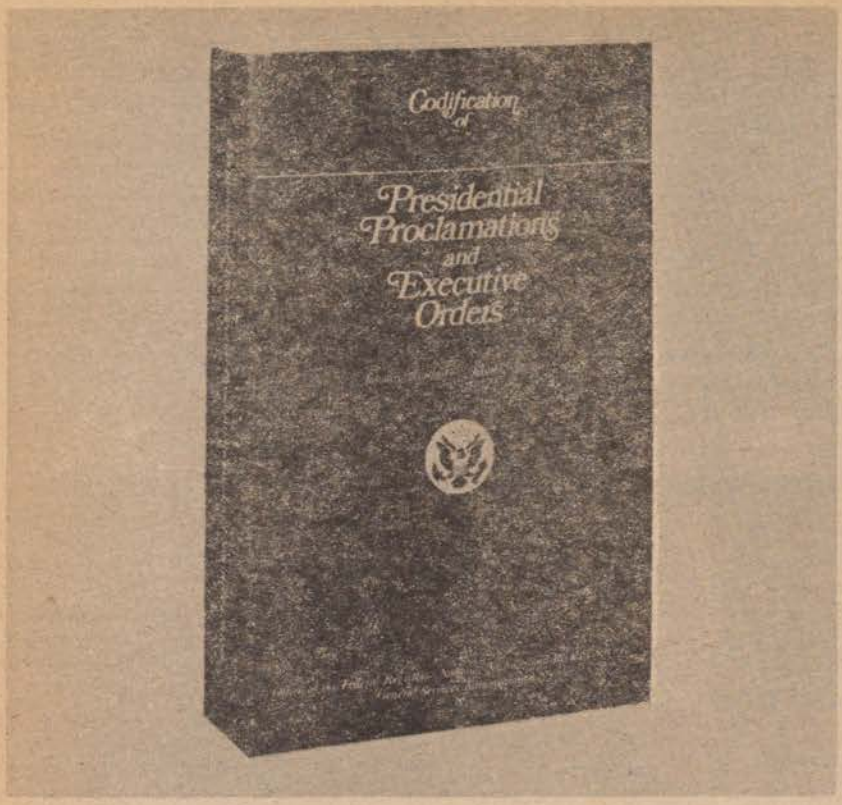
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