

Federal Register

OK
Monday
April 18, 1983

Selected Subjects

Administrative Practice and Procedure
Administrative Conference of United States

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Federal Aviation Administration

Customs Duties and Inspection
Customs Service

Endangered and Threatened Wildlife
Fish and Wildlife Service

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Motor Vehicle Pollution
Environmental Protection Agency

National Forests
Forest Service

Nuclear Materials
Energy Department

Quarantine
Animal and Plant Health Inspection Service

Radio
Federal Communications 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.

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Federal Register

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

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 83-309]

7 CFR Part 301

Witchweed Regulated Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: This document amends the list of suppressive areas under the witchweed quarantine and regulations by adding areas in 9 counties in North Carolina and 1 county in South Carolina to the list of suppressive areas and by deleting areas in 9 counties in North Carolina and 3 counties in South Carolina from the list of suppressive areas. Other changes are also made to reflect changes in ownership of certain properties and to make corrections in certain descriptions to more accurately described the area regulated. This action is necessary as an emergency measure in order to prevent the artificial spread of witchweed and to delete unnecessary restrictions of the interstate movement of regulated articles.

DATES: Effective date of amendment April 18, 1983.

Written comments concerning this rule must be received on or before June 17, 1983.

ADDRESS: Written comments should be submitted to Thomas O. Gessel, Director, Regulatory Coordination Staff, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 728 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Written comments received may be inspected at Room 728 of the Federal Building

between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Paul F. Sand, Staff Officer, Field Operations Support Staff, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 663 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-8295.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This interim rule is issued in conformance with Executive Order 12291 and Secretary's Memorandum No. 1512-1, and has been determined to be not a "major rule." Based on information compiled by the Department, it has been determined that this interim rule will have an annual effect on the economy of approximately \$850; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and will not cause 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.

For this rulemaking action, the Office of Management and Budget has waived the review process required by Executive Order 12291. Also, the Assistant Secretary for marketing and Inspection Services has waived the requirements of Secretary's Memorandum 1512-1.

Certification Under the Regulatory Flexibility Act

Mr. James O. Lee, Jr., Acting Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small businesses and should not have a significant economic impact on any small organizations or small governmental jurisdictions. This action affects the interstate movement of regulated articles from specified areas in North Carolina and South Carolina. Based on information compiled by the Department, it has been determined that there are approximately 290,000 small entities that move regulated articles interstate from such States and many

hundreds of thousands of small entities that move regulated articles interstate from other States. However, based on such information, it has been determined that only approximately 35 entities move regulated articles interstate from the specified areas affected by this action. Further, the overall economic impact from this action is estimated to be only about \$650.

Emergency Action

Harvey L. Ford, Deputy Administrator of the Animal and Plant Health Inspection Service for Plant Protection and Quarantine, has determined that an emergency situation exists which warrants publication without opportunity for a public comment period on this interim action. Due to the possibility that witchweed could be artificially spread interstate to noninfested areas of the United States, a situation exists requiring immediate action to better control the spread of this pest. Also, where witchweed no longer occurs, immediate action is needed to delete unnecessary restrictions on the interstate movement of regulated articles.

Further, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this interim rule are impracticable and contrary to the public interest and good cause if found for making this action effective less than 30 days after publication of this document in the Federal Register. Comments have been solicited for 60 days after publication of this document, and a final document discussing comments received and any amendments required will be published in the Federal Register as soon as possible.

Background

Witchweed is a parasitic plant which causes the degeneration of corn, sorghum, and other grassy crops. It has been found in the United States only in parts of North Carolina and South Carolina. The Witchweed Quarantine and regulations (7 CFR 301.80 through 301.80-10) quarantine the States of North Carolina and South Carolina and restrict the interstate movement of certain witchweed hosts from regulated areas in the quarantined States for the

purpose of preventing the artificial spread of witchweed.

Regulated areas are divided into suppressive areas and generally infested areas. Suppressive areas are regulated areas where eradication of witchweed is undertaken as an objective. Generally infested areas are regulated areas not designated as suppressive areas. Restrictions are imposed on the interstate movement of regulated articles from generally infested areas and suppressive areas in order to prevent the artificial movement of witchweed to noninfested areas and to prevent the reinfestation of suppressive areas where the witchweed no longer occurs.

Designation of Areas as Suppressive Areas

Surveys conducted by the United States Department of Agriculture and State agencies of North Carolina and South Carolina establish that witchweed has spread or is likely to spread to certain areas beyond the outer perimeter of areas previously designated as suppressive area. Therefore, as an emergency measure, the following areas in Cumberland, Duplin, Harnett, Johnston, Lenoir, Pender, Richmond, Scotland, and Wayne Counties in North Carolina, and Darlington County in South Carolina which were previously nonregulated areas are designated as witchweed suppressive areas. These additional areas are areas where eradication of witchweed is undertaken as an objective. This action is necessary in order to prevent the spread of witchweed and to facilitate its ultimate eradication.

North Carolina

Cumberland County. The Holiday, Waddell, farm located on the south side of State Secondary Road 3122 and its junction with State Secondary Road 1402.

The Jackson, J. T., farm located on the west side of State Secondary Road 1403 and 0.7 mile north of its junction with U.S. Highway 401.

The Roberts, Christine Dawson, farm located on the south side of State Secondary Road 1714 and 0.5 mile west of its junction with State Secondary Road 1716.

Duplin County. The Branch, Hall, farm located 0.3 mile northwest of State Highway 11 and 1.0 mile northeast of junction of said highway and State Secondary Road 1378.

The Dodson, Twillie, farm located on the south side of State Secondary Road 1912 and 0.7 mile west of the junction of said road and State Highway 11.

The Pickford, P. H., farm located on the south side of State Secondary Road 1980 and 0.2 mile east of the dead end of said road.

The Stokes, J. D., Jr., farm located on both sides of State Secondary Road 1980 and 0.3 mile east of the dead end of said road.

The Thomas, J. R., farm located on the south side of State Secondary Road 1700 and 1.8 miles east of intersection of said road and State Secondary Road 1701.

Harnett County. The Forthberry, Bennett, farm located on the south side of State Secondary Road 1141 and 0.4 mile east on the junction of said road with State Secondary Road 1139.

The Frizzelle, Roscoe, farm located on the south side of State Secondary Road 1141 and 0.3 mile east of the junction of said road with State Secondary Road 1139.

The McNeil, Raymond F., farm located on the east side of State Secondary Road 1201 and north of the junction of said road with State Secondary Road 1202.

The Serina, David, farm located on the south side of State Secondary Road 1141 and 0.4 mile east of the junction of said road with State Secondary Road 1139.

The Spaulding, James, farm located on the north side of State Secondary Road 1141 and 1.3 miles east of the junction of said road with State Secondary Road 1139.

Johnston County. The McArthur, Margaret, farm located 1.4 miles north of State Secondary Road 1199 and 0.9 mile west of the junction of said road and State Secondary Road 1008.

Lenoir County. The Sutton, W. Edward, farm located on the east side of State Secondary Road 1333 and 0.4 mile south of State Secondary Road 1330.

The Taylor, Heber, farm located on the north side of State Secondary Road 1161 and 0.3 mile east of its junction with State Highway 55.

Pender County. The Hutcheson, Katie, farm located on field road 1.7 miles east of U.S. Highway 117 and 0.3 mile south of its intersection with State Secondary Road 1411.

The Thompson, Dick, farm located on the southwest side of State Secondary Road 1108 and 0.5 mile northwest of its junction with State Secondary Road 1107.

Richmond County. The David, Ethel, farm located on both sides of State Secondary Road 1803, on the west side of the intersection of said road with State Secondary Road 1825.

Scotland County. The Carmichael, John, farm located on both sides of State Secondary Road 1612 and 0.2 mile southwest of its intersection with State Secondary Road 1611.

Wayne County. The Lofton, Mary F., farm located on the south side of State Secondary Road 1745 and 0.1 mile west of its junction with State Secondary Road 1952.

The Smith, M. G., farm located on the west side of State Secondary Road 1952 and 0.3 mile south of its junction with State Secondary Road 1745.

South Carolina

Darlington County. The Johnson, William, farm located on the north side of a dirt road and 0.6 mile northwest of its junction with State Secondary Highway 133, said junction being 2 miles south of the intersection of said highway and State Secondary Highway 41.

Deletion of Areas From List of Regulated Areas

All previous suppressive areas in Columbus, Cumberland, Duplin, Hoke, Lenoir, Onslow, Richmond, Scotland, and Wayne Counties in North Carolina, and Darlington, Florence, and Horry Counties in South Carolina, are being released, except for those suppressive areas listed in this document in § 301.80-2a, which remain regulated.

It has been determined that the witchweed no longer occurs in certain suppressive areas of the above listed counties in North Carolina and South Carolina. There is therefore no basis to continue listing such areas as regulated areas for the purpose of preventing the artificial spread of witchweed. Therefore, as an emergency measure, parts or all of such counties are deleted from the list of suppressive areas in order to delete unnecessary restrictions on the movement of witchweed regulated articles.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant pests, Quarantine, Transportation, Witchweed.

PART 301—DOMESTIC QUARANTINE NOTICES

Under the circumstances referred to above, § 301.80-2a of the witchweed quarantine and regulations (7 CFR 301.80-2a) is revised to read as follows:

§ 301.80-2a Regulated areas; suppressive and generally infested areas.

The civil divisions and parts of civil divisions described below are designated as witchweed regulated areas within the meaning of the provisions of this subpart; and such regulated areas are hereby divided into generally infested areas or suppressive areas as indicated below:

North Carolina

(1) *Generally infested areas.* None.

(2) *Suppressive areas.*

Beaufort County. The Jefferson, Russell M., farm located on the southwest side of State Secondary Road 1609 and 0.6 mile southeast of the junction of said road and State Highway 32.

The Osborne, H. R., farm located on both sides of State Secondary Road 1609 and 0.5 mile southeast of the junction of said road and State Highway 32.

Bladen County. The entire county.

Brunswick County. The Bryant, Ottice, farm No. 1 located at the end of a farm road 1.0 mile west of State Secondary Road 1342, 2.5 miles northwest of said State Secondary Road and its junction with State Highway 211.

The Bryant, Ottice, farm No. 2 located on both sides of State Secondary Road 1342, 2.3 miles northwest of said road and its junction with State Highway 211.

The Hewett, Patricia J., farm located on the west side of State Secondary Road 1151 and 0.4 mile south of its junction of State Secondary Road 1147.

The Hewett, Jr., R. B., farm located at the end of a farm road on the northeast side of State Secondary Road 1132, 0.4 mile northeast of said road and its intersection with N.C. Highway 130.

Columbus County. That part of the county lying north and west of a line beginning at a point where State Highway 211 intersects the Bladen-Columbus County line, thence south along said Highway 211 to its intersection with State Secondary Road 1740, thence southwest and south along said State Secondary Road 1740 to its junction with U.S. Highways 74 and 76, thence west along said highways to its intersection with White Marsh Swamp, thence south along said swamp to its junction with Cypress Creek, thence southwest along said creek to its intersection with State Highway 130, thence northwest along said highway to its junction with State Secondary Road 1166, thence southwest along said road to its junction with State Secondary Road 1157, thence southwest along said road to its junction with U.S. Highway 701, thence south and west along said highway to its intersection with State Secondary Road 1314, thence west along said road to its junction with State Secondary Road 1346, thence southwest along said road to its junction with the North Carolina-South Carolina State line.

The Brown, Annie, farm located on the west side of State Highway 11 and 0.6 mile south of the junction of said road with State Highway 87.

The Jacobs, Thomas, farm located 0.2 mile north of State Secondary Road 1847 and 1 mile northeast of the junction of said road 1847 with State Secondary Road 1740.

Craven County. The Chapman, Idel M., farm located on the west side of State Secondary Road 1459 and 0.1 mile north of junction of State Secondary Road 1463 with said road 1459 and 0.3 mile off west side of State Secondary Road 1459.

The Hawkins, Annie A., farm located on both sides of State Secondary Road 1263 and 1 mile east of the junction of said Road 1263 with State Secondary Road 1262.

The Hawkins, Mattie, farm located on the west side of State Secondary Road 1263 and 1.2 miles east and north of its southern junction with State Secondary Road 1262.

The Jones, Vann, farm located on the west side of State Secondary Road 1459 and 0.1 mile north of junction of State Secondary Road 1463 with said road and 0.4 mile off of west side of State Secondary Road 1459.

The Morris, Gerald K., farm located on the north side of State Secondary Road 1444 and 1.4 miles northwest of the junction of State Secondary Road 1447 with said road.

The Nelson Estate, Joseph, located on both sides of State Secondary Road 1450 and located 0.1 mile northeast of intersection of State Secondary Road 1454.

The Nobles, Jr., Jack, farm located on both sides of State Secondary Road 1262 and located 0.7 mile south of the junction of State Secondary Road 1258 and State Secondary Road 1262.

The Register, Keith, farm located 0.3 mile west of the junction of State Secondary Road 1251 with Highway 55 and on the north side of Highway 55.

The West, Gladys W., farm located on both sides of State Secondary Road 1263 and 1.4 miles east of its southern junction with State Secondary Road 1262.

The White, Raymond E., farm located on both sides of State Secondary Road 1263 and 0.2 mile east of its northern junction with State Secondary Road 1262.

Cumberland County. That area bounded by a line beginning at a point where U.S. Highway 401 intersects the Cumberland-Hoke County line, then east along said highway to its intersection with the Fayetteville city limits, then south, east, and northeast along said city limits to its junction with U.S. Highway 301 north, then northeast along said highway to its junction with U.S. Interstate 95, then northeast along said interstate to its junction with U.S. Highway 13, then east and northeast along said highway to its intersection with the Cumberland-Sampson County line, then southerly along said county line to its junction with the Bladen-Cumberland County line, then westerly along said county line to its junction with the Cumberland-Robeson County line, then northwesterly along said county line to its junction with the Cumberland-Hoke county line, then northwesterly along said county line to the point of beginning.

The Autry, J. G., farm located on the east side of U.S. Highway 301 and 0.1 mile north of its junction with State Secondary Road 1722.

The Barefoot, William, farm located on the east side of State Secondary Road 1005 and 1.1 miles northeast of its junction with State Secondary Road 1813.

The Bullock, Burling, farm located on the northeast side of State Secondary Road 1722 and 0.4 mile west of its junction with U.S. Highway 301.

The Bunce, Mrs. John, farm located on the north side of State Secondary Road 1814 and 0.3 mile west of its junction with State Secondary Road 1813.

The Contrell, C. T., farm located on the west side of State Secondary Road 1400 at its junction with State Secondary Road 1401.

The Elliott, Lattie, farm located on the north side of State Secondary Road 1722 and

0.4 mile east of its junction with State Secondary Road 1714.

The Elliott, W. H., farm located on the south side of State Secondary Road 1609 and 0.5 mile east of its junction with State Secondary Road 1710.

The Geddie, W. H., farm located on the east side of State Secondary Road 1714 and 0.2 mile north of its junction with State Secondary Road 1722.

The Gerald, Rufus, farm located on the east side of State Secondary Road 1818 and 0.5 mile north of its intersection with U.S. Highway 13.

The Godwin Ada P., farm located on the east side of State Secondary Road 1714 and 0.2 mile south of its junction with State Secondary Road 1722.

The Grumble, A. L., farm located on the east side of State Secondary Road 1608 and 0.5 mile north of its junction with U.S. Highway 401.

The Holiday, Waddell, farm located on the south side of State Secondary Road 3122 and its junction with State Secondary Road 1402.

The Jackson, J. T., farm located on the west side of State Secondary Road 1403 and 0.7 mile north of its junction with U.S. Highway 401.

The Lambert, Jack, farm located on the west side of State Secondary Road 1716 and 0.2 mile north of its junction with State Secondary Road 1717.

The Lee, Jack, farm located on the west side of State Secondary Road 1716 and 0.1 mile north of its junction with State Secondary Road 1717.

The Lovick, Eugene, farm located on the north side of State Secondary Road 1732 and 0.9 mile west of its junction with U.S. Highway 301.

The Lovick, Grady, farm located on the west side of State Secondary Road 1716 and 0.2 mile north of its junction with State Secondary Road 1717.

The Matthews, Ada H., farm located on the east side of State Secondary Road 1818 and 0.7 mile north of its intersection with U.S. Highway 13.

The Matthews, E. M., farm located on the east side of State Secondary Road 1005 and at its north intersection with State Secondary Road 1813.

The Matthews, Isiah, farm located on a private road off the east side of U.S. Highway 301 and 0.1 mile north of its junction with State Secondary Road 1722.

The McKeithan, Sarah E., farm located on the west side of U.S. Highway 301 and 0.3 mile north of its junction with State Secondary Road 1815.

The McLaurin, Burnice, farm located on the north side of State Secondary Road 1720 and 0.7 mile east of its intersection with State Secondary Road 1719.

The McLaurin, Elwood, farm located on the west side of U.S. Highway 301 and 0.2 mile north of its junction with State Secondary Road 1828.

The McLaurin, George, farm located on the north side of State Secondary Road 1722 and 0.4 mile west of its junction with U.S. Highway 301.

The McLaurin, Greg, farm located on the south side of State Secondary Road 1722 and

0.3 mile west of its junction with U.S. Highway 301.

The McLaurin, H. A., farm located on the south side of State Secondary Road 1722 and 0.41 mile west of its junction with U.S. Highway 301.

The McLaurin, Henry, farm located on the south side of State Secondary Road 1722 and 0.4 mile west of its junction with U.S. Highway 301.

The McLaurin, McLaurin, farm located on the north side of State Secondary Road 1722 and 0.5 mile west of its junction with U.S. Highway 301.

The McLaurin, Octavious, farm located on the north side of State Secondary Road 1722 and 0.51 mile west of its junction with U.S. Highway 301.

The McLaurin, W. A., farm located on the south side of State Secondary Road 1722 and 0.43 mile west of its junction with U.S. Highway 301.

The McMillan, Vander, farm located on the west side of U.S. Highway 301 and 0.5 mile north of its junction with State Secondary Road 1722.

The McNeill, Mattie J., farm located on the west side of State Secondary Road 1593 and 0.8 mile north of its junction with U.S. Highway 401.

The Melvin, Edith, farm located on the east side of State Secondary Road 1600 and 1.7 miles north of its intersection with State Secondary Road 1615.

The Odums, Marshal, farm located on the north side of State Secondary Road 1722 and 0.2 mile west of its junction with U.S. Highway 301.

The Powell, William Clinton, farm located on the south side of State Secondary Road 1722 and 0.3 mile east of its junction with State Secondary Road 1714.

The Pruitt, K. D., farm located on the west side of U.S. Highway 13 and 0.6 mile north of its intersection with State Secondary Road 1818.

The Roberts, Christine Dawson, farm located on the south side of State Secondary Road 1714 and 0.5 mile west of its junction with State Secondary Road 1716.

The Shirman, Harry, farm located on the west side of State Secondary Road 1400 and 0.1 mile south of its junction with State Secondary Road 1401.

The Smith, Agnes, farm located on the south side of State Secondary Road 1720 and 0.7 mile east of its intersection with State Secondary Road 1719.

The Smith, Gilbert, farm located on the west side of State Secondary Road 1714 and 0.2 mile south of its junction with State Secondary Road 1724.

The Smith, J. B., farm located on the north side of State Secondary Road 1719 and 1.1 miles east of its intersection with State Secondary Road 1720.

The Smith, J. B., farm located on the south side of State Secondary Road 1722 and 0.6 mile west of its junction with State Secondary Road 1721.

The Smith, Larry Don, farm located on a private road off west side of U.S. Highway 301 and 0.2 mile south of its junction with State Secondary Road 1722.

The Thompson, Mrs. Paul, farm located on the west side of U.S. Highway 301 and 0.4

mile south of its junction with State Secondary Road 1863.

The Turner, W. E., farm located on a private road off the east side of U.S. Highway 301 and 0.2 mile north of its junction with State Secondary Road 1722.

The Underwood, George, farm located on the south side of State Secondary Road 1730 and 0.5 mile east of its junction with State Secondary Road 1723.

The Underwood, Olive T., farm located on the east side of State Secondary Road 1723 and 0.8 mile south of its junction with State Secondary Road 1722.

The Valentine, Ike, farm located on the west side of State Secondary Road 1402 and 0.9 mile south of its junction with State Secondary Road 1400.

The Vann, J. R., farm located on the north side of State Secondary Road 1813 and 0.5 mile east of its intersection with State Secondary Road 1005.

The Vann, W. E., farm located on both sides of State Secondary Road 1813 at its junction with State Secondary Road 1819.

The Williams, C. D., farm located on the north side of State Secondary Road 1719 and 1.21 miles north of its intersection with State Secondary Road 1720.

The Williams, Maggie, farm located on the north side of State Secondary Road 1719 and 1.2 miles north of its intersection with State Secondary Road 1720.

The Williams, M. C., farm located on the south side of State Secondary Road 1728 and at its east intersection with State Secondary Road 1725.

The Williams, Robert, farm located on the east side of State Secondary Road 1813 and at its intersection with Interstate 95.

The Williams, Robert F., farm located on the west side of State Secondary Road 1728 and 0.6 mile north of its junction with State Secondary Road 1714.

Duplin County. That area bounded by a line beginning at a point where State Secondary Road 1337 intersects the Duplin-Sampson County line, then northeast along said road to its intersection with State Secondary Road 1301, then southeast along said road to its intersection with State Highway 50, then northwest along said highway to its junction with State Secondary Road 1355, then northeast along said road to its junction with State Secondary Road 1332, then northeast along said road to its junction with State Secondary Road 1304, then southeast along said road to its intersection with Bear Swamp, then east along said swamp to its junction with Goshen Swamp, then southeast along said swamp to its intersection with State Secondary Road 1004, then southeast along said road to its intersection with Nahunga Creek, then southwest along said creek to its intersection with State Secondary Road 1301, then northwest along said road to its junction with State Secondary Road 1346, then southwest along said road to its junction with State Secondary Road 1385, then west along said road to its junction with State Highway 50, then southeast along said highway to its junction with State Secondary Road 1900, then southeast along said road to its junction with State Secondary Road 1003, then east along said road to its junction with State

Highway 11, then south along said highway to its junction with State Secondary Road 1922, then southwest along said road to its junction with State Secondary Road 1909, then south along said road to its junction with State Secondary Road 1912, then west along said road to its intersection with the Magnolia city limits, then south, west, and north along said city limits to its intersection with State Secondary Road 1003, then southwest along said road to its junction with State Secondary Road 1101, then southeast along said road to its intersection with State Secondary Road 1102, then southwest along said road to its junction with State Secondary Road 1126, then west along said road to its intersection with State Secondary Road 1100, then southeast along said road to its intersection with State Secondary Road 1102, then south along said road to its junction with State Secondary Road 1129, then southwest along said road to its intersection with State Secondary Road 1128, then northwest along said road to its intersection with Duplin-Sampson County line, then north along said county line to the point of beginning.

The Beard, Mary Lou, farm located on both sides of State Secondary Road 1961 and 0.6 mile west of the intersection of said road and the Northeast Cape Fear River.

The Bradshaw, Milton J., farm located at the northwest end of State Secondary Road 1980.

The Branch, Hall, farm located 0.3 mile northwest of State Highway 11 and 1.0 mile northeast of junction of said highway and State Secondary Road 1378.

The Brown, George, farm located on the west side of State Secondary Road 1004 and 0.8 mile north of its junction with State Secondary Road 1504.

The Chambers, D.F., farm located on the south side of State Secondary Road 1700 and 0.8 mile west of its intersection with the Northeast Cape Fear River.

The Dodson, Twillie, farm located on the south side of State Secondary Road 1912 and 0.7 mile west of the junction of said road and State Highway 11.

The Garner, C. C., farm located on both sides of State Secondary Road 1961 and 0.5 mile west of the intersection of said road and Northwest Cape Fear River.

The Goodson, Emma, farm located on the south side of State Secondary Road 1501 and 0.3 mile west of the junction of said road and State Highway 1505.

The Grady, E. C., farm located on both sides of State Secondary Road 1700 and 0.7 mile west of the intersection of said road and the Northeast Cape Fear River.

The Hollingsworth, Denver, farm located 0.1 mile east of State Secondary Road 1831 and 1.0 mile south of the junction with State Road 1827.

The Howard, Henry, farm located on the north side of State Secondary Road 1700 and 0.8 mile west of the intersection of said road and the Northeast Cape Fear River.

The Ivey, Foy, No. 2, farm located on both sides of State Secondary Road 1004 and 0.1 mile south of the junction with State Secondary Road 1561.

The Jernigan, Cornelia, farm located on the west side of State Secondary Road 1360 and 0.4 mile south of the junction with State Secondary Road 1004.

The Johnson, Eldora, farm located on both sides of State Secondary Road 1123 and 1.2 mile west of the junction of said road and State Secondary Road 1103.

The Jones, H. A. No. 2, farm located on both sides of State Secondary Road 1700 and 0.6 mile west of the intersection with the Northeast Cape Fear River.

The King, W. R., farm located on the east side of State Secondary Road 1302 and 0.1 mile south of the junction of said road and State Highway 1308.

The Kornegay, Cecil, farm located on the northwest sides of State Secondary Road 1306 and 1 mile southwest of the intersection with State Secondary Road 1500.

The McCullen, Larry, farm located on the northeast side of State Highway 24 and 0.2 mile northwest of the junction of said highway and State Secondary Road 1904.

The McGowan, Henry C., Heirs, farm located 0.6 mile south of State Secondary Road 1700 and 0.7 mile east of the junction with State Highway 11.

The Miller, O'Berry, farm located on the north side of State Secondary Road 1700, and 0.1 mile east of its junction with State Highway 11.

The Miller, Willie Mae, farm located on the south side of State Secondary Road 1961 and 1.1 miles west of the intersection of said road and State Secondary Road 1962.

The Outlaw, Oliver, farm located on both sides of State Secondary Road 1300 and the east side of State Secondary Road 1301 where these roads intersect.

The Pate, Robert Lee, farm located on both sides of State Secondary Road 1357 and 0.9 miles southwest of the junction of said road and State Secondary Road 1306.

The Phillips, Hubert, farm located on the east side of State Secondary Road 1357 and 0.7 mile northwest of its junction with State Highway 24.

The Pickford, P. H., farm located on the south side of State Secondary Road 1980 and 0.2 mile east of the dead end of said road.

The Rivenbark, George W., farm located on the northwest side of State Secondary Road 1131 and 0.4 mile southwest of the junction of said road and State Secondary Road 1128.

The Rouse, Beatrice S., farm located on both sides of State Secondary Road 1980 and at the west end of said road.

The Stokes, Fred, farm located on the south side of State Secondary Road 1980 and 2.4 miles west of the junction of said road and State Secondary Road 1979.

The Stokes, J. D., Jr., farm located on both sides of State Secondary Road 1980 and 0.3 mile east of the dead end of said road.

The Stokes, William C., farm located at the southwest end of State Secondary Road 1980.

The Thomas, J. R., farm located on the south side of State Secondary Road 1700 and 1.8 miles east of intersection of said road and State Secondary Road 1701.

The Turner, Lumas, farm located on the south side of State Secondary Road 1703 and 0.6 mile west of the junction of said road and State Secondary Road 1732.

The Whitman, Herman E., farm located on the north side of State Secondary Road 1300

and 0.8 mile east of the intersection of said road and State Secondary Road 1301.

The Williams, Jasper, farm located on the east side of State Secondary Road 1323 and 0.2 mile south of its junction with State Highway 403.

The Williams, McArthur, farm located on the south side of State Secondary Road 1961 and 1 mile west of the intersection of said road and State Secondary Road 1962.

The Wilson, Mammie, farm located on the east side of State Highway 111 and 1.0 mile south of the intersection of said highway and State Secondary Road 1700.

Greene County. That area bounded by a line beginning at a point where State Highway 903 intersects State Highway 123 and extending southerly along State Highway 123 of its intersection with Contentnea Creek, then northwest along said creek to its junction with Panther Swamp, then northerly along said swamp to its intersection with U.S. Highway 258-13, then northeasterly to its intersection with State Highway 903; then easterly along said highway to the point of beginning.

The Carmon, James E., farm located on the east side of State Secondary Road 1004 and 0.4 mile south of its junction with State Highway 903.

The Dixon, John, farm located on the east side of State Secondary Road 1004 at the junction on State Secondary Road 1405.

The Dixon, Sudie, farm located on the west side of State Secondary Road 1004 and 0.2 miles south of its junction of State Secondary Road 1405.

The Murphrey, Edward, farm located on the east side of State Secondary Road 1004 and 0.3 mile south of its junction with State Highway 903.

The Whitaker, J. H., farm located on the east side of State Secondary Road 1004 and 0.6 mile south of its junction with State Highway 903.

Harnett County. That area bounded by a line beginning at a point on the Harnett-Lee County line due west of the head of Barbecue Swamp and extending east to the head of said swamp, then south and east along Barbecue Swamp to its intersection on State Secondary Road 1201, then south and southeast along said road to its junction with State Highway 27, then southeast along said highway to its junction with State Highway 24, then southeast along said highway to its junction with State Secondary Road 1111, then southwest along said road to its intersection with Harnett-Moore County line, then northwest along the Harnett-Moore County line to its junction with the Moore-Harnett-Lee County line, then northeast along the Harnett-Lee County line to the point of beginning.

That area bounded by a line beginning at a point where the Harnett-Cumberland County line and McLeod Creek intersect and extending northwest along said creek to its intersection with State Secondary Road 1117, then northeast, northwest and north along said road to its intersection with Anderson Creek, then southeast along said creek to its intersection with the State Highway 210, then northeast along said highway to its junction with State Secondary Road 2030, then southeast along said road to its junction with

State Secondary Road 2031, then southwest along said road to its intersection with the Harnett-Cumberland County line, then southwest and west along said county line to the point of beginning.

The Cook, A. L., farm located on the east side of State Secondary Road 1201 and 1.5 miles southeast of the junction of said road with State Secondary Road 1203.

The Forthberry, Bennett, farm located on the south side of State Secondary Road 1141 and 0.4 mile east of the junction of said road with State Secondary Road 1139.

The Frizzelle, Roscoe, farm located on the south side of State Secondary Road 1141 and 0.3 mile east of the junction of said road with State Secondary Road 1139.

The Gilchrist, Leonard W., farm located on the southeast side of State Secondary Road 1111, 0.4 mile north of the junction of said road with State Secondary Road 1110.

The McNeil, Raymond F., farm located on the east side of State Secondary Road 1201 and north of the junction of said road with State Secondary Road 1202.

The Serina, David, farm located on the south side of State Secondary Road 1141 and 0.4 mile east of the junction of said road with State Secondary Road 1139.

The Spaulding, James, farm located on the north side of State Secondary Road 1141 and 1.3 miles east of the junction of said road with State Secondary Road 1139.

The Thomas, Floyd E., farm located on the northeast side of State Secondary Road 1146 and 0.2 mile north of the junction of said road with State Secondary Road 1117.

The Womack, E. H., farm located on the east side of State Highway 27, and 1.0 mile north of the junction of said highway with State Highway 24.

Hoke County. That area bounded by a line beginning at a point where U.S. Highway 401 intersects with Hoke-Scotland County line, then northeasterly along said highway to its junction with the Raeford city limits, then southeast and north along said city limits to its junction with Business Highway 401, then east and northeast along said highway to its junction with U.S. Highway 401, then easterly along said highway to its intersection with the Cumberland-Hoke County line, then southeast along said county line to its junction with the Hoke-Robeson County line, then southwest and west along said county line to its junction with the Hoke-Scotland County line, then northerly along said county line to the point of beginning.

The Bronson, Amos, farm located on the north side of State Secondary Road 1302 and 0.6 mile west of the junction of said road with State Secondary Road 1303.

The Burke, Will, Estate farm located to the southeast of State Secondary Road 1233 and 0.2 mile south of the junction of said road with State Secondary Road 1218.

The Cameron, Hermon, farm located on the east side of State Secondary Road 1212 and 0.1 mile south of the junction of said road with State Secondary Road 1211.

The Ellis, W. H., farm located on both sides of State Secondary Road 1200 and 0.2 mile south of the junction of said road with State Secondary Road 1203.

The Flowers, Effie Lee, farm located on the north side of State Secondary Road 1203 and 0.1 mile northeast of the junction of said road with State Secondary Road 1207.

The Flynn, Charlie, farm located on the east side of State Secondary Road 1218 and 1 mile south of the junction of said road with State Secondary Road 1219.

The Fowler, Arne, farm located on the north side of State Secondary Road 1203 and 0.2 mile northeast of the junction of said road with State Secondary Road 1207.

The Gainey, Marvin, farm located on the west side of State Secondary Road 1200 and 0.5 mile south of the junction of said road with State Secondary Road 1203.

The Gainey, Marvin, farm located on the east side of State Secondary Road 1200 and 0.5 mile south of the junction of said road with State Secondary Road 1203.

The Graham, William, farm located on the north side of State Secondary Road 1316 and 0.5 mile east of the junction of said road with State Highway 211.

The Johnson, George, farm located on the south side of State Secondary Road 1219 and 0.3 mile east of the junction of said road with State Secondary Road 1218.

The Leslie, Dora N., farm located north of the junction of State Secondary Roads 1200 and 1203.

The McDuffie, Cleo, farm located on the south side of State Secondary Road 1203 and 0.1 mile northeast of the junction of said road with State Secondary Road 1202.

The McPhatter, Tom, farm located on the east side of State Secondary Road 1202 and 0.1 mile south of the junction of said road with State Secondary Road 1203.

The McRae, Annie, farm located on the west side of State Secondary Road 1302 and 0.1 mile north of the junction of said road with U.S. Highway 401 bypass.

The McRae, Ervin, farm located on the north side of State Secondary Road 1302 and 1 mile west of the junction of said road with State Secondary Road 1303.

The Moon, Leonard, farm located on the west side of State Highway 211 and 0.3 mile north of the junction of said highway with State Secondary Road 1228.

The Pandure, Ralph, farm located on the north side of State Secondary Road 1211 and 0.5 mile south of the junction of said road with State Secondary Road 1212.

The Ray, Howard, farm located on the north side of State Secondary Road 1203 and 0.1 mile west of the junction of said road with State Secondary Road 1240.

The Ray, Neil, farm located on the west side of State Secondary Road 1320 and 0.1 mile west of the junction of said road with State Secondary Road 1304.

The Williams, Alex, farm located in the southeast junction of State Secondary Roads 1202 and 1203.

The Winecroff, Lee, farm located on both sides of State Secondary Road 1215 and 0.4 mile east of the junction of said road with State Secondary Road 1216.

Johnston County. The Holt, Dorothy C., farm located on the west side of State Secondary Road 2542 and 0.1 mile south of its junction with State Secondary Road 1007.

The Johnson, Wade, farm located on both sides of State Secondary Road 1144 and 0.2

mile west of the junction of said road with State Secondary Road 1138.

The Martin, John L., farm located on the west side of State Secondary Road 1201 and 0.3 mile north of the junction of said road with State Secondary Road 1200.

The Massengill, R. T., farm located on the south side of State Secondary Road 1145 and 0.2 mile west of its junction with State Secondary Road 1144.

The McArthur, Margaret, farm located 1.4 miles north of State Secondary Road 1199 and 0.9 mile west of the junction of said road with State Secondary Road 1008.

Lee County. The McGilvary, Aquilla, farm located north of State Secondary Road 1188 and 0.6 mile east of the junction of said road with State Secondary Road 1001.

Lenoir County. The Barwick, Charles H. and Evelyn Sutton, farm located on the north side of State Secondary Road 1324 and 0.1 mile east of its junction with State Secondary Road 1308.

The Braxton, Clyde, Estate located on both sides of State Secondary Road 1802 and 0.9 mile northeast of the junction of State Secondary Road 1802 and State Highway 11.

The Brown, Nannie H., farm located in the southwest junction of State Secondary Roads 1152 and 1309.

The Carey, Jack, farm located on both sides of State Secondary Road 1906 and 1 mile east of its junction with U.S. Highway 285.

The Dawson, Wayne, farm located on the east side of State Secondary Road 1318 and 0.3 mile north of its junction with State Secondary Road 1316.

The Faulkner, Isabelle, farm located on both sides of State Secondary Road 1809 and 0.5 mile east of its junction with State Secondary Road 1720.

The Foss, Reginald D., farm located on the north side of State Secondary Road 1316 and 0.6 mile northwest of its junction with State Secondary Road 1318.

The Hamilton, C. W., farm located on the southeast side of State Secondary Road 1802 and 1.2 miles northeast of its junction with State Highway 11.

The Herring, Ben D., No. 1, farm located on both sides of State Secondary Road 1330 and 0.2 mile west of the junction of State Secondary Roads 1330 and 1331.

The Herring, Ben D., No. 2, farm located on the west side of State Secondary Road 1310 and 0.3 mile south of its junction with State Secondary Road 1311.

The Herring, Frances F., farm located on the west side of State Secondary Road 1310 and 0.6 mile south of its junction with State Secondary Road 1311.

The Herring, Jack A., farm located on both sides of State Secondary Road 1310 and 0.4 mile south of its junction with State Secondary Road 1311.

The Jarman, F. R., farm located on the southeast side of State Secondary Road 1311 and 0.7 mile southwest of its junction with State Secondary Road 1318.

The Jones, Edward S., farm located on the west side of U.S. Highway 258 and 0.3 mile north of its junction with State Secondary Road 1116.

The Parrott Farms, Inc., farm located on the northwest side of State Secondary Road 1157 and 0.7 mile northwest of its intersection with State Highway 55.

The Rouse, Forrest, farm located on the northeast side of State Secondary Road 1143 and 2.9 miles northwest of its intersection with State Secondary Road 1154.

The Rouse, Jim W., farm located on the northeast side of State Secondary Road 1143 and 2.8 miles northwest of its intersection with State Secondary Road 1154.

The Sutton, Curtis, Estate located on the west side of State Secondary Road 1324 and 0.5 mile north of its junction with State Secondary Road 1309.

The Sutton, Harvey, farm located on the west side of State Secondary Road 1331 and 0.2 mile south of its junction with State Secondary Road 1330.

The Sutton, John W., farm located in the southwest junction of State Secondary Road 1333 and State Secondary Road 1330.

The Sutton, Nancy, farm located on the south side of State Secondary Road 1330 and 0.5 mile east of its junction with State Secondary Road 1331.

The Sutton, Nathan, farm located on the southeast side of State Secondary Road 1311 and 0.6 mile southwest of its junction with State Secondary Road 1318.

The Sutton, Robert H., farm located on the south side of State Secondary Road 1324 and 0.2 mile east of its junction with State Secondary Road 1327.

The Sutton, W. Edward, farm located on the east side of State Secondary Road 1333 and 0.4 mile south of State Secondary Road 1330.

The Taylor, Heber, farm located on the north side of State Secondary Road 1161 and 0.3 mile east of its junction with State Highway 55.

The Walters, H. F., farm located on both sides of State Secondary Road 1335 and 0.4 mile north of its junction with State Secondary Road 1324.

Moore County. The Burwell, Sam, farm located on the south side of State Secondary Road 2023 and 0.4 mile southwest from the junction of said road and State Secondary Road 1853.

The Marks, E. M., farm located on the south side of State Secondary Road 2019 and 2.5 miles east of the junction of said road and State Secondary Road 2018.

Onslow County. The Henderson, Charlie, farm located on the east side of State Secondary Road 1528, and 0.2 mile north of the junction of said road with State Secondary Road 1518.

The Lanier, Larry, farm located on the north side of State Secondary Road 1223 and 0.5 mile east from the junction of said road and State Secondary Road 1222. Said junction being located 1.2 miles north of junction of State Secondary Roads 1222 and 1001.

The Lanier, Marion, farm located on the southeast side of State Secondary Road 1224, and 0.7 mile northeast from the junction of said road and State Secondary Road 1222.

The Marshburn, James B., farm located on the southeast side of State Secondary Road 1224, and 0.8 mile from the junction of said road and State Secondary Road 1222.

Pender County. That area bounded by a line beginning at a point where State Secondary Road 1104 intersects the Pender-

Bladen County line, and extending northeast along said county line to its junction with Black River, then southeast along said river to its intersection with State Highway 210, then southwest along said highway to its junction with State Secondary Road 1103, then southeast along said road to its junction with State Secondary Road 1104, then southwest and northwest along said road to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Road 1517, junctions with U.S. Highway 117, and extending northwest along said highway to its intersection with Walker Swamp, then northeast along said swamp to its junction with Pike Creek, then southeast along said creek to its junction with the Northeast Cape Fear River, then south along said river to its intersection with State Highway 210, then southwest along said highway to its junction with State Secondary Road 1518, then southeast along said road to its junction with State Secondary Road 1517, then westerly along said road to the point of beginning.

The Anderson, Julian W., farm located on both sides of State Secondary Road 1108 and 0.9 mile northwest of the junction of said road and State Secondary Road 1107.

The Batson, Arthur, farm located on the east side of State Secondary Road 1411 and 1.5 miles east of its intersection with U.S. Highway 117.

The Corbett, W. M., farm located on both sides of State Secondary Road 1201 at its junction with State Secondary Road 1200.

The Dees, Betty B., farm located 0.6 mile east of State Secondary Road 111 and 1.5 miles east of its intersection with U.S. Highway 117.

The Fensel, F. P., farm located on the north side of State Secondary Road 1103 and 0.6 mile west of its junction with State Secondary Road 1133.

The Kea, Leo, farm located 0.5 mile east of State Secondary Road 1105 and 1 mile southwest of the junction of said road and State Secondary Road 1104.

The Hutcheson, Katie, farm located on field road 1.7 miles east of U.S. Highway 117 and 0.3 mile south of its intersection with State Secondary Road 1411.

The Lanier, Admah, farm located on the southeast side of State Secondary Road 1411 and 1.4 miles east of its intersection with U.S. Highway 117.

The Marshall, Crawford, farm located on the north side of State Secondary Road 1103 and 0.6 mile west of its junction with State Secondary Road 1133.

The Marshall, Milvin, farm located on the north side of State Secondary Road 1103 and 0.6 mile east of the southern junction of said road and State Secondary Road 1104.

The McCallister, Mary K., farm located 0.2 mile east of State Secondary Road 1105 and 1 mile southwest of the junction of said road and State Secondary Road 1104.

The Newkirk, M and F, farm located on the south side of State Secondary Road 1131 and 0.7 mile west of its junction with State Secondary Road 1121.

The Stringfield Estate, John, located on southwest side of State Secondary Road 1517 and 1.4 miles east of the junction of said road and U.S. Highway 117.

The Terrell, Nancy, farm located on a field road 2.8 miles east of U.S. Highway 117 and 0.3 mile south of its intersection with State Secondary Road 1411.

The Thompson, Dick, farm located on the southwest side of State Secondary Road 1108 and 0.5 mile northwest of its junction with State Secondary Road 1107.

The Ward, Mary Alice, farm located on a field road 0.9 mile east of State Secondary Road 1141 and 1.5 miles east of its intersection with U.S. Highway 117.

Pitt County. That area bounded by a line beginning at a point where State Secondary Road 1919 intersects the Pitt-Craven County line, then southwest along said county line to its intersection with State Secondary Road 118, then westward along said highway to its intersection with State Secondary Road 1753, then northward along said road to its junction with State Secondary Road 1919, then eastward to the point of the beginning.

The Gardner, Charlie D., farm located on both sides of State Secondary Road 1910 at junction of said road and State Highway 118.

The Garris, Bruce E., farm located in the south junction of State Highway 118 and State Secondary Road 1916.

The Hodges, M. B., farm located on the east side of State Secondary Road 1907 and 1.1 miles north of State Highway 118.

Richmond County. The David, Ethel, farm located on both sides of State Secondary Road 1803, on the west side of the intersection of said road with State Secondary Road 1825.

The Dumas, Reba, farm located on the northeast side of State Secondary Road 1083 and 0.3 mile northwest of said intersection of State Highway 38.

The Poe, William, farm located 0.6 mile on unnumbered road off State Road 1475 and 0.2 mile southeast of its junction with State Road 1486.

The Sorenzen, Gladys, farm located on the southwest side of State Secondary Road 1803 and 0.4 miles northwest of the intersection of said road and State Highway 38.

The Steele, Thomas, farm located on the northwest side of State Road 1442 and 0.4 mile southwest of its junction with State Road 1489.

The Terry, Ruth, farm located on both sides of State Secondary Road 1442 and 0.2 mile northeast of its junction with State Secondary Road 1477.

The Thomas, Walter, farm located on both sides of U.S. Highway 220 and 0.4 mile northeast of its junction with State Secondary Road 1433.

The Wall, Ben, farm located on the northeast side of the State Secondary Road 1440 and 0.4 mile southeast of its junction with State Secondary Road 1433.

The Waters, Will, farm located on both sides of State Secondary Road 1623 and 0.4 mile southwest of its junction with State Secondary Road 1607.

The Watkins, John Q., farm located on the southeast side of State Secondary Road 1476 and 0.3 mile northeast of its junction with State Secondary Road 1442.

The Watkins, Mosby, farm located on both sides of State Secondary Road 1476 and 0.2 mile northeast of its junction with State Secondary Road 1442.

Robeson County. The entire county.
Sampson County. The entire county.

Scotland County. That area bounded by a line beginning at a point where U.S. Highway 74 intersects the Robeson-Scotland County line, then west along said highway to its intersection with the Laurinburg city limits, then northerly and westerly along said city limits to its junction with U.S. Highway 15, 401, and 501, then southwest along said highway to its intersection with State Secondary Road 1300, then northwesterly along said road to its junction with State Secondary Road 1105, then northwesterly along said road to its junction with State Secondary Road 1324, then northerly along said road to its intersection with State Secondary Road 1345, then northwesterly along said road to its intersection with State Secondary Road 1341, then northeasterly along said road to its junction with State Secondary Road 1328, then northerly along said road to its intersection with the Southern boundary to the Sandhills Game Management Area, then easterly along said boundary to its intersection with U.S. Highway 15-501, then north along said highway to its intersection with the Scotland-Hoke County line, then southeasterly along said county line to the Scotland-Robeson County line, then southwest along said county line to the point of beginning.

The Butler, Luther, farm located on the south side of State Secondary road 1154 and 0.2 mile east of the junction of said road with State Secondary Road 1155.

The Carmichael, John, farm located on both sides of State Secondary Road 1612 and 0.2 mile southwest of its intersection with State Secondary Road 1611.

The Jones, R. D., farm located on the northeast side of State Secondary Road 1601 and 0.2 mile northwest of its junction with State Secondary Road 1609.

The Morgan, J. D., farm located on the east side of State Secondary Road 1346 and 0.5 mile north of the junction of said road with State Secondary Road 1343.

The Morgan, J. D., farm located on both sides of State Secondary Road 1345 and 0.1 mile northwest of its junction with State Secondary Road 1342.

The Sharpe, Preston, farm located on the south side of U.S. Highway 74 and 0.2 mile west of the junction of said highway with State Secondary Road 1153.

The Steele, J. D., farm located on both sides of State Secondary Road 1351 and 0.9 mile northwest of the junction of said road with State Secondary Road 1346.

The Stewart, Claude, farm located on the northwest side of State Secondary Road 1612 and 0.7 mile northeast of the junction of said road with State Secondary Road 1619.

Wayne County. That area bounded by a line beginning at a point where the State Highway 111 and State Secondary Road 1744 intersect, then westerly along said road to its junction with State Secondary Road 1948, then southerly along said road to its intersection with State Secondary Road 1745, then westerly along said road to its junction with State Secondary Road 1915, then northerly along said road to its intersection with State Secondary Road 1744, then

westerly along said road to its intersection with State Secondary Road 1937, then northerly on said road to its junction with State Secondary Road 1932, then northerly on said road to its intersection with State Secondary Road 1120, then easterly along said road to its junction with State Secondary Road 1915, then easterly from said junction along an imaginary line to the junction of Sleepy Creek and Nuese River, then easterly along said river to its intersection with State Highway 111, then southerly along said highway to the point of beginning.

The Bowden, B. J., farm located on the west side of State Secondary Road 1931 and 0.2 mile south of intersection of said road and State Secondary Road 1120.

The Carraway, Ethel, farm located on the east side of State Secondary Road 1915 and 0.1 mile north of the junction of said road and State Secondary Road 1120.

The Crawford, William P., farm located on the south side of State Secondary Road 1330 and 0.9 mile west of State Highway 581.

The Dawson, L. A., farm located on the west side of State Highway 111 and 0.5 mile south of the junction of said highway and State Secondary Road 1730.

The Grady, Gertrude W., farm located on the south side of State Secondary Road 1741 and 0.7 mile east of its junction with State Secondary Road 1740.

The Grant, Charlie, farm located on the south side of State Secondary Road 1745 and 0.4 mile west of its junction with State Secondary Road 1952.

The Grant, Maggie, Estate located on the west side of State Highway 111 and 1.9 miles south of the junction of State Secondary Road 1730 with said highway.

The Green, Bessey, farm located at the southern end of the State Secondary Road 1741 and 1.3 miles east of its junction with State Secondary Road 1740.

The Haggin, Joe, No. 2, farm located on the east side of State Secondary Road 1931 and 1.1 miles northeast of its intersection with State Secondary Road 1120.

The Herring, Charles F., farm located on the south side of State Secondary Road 1741 and 0.3 mile east of its junction with State Secondary Road 1740.

The Herring, Harmon, farm located on the south side of State Secondary Road 1734 and 0.4 mile east of its junction with State Secondary Road 1731.

The Herring, Thel, farm located on the west side of State Secondary Road 1711 and 0.4 mile north of its junction with U.S. Highway 70A.

The Humphrey, Josephine, farm located on the east side of State Secondary Road 1932 and 0.2 mile north of its intersection with State Secondary Road 1120.

The Ivey, W. H., farm located on the south side of State Secondary Road 1734 and 0.3 mile east of its junction with State Secondary Road 1731.

The Jackson, Major, farm located on the east side of State Secondary Road 1731 and 0.6 mile north of the Neuse River.

The Jones, Mary, farm located on both sides of State Secondary Road 1730 and its junction with State Secondary Road 1731.

The Lane, Alfred, farm located on the south side of State Secondary Road 1730 and 0.4

mile east of its junction with State Highway 111.

The Lofton, Burt & Davis, King, farm located on the east side of State Secondary Road 1739 and 0.3 mile south of its junction with State Highway 55.

The Lofton, Mary F., farm located on the south side of State Secondary Road 1745 and 0.1 mile west of its junction with State Secondary Road 1952.

The McClenny, G. A., farm located on the south side of State Secondary Road 1007 and 0.1 mile west of the junction of said road with State Highway 581.

The Parks, Robert, farm located on the southeast side of State Secondary Road 1932 and 0.5 mile northeast of its intersection with State Secondary Road 1120.

The Price, James, farm located in the southeastern intersection of State Highway 111 and State Secondary Road 1745.

The Price, Jessie W., farm located on the east side of State Secondary Road 1948 and 0.7 mile south of the junction of said road and State Secondary Road 1744.

The Ray, Cora Pate, farm located on both sides of State Secondary Road 1730 and 0.8 mile west of its junction of State Secondary Road 1731.

The Raynor, Early, No. 1, farm located on the south side of U.S. Highway 13 and 0.3 mile east of its junction with State Secondary Road 1207.

The Raynor, Early, No. 2, farm located on the north side of State Secondary Road 1101 and 0.7 mile east of its intersection with State Secondary Road 1105.

The Raynor, Elester, farm located on the east side of State Secondary Road 1105 and 0.8 mile south of its intersection with U.S. Highway 13.

The Sasser, Johnny, farm located on the west side of State Secondary Road 1931 and 0.3 mile south of its junction with State Secondary Road 1930.

The Sasser, Rosa, farm located on both sides of State Highway 111 and 0.1 mile south of its junction with State Secondary Road 1912.

The Smith, Alfred, farm located on the north side of State Secondary Road 1330 and 0.9 mile west of the junction of said road and North Carolina Highway 581.

The Smith, Arnold, farm located on the southeast side of State Secondary Road 1932 and 0.5 mile northeast of its intersection with State Secondary Road 1120.

The Smith, M. G., farm located on the west side of State Secondary Road 1952 and 0.3 mile south of its junction with State Secondary Road 1745.

The Smith, W. H., farm located on the east side of State Secondary Road 1932 and 1.5 miles southeast of intersection of said road and State Secondary Road 1744.

The Talton, Lillian D., farm located on the south side of State Secondary Road 1730 and 0.6 mile east of its junction with State Highway 111.

The Whitfield, Herman, farm located at the end of State Secondary Road 1729.

The Williams, Eddie, farm located on the north side of State Highway 581 and the east side of State Secondary Road 1236 at the junction of said roads.

South Carolina

(1) *Generally infested area.* None.

(2) *Suppressive areas.*

Darlington County. The Atkinson Farms located on both sides of State Secondary Highway 173 and 0.5 mile west of its intersection with State Secondary Highway 35.

The Flowers, William M., farm located on the north side of State Secondary Highway 14 and 1.4 miles east of its intersection with State Secondary Highway 13.

The Green, M. L., farm located on the east side of State Secondary Highway 133 and 0.75 mile north of junction of said highway 133 with State Secondary Highway 29.

The Johnson, William, farm located on the north side of a dirt road and 0.6 mile northwest of its junction with State Secondary Highway 133, said junction being 2 miles south of the intersection of said highway and State Secondary Highway 41.

Dillon County. The entire county.

Florence County. That area bounded by a line beginning at a point where State Secondary Highway 925 and State Secondary Highway 24 junction and extending east and southeast along State Secondary Highway 24 to its junction with State Secondary Highway 13, then along a line projected due east from said junction to its intersection with the Great Pee Dee River, then south along said river to its junction with Barfield's Old Mill Creek, then northwest and west along said creek to its intersection with State Secondary Highway 57, then north along said highway to its junction with State Secondary Highway 893, then west and southwest along State Secondary Highway 893 to its junction with State Secondary Highway 70, then northwest along said highway to its junction with State Secondary Highway 897, then southwest and south along said highway to its junction with State Primary Highway 51, then west and northwest along said highway to its intersection with State Primary Highway 327, then northwest and west along said highway to its junction with State Secondary Highway 552, then north along said highway to its junction with State Secondary Highway 551, then northwest along a dirt road to its junction with a second dirt road, said junction being 0.1 mile east of Goodland School, then northeast along said second dirt road to its junction with State Secondary Highway 57, then southeast along said highway to its intersection with the Seaboard Coast Line Railroad, then northwest along said railroad to its intersection with State Secondary Highway 13, then east along said highway to its junction with State Secondary Highway 918, then north and northeast along said highway to its junction with State Primary Highway 327, then north along said highway to its intersection with U.S. Highway 76, then west along said highway to its junction with State Secondary Highway 925, then north along said highway to the point of beginning, excluding the area within the unincorporated limits of the town of Hyman.

That area bounded by a line beginning at a point where State Secondary Highway 794 and State Secondary Highway 72 junction and extending south along State Secondary Highway 72 to its intersection with State

Secondary Highway 46, then northeast along said highway to its intersection with State Secondary Highway 34, then southeast along said highway to its junction with State Secondary Highway 360, then northeast along said highway to its junction with a dirt road, said junction being 1.6 miles northeast of the junction of State Secondary Highways 34 and 360, then southeast along said dirt road for a distance of 1.2 miles to its junction with a second dirt road, then southwest along said dirt road to its junction with State Secondary Highway 34, then south along said highway to its junction with U.S. Highway 378, then west along said highway to its junction with State Secondary Highway 47, then northwest and west along said highway to the corporate limits of the town of Scranton, then north and west along the east and north perimeter of said corporate limits to its intersection with the Seaboard Coast Line Railroad, then north along said railroad to the corporate limits of the town of Coward, then north along the east perimeter of the town of Coward to its intersection with State Secondary Highway 794, then northeast along said highway to the point of the beginning.

That area bounded by a line beginning at a point where State Secondary Highway 66 and the Seaboard Coast Line Railroad intersect and extending southeast along said railroad to its intersection with State Secondary Highway 57, then south along said highway to its junction with U.S. Highway 378, then west along said highway to its intersection with Deep Creek, then southwest along said creek to its junction with Lynch River, then west along said river to its junction with Little Swamp, then north along said swamp to its intersection with State Secondary Highway 66, then east along said highway to the point of the beginning.

The Canal Timber Company, farm located at the junction of State Secondary Highway 57 and State Secondary Highway 791. Said farm being on all sides of said junction.

The Carroway, Hayward, farm located on the south side of State Secondary Highway 72 and 1 mile southwest of its intersection with U.S. Highway 52.

The Carroway, Luther, farm located on both sides of State Primary Highway 51 and 0.1 mile northwest of the intersection of said highway and State Secondary Highway 46.

The Georgia Pacific Paper Company, farm located on the south side of the junction of two dirt roads, said junction being 0.8 mile east of its junction with State Secondary Highway 461, said junction being 0.8 mile north of the intersection of said highway and State Secondary Highway 85.

The Hall, James, farm located on both sides of a dirt road and 0.6 mile south of its junction with State Secondary Highway 501, said junction being 1.5 miles southeast of the junction of said highway and U.S. Highway 301.

The Hannah, Bert, farm located on the south side of a dirt road and 1 mile west of its junction with State Secondary Highway 633, said junction being 0.1 mile south of the junction of said highway and State Secondary Highway 58.

The Lyde, Mamie, farm located on the east side of State Secondary Highway 72 and 0.5 mile south of its junction with State Secondary Highway 794.

The McAllister, Armstrong, farm located at the end of a dirt road and 0.4 mile northwest of its junction with another dirt road, then south along said dirt road to its junction with another dirt road, then westerly along said dirt road to its junction with the State Secondary Highway 34, said junction being 1.1 miles southeast of the junction of State Secondary Highway 149 with State Secondary Highway 34.

Horry County. That area bounded by a line beginning at a point where State Secondary Highway 33 intersects the South Carolina-North Carolina State line and extending south along said highway to its intersection with State Secondary Highway 306, then west along said highway to its intersection with State Secondary Highway 142, then south along said highway to its junction with State Primary Highway 9, then northwest along said highway to its intersection with State Secondary Highway 59, then southwest and south along said highway to its junction with State Primary Highway 817, then southwest along said highway to its intersection with State Secondary Highway 19, then south and southeast along said highway 19 to its intersection with U.S. Highway 701 at Allsbrook, then northeast along said highway to its intersection with State Primary Highway 9, then southeast and south along said highway to its intersection with the Waccamaw River, then northeast along said river to its intersection with South Carolina-North Carolina State line, then southeast along said State line to its intersection with U.S. Highway 17, then southwest along said highway to its junction with State Primary Highway 90, then west along said highway to its intersection with a dirt road known as Telephone Road, said intersection being 1.3 miles west of Wampee, then southwest and south along Telephone Road to its end, then northwest along a projected line for 1.9 miles to its junction with Jones Big Swamp, then northwest along said swamp to its junction with the Waccamaw River, then west along said river to its intersection with Stanley Creek, then north along said creek 1.6 miles, then northwest along said creek 2.8 miles, then north along a line projected from a point beginning at the end of the main run of said creek, and extending north to the junction of said line with State Primary Highway 905, then southwest along said highway to its junction with State Secondary Highway 19, then north along said highway 2.4 miles to its junction with a dirt road.

Then southwest along said road to its intersection with Maple Swamp, then north along said swamp to its intersection with State Secondary Highway 65, then southwest along said highway to its junction with U.S. Highway 701, then south along said highway to its intersection with U.S. Highway 501, then northwest along said highway to its intersection with State Secondary Highway 548, then west along said highway to its junction with a dirt road, then west along said dirt road to its junction with State Secondary Highway 78, then north along said highway to its junction with State Secondary Highway 391, then northeast along said highway to its junction with U.S. Highway 501, then southeast along said highway to its junction with State Secondary Highway 591,

then north along said highway to its intersection with State Secondary Highway 97, then east 0.2 mile to its intersection with a dirt road, then north along said dirt road to its junction with State Primary Highway 319, then northwest along said highway to its junction with State Secondary Highway 131, then east and north along said highway to its intersection with Loosing Swamp, then west and northwest along said swamp to its intersection with State Secondary Highway 45, then southwest along said highway to its junction with State Secondary Highway 129, then northwest along said highway to its junction with U.S. Highway 501, then northwest along the latter highway to its intersection with Little Pee Dee River, then northwest along said river to its junction with the Lumber River, then northeast along said river to its intersection with the South Carolina-North Carolina State line, then southeast along said State line to the point of beginning, excluding the area within the corporate limits of the towns of Conway and Loris.

The Alford, Alex, farm located on the south side of a dirt road and being 2 miles southwest and west of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The Barnhill, Edgar, farm located on both sides of a dirt road and 0.4 mile east of its junction with State Primary Highway 90, said junction being 0.1 mile northeast of the junction of said highway and State Secondary Highway 377.

The Edge, Nina L., farm located on the west side of a dirt road and 0.8 mile southeast of its junction with a second dirt road, said junction being 0.5 mile south of the junction of the second dirt road and State Primary Highway 90, said second junction being 0.8 mile southwest of the junction of said highway and State Secondary Highway 31.

The Gore, Sumpter, farm located on both sides of a dirt road and 0.75 miles north of the intersection of said dirt road and State Primary Highway 9, said intersection being at Goretown.

The Hucks, Edd, farm located on the north side of a dirt road and 1 mile west of its junction with State Secondary Highway 109, said junction being 1.5 miles northeast of the junction of said highway and State Secondary Highway 79.

The Jordan, Blease, farm located on the north side of a dirt road and 0.6 mile east of its junction with State Secondary Highway 78, said junction being 1.9 miles northwest of the junction of said highway and U.S. Highway 378.

The Martin, Daniele E., farm located on the east side of State Primary Highway 90 and 0.9 mile northeast of the junction of said highway and State Secondary Highway 377.

The Page, Cordie, farm located on the north side of State Secondary Highway 128 and 0.4 mile west of the junction of said highway and U.S. Highway 501, said junction being at Aynor.

The Richardson, Talmage, farm located on the north side of a dirt road and 1 mile southwest of the junction of said dirt road

and State Secondary highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The Williamson, Vide, farm located on both sides of a dirt road and 0.4 mile from the junction of said dirt road and State Primary Highway 410, said junction being 0.7 mile northeast of the intersection of State Primary Highway 410 and State Secondary Highway 19.

Marion County. The entire county.
Marlboro County. That portion of the county lying south and east of U.S. Highway 15, excluding the area within the corporate limits of the towns of Bennettsville, McColl, and Tatum.

The Bowman, Cecil, farm located on both sides of a dirt road and 0.5 mile northeast of junction of said dirt road and State Secondary Highway 257, said junction being 0.4 mile north of junction of said highway and State Secondary highway 165.

The Quick, B. F., farm located on the south side of a dirt road 1 mile southwest of its junction with State Secondary Highway 257, said junction being 1.75 miles northeast of the intersection of said highway and State Secondary Highway 165.

The Strong, Marvin, farm located on the south side of the South Carolina North-Carolina State line and 1.3 miles east of its intersection with State Primary Highway 177. (Sec. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 37 FR 28404, 28477; 38 FR 19141; 7 CFR 301.80)

Done at Washington, D.C., this 13th day of April, 1983.

H. L. Ford,

Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service

[PR Doc. 83-10192 Filed 4-15-83; 8:45 am]

BILLING CODE 3410-34-M

Agricultural Marketing Service

7 CFR Parts 1033 and 1036

Milk in Ohio Valley and Eastern Ohio-Western Pennsylvania Marketing Areas; Order Suspending Certain Provisions of the Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Suspension of rules.

SUMMARY: This action suspends for April through December 1983 the seasonal producer payment plans (Louisville plans) under the Ohio Valley and Eastern Ohio-Western Pennsylvania milk order. The payment plans were designed to encourage dairy farmers to maintain more stable production levels throughout the year. The plans operate by withholding 25 cents per hundredweight from payments to producers during April through July and distributing the money to producers supplying the market during September

through December. The suspension was requested by Milk Marketing, Inc., a cooperative association representing producers supplying milk to both markets. The association expressed concern that the proposed suspension of the seasonal payment plans in the Indiana and Louisville-Lexington-Evansville orders would cause serious price misalignment due to intermingling of producers shipping to handlers regulated under those adjoining Federal orders.

EFFECTIVE DATE: April 18, 1983.

FOR FURTHER INFORMATION CONTACT:

Clayton H. Plumb, Chief, Order Formulation Branch, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-8273.

SUPPLEMENTARY INFORMATION: Prior document in this proceeding:

Notice of Proposed Suspension: Issued March 18, 1983; published March 24, 1983 (48 FR 12387).

It has been determined that this suspension is not a major action under the criteria set forth in Executive Order 12291.

It also has been determined that the need for suspending certain provisions of the orders on an emergency basis precludes following certain review procedures set forth in Executive Order 12291. Such procedures would require that this document be submitted for review to the Office of Management and Budget at least 10 days prior to its publication in the *Federal Register*. However, this would not permit the completion of the required suspension procedures in time to include April 1983 in the suspension period. The initial request for this action was received March 14, 1983. A notice of proposed suspension was issued on March 18, 1983, inviting interested parties to comment on the proposed action by March 31, 1983.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action will not have a significant economic impact on a substantial number of small entities. Such action assures the orderly marketing of milk in the affected and adjoining marketing areas in that producers regularly supplying the markets otherwise would have an incentive to shift their supply to adjoining markets during the "take-out" months of the seasonal payment, or "Louisville", plans in order to avoid the months in which 25 cents per hundredweight is deducted under the Ohio Valley and Eastern Ohio-Western Pennsylvania milk orders.

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and of the orders regulating the handling of milk in the Ohio Valley and Eastern Ohio-Western Pennsylvania marketing areas.

Notice of proposed rulemaking was published in the *Federal Register* on March 24, 1983, (48 FR 12387) concerning a proposed suspension of certain provisions of the orders. Interested persons were afforded an opportunity to file written data, views, and arguments thereon.

After consideration of all relevant material, including the proposal in the notice, the comments received, and other available information, it is hereby found and determined that for the months of April through December 1983 the following provisions of the orders do not tend to effectuate the declared policy of the Act:

1. In § 1033.61, paragraph (g), the words", except for the months specified below,"; and all of paragraphs (h) through (l).

2. In § 1033.70, all of paragraph (b); and in paragraph (c), the words "or (1)".

3. In § 1036.61, paragraph (f), the words "For the months of January through March and August,"; and all of paragraphs (g) through (l).

4. In § 1036.70, all of paragraph (b).

Statement of Consideration

This action makes inoperative for 1983 the provisions of the Ohio Valley and Eastern Ohio-Western Pennsylvania milk orders that contain the seasonal producer payment plans, or "Louisville" plans, for those orders. Under those provisions, 25 cents per hundredweight of producer milk is deducted from the pooled value of milk in computing the uniform prices to producers during the months of April through July. The monies so accumulated are added to the pool funds in computing the uniform prices to producers for each month of September through December. The payment plan is intended to encourage a more stable level of milk production throughout the year.

Suspension of the Louisville plans for 1983 was requested by Milk Marketing, Inc. (MMI), a cooperative association representing a large proportion of the producers supplying both markets. In supporting its request, the cooperative claims that proposed suspensions of the Louisville plans in the Indiana and Louisville-Lexington-Evansville orders would cause serious price misalignment between Federal orders and could result in disorderly marketing unless the

seasonal payment plans for Ohio Valley and Eastern Ohio-Western Pennsylvania are also suspended. The cooperative stated that producers shipping to handlers regulated by the Ohio Valley, Louisville-Lexington-Evansville, and Indiana orders are intermingled geographically, as are producers shipping to handlers regulated by the Ohio Valley and Eastern Ohio-Western Pennsylvania orders. According to the cooperative, misalignment between pay prices to producers in these orders would occur for eight of the twelve months of 1983 and could result in disorderly marketing as producers change markets for temporary gains.

The cooperative also claims that the seasonal payment plans have become less effective in leveling out producer deliveries as the seasonal adjustment has become a smaller percentage of the total price received by producers. In 1970, for instance, the 25-cent "take-out" represented approximately 4.3 percent of the blend price paid to producers in Eastern Ohio-Western Pennsylvania, while in 1982 the same deduction was less than 2 percent of the blend price.

A further consideration cited by MMI in support of its suspension request is the impact on dairy farmers' cash flow of the April through July 25-cent reduction of the producer pay prices when combined with the 50-cent per hundredweight assessment under the Dairy Price Support Program, to be effective with April 18, 1983, milk deliveries. The cooperative asserts that suspension of the seasonal payment plans will absorb some of the impact of that assessment, if implemented, and allow dairy farmers time to adjust their operations.

Interested parties were given the opportunity to submit written data, views or arguments concerning the suspension. Comments supporting the suspension were received from a cooperative association which markets the milk of its members in the Eastern Ohio-Western Pennsylvania marketing area, from several individual dairy farmers, and from Milk Marketing, Inc. Negative comments received related primarily to the 50-cent per hundredweight assessment under the Dairy Price Support Program rather than specifically being addressed to the suspension of the Louisville plans.

In view of the potential for disorderly marketing, the aforesaid provisions should be suspended to avoid serious misalignment of prices to producers in adjoining Federal milk orders. This action will remove an incentive for dairy farmers to change markets in order to benefit from producer pay prices that are temporarily higher.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to assure the orderly marketing of milk in the affected and adjoining marketing areas in that producers who regularly supply the markets otherwise would have an incentive to shift to neighboring markets during the "take-out" months of the "Louisville" plans, thereby causing a disruption in the orderly marketing of milk;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded an opportunity to file written data, views or arguments concerning this suspension. No views opposing this suspension were received.

Therefore, good cause exists for making this order effective upon publication in the Federal Register.

List of Subjects in 7 CFR Parts 1033 and 1036

Milk marketing orders, Milk, Dairy products.

PARTS 1033 AND 1036—[AMENDED]

It is therefore ordered. That the aforesaid provisions in §§ 1033.61 and 1033.70 of the Ohio Valley order and §§ 1036.61 and 1036.70 of the Eastern Ohio-Western Pennsylvania order are hereby suspended for April through December 1983.

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

Effective date: April 18, 1983.

Signed at Washington, D.C., on April 13, 1983.

John Ford,

Deputy Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 83-10251 Filed 4-15-83; 8:45 am]

BILLING CODE 3410-02-M

ACTION: Final rule.

SUMMARY: The Federal Home Loan Bank Board has amended its regulations to prohibit use of the straight-line and sum-of-the-years-digits methods to amortize premiums and deferred income (such as loan discounts) on loans and securities if the amounts of such premiums and deferred income exceed 10 percent of the outstanding principal balances of those loans at the time the loans are made or acquired and the loans have a remaining term to maturity in excess of 7 years. Instead, use of the level-yield method of amortization of discounts and premiums is required in these circumstances. Prohibiting use of the straight-line and sum-of-the-years-digits methods is intended to avoid distorting reported earnings and remove artificial incentives for investment in deep-discount loans or securities. The Board also has amended its regulations to clarify that a state-chartered insured institution must notify the Principal Supervisory Agent of the concurrence of the institution's state supervisory authority when the institution elects to defer and amortize gains and losses from the disposition of mortgage loans or securities. Lastly, the Board has clarified provisions of the matching requirements contained in its regulations which authorize deferral and amortization of losses by eliminating unnecessary references and by adding clarifying language. The last two amendments are technical in nature and merely clarify existing requirements.

EFFECTIVE DATE: April 13, 1983 (amendments to 12 CFR 563c.14); December 31, 1982 (amendments to 12 CFR 563.23-1).

FOR FURTHER INFORMATION CONTACT:

Michael S. Joseph (202-377-6392), Professional Accounting Fellow, Office of Examinations and Supervision, or Robert S. Monheit (202-377-6466), Attorney, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, D.C. 20552.

SUPPLEMENTARY INFORMATION: On December 16, 1982, the Federal Home Loan Bank Board, by Resolution No. 82-809, proposed amendments to §§ 563.23-1 and 563c.14 of the regulations for the Federal Savings and Loan Insurance Corporation (48 FR 417; January 5, 1983). First, the proposal would have amended 12 CFR 563.23-1(g)(9) (1982) to require the use of the level-yield method of amortization of discounts and premiums related to loans when such deferred items exceed ten percent of the related loan balance (unless the loan was fully amortizing over a period not in excess of

FEDERAL HOME LOAN BANK BOARD

12 CFR Parts 563 and 563c

[No. 83-194]

Amortization Methods for Loan Premiums and Deferred Income; State Concurrence in Use of Deferral Accounting

Dated: April 6, 1983.

AGENCY: Federal Home Loan Bank Board.

seven years). The current regulation permits amortization by the level-yield, straight-line, or sum-of-the-years-digits methods. Second, the proposal would have amended 12 CFR 563c.14(b)(2) (1982) to clarify that a state-chartered insured institution should forward to the Principal Supervisory Agent at its Federal Home Loan Bank and the Director, Office of Examinations and Supervision, the concurrence of its state supervisory authority if the institution elects to defer and amortize gains and losses from the disposition of mortgage loans or certain securities. The current regulation does not specify to whom the required notification should be sent. Lastly, the proposal would have amended 12 CFR 563c.14(b)(3)(ii) and (c)(2) (1982) to clarify certain provisions of the matching requirements contained in the regulations which authorize the deferral and amortization of losses.

The Board received eleven comment letters on the proposed amendments. Commenters consisted of nine insured savings and loan associations, a savings and loan trade group, and a law firm which represents associations. All of the comments related only to the proposed change to acceptable amortization methods for premiums and discounts on loans. Five commenters were generally opposed to the proposed changes, four supported them, and two suggested certain clarifications to the proposal without specifically expressing support or opposition.

Clarifying Amendments

The clarifying amendments to § 563c.14 of the regulations are straightforward and, as demonstrated by the lack of comment with respect to them, noncontroversial. These clarifying amendments:

1. Remove specific references to § 563.23-1 of the Regulations in § 563c.14(c)(2) which requires that matching amortization methods and lives must be used with respect to deferred losses and discounts from the purchase of long-term deep-discount securities, and

2. Provide that a state-chartered institution that elects to defer and amortize gains and losses from the sale of loans or securities pursuant to § 563c.14 document the concurrence of its state supervisory authority to the Principal Supervisory Agent at the Federal Home Loan Bank at which it is a member.

The specific references to § 563.23-1 are unnecessary and have caused some institutions to incorrectly interpret § 563.14 as making § 563.23-1 applicable to transactions, specifically those involving securities, to which it does not

apply. The wording of paragraph (c)(2) of § 563.14 is amended to clarify that the amortization method and period used to amortize discounts and matching losses must be the same (except to the extent a shorter period is appropriate for the discount or the loss) and must be an appropriate method and period for both the discount and the loss. Finally, the amendment clarifies that an institution may change the method and period used to amortize a previously recorded deferred loss if necessary to comply with paragraph (c)(2). These amendments will make an institution's use of loss deferral accounting easier and less confusing. In addition, § 563c.14(b)(2) has been amended to explicitly state how a state supervisory authority's concurrence in the authority granted to institutions to defer and amortize gains and losses from the disposition of loans and certain securities is to be communicated to the Board. This amendment will eliminate confusion and will ensure that the information is sent to the most useful place. The Board therefore adopts these amendments as proposed, except for the requirement that additional notice be sent to the Director of the Office of Examinations and Supervision, which the Board deems necessary.

Amortization Methods

The proposed amendments to § 563.23-1 of the regulation would require that the level-yield method of amortization be used to recognize premiums and deferred income associated with loans which are not fully amortized within a period of seven years when such amounts exceed ten percent of the related loan balances and the loans have a remaining term to maturity in excess of seven years. Currently, the sum-of-the-years-digits or straight-line method may also be used to amortize these amounts.

When the Board authorized use of methods other than the level-yield method of amortization, accretion of premiums and deferred income did not constitute a significant portion of an institution's earnings from an investment in loans. Thus, the amortization method used did not materially affect an institution's reported income. At present, however, market interest rates differ from contract interest rates on a significant portion of mortgage loans available for purchase and sale in the secondary market. In addition, institutions are relying to a greater degree on the acquisition of loans to meet their investment requirements. One result of these new circumstances is that the method by which deferred income and

premiums (principally loan discounts) are amortized to income can have a significant impact on institutions' reported earnings.

The use of an accelerated amortization method, such as the straight-line or sum-of-the-years-digits method, tends to overstate the net book value of assets purchased at discount held by an insured institution. These methods permit income recognition during the early years after loan acquisition of a greater amount of discounts than is necessary to recognize a market rate of return on an institution's investments. The same is true with respect to deferred acquisition credits and other items of deferred income related to the making of a loan where the deferred income is intended to compensate an institution for making a below-market-rate loan. And the converse occurs (i.e., carrying amounts and income tend to be understated during the early years) when these methods are used to amortize premiums paid upon the purchase of loans.

Under the level-yield method of amortization, an institution's reported periodic earnings on a below-market-rate loan are maintained at the same level as a loan that bears an interest rate equal to a market interest rate in the amount invested in the loan. However, because the greatest distortions of reported earnings occur from the making or purchasing of longer-term loans whose contract interest rates are significantly different from market levels, the Board proposed to prohibit use of the straight-line or sum-of-the-years-digits methods only where the premiums or deferred income exceed ten percent of the remaining principal balances of the loans made or acquired. The prohibition would not have applied to a loan that provided for full amortization within its term and whose term did not exceed seven years. The commenters supporting the proposed amendment noted that this change would bring the Board's accounting regulations more closely into line with generally accepted accounting principles (GAAP) which require the level-yield method to be used with respect to premiums and deferred income. (Three commenters mistakenly indicated that the sum-of-the-years-digits method was consistent with generally accepted accounting principles.)

Two of the commenters favoring the proposal suggested that the Board fully embrace GAAP for all aspects of accounting for loan-related income. Even after adoption of the proposed action, differences between the Board regulations and GAAP would exist with

respect to the periods over which these amounts are to be amortized and the treatment of loan commitment fees received by an institution. Upon consideration, the Board believes that these areas of departure are not generally viewed to be significant and, accordingly, no action with respect to these aspects of the Board's regulations will be taken at this time.

One commenter suggested that the level-yield method is somewhat complex and guidance is needed with respect to its application. The complexity cited is premised, to a large extent, on the need to estimate prepayments (and to periodically evaluate the accuracy of these estimates) over the 20- to 30-year contractual life of a loan or group of loans. The Board notes, however, that the current regulation, 12 CFR 563.23-1 (1982), permits amortization over a period as short as ten years (or in certain circumstances fewer than ten years). Use of a ten-year amortization period simplifies the use of the level-yield method by eliminating the need to estimate prepayments. Further, the requirement to use the level-yield method can easily be avoided by purchasing loans at a price of at least 90 percent of their face amount or those with a remaining contractual life of seven years or less.

The Board believes, however, that the appearance of complexity should not be a deterrent to the adoption of a more accurate accounting procedure. To the extent the proposal is so perceived, the following discussion of the intended method of applying the level-yield method is intended to provide additional guidance in this area. The amortization method should be applied by assuming that scheduled monthly payments will be received for the amortization period (typically ten years) at the end of which time the entire remaining balance will be repaid. The amortization schedule derived from this application should then be applied regardless of the actual repayment characteristic of the loan or loans, unless of course it is completely repaid prior to the expiration of the ten-year period. The following example is intended to demonstrate how an amortization schedule should be constructed.

Assume that an institution purchases a loan which has a remaining principal balance of \$100,000, term of 20 years, and contract interest rate of 8 percent at a price of \$80,000. The resulting discount to be amortized is \$20,000 (\$100,000-\$80,000). The contractual monthly payment on this loan is \$836.44. Its projected balance at the end of the ten-

year amortization period is scheduled to be \$60,940.61.

The internal rate of return on the institution's \$80,000 investment (assuming receipt of monthly payments of \$836.44 for ten years and a balloon payment of \$68,940.61 at the end of the tenth year) is 11.8177%, compounded monthly. These amounts give rise to the following amortization schedule, which is also determined on a monthly compounding basis.

Year:	Scheduled interest income on \$100,000, 8 percent loan with \$836.44 monthly payments	Scheduled interest income on \$80,000, 11.8177 percent loan with \$836.44 monthly payments	Discount amortization (difference)
1	\$7,923.60	\$9,421.53	\$1,497.93
2	7,748.17	9,344.67	1,596.50
3	7,558.18	9,258.24	1,700.06
4	7,352.43	9,161.03	1,808.60
5	7,129.59	9,051.67	1,922.08
6	6,888.24	8,928.69	2,040.45
7	6,626.89	8,790.33	2,163.44
8	6,343.81	8,634.73	2,290.92
9	6,037.25	8,459.68	2,422.43
10	5,705.25	8,262.84	2,557.59
Total discount			20,000.00

Those commenters who were opposed to the proposed action generally acknowledged that the straight-line or sum-of-the-years-digits methods overstate income during the early years of owning a loan purchased at discount. However, they generally viewed this income enhancement to be desirable for the industry given its current financial condition. The Board believes that this approach toward accounting for investments of the industry is inappropriate and does not encourage investment decisions based upon economic merits. The Board therefore has determined to adopt the amendments as proposed.

Regulatory Flexibility Act Certification

Pursuant to 12 U.S.C. 605(b), the Board hereby certifies that the final rule will not have a significant economic impact on a substantial number of small entities. The amendments to 12 CFR 563c.14 are technical clarifying changes that impose no new costs but, instead, simplify the application of existing rules. The amendment to 12 CFR 563.23-1 will not impose new, significant costs, but will result in a more accurate reflection of income in accordance with generally accepted accounting principles.

Retroactive Application and Immediate Effective Date

In its notice of proposed rulemaking, the Board indicated that if adopted, the rule would be effective for all purchases of loans or commitments to purchase loans occurring on or after December 16, 1982. The proposed change would have permitted institutions to continue to use the straight-line and sum-of-the-years-digits method to amortize premiums and deferred income only: (1) With regard to loans that were invested in or committed to prior to December 16, 1982, and (2) where the use of such methods was authorized at the time of investment. This announcement of the proposed early effective date was intended to prevent institutions from making or acquiring deeply-discounted loans solely for the purpose of obtaining a boost to earnings from accelerated amortization of the deferred income during the period that the Board reviewed the comments on its proposal. Failure to impose a retroactive effective date would have provided a non-economic incentive to make investments in long-term deeply discounted loans during the comment period, potentially adversely affecting the inherent value of individual institutions. To facilitate the bookkeeping for these transactions, the Board has advanced the effective date of this final action to December 31, 1982, the end of the calendar year. For these reasons, the Board finds good cause to waive the 30-day delayed effective date requirement (for the amendment to 12 CFR 563.23-1), pursuant to 12 U.S.C. 553(d)(3) and 12 CFR 508.14.

As to the amendments to 12 CFR 563c.14, while the Board finds that retroactive application of these changes is unnecessary, the Board also finds good cause to waive the 30-day delayed effective date requirement because these changes are technical and clarifying in nature, 5 U.S.C. 553(d)(3), 12 CFR 508.14.

List of Subjects in 12 CFR Parts 563 and 563c

Savings and loan associations.

Accordingly, the Board hereby amends Parts 563 and 563c of Subchapter D, Chapter V of Title 12, Code of Federal Regulations, as set forth below.

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 563—OPERATIONS

1. Revise paragraphs (g)(9)(i) and (ii) of § 563.23-1, as follows:

§ 563.23-1 Premiums, discounts, charges, and credits with respect to loans; sale of real estate; and related items.

(g) *Definitions.* For purposes of this section:

(9) The term "approved method" means any one of the following methods for computing amortization of a capitalized premium or for recognizing deferred income (e.g., discounts and deferred acquisition credits):

(i) "Straight-line" method, as described in § 1.167(b)-1 of the Federal Income Tax Regulations (26 CFR 1.167(b)-1), but not, as to loans made or acquired after December 31, 1982 (excluding loans made or acquired after such date pursuant to a commitment entered into on or prior to such date), with respect to premiums or deferred income that exceed ten percent of the outstanding principal balance of a related loan on the date it is made or acquired unless the loan will be fully amortized within seven years of the date of closing or acquisition.

(ii) "Sum-of-the-years-digits" method, as described in § 1.167(b)-3 of the Federal Income Tax Regulations (26 CFR 1.167(b)-3), but not, as to loans made or acquired after December 31, 1982 (excluding loans made or acquired after such date pursuant to a commitment entered into on or prior to such date), with respect to premiums or deferred income that exceed ten percent of the outstanding principal balance of a related loan at the time it is made or acquired unless the loan will be fully amortized within seven years of the date of closing or acquisition.

PART 563c—ACCOUNTING REQUIREMENTS

2. Amend § 573c.14 by revising paragraphs (b)(2), (b)(3)(ii), (c)(2) and (c)(3) thereof, as follows:

§ 563c.14 Accounting for gains and losses on the sale or other disposition of mortgage loans, redeemable ground-rent leases, and certain securities; matching the amortization of discounts.

(b) *Amortization.* An institution making this election shall:

(2) If it is a state-chartered institution, exercise this election only if its state supervisory authority has provided the Corporation with either specific or blanket concurrence for state law purposes in the use of this accounting treatment by sending the concurrence to the board's Principal Supervisory Agent

at the Federal Home Loan Bank of which the institution is a member.

(3) Account for such gains and losses as follows:

(ii) Such gains or losses shall be amortized by the straight-line or level-yield methods over a period not to exceed the average of the remaining terms to maturity of the disposed mortgage loans or qualifying securities, or, in the case of redeemable ground-rent leases, a period not to exceed 40 years, with the yield calculated to reflect the length of the amortization period. Amortization periods for gains shall be established in the same manner as are amortization periods for losses deferred in the same fiscal year.

(c) *Matching the amortization of discounts and losses.*

(2) When long-term, deep-discount securities are purchased or otherwise acquired within six months preceding or subsequent to the disposition of a mortgage loan, mortgage-related security or debt security with respect to which an election to defer and amortize any loss or gain has been made pursuant to paragraph (a) of this section, the resulting discount shall be amortized over the same period and by the same method used to amortize any matching loss: *Provided*, that: (i) The method used for the loss is also an appropriate method by which to amortize a discount, and (ii) if the average of the remaining terms to maturity of the securities purchased is shorter than the period used to amortize the matching loss, then the average of the remaining terms to maturity of the securities purchased may be used as the amortization period for the discount.

(3) If necessary to meet the requirements of paragraph (c)(2) of this section, an institution may change the method and period by which the matching loss is being amortized. When making such a change, the amount of the matching loss shall be that portion of the loss that remains to be amortized as of the date of the change.

(Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended (12 U.S.C. 1725, 1726, 1730). Reorg. Plan No. 3 of 1947, 12 FR 4891, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,
Secretary.

[FR Doc. 83-10187 filed 4-15-83; 8:45 am]
BILLING CODE 6720-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 82-ANE-48; Amdt. 39-4521]

Airworthiness Directives; McCauley Accessory Division C200, C300, and C400 Series Constant Speed Propellers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction to final rule.

SUMMARY: In Docket No. 82-ANE-48, appearing on Page 633, Volume 48, No. 4 in the Federal Register of January 6, 1983, a list of "Applicable Blade Serial Numbers" and corresponding blade types were listed for Airworthiness Directive 82-27-02. The blade types for serial numbers B117730 through B117769 were erroneously stated as 90DHB-8 and 78TCA-0. The correct blade types are 90DCB-8 and 78TCA-0.

FOR FURTHER INFORMATION CONTACT: Mr. Henry L. Weiss, Chicago Aircraft Certification Office, Propulsion Branch, ACE-140C, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018; telephone: 312-694-7134.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, Amendment 39-4521 published in the Federal Register on page 633, Volume 48, Number 4, January 6, 1983, is hereby amended by correcting the blade type for Applicable Blade Serial Numbers B117730 through B117769 from 90DHB-8 and 78TCA-0 to 90DCB-8 and 78TCA-0.

(Secs. 313(a), 601 and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1855(c); Sec. 1189 Federal Aviation Regulation (14 CFR 11.89).

Issued in Burlington, Massachusetts on April 4, 1983.

Robert E. Whittington,
Director, New England Region.

[FR Doc. 83-10162 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-CE-45-AD; Amdt. 39-4632]

Airworthiness Directives; EMBRAER Models EMB-110P1 and EMB-110P2 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD), AD 83-04-03, applicable to EMBRAER Models EMB-110P1 and EMB-110P2 airplanes and codifies the corresponding emergency AD letter dated February 16, 1983, into the Federal Register. The priority letter AD required insertion of a temporary revision in the Airplane Flight Manual (AFM) Limitations Section which limited operation to a crew of two pilots for all operations. This version of the AD incorporates this requirement. Additionally, it provides for removal of this limitation if EMBRAER Control Wheel Spindles P/N 111A-500-10-01-10-01 or P/N 110-500-10-01-10-04 are installed and clarifies the airplane models to which the AD is applicable. Priority letter AD 83-04-03 was issued following a report of separation of a control wheel from an EMBRAER EMB-110 airplane as a result of a failure of a P/N 4A-500-10-01-10-03 control wheel spindle. The priority letter and this action will preclude loss of airplane control should the spindle fall at the crew station occupied by a single pilot.

DATES: Effective date: April 25, 1983, to all persons except those to who it has already been made effective by priority letter from the FAA dated February 16, 1983. Compliance: As prescribed in the body of the AD.

ADDRESSES: EMBRAER Service Bulletin No. 110-027-A070 dated February 10, 1983, applicable to this AD may be obtained from Empresa Brasileira de Aeronautica S/A (EMBRAER), P.O. Box 343-CEP, 12.200, Sao Jose Dos Campos, Sao Paulo, Brazil. A copy of this information is also contained in the Rules Docket, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Mr. Ben Davis, Airframe Branch, Atlanta Aircraft Certification Office, 1075 Inner Loop Road, College Park, Georgia 30337; Telephone (404) 763-7407.

SUPPLEMENTARY INFORMATION: The FAA was notified by the manufacturer and Centro Technico Aerospacial of Brazil (CTA) that a separation of a control wheel caused by failure of P/N 4A-500-10-01-10-03 control wheel spindle had occurred on an EMBRAER Model EMB-110 airplane. This resulted in the inability of the pilot to control the airplane at the crew station of the separated control wheel.

The FAA determined that this is an unsafe condition that may exist in other airplanes of the same type design, thereby necessitating the AD. It was

also determined that an emergency condition existed, that immediate corrective action was required and that notice and public procedure thereon was impractical and contrary to the public interest. Accordingly, the FAA notified all known United States registered owners of the airplanes affected by this AD by priority mail letter dated February 16, 1983. The AD became effective immediately as to these individuals upon receipt of that letter and is identified as AD 83-04-03.

Subsequently, the FAA has received EMBRAER Alert Service Bulletin No. 100-027-A070 dated February 10, 1983, which contains information for identification of spindles of the part number which failed and acceptable P/N 111A-500-10-01-10-01 or P/N 110-500-10-01-10-04 spindles not subject to the previously experienced failure. If either of the later identified control wheel spindles is installed, the temporary limitation establishing two crewmembers for all operations required to be inserted in the AFM by priority letter AD 83-04-03 is no longer necessary in the interest of safety. Also, the FAA has become aware of an ambiguity in the applicability statement caused by not specifying the complete model designations of the United States certificated airplanes.

Accordingly, priority letter AD 83-04-03, applicable to EMBRAER EMB-110 airplanes, is being expanded to incorporate a criteria for identification of the acceptable and unacceptable control wheel spindles and authorize deletion of the temporary limitations requiring two crewmembers for all operations when the acceptable control wheel spindles are installed. The applicability statement is also being clarified by stating the specific and complete model designation of United States certificated airplanes.

Since the unsafe condition described herein may still exist on other EMBRAER EMB-110 airplanes, this AD is being published in the Federal Register as an amendment to Part 39 of the Federal Aviation Regulations (14 CFR Part 39) to make it effective to all persons who did not receive the letter notification. Because a situation still exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

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

EMBRAER: Applies to Models EMB-110P1 and EMB-110P2 airplanes certificated in any category.

Compliance: Required as indicated, unless already accomplished.

To prevent loss of airplane control in the event of a control wheel failure, accomplish the following:

- (a) Effective immediately, operate the airplane with a minimum flight crew of two.
- (b) Within the next 10 hours time-in-service after the effective date of this AD, insert a temporary revision in the Airplane Flight Manual (AFM), Limitations Section, paragraph 2-19, Minimum Flight Crew, which substitutes the following for the flight crew requirements: "Minimum flight crew for all operations—two pilots".

Note.—Insertion of a copy of this AD at the above location in the AFM satisfies the requirements of paragraph (b).

(c) Incorporation of the temporary AFM revision required by this AD may be accomplished by the owner/operator of the airplane. This person must make the prescribed entry in the aircraft maintenance records, indicating compliance with paragraph (b) of this AD.

(d) If an inspection of the control wheel installation in accordance with EMBRAER Alert Service Bulletin No. 110-027-A070, dated February 10, 1983, verifies that the aircraft has Control Wheel Spindle P/N 111A-500-10-01-10-01 or P/N 110-500-10-01-10-04, installed at both crew stations, or upon installation of either of the above part numbers, the requirements of paragraphs (a) and (b) of this AD are no longer applicable.

(e) An equivalent method of compliance with this AD may be used if approved by the Manager, Atlanta Aircraft Certification Office, ACE-110A, 1075 Inner Loop Road, College Park, Georgia 30337.

This amendment becomes effective on April 25, 1983, to all persons except those to whom it has already been made effective by priority letter from the FAA dated February 16, 1983, and is identified as AD 83-04-03.

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

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an

emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the Rules Docket at the location identified under the caption "ADDRESSES."

Issued in Kansas City, Missouri, on April 7, 1983.

Murray E. Smith,

Director, Central Region.

(FR Doc. 83-10163 Filed 4-15-83; 8:45 am)

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ACE-21]

Designation of Transition Area; Eagle Grove, Iowa

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to designate a 700-foot transition area at Eagle Grove, Iowa, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Eagle Grove, Iowa, Airport, utilizing the Fort Dodge VORTAC as a navigational aid. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

EFFECTIVE DATE: June 9, 1983.

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

SUPPLEMENTARY INFORMATION: To enhance airport usage, a new instrument approach procedure is being developed for the Eagle Grove, Iowa, Airport, utilizing the Fort Dodge VORTAC as a navigational aid. The establishment of an instrument approach procedure based on this approach aid entails designation of a transition area at Eagle Grove, Iowa, at or above 700 feet above the ground (AGL) within which aircraft are provided air traffic control service. Transition areas are designed to contain IFR operations in controlled airspace during portions of the terminal operation and while transiting between the terminal and en route environment. The intended effect of this action is to ensure

segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR). This action will change the airport status from VFR to IFR.

Discussion of Comments

On pages 6551 and 6552 of the Federal Register dated February 14, 1983, the Federal Aviation Administration published a Notice of Proposed Rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Eagle Grove, Iowa. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rulemaking.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.m.t. June 9, 1983, by designating the following transition area:

Eagle Grove, Iowa

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Eagle Grove, Iowa Airport (latitude 42°42'35"N, longitude 93°54'49"W), and 2½ miles either side of the Fort Dodge, Iowa VOR 071° radial extending from the 5-mile radius area to 6 miles southwest of the airport excluding that airspace within the Clarion, Iowa, transition area.

(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 § 11.69 of the Federal Aviation Regulations (14 CFR 11.69).

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); 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 Kansas City, Missouri, on April 8, 1983.

John E. Shaw,

Acting Director, Central Region.

(FR Doc. 83-10163 Filed 4-15-83; 8:45 am)

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 23604; Amdt. No. 1240]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—

Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

FOR FURTHER INFORMATION CONTACT: Donald K. Funai, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence

Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the *Federal Register* expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship

between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Approaches—standard instrument, Aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.m.t. on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

* * * Effective June 9, 1983

Kaunakakai, Molokai, HI—Molokai, VOR OR TACAN-A, Amdt. 7
Hancock, MI—Houghton County Memorial, VOR Rwy 13, Amdt. 11
Hancock, MI—Houghton County Memorial, VOR Rwy 25, Amdt. 13
Hancock, MI—Houghton County Memorial, VOR Rwy 31, Amdt. 10

* * * Effective May 26, 1983

Meriden, CT—Meriden Markham Muni, VOR Rwy 36, Original
Georgetown, DE—Sussex County, VOR Rwy 4, Amdt. 3
Georgetown, DE—Sussex County, VOR Rwy 22, Amdt. 4
Kissimmee, FL—Kissimmee Muni, VOR/DEM-A, Amdt. 5
Naples, FL—Naples Muni, VOR Rwy 4, Amdt. 2
Naples, FL—Naples Muni, VOR Rwy 22, Amdt. 2
Naples, FL—Naples Muni, VOR/DME-A, Amdt. 4
Bainbridge, GA—Decatur County Industrial Airport, VOR-A, Amdt. 2
Flemingsburg, KY—Fleming-Mason, VOR/DME-A, Amdt. 1
Biddeford, ME—Biddeford, Muni, VOR-A, Amdt. 3
Millinocket, ME—Millinocket Muni, VOR-A, Amdt. 8
Baltimore, MD—Glenn L. Martin State, VOR Rwy 14, Amdt. 5
Laurel, MS—Hesler-Noble Field, VOR/DME-A, Amdt. 1
Gideon, MO—Gideon Memorial, VOR Rwy 15, Amdt. 1
Atlantic City, NJ—Atlantic City, VOR/DME, Rwy 22, Amdt. 3
Newburgh, NY—Stewart, VOR Rwy 27, Amdt. 1
Norwich, NY—Lt. Warren Eaton, VOR/DME-A, Amdt. 1
Wurtsboro, NY—Wurtsboro-Sullivan County, VOR-A, Amdt. 1
Shelby, NC—Shelby Muni, VOR/DME Rwy 5, Amdt. 7
Altoona, PA—Altoona-Blair County, VOR-A, Amdt. 1

Lancaster, PA—Lancaster, VOR/DME Rwy 28, Amdt. 4
Lancaster, PA—Lancaster, VOR Rwy 31, Amdt. 12
Lancaster, PA—Lancaster, VOR/DME Rwy 31, Original
Block Island, RI—Block Island State, VOR-A, Amdt. 3
Livingston, TN—Livingston Muni, VOR/DME Rwy 21, Amdt. 2
Brownsville, TX—Brownsville Intl, VOR or TACAN Rwy 26, Amdt. 19
Harlingen, TX—Rio Grande Valley Intl, VOR Rwy 13, Amdt. 7

* * * Effective May 12, 1983

Utica, NY—Oneida County, VOR/DME Rwy 33, Amdt. 4
Yankton, SD—Chan Gurney Muni, VOR Rwy 13, Amdt. 4
Yankton, SD—Chan Gurney Muni, VOR Rwy 31, Amdt. 2

* * * Effective March 30, 1983

Hutchinson, MN—Hutchinson Muni, VOR/DME Rwy 33, Amdt. 1

* * * Effective March 25, 1983

Salina, KS—Salina Muni, VOR Rwy 17, Amdt. 15

* * * Effective June 9, 1983

Visalia, CA—Visalia Muni, VOR/DME Rwy 30, Amdt. 3, cancelled

* * * Effective May 26, 1983

Meriden, CT—Meriden Markham Muni, VOR Rwy 36, Original, cancelled

Note.—The FAA published an amendment in Docket No. 23585, Amdt. No. 1239 to part 97 of the Federal Aviation Regulations (Vol. 48 FR No. 65 page 14359; dated April 4, 1983) under § 97.23 effective May 12, 1983, which is hereby amended as follows:

Bowling Green—Bowling Green Muni, VOR/DME-A, Amdt. 1. Change to read:
Bowling Green, MO—Bowling Green Muni, VOR/DME-A, Amdt. 1.

2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

* * * Effective June 9, 1983

Hancock, MI—Houghton County Memorial, LOC/DME BC Rwy 13, Amdt. 7

* * * Effective May 26, 1983

Dalton, GA—Dalton Muni, LOC Rwy 14, Amdt. 1
Cumberland, MD—Cumberland Muni, LOC-A, Original
Millville, NJ—Millville Muni, LOC Rwy 10, Amdt. 3
Niagara Falls, NY—Niagara Falls Intl, LOC (BC) Rwy 10L, Amdt. 4
Brownsville, TX—Brownsville Intl, LOC BC Rwy 31L, Amdt. 7
Harlingen, TX—Rio Grande Valley Intl, LOC BC Rwy 35L, Amdt. 8

* * * Effective April 5, 1983

Martinsburg, WV—Eastern WV Regional Airport/Shepherd Field, LOC BC Rwy 8, Amdt. 2

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

*** Effective June 9, 1983

Hancock, MI—Houghton County Memorial, NDB Rwy 31, Amdt. 7

*** Effective May 26, 1983

- Mobile, AL—Bates Field, NDB Rwy 14, Original
- Meriden, CT—Meriden Markham Muni, NDB Rwy 36, Amdt. 4
- Kissimmee, FL—Kissimmee Muni, NDB Rwy 15, Amdt. 7
- Miami, FL—Tamiami, NDB Rwy 9R, Amdt. 4
- Dalton, GA—Dalton Muni, NDB Rwy 14, Amdt. 2
- Flemingsburg, KY—Fleming-Mason, NDB Rwy 25, Amdt. 2
- Frenchville, ME—Northern Aroostook Regional, NDB Rwy 32, Amdt. 1
- Millinocket, ME—Millinocket Muni, NDB Rwy 29, Amdt. 1
- Baltimore, MD—Glenn L. Martin State, NDB Rwy 14, NDB Rwy 14, Amdt. 5
- Baltimore, MD—Glenn L. Martin State, NDB Rwy 32, Amdt. 5
- Farmingdale, NY—Republic, NDB Rwy 1, Amdt. 11
- Niagara Falls, NY—Niagara Falls Intl, NDB Rwy 28R, Amdt. 14
- Athens/Albany, OH—Ohio University, NDB Rwy 25, Amdt. 5
- Ottawa, OH—Putnam County, NDB Rwy 27, Amdt. 3
- Huntington, WV—Tri-State/Walker-Long Field, NDB Rwy 12, Amdt. 14
- Brownsville, TX—Brownsville Intl, NDB Rwy 13R, Amdt. 11
- Brownsville, TX—Brownsville Intl, NDB Rwy 31 L, Amdt. 3
- Harlingen, TX—Rio Grande Valley Intl, NDB Rwy 17R, Amdt. 8
- Harlingen, TX—Rio Grande Valley Intl, NDB Rwy 17L, Amdt. 2
- *** Effective May 12, 1983
- Hemet, CA—Hemet-Ryan, NDB-A, Original
- Yankton, SD—Chan Gurney Muni, NDB Rwy 31, Original
- Utica, NY—Oneida County, NDB Rwy 33, Amdt. 12
- *** Effective March 30, 1983
- Hutchinson, MN—Hutchinson, Muni, NDB Rwy 33, Amdt. 12
- *** Effective March 25, 1983
- Salina, KS—Salina Muni, NDB Rwy 35, Amdt. 12
4. By amending § 97.29 ILS-MLS SIAPs identified as follows:
- *** Effective June 9, 1983
- Hancock, MI—Houghton County Memorial, ILS Rwy 31, Amdt. 8
- Traverse City, MI—Cherry Capital, ILS Rwy 28, Amdt. 7
- *** Effective May 26, 1983
- Mobile, AL—Bates Field, ILS Rwy 14, Amdt. 27
- Miami, FL—Tamiami, ILS Rwy 9R, Amdt. 2
- Baltimore, MD—Glenn L. Martin State, ILS Rwy 32, Amdt. 1
- Niagara Falls, NY—Niagara Falls Intl, ILS Rwy 28R, Amdt. 19

Harrisburg, PA—Capital City, ILS Rwy 8, Amdt. 8

Lancaster, PA—Lancaster, ILS Rwy 8, Amdt. 8

Brownsville, TX—Brownsville Intl, ILS Rwy 13R, Amdt. 8

Harlingen, TX—Rio Grande Valley Intl, ILS Rwy 17R, Amdt. 7

Huntington, WV—Tri-State/Walker-Long Field, ILS Rwy 12, Amdt. 7

Huntington, WV—Tri-State/Walker-Long Field, ILS Rwy 30, Amdt. 1

*** Effective May 12, 1983

Utica, NY—Oneida County, ILS Rwy 33, Original

Yankton, SD—Chan Gurney Muni, ILS Rwy 31, Original

*** Effective March 25, 1983

Salina, KS—Salina Muni, ILS Rwy 35, Amdt. 15

*** Effective May 12, 1983

Utica, NY—Oneida County, ILS Rwy 33, Amdt. 13, cancelled

5. By amending § 97.31 RADAR SIAPs identified as follows:

*** Effective May 26, 1983

Beaufort, SC—Beaufort County, RADAR-1, Original

*** Effective May 26, 1983

Biddeford, ME—Biddeford Muni, RADAR-1, Original, cancelled

6. By amending § 97.33 RNAV SIAPs identified as follows:

*** Effective May 26, 1983

Kissimmee, FL—Kissimmee Muni, RNAV Rwy 15, Amdt. 3

Newburgh, NY—Stewart, RNAV Rwy 16, Amdt. 1

Gallion, OH—Gallion Muni, RNAV Rwy 5, Original

Mansfield, OH—Mansfield Lahm Muni, RNAV Rwy 5, Original

*** Effective March 25, 1983

Salina, KS—Salina Muni, RNAV Rwy 17, Amdt. 8

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421, and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.49(b)(3))

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. The FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Note.—The incorporation by reference in the preceding document was approved by the

Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

Issued in Washington, D.C., on April 8, 1983.

John M. Howard,

Manager, Aircraft Programs Division.

[FR Doc. 83-10159 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

23 CFR Part 635

Contract Procedures; Labor and Employment

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: The Federal Highway Administration (FHWA) is amending its regulation on Federal-aid labor and employment requirements to implement provisions mandated by sections 148 and 149 of the Surface Transportation Assistance Act of 1982 (STAA of 1982). Section 148 amends 23 U.S.C. 114(b) by including "materials produced by convict labor" within the prohibition of the use of convict labor in Federal-aid highway projects. Section 149 amends 23 U.S.C. 113(a) by striking the word "initial" so that the Davis-Bacon Act provisions would apply to construction work, as opposed to initial construction work, performed on projects on Federal-aid highway systems. The regulations implementing 23 U.S.C. 113(a) and 114(b) are revised to reflect the statutory amendments.

EFFECTIVE DATE: This final rule is effective January 6, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. P. E. Cunningham, Chief, Construction and Maintenance Division, (202) 426-0392, or Mr. Michael J. Laska, Office of the Chief Counsel, (202) 426-0761, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 to 4:15 p.m. e.t., Monday through Friday.

SUPPLEMENTARY INFORMATION: On January 6, 1983, the President signed into law the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424, 96 Stat. 2097). Section 148 of the STAA of 1982 amends 23 U.S.C. 114(b) which provides that convict labor cannot be used in the construction of any highway or portion of highway located on a Federal-aid system unless the convict labor is performed by convicts who are on parole or probation. Section 148 extends this restriction to materials produced by convict labor. The convict

labor provisions as implemented in 23 CFR 635.124(a) are being revised to include the provisions of section 148.

Section 149 of the STAA of 1982 amends 23 U.S.C. 113(a) which provides for the application of prevailing rate of wages in accordance with the Davis-Bacon Act (40 U.S.C. 276a) to Federal-aid highway projects. Section 149 deletes the word "initial" so that the Davis-Bacon provisions apply to construction work as opposed to initial construction work performed on highway projects on the Federal-aid systems. The Davis-Bacon provisions as implemented in 23 CFR 635.124(d) are being revised to reflect this deletion of section 149.

The FHWA has determined that this document does not contain a major rule under Executive Order 12291 or significant regulation under the regulatory policies and procedures of the Department of Transportation. Since the amendments in this document merely reflect statutory language mandated by the STAA of 1982, public comment is unnecessary. Therefore, the FHWA finds good cause to make the amendments final without prior notice and opportunity for comment and without a 30-day delay in effective date under the Administrative Procedure Act. Notice and opportunity for comment are not required under the regulatory policies and procedures of the Department of Transportation because it is not anticipated that such action could result in the receipt of useful information since the statutory language incorporated in the regulation requires no interpretation and provides for no discretion. It is anticipated that the economic impact of this rulemaking action will be minimal, since such economic impact as will occur is mandated by the cited statutory changes themselves, and not by the rulemaking action. Accordingly, a full regulatory evaluation is not required. For the foregoing reasons and under the criteria of the Regulatory Flexibility Act, it is certified that this action will not have a significant economic impact on a substantial number of small entities.

In consideration of the foregoing, and under the authority of 23 U.S.C. 315; 148 and 149, Surface Transportation Assistance Act of 1982, Pub. L. 97-424, 96 Stat. 2097; and 49 CFR 1.48(b), the FHWA is amending Part 635, Subpart A of title 23, Code of Federal Regulations, as set forth below:

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The coordination process provided in OMB circular A-95 regarding State and local clearinghouse

review of Federal and federally assisted programs apply to this program.)

List of Subjects in 23 CFR Part 635

Government contracts, Grant programs—transportation, Highways and roads.

Issued on: April 8, 1983.

L. P. Lamm,

Deputy Federal Highway Administrator,
Federal Highway Administration.

PART 635—CONSTRUCTION AND MAINTENANCE

1. In § 635.124, paragraph (a)(1) is revised to read as follows:

§ 635.124 Labor and employment

(a)(1) No convict labor shall be employed or used for maintenance or any other purpose at the site and no materials produced by convict labor shall be utilized in the construction of a project or within the limits of any Federal-aid project from the time of program approval to final acceptance of the work by the State highway agency and removal of all free labor therefrom except as provided in § 635.124(a)(2). Program approval is interpreted to refer to approval of the program for any phase of the project; such as, preliminary engineering, right-of-way acquisition, or physical construction.

2. In § 635.124, paragraph (a)(2) is amended in the first sentence by inserting the words "or material produced by convict labor utilized" after the word "employed" and in the second sentence by inserting the words "or material produced by convict labor" after the word "labor."

3. In § 635.124, paragraph (d) is amended by removing the word "initial" before the word "construction."

[FR Doc. 83-9996 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 7885]

Income Tax; Taxable Years Beginning After December 31, 1953 Automatic Extension of Time for Filing Income Tax Returns

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final regulations.

SUMMARY: This document provides final regulations under the Tax Equity and Fiscal Responsibility Act of 1982 relating

to the automatic extension of time for filing income tax returns. In general, the regulations will extend the length of automatic extensions available to corporations and individuals. These regulations provide necessary guidance to the public and affect corporations and individuals seeking an automatic extension of the time for filing income tax returns.

DATE: The regulations are effective for taxable years ending on or after December 31, 1982.

FOR FURTHER INFORMATION CONTACT:

Philip R. Bosco of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224, Attention: CC:LR:T, 202-566-3238, not a toll-free call.

SUPPLEMENTARY INFORMATION:

Background

This Treasury decision amends § 1.6081-3 of the regulations so as to extend the present three-month automatic extension of time to file a corporation income tax return to a six-month automatic extension. To obtain the automatic extension, the corporation must file Form 7004 (Application for Automatic Extension of Time to File U.S. Corporation Income Tax Return). Form 7004 must show the amount of tax properly estimated for the taxable year, be signed by a person authorized by the corporation to request such extension, and be filed on or before the due date for filing Form 1120 (U.S. Corporation Income Tax Return). The corporation shall make a remittance, on or before the date prescribed for payment, of the amount of the properly estimated unpaid tax liability. This amendment is effective for taxable years ending on or after December 31, 1982.

Section 234(b)(2)(B) of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) amended section 6081(b) so as to deny a corporation requesting an automatic extension of time to file the right to remit any unpaid tax liability in installments. This Treasury decision amends § 1.6081-3 of the regulations so as to require that Form 7004 be accompanied by the full amount of the estimated unpaid tax liability. This amendment is effective for taxable years beginning after 1982.

Finally, this Treasury decision amends § 1.6081-4 of the regulations so as to extend the present two-month automatic extension of time to file an individual income tax return to a four-month automatic extension. To obtain the automatic extension, the individual must file Form 4868 (Application for

Automatic Extension of Time to File U.S. Individual Income Tax Return). Form 4868 must show the amount of tax properly estimated for the taxable year, be signed by the individual or some other person duly authorized by the individual to sign, be accompanied by the full remittance of the unpaid estimated tax, and be filed on or before the due date for filing Form 1040 (U.S. Individual Income Tax Return). In the case of certain U.S. citizens and residents outside of the United States (as described in § 1.6081-2 of the regulations), the four-month automatic extension will run concurrently with the two-month extension to file otherwise available to such individuals, and Form 4868 must be filed on or before the expiration of such two-month extension.

Both the new six-month automatic extension for corporations and the new four-month automatic extension for individuals extend only the time for filing. Such automatic extensions do not extend the time for payment of the tax.

Special Analyses

The Commissioner of Internal Revenue has determined that this final rule is not a major rule as defined in Executive Order 12291. Accordingly, a Regulatory Impact Analysis is not required. Because this regulation is nonsubstantive and essentially procedural, no general notice of proposed rulemaking is required by 5 U.S.C. 553(b). Accordingly, no Regulatory Flexibility Analysis is required for this rule.

Drafting Information

The principal author of this regulation is Philip R. Bosco of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

List of Subjects in 26 CFR 1.6081-1—1.6109-2

Income taxes, Administration and procedure, Filing requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR Part 1 is amended as follows:

PART 1—[AMENDED]

Paragraph 1. Section 1.6081-3 is amended by revising the introductory text of paragraph (a) and (a) (2) and (3), and (b) to read as follows:

§ 1.6081-3 Automatic extension of time for filing corporation income tax returns.

(a) *In general.* A corporation shall be allowed an automatic extension of time to the fifteenth day of the sixth month (third month in the case of taxable years ending before December 31, 1982) following the month in which falls the date prescribed for the filing of its income tax return provided the following requirements are met:

(1) * * *

(2) The application must be filed on or before the date prescribed for the filing of the return of the corporation with the internal revenue officer with whom the corporation is required to file its income tax return.

(3) The corporation shall make a remittance, on or before the date prescribed for payment, of the amount of the properly estimated unpaid tax liability. For taxable years beginning before 1983, the corporation shall make a remittance of an estimated amount of tax which shall not be less than would be required as the first installment under section 6152(a)(1) should the corporation elect to pay the tax in installments. Upon the time by filing of Form 7004, properly prepared, the 6-month (3-month in the case of taxable years ending before December 31, 1982) extension shall be considered as allowed. For taxable years beginning before 1983, if the taxpayer elects to pay in installments the tax shown on Form 7004, the installment privilege provided in section 6152(a)(1) is limited to the amount shown on the form.

(b) *Consolidated returns.* An application for an automatic extension of time for filing a consolidated return shall be made by a person authorized by the parent corporation to request such extension. Such person must be a person authorized under section 6062 to execute the return of the parent corporation; a person currently enrolled to practice before the Treasury Department; or after November 7, 1965, either an attorney who is a member in good standing of the bar of the highest court of a State, possession, territory, commonwealth, or the District of Columbia, or a certified public accountant duly qualified to practice in a State, possession, territory, commonwealth, or the District of Columbia. There shall be attached to such application a statement listing the name and address of each member of the affiliated group for which such consolidated return will be made. For taxable years beginning after December 31, 1970, the application shall be filed with the internal revenue officer with which the parent corporation will file its income tax return. Upon the timely filing of Form 7004 with the internal revenue

officer with which such corporation files its return, the 6-month (3-month in the case of taxable years ending before December 31, 1982) extension shall be considered as granted to the affiliated group for the filing of its consolidated return or for the filing of each member's separate return.

Par. 2. Section 1.6081-4 is amended by revising paragraphs (a) (1), (3), and (5) to read as follows:

§ 1.6081-4 Automatic extension of time for filing individual income tax returns.

(a) *In general.* (1) An individual who is required to file an income tax return on Form 1040 for any taxable year ending on or after December 31, 1982, shall be allowed an automatic 4-month extension of time to file such return after the date prescribed for filing of the return only if the requirements contained in paragraphs (a) (2), (3), and (4) of this section are met. Accordingly, in the case of an individual described in § 1.6081-2(a) (5) or (6), the automatic 4-month extension will run concurrently with the extension of time to file granted pursuant to § 1.6081-2(a). (For returns filed for taxable years ending on or after December 31, 1971 and before December 31, 1982, the extension allowed by this paragraph shall be a 2-month extension.)

(3) Except in the case of an individual described in § 1.6081-2(a) (5) or (6), the application must be filed on or before the date prescribed for the filing of the return of the individual with the internal revenue officer with whom the return is required to be filed. In the case of an individual described in § 1.6081-2(a) (5) or (6), the application must be filed on or before the expiration of the extension of time to file granted pursuant to § 1.6081-2(a).

(5) Upon the timely filing of Form 4868, properly prepared, and accompanied by remittance of the full amount of the estimated unpaid tax liability, the 4-month (2-month, in the case of taxable years ending on or after December 31, 1971 and before December 31, 1982) extension shall be considered as allowed. Except in undue hardship cases, no extension of time for filing an individual income tax return shall be granted under § 1.6081-1 until an automatic extension has been granted pursuant to the provisions of this paragraph.

Because this regulation is nonsubstantive and essentially procedural, it is found unnecessary to

issue it with notice and public procedure under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

This Treasury decision is issued under the authority contained in sections 6081 and 7805 of the Internal Revenue Code of 1954 (68A Stat. 751, 26 U.S.C. 6081; 68A Stat. 917, 26 U.S.C. 7805).

Roscoe L. Egger, Jr.,
Commissioner of Internal Revenue.

Approved: April 6, 1983.

John E. Chapoton,
Assistant Secretary of the Treasury.

[FR Doc. 83-10225 Filed 4-13-83; 3:11 pm]

BILLING CODE 4830-01-M

DEPARTMENT OF TRANSPORTATION Coast Guard

33 CFR Part 165

[Reg. 83-06]

COTP Hampton Roads, VA; Safety Zone Regulations; Chesapeake Bay, Hampton Roads, Willoughby Bay, Norfolk, Virginia

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone in Willoughby Bay, Hampton Roads, Chesapeake Bay, Virginia, in the vicinity of the Norfolk Naval Air Station on 23 April 1983. This zone is established to safeguard watercraft from damage during the U.S. Navy Blue Angels flight demonstration team arrival show on 23 April 1983 and air show on 24 April 1983. Entry into this zone is prohibited except as otherwise stated.

EFFECTIVE DATES: This regulation becomes effective on 23 April 1983, at 5:30 PM local time. It terminates on 23 April 1983, at 6:30 PM local time. It again becomes effective on 24 April 1983 at 2:15 PM local time, and terminates on 24 April 1983 at 3:45 PM local time.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander W. K. Six, Chief, Port Operations Department, Coast Guard Marine Safety Office, Hampton Roads, Norfolk, Virginia 23510, (804) 441-3296.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking was not published for this regulation and it is being made effective in less than 30 days after Federal Register publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to safeguard watercraft and their occupants.

Drafting Information

The drafter of this regulation is Lieutenant Commander W. K. Six, project officer for the Captain of the Port.

Discussion of Regulation

The Federal Aviation Administration has required that this safety zone be imposed as a condition for its granting approval for the arrival show and air show to take place. To prevent possible damage to watercraft and their occupants, no watercraft will be permitted to enter, remain in, moor in, or transit this safety zone unless specifically authorized by the Captain of the Port, Hampton Roads, Virginia. This rule is in response to a request by the U.S. Navy for Coast Guard assistance in precluding vessels from transiting the area.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, Part 165 of Title 33, Code of Federal Regulations, is amended by adding a new § 165.T517 to read as follows:

§ 165.T517 Safety Zone: Chesapeake Bay, Hampton Roads, Willoughby Bay, Virginia.

(a) *Location.* The following area is a safety zone: The waters of Willoughby Bay, Norfolk, Virginia, bounded by a line beginning at a point 36-56-54N, 76-17-37W, thence to 36-57-30N, 76-17-37W, thence to 36-57-30N, 76-17-01W, thence to 36-56-56N, 76-17-01W, thence along the shoreline to the point of beginning.

(b) *Regulations:* (1) In accordance with the general regulations in 165.23 of this part, no person may enter, remain in, moor in, or operate any vessel within this safety zone between 5:30 PM local time and 8:30 PM local time, 23 April 1983, or between 2:15 PM local time and 3:45 PM local time on 24 April 1983.

(33 U.S.C. 1225 and 1231; 49 CFR 1.48; 33 CFR 165.3)

Dated: March 30, 1983.

J. D. Webb,

Captain, U.S. Coast Guard, Captain of the Port, Hampton Roads, U.S. Coast Guard.

[FR Doc. 83-10291 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF EDUCATION

34 CFR Part 682

Family Contribution Schedule for the Guaranteed Student Loan Program for 1983-84; Correction

AGENCY: Department of Education.

ACTION: Final regulations; Corrections.

SUMMARY: This document makes technical corrections in the final regulations for the Family Contribution Schedule for the Guaranteed Student Loan Program for 1983-84 (48 FR 14316, April 1, 1983).

FOR FURTHER INFORMATION CONTACT:

Mr. Larry Oxendine, Policy Section, Guaranteed Student Loan Branch, Division of Policy and Program Development, Office of Student Financial Assistance, 400 Maryland Avenue, SW., (Room 4310, ROB-3) Washington, D.C.

SUPPLEMENTARY INFORMATION: On April 1, 1983, the Secretary published final regulations for this program in the Federal Register at 48 FR 14316-14343. This document corrects errors made in the Preamble and Appendix to those regulations.

On page 14317, second column, the sentence beginning on line four is revised to read as follows:

"First, spouses of independent student borrowers acquire, either directly under community property statutes, or indirectly through their right to support, a claim on their spouses' future earnings, enhanced because of the education paid for with the student loan."

On page 14328, the last sentence is removed.

Dated: April 12, 1983.

(Catalog of Federal Domestic Assistance Number 84.032, Guaranteed Student Loan Program)

Daniel Oliver,

General Counsel.

[FR Doc. 83-10243 Filed 4-15-83; 8:45 am]

BILLING CODE 4000-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 85

(AMS-FRL 2336-1)

Control of Air Pollution From Motor Vehicles and Motor Vehicle Engines; Importation of Motor Vehicles and Motor Vehicle Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Revised Administrative Procedures and Enforcement Policy Regarding the Importation of Motor Vehicles and Motor Vehicle Engines.

SUMMARY: This action announces a reduction in paperwork burden concerning importation of conforming motor vehicles and motor vehicle engines and a revised enforcement policy regarding the importation of nonconforming vehicles and engines by individual, non-commercial importers, under 40 CFR Part 85, Subpart P, and parallel regulations of the U.S. Customs Service (Customs) at 19 CFR 12.73.

DATES: The changes announced in this notice became effective during October and November, 1981, as discussed below.

ADDRESSES: Materials relevant to this notice are contained in Public Docket No. EN-79-9 located at: Central Docket Section (LE-131), West Tower Lobby, Gallery 1, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. The docket is open for inspection and documents may be copied Monday through Friday from 8:00 a.m. to 4:00 p.m. A reasonable fee may be charged for copying services.

FOR FURTHER INFORMATION CONTACT: Gerard C. Kraus, Chief, Investigation/Imports Section, Manufacturers Operations Division (EN-340F), U.S. Environmental Protection Agency, Washington, D.C. 20460. Telephone: (202) 382-2504.

SUPPLEMENTARY INFORMATION:

Discussion

The enforcement policy noted today took effect during October and November 1981, at which time it was announced in an EPA press release. Since then, EPA has received requests from Customs, various manufacturers and the California Air Resources Board for a Federal Register notice to explain this policy further.

Section 203(a)(1) of the Clean Air Act prohibits any person from importing any motor vehicle which is not certified as conforming to applicable Federal emission standards, except as provided by regulation of the Administrator. For the purpose of helping EPA implement this provision, existing Customs regulations (19 CFR 12.73) require that every vehicle (or shipment of vehicles) imported into the United States must be accompanied by a written declaration that it does or does not conform with Federal emission requirements. Prior to November 1981, approximately 118,000 declarations were filed annually: about 113,000 covering 2.7 million mostly new

conforming vehicles, the remainder covering 1400 nonconforming vehicles exempted under existing regulations (e.g., test vehicles) and approximately 5000 nonconforming vehicles, conditionally imported under bond by individual and commercial importers. (The number of declarations does not equal the number of vehicles because a declaration often covers more than one vehicle). EPA estimates that preparation of these declarations for conforming vehicles imposed over 16,000 hours of burden on importers annually with little beneficial effect. Most conforming vehicles are equipped with labels installed by the manufacturer indicating that they meet EPA requirements. These labels may be used to distinguish conforming vehicles from nonconforming vehicles by Customs inspectors. Accordingly, since EPA and Customs have little use for declaration forms for conforming vehicles, on October 27, 1981, EPA requested that Customs suspend the written declaration requirement for conforming vehicles equipped with EPA labels. Effective November 18, 1981, Customs began requiring written declarations only for nonconforming and exempt vehicles. The Agency estimates that this action has reduced the burden on importers from more than 16,000 to approximately 1000 hours per year.

Further, under the existing Customs and EPA regulations, each person who imports a nonconforming motor vehicle must post a bond with Customs (19 CFR 12.73(c)), equal to the value of the vehicle plus any applicable duty, and then bring the vehicle into conformity with Federal emission requirements within 90 days after importation (40 CFR 85.1508(b)). An importer may demonstrate conformity of the vehicle by modifying it to a configuration identical to one already certified or by having it modified and tested in accordance with the Federal Test Procedure to show compliance with emission standards applicable to the model year of the vehicle. Failure to bring the vehicle into conformity may result in a civil penalty under the Clean Air Act of not more than \$10,000 and forfeiture of the bond, and/or redelivery of the vehicle to Customs.

On July 21, 1980, EPA and Customs proposed amendments to the importation regulations referred to above (45 FR 48812, 48817). As stated above in the preamble to the EPA proposal (45 FR 48812-13), EPA experienced two difficulties with the existing regulations: first, many individuals importing nonconforming vehicles have not fully understood the complexity and expense of the

modification and testing options and learned of the EPA requirements only after importation of their vehicles; and second, the administration of the regulations by EPA and Customs requires substantial resources as compared to the air quality benefits that the program offers. Publication of a final rule has been deferred pending possible revision of the Clean Air Act since Congress is considering amendments to the present provisions covering the importation of nonconforming cars.

EPA conducted an analysis of importations of uncertified vehicles by individuals and commercial importers for resale and found that most vehicles imported by individuals are at least five model years old at the time of importation. Because of the difficulties involved, few such vehicles imported by individuals were brought into conformity and the importers were usually assessed a penalty while retaining ownership of their nonconforming vehicles.

Since the number of such older vehicles that are imported by individuals but not brought into conformity (about 1500 per year) is so small, representing a fraction of one percent of the total number of vehicles imported each year, the Agency concluded that a massive increase in importations of such uncertified vehicles would have to occur before there would be any measurable effect on air quality. Also, because the importation of older vehicles by individuals should not significantly affect the purchase of new vehicles from dealerships located in the United States and since most vehicles imported by commercial importers are new vehicles, a change in enforcement policy applicable to individuals who import older cars was not considered likely to have a substantial effect on American automobile businesses.

For these reasons, EPA decided in October 1981 to exercise its enforcement discretion by not taking enforcement action under sections 203(a)(1), 204 and 205 of the Clean Air Act against an individual importing a vehicle at least five model years old, who has not imported a nonconforming vehicle since the effective date of the Clean Air Act of 1970 and who thus may not have knowledge of the importation requirements. (For the purpose of this policy, model year age is determined from January 1 of the current calendar year; therefore, as of January 1, 1983, model year 1978 and older vehicles qualify.) In November 1981, at EPA's request, Customs also decided not to require any forfeiture of the importation bond in such cases.

In addition, EPA decided not to take enforcement action, on a first time only basis, against any individual immigrating to the United States who imports a nonconforming vehicle for personal use, or an individual in a special hardship situation where EPA determines that imposition of a penalty is not appropriate (e.g., a handicapped person who imports a specially-equipped vehicle not available in a certified configuration.) Customs will also not require any forfeiture of the importation bond in such cases. Only about 150 vehicles per year are affected by these criteria.

This policy significantly reduces the burden of compliance for the majority of first-time importers of vehicles for personal use. This policy does not apply to importations by an individual through a commercial enterprise or other business agent, or to persons who arrange importations of nonconforming vehicles for individuals.

Individuals who have previously imported uncertified vehicles and commercial importers are presumed to have knowledge of the importation requirements and, hence, must bring each nonconforming imported vehicle into conformity under the regulations. These individuals were excluded from this new enforcement policy for to do otherwise is likely to have resulted in a substantial increase in the number of uncertified vehicles imported into this country. All importers, whether or not included in the policy discussed above, must comply with any State and local government emission requirements and Federal safety standards administered by the U.S. Department of Transportation.

In order to take advantage of this revised enforcement policy, any individual who imports a vehicle that would qualify must, under the present Customs regulations, post a bond with Customs at the time of entry and complete a declaration that the vehicle does not conform to Federal emission requirements. EPA will then determine if this policy applies to that individual and, if so, will ask Customs to release the EPA obligation on the bond. In such a case, Customs has agreed not to require forfeiture of the importer's bond. Any importer who believes that he or she may qualify for an exception because of a handicap or other hardship should contact EPA at the address given earlier in this notice before importing a vehicle.

Environmental Impact

Approximately 5000 nonconforming vehicles are conditionally imported under bond, pursuant to the existing

importation regulations, into the United States each year by individuals and by commercial importers for resale. The revised importation enforcement policy affects less than one-third of these vehicles. This number is relatively insignificant compared to approximately 2.7 million conforming new vehicles imported each year. During the year since this policy was implemented, the proportion of nonconforming vehicles has not increased and the percentage of nonconforming vehicles at least five years old to newer nonconforming vehicles imported by individuals has remained about the same. The proportion of these older vehicles to all nonconforming vehicles imported by individual and commercial importers has also not increased. Based on this experience, EPA believes that this policy will not cause or result in a significant adverse environmental impact.

This policy should help EPA to accomplish more effectively the purposes of the clean Air Act by allowing scarce Agency resources to be concentrated on those areas of the imports program where there is greater potential for abuse—importation of uncertified vehicles by commercial importers and individuals who have previously imported uncertified vehicles.

Economic Impact

The suspension of the declaration requirement has reduced the administrative and paper work burden upon importers by over 15,000 hours per year.

As discussed above, this policy has not had, and is not expected to have, a substantial effect on domestic or foreign car sales in the United States. The revised importation enforcement policy applies only to certain first-time individual importers, generally those who import vehicles at least five model years old. This policy covers approximately 1600 vehicles, total, per year. It does not affect commercial or repeat importers. The incentive created by the revised policy for an individual to purchase and import a vehicle from overseas, given the need to meet the bonding and compliance requirements regarding Federal safety standards, should not be substantial enough to stimulate a significant increase in importations of older, nonconforming vehicles and experience over the past year confirms this conclusion. Furthermore, EPA does not expect the limited, one time only, enforcement policy for individual importers to reduce significantly the demand for commercial importers' services.

This revised enforcement policy has also reduced the reporting and recordkeeping burden of individual importers who qualify for a one time exception by an estimated 300 hours per year.

Information collection requirements affected by this notice have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* and have been assigned OMB control numbers 2000-0228 and 2000-0440.

Note.—This notice was submitted to OMB for review as required by Executive Order 12291. Although this is not a regulation, it is subject to OMB review under the Executive Order. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection in Public Docket No. EN-79-9 and at U.S. EPA, Manufacturers Operations Division, Fairchild Building, Second Floor, 499 South Capitol Street, Washington, D.C. 20003.

Section 3(b) of Executive Order 12291 requires EPA to determine whether a rule it intends to propose or to issue is a major rule and to prepare Regulatory Impact Analyses (RIAs) for all major rules. EPA has determined that this action is not a "major rule" requiring preparation of an RIA. It will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs or prices; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S. based enterprises to compete with foreign companies. In fact, the suspension of the declaration requirement and the revision to the EPA importation compliance policy announced in this notice will reduce the cost of compliance for many importers with Subpart P of 40 CFR Part 85.

This is a nationally applicable action. Under section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the District of Columbia Circuit within 60 days of April 18, 1983. Under section 307(b)(2) of the Clean Air Act, this final action may not be challenged later in civil or criminal proceedings brought by EPA to enforce this action.

List of Subjects in 40 CFR Part 85

Imports, Labeling, Motor vehicle pollution, Reporting and recordkeeping requirements, Research, Warranties.

Dated: March 18, 1983.

Kathleen M. Bennett,
Assistant Administrator for Air, Noise and
Radiation.

[FR Doc. 83-10250 Filed 4-15-83; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF TRANSPORTATION

Maritime Administration

46 CFR Part 299

Revocation of Merchant Ship Sales Act of 1946 Regulations

AGENCY: Maritime Administration, DOT.

ACTION: Revocation of obsolete regulations.

SUMMARY: The Maritime Administration (MARAD) has completed a review of the regulations in 46 CFR Part 299, which were promulgated to implement the Merchant Ship Sales Act of 1946. MARAD selected these regulations for priority review, as reflected in its Review List entries on the last DOT Semi-Annual Regulations Agenda and Review List (47 FR 48562; October 28, 1982). The principal purpose of the regulations in 46 CFR Part 299 is to impose conditions for the sale or charter by MARAD, for commercial use, of ocean-going vessels of at least 1500 gross tons that were either: (1) Built by or for the account of the United States during the period beginning January 1, 1941, and ending September 2, 1945; or (2) acquired by the United States during the period beginning September 3, 1939, and ending September 2, 1945. Some of these World War II—built ocean-going vessels remain in the National Defense Reserve Fleet. Such vessels may not be sold for commercial operation (46 U.S.C. 1160(g)). Although there is existing general authority under Title VII of the Merchant Marine Act, 1936 (46 U.S.C. 1191 et seq.), for MARAD to charter vessels, the age and condition of these vessels make it impracticable to do so. Therefore, as the provisions in 46 CFR Part 299, relating to the Merchant Ship Sales Act of 1946, are obsolete and no longer serve any useful purpose, MARAD is revoking the entire Subchapter F of 46 CFR Chapter II, which contains only Part 299.

EFFECTIVE DATE: April 18, 1983.

FOR FURTHER INFORMATION CONTACT: Jessie Fernandez, (202) 426-5821.

SUPPLEMENTARY INFORMATION: The Maritime Administrator has determined that this is not major rulemaking requiring preparation of a regulatory impact analysis, pursuant to EO 12291. Since this rulemaking action merely

revokes regulations that implement authority which has no present or prospective practical application, the Maritime Administrator has found that notice and public procedure thereon is unnecessary and that this rulemaking should become effective upon publication (5 U.S.C. 553). Accordingly, the further certifies that the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) is not applicable. Since the rulemaking will not have a significant economic impact on a substantial number of small entities, that Act would not otherwise be applicable. Also the Paperwork Reduction Act of 1980 (Pub. L. 96-511) is not applicable. Pursuant to DOT Order 2100.5, he has also determined that this revocation of 46 CFR Part 299 is a nonsignificant rulemaking action with such a minimal expected impact that it does not warrant a full Evaluation to be placed in the rulemaking docket.

List of Subjects in 46 CFR Part 299

Accounting, Maritime carriers,
Reporting recordkeeping requirements.

PART 299—[REMOVED AND RESERVED]

Accordingly, Subchapter F of 46 CFR Chapter II consisting of Part 299 is hereby removed and reserved.

Authority: 50 U.S.C. App. 1735 et seq.; 46 U.S.C. 1114(b).

Dated: April 4, 1983.

By Order of the Maritime Administrator.
Georgia P. Stamas,
Acting Secretary, Maritime Administration.

[FR Doc. 83-10063 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-81-M

46 CFR Part 310

Admission and Training of Midshipmen at the United States Merchant Marine Academy; Pay Increase

AGENCY: Maritime Administration, DOT.

ACTION: Final rule.

SUMMARY: The Maritime Administration amends its regulations relating to merchant marine training to increase the pay that midshipmen of the United States Merchant Marine Academy receive while assigned to merchant vessels for sea year training. The purpose of this amendment is to implement the Maritime Administration policy that midshipmen shall receive the same rate of pay from their steamship company employers for the sea year training as cadets receive at the Federal service academies.

EFFECTIVE DATE: April 1, 1983.

FOR FURTHER INFORMATION CONTACT:

Mr. Edwin M. Hackett, Acting Academies Program Officer, Office of Maritime Labor and Training, Department of Transportation, Washington, DC 20590 (202) 426-5759.

SUPPLEMENTARY INFORMATION: Part 310 of Title 46 of the Code of Federal Regulations is hereby amended. The amendment increases the pay that midshipmen of the United States Merchant Marine Academy receive while assigned to merchant vessels for sea year training. It would reflect MARAD policy of adjusting midshipmen pay periodically to accomplish comparability with the monthly rate of pay per cadets or midshipmen at the service academies. That rate has been raised to \$480 by EO 12387 (47 FR 44981 October 13, 1982).

The rate of pay received by midshipmen while assigned to subsidized merchant vessels is a matter of public contract with the owners of vessels operating under operating-differential subsidy agreements (ODSA). Accordingly, this amendment is exempt from the application of 5 U.S.C. 553, and is being issued as a final rule, effective April 1, 1983, without opportunity for public comment. The Maritime Administrator has determined that this amendment is not a major regulation requiring preparation of a regulatory impact analysis, within the scope of EO 12291. This is a nonsignificant regulation under the criteria in DOT Order 2100.5. Based on an economic evaluation made pursuant to that Order, a determination has been made that the economic impact is so minimal that a full Regulatory Evaluation is not required to be included in the rulemaking docket. This increase of \$18.60 monthly for midshipmen assigned to merchant ships represents an increase in cost to vessel operators under ODSA's of about \$55,800 annually. The Maritime Administrator certifies that the regulation will not exert a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act of 1980 (Pub. L. 96-354), since it affects only a small number of large subsidized operators and cadets at the U.S. Merchant Marine Academy. It includes no reporting requirement for the collection of information within the scope of the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

List of Subjects in 46 CFR Part 310

Grant programs—education. Schools, Seamen.

PART 310—[AMENDED]

Accordingly, Part 310 Title 46 of the Code of Federal Regulations is amended by revising paragraph (c) of § 310.58 to read as follows:

§ 310.58 Training on subsidized vessels.

(c) *Pay*—Midshipmen shall receive pay while employed aboard merchant vessels, at the rate of \$480.00 per month directly from their steamship company employers. While aboard ship, they shall be berthed in single-occupancy rooms with other midshipmen in that part of the vessel designated for licensed officers (or in first-class passenger quarters) and shall mess with the licensed officers. The steamship company employers shall also pay the midshipmen such subsistence and room allowance in port, transportation allowances, and other bonuses or allowances as are paid to the licensed officers of the vessel in which the midshipmen are employed.

(Sections 204(b) and 1301-1308, Merchant Marine Act, 1936, as amended, (46 U.S.C. 1114(b); and 1295-1295g); Pub. L. 96-453; Pub. Law 97-31; 49 CFR 1.66 (46 FR 47458, September 28, 1981); EO 12387 (47 FR 44981, October 13, 1982).

Note.—This regulation is not subject to the requirements of Section 3507 of Pub. L. 96-511 December 11, 1980.

Catalog of Federal Domestic Assistance Program No. 11-507 U.S. Merchant Marine Academy (Kings Point).

Dated: April 4, 1983.

By Order of the Maritime Administrator,
Maritime Administration.

Georgia P. Stamas,
Acting Secretary.

[FR Doc. 83-10064 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-61-M

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 2 and 21**

[Gen. Docket No. 81-743; RM-3625; FCC 83-110]

Amendment of the Commission's Rules Concerning Calculation of Necessary Bandwidth for Frequency Modulation Microwave Radio Relay Systems

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: FCC amends Parts 2 and 21 of its Rules to modify the calculation of necessary bandwidth for frequency modulated microwave radio relay

systems. This action is taken to increase spectrum efficiency.

DATE: Effective May 19, 1983.

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

FOR FURTHER INFORMATION CONTACT:

Alvin W. Paul, Technical Standards Branch, (202-653-6288) or Sam R. McConoughey, Network Analysis Branch (202-632-1854), Federal Communications Commission, Washington, D.C. 20554.

List of Subjects

47 CFR Part 2

Radio.

47 CFR Part 21

Point-to-point microwave.

Report and order

In the matter of amendment of Parts 2 and 21 of the Commission's Rules concerning calculation of necessary bandwidth for Frequency Modulation Microwave Radio Relay Systems, Gen. Docket No. 81-743, RM-3625.

Adopted: March 31, 1983.

Released: April 12, 1983.

By the Commission.

1. In response to a petition filed by American Telephone and Telegraph (AT&T),¹ the Commission adopted a Notice of Proposed Rulemaking in Gen. Docket No. 81-743 (NPRM), 88 FCC 2d 134 (1981), in which it proposed to amend Parts 2 and 21 of its rules. The intent of the proceeding is to improve the efficiency of the radio spectrum utilized for multi-channel telephone circuit transmission. This Report and Order (Report) deals with the issues raised by the parties who submitted comments to the NPRM.²

2. *Background.* In 1978, Bell Laboratories, AT&T's wholly owned research arm, conducted a survey of the signal power levels generated by telephone network users (or "talkers").³

¹RM-3625.

²Comments were filed by American Satellite Corporation (ASC), American Telephone and Telegraph Company (AT&T), the Central Committee on Telecommunications of the American Petroleum Institute (API), GTE Service Corporation (GTE), Georgia Power Company (GPC), MCI Telecommunications Corporation (MCI), Offshore Telephone Company (Offshore), Southern Pacific Communications (SPC), and Utilities Telecommunications Council (UTC). Reply Comments were filed by ASC, AT&T, Harris Corporation (Harris), Farinon Division, and MCI.

³See AT&T Reply Comments, Attachments 1 and 2. It does not appear from these attachments that the 1978 study was ever published. Another Bell Laboratories survey, conducted in 1974-5, reports a similar result, viz., that the signal power in telephone circuits is approximately 5 dB lower than previously assumed. See W.C. Ahern, et al., "Speech Signal Power in the Switched Message

The results of that survey indicated that the average signal power per voice circuit for multiplex groups of 240 or more channels was -19.6 dBm0.⁴ This result was in conflict with the -15 dBm0 level specified in § 2.202, Bandwidths, and Section 2.989, Measurements Required: Occupied Bandwidth, of the Commission's rules. See Appendix A hereto. In its petition for rulemaking, AT&T argued that amending the rules to reflect the lower average signal power would:

... permit manufacturers to design, and licensees to operate, FM microwave equipment in accordance with the intent of the present rules, and, at the same time, achieve:

(a) A significant increase in channel capacity, and hence more efficient radio spectrum utilization;

(b) Easier interference coordination resulting from increased deviation which reduces susceptibility to interference; and

(c) Improved transmission reliability during fading because of increased signal-to-noise ratio.

(AT&T Petition at pages 9-10). Also, Western Electric, AT&T's manufacturing subsidiary, requested a waiver of the bandwidth rules to permit type acceptance and use of its FM transmitters with additional channel capacity.

3. In the NPRM, we agreed with AT&T's analysis and proposed a modification to our rules that would reflect the lower average signal power revealed by Bell Laboratories' surveys. We also agreed with ASC's concerns regarding the possibility of monopolization of the spectrum by AT&T and the potential for interference between AT&T's terrestrial fixed service and ASC's satellite service. Accordingly, we proposed a revision of § 21.710(c) of the rules that would discourage unnecessary reservation of unused spectrum in the 4 GHz band by existing licensees. The rule revision would require that existing licensees in the 4 GHz band wishing to increase the capacity of their radio systems to more than 1500 channels must: (a) Coordinate frequency utilization with other spectrum users and (b) file under Section 214 of the Act for authorization for the additional telephone channels within 6 months of completion of frequency coordination.

Network," Bell System Technical Journal, Vol. 57, No. 7, Part 2, September 1978.

⁴"dbm0" refers to the power, in dB, relative to one milliwatt referred to a point of zero relative transmission level. (See *Transmission Systems for Communications*, Bell Telephone Laboratories, Inc., USA, 1971, p. 27-28).

4. *The comments.* MI & SPC, both common carriers, fully concur with the proposals set forth in the NPRM. UTC and API, both Private Operational Fixed System (POFS) users, and GTE, a manufacturer of common carrier equipment, express support for the principles underlying the proposed changes, but note that some POFS operators, governed by Part 94 of the Commission's rules, may typically transmit large amounts of data. UTC, API and GTE argue that since there may be a different mix of voice and data channels in POFS than there is in common carrier systems (with different statistical power distributions), POFS operators should be permitted to use the proposed -19.6 dBm0 level on an optional basis. Offshore and GPC also support the basic concept of permitting flexibility in the use of the -19.6 dBm0 level. GPC, in addition, expresses concern about the creation of interference among users who might lease circuits from common carriers.

5. For its part, AT&T supports the proposed changes to Part 2 of the rules, but cautions that any new construction requirements for higher channel capacity equipment following frequency coordination may necessitate a delay of up to 30 months in the submission of Section 214 applications. AT&T therefore proposes to change the six month period of proposed § 21.710(c) to 30 months.

6. ASC, a satellite carrier, filed comments and is the only party that opposes the proposed rules. It expresses concern that: (a) There would be increased interference to satellite circuits operated on adjacent frequencies, (b) in some locations existing satellite communications services would be impaired, and (c) it would be difficult to coordinate new satellite communications services in other areas. ASC urges that we not adopt AT&T's proposed amendments, but that if we do, we must adopt stronger measures to assure that satellite carriers continue to receive reasonable access to the spectrum. It proposes that the Commission's rules be further modified to: (a) Prevent carriers from "hoarding" spectrum in the 4 GHz band, (b) interpret our prior coordination rules (especially § 21.100(d), Frequencies) in a manner that would require existing carriers to accommodate new services, and (c) require existing carriers to provide data on interference susceptibility as a function of frequency offset for the 6 GHz band.

7. AT&T, in its reply comments, indicates that while an average "talker"

level of -19.6 dBm0 is appropriate for its systems, it would support additional flexibility in the rules to accommodate the needs expressed by POFS operators, but it urges rejection of ASC's suggestion regarding prior coordination.

8. *Discussion.* Our proposed modification of § 21.710(c) is intended to equalize the opportunities for use of the 4 GHz spectrum that the Commission, in an earlier proceeding, determined should be shared equally.⁵ In the NPRM, we stated that:

We believe that this is a reasonable compromise in that terrestrial carriers will have access to this otherwise unoccupied incremental spectrum only with a showing of a specific need, thereby allowing other uses at all other times." 88 FCC 2d at 140.

We remain convinced that this is the most equitable approach for spectrum sharing. Moreover, as we demonstrate below in our discussions of the applicable Rules this approach provides satellite carriers with equitable access to the spectrum in question.

9. As we indicated in the NPRM, it has been the Commission's policy, commensurate with the intent of the Communications Act of 1934, to encourage efficient use of the radio spectrum. See 88 FCC2d at 138. Our proposal to §§ 2.202(f)(1)(ii) and 2.989(f)(2) of the rules, we believe, is consistent with this policy. Moreover, equipment manufacturers and users of POFS agree that we should permit some flexibility in the value of the average "talker" level to accommodate the differences encountered by non-common carrier users of FM microwave radio systems. We agree with this point and will modify our proposals to permit a range of average "talker" values of -15 dBm0 to -19.6 dBm0 for multiplex groups of 240 or more channels.⁶ See Appendix B, §§ 2.206 and 2.989.

10. We proposed in the NPRM to amend § 21.710(c) of the rules to require those planning to operate 4 GHz systems with more than 1500 voice-equivalent channel capacity to (a) coordinate pursuant to § 21.706(c) of the rules and (b) file for necessary authority pursuant to Section 214 of the Communications Act within 6 months of that coordination. Our intent was to minimize the possibility of interference with other authorized users in the band and to prevent the possibility of effective monopolization of the spectrum by an existing user.

⁵ See American Satellite Corporation, 72 FCC 2d 750, 753-4 (1979).

⁶ Multiplexed groups of less than 240 channels also will have a corresponding range of acceptable "talker" levels to avoid an undesirable discontinuity in the transition at 240 channels 88 FCC 2d 134, 136 (1981).

11. AT&T urges that the rule language be changed to distinguish among three situations involving a terrestrial carrier desiring to operate with more than 1500 channel capacity: (a) New radio station construction, (b) adding radio channels to an existing station, and, (c) expanding the capacity of an existing radio channel currently carrying fewer than 1500 circuits. AT&T argues that our proposed language for § 21.710(c) creates inconsistent coordination requirements. It asserts that if an amendment to § 21.710(c) is necessary the elapsed time period allowed before submission of a Section 214 application for situations (b) and (c) should be 18 months and for situation (a), 30 months. These longer periods are sought to permit adequate time for facilities planning and provisioning processes, according to AT&T. In a later discussion we will show that our present rules, with minor modifications, are sufficient to allow equitable use of the 4 GHz spectrum (See paragraph 16) without any further elapsed time constraints. Accordingly, we have changed the language of our § 21.710(c) amendment such that we believe AT&T's concerns are eliminated.

12. In its reply comments, ASC argues that our proposed amendment of § 21.710(c) is inadequate, and that AT&T suggestion for additional filing periods would exacerbate matters by permitting terrestrial carriers to extend their monopoly of the spectrum. ASC further argues that terrestrial carriers should be required to file implementation schedules for planned increases in channel capacity. Moreover, it asserts, such carriers should forfeit their right to augment current capacity if they fail to adhere to their schedules. In order to resolve ASC's concerns, we will show that the present rules, to a large degree, already achieve those objectives.

13. Section 21.100(d)(11) of the current rules of the Commission provides that "If applications have not been filed 6 months after coordination was completed, carriers may assume, unless notified otherwise, that such frequency use is no longer desired". Further, the normal period for construction allowed by our construction permits (CP) is 18 months. See § 21.43(b) of the rules. Additional time to complete construction is granted only upon application and an adequate showing. See § 21.44 of the rules. Thus, we see, for new and modified radio facilities, our present rules are meant to prevent the kind of monopolization feared by ASC since failure to timely file for construction permit or to complete construction, forfeits the spectrum.

14. Section 214 authorizations, like CP's for radio stations, also contain expiration dates. Section 63.05 of the rules provides that for projects involving an expenditure of more than \$500,000, construction shall have begun within 12 months of issuance of the Section 214 authority and the additional channels shall have been placed in operation within 36 months thereof. In situations involving expenditures of less than \$500,000, construction shall have begun within 9 months of Section 214 issuance and operation within 18 months thereof. Thus, the Commission has already considered and acted upon the issue of unreasonable delays between issuance of Section 214 authorization and completion of the project.

15. We note, however, that there is also a situation where additional circuit capacity in a station may be created with no new construction. This might be accomplished by adjustment of the existing station equipment. Such adjustments do not generally cause interference to other terrestrial users, so that coordination is not normally required. However, in the case of the 4 GHz band such adjustment could affect authorized satellite services that share the 4 GHz band.

16. Thus, presently, applicants or licensees who intend to construct new or modify existing radio facilities for use in the 4 GHz band are required to either file for CPs or complete construction within a reasonable time period as indicated in paragraph 13. Failure to do so will cause the loss to the applicant of the use of initially assigned spectrum. However, the current rules only apply to those situations where applicants seek the use of a part of or a complete 4 GHz radio channel, and where construction is required to: (a) Build a new station; (b) add radio channels to an existing station; or (c) expand the capacity of an existing radio station channel. The rules do not clearly address the situation described in paragraph 15, where an applicant who wishes to expand an existing station channel beyond 1500 circuits can do so without further radio construction. For that case, we will revise § 21.710(c) of our rules to require applicants to seek prior coordination pursuant to § 21.100(d) and to provide an indication of successful coordination if an authorization for additional channels is sought pursuant to Section 214. See Appendix B hereto. By doing so, applicants, as in the case where radio construction is required, must return the spectrum within 6 months if a subsequent Section 214 authorization is not filed as indicated in paragraph 14, or if the additional circuits are not

implemented within 12 or 36 months pursuant to the Section 214 authorization.

17. We believe that our existing rules, including our revision of § 21.710(c), now offers sufficient protection against spectrum monopolization. Further, the rules as modified also provide procedures to minimize the possibility of harmful interference in the 4 GHz band. While it may be arguable in some situations to further reduce the period during which spectrum availability is uncertain, we believe the period currently embodied in the rules, as modified, are sufficiently reasonable and equitable for both terrestrial and satellite carriers.

18. ASC expressed a desire for availability of data regarding interference susceptibility of 6 GHz terrestrial microwave systems. AT&T has agreed to provide these data. We expect AT&T to implement its agreement without further regulatory intervention. We therefore consider this issue resolved.

19. Finally, as to Western Electric's request for a waiver of our bandwidth rules so as to permit type acceptance of their equipment, we find that our adoption of the rule changes contained herein effectively moots the necessity for such waiver. Accordingly, we will dismiss Western Electric's waiver request.

20. For the purpose of equipment authorization, changes required to implement the loading according to the new rules in Appendix B hereto shall be considered as Class I Permissive changes and no filing with the Commission will be necessary.

Conclusion

21. Having carefully considered the arguments of all interested parties in this proceeding, the Commission believes that adoption of the proposed rule changes will promote more efficient use of the radio spectrum by both terrestrial and satellite common carriers.

22. The revised formulas are modifications of those existing and can result in a change in the distribution of power within the radio frequency channel, as shown in Appendix C.⁷ Our modified formulas will continue to reflect the intent of interference control set down in certain international documents as well as in our existing rules. In particular, such calculations are addressed in Appendix 6 to the Radio Regulations of the International Telecommunications Union, Edition of 1982, and in Report 418-2 contained in

⁷ Appendices A and C are filed as a part of the original document.

Volume I of the documents of the International Radio Consultative Committee, XV Plenary Assembly, Geneva, 1982. Modification of Part 2 of the Commission's rules to revise these formulas can put the Commission's rules at variance with the ITU recommendations. As the ITU recommendations were based upon information supplied by the United States, it may be appropriate to propose a change to the ITU Radio Regulations based upon arguments contained in this Report and Order.

23. In accordance with the Regulatory Flexibility Act of 1980, the regulations adopted in this Order have been reviewed for their impact on small entities. It has been determined that the companies in this industry exceed the size standards set forth in Part 121, Schedule A of the Small Business Administration Rules and Regulations. Pursuant to Section 605(b) of the

Regulatory Flexibility Act of 1980, a regulatory analysis will not be required as there is no significant impact on a substantial number of small entities.

24. Accordingly, it is ordered, pursuant to the Sections 4(i), 214(c), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 214(c) and 303(r), that Parts 2 and 21 of the Commission's Rules and Regulations are amended as shown in Appendix B hereto, effective May 19, 1983.

25. It is further ordered that Western Electric's request for a waiver of Part 2 of the Commission's Rules and Regulations, 47 CFR Part 2, is dismissed.

26. It is further ordered that this proceeding is terminated.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

Note.—Appendices A and C are filed as part of the original document.

Appendix B

Parts 2 and 21 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

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

1. Section 2.202(f)(1)(ii) is revised as follows:

§ 2.202 Bandwidths.

• • • • •

(f) • • •

(1) • • •

(ii) The value of D is then calculated by multiplying the rms value of the per-channel deviation by the appropriate factors, as follows:

Number of message circuits	Multiplying factors	Limits of X (P_{avg} (dBm0))
More than 3, but less than 12	• • •	
At least 12, but less than 60	$3.76 \text{ antilog } (X + 2 \log_{10} N_c)$	X: -2 to +2.6.
	20	
At least 60, but less than 240	$3.76 \text{ antilog } (X + 4 \log_{10} N_c)$	X: -5.6 to -1.0.
	20	
240 or more	$3.76 \text{ antilog } (X + 10 \log_{10} N_c)$	X: -19.6 to -15.0.
	20	

Where X represents the average power in a message circuit in dBm0; N_c is the number of circuits in the multiplexed message load; 3.76 corresponds to a peak load factor of 11.5 dB.

§ 2.202 [Amended]

2. Section 2.202(g), Table of necessary bandwidth, subheading II Frequency

Modulation, is revised by removing the first three entries starting with the words "Composite transmission: F9" and inserting the following three entries

in their place as follows:

• • • • •

(g) Table of necessary bandwidths.

• • •

II FREQUENCY MODULATION

Description and class of emission	Necessary bandwidth in hertz	Examples	
		Details	Designation of emission
• • • • • • • • •	• • • • • • • • •	• • • • • • • • •	• • • • • • • • •
Composite transmission: F9	$B_n = 2P + 2DK \text{ K} = 1$	Microwave radio relay system specifications: 60 telephone channels occupying baseband between 60 and 300 kHz; rms per-channel deviation 200 kHz; continuity pilot at 331 kHz produces 100 kHz rms deviation of main carrier. Computation of $B_n D = (200 \times 10^3 \times 3.76 \times 1.19) \text{ Hz} = 0.895 \times 10^6 \text{ Hz}$; $P = 0.331 \times 10^6 \text{ Hz}$. Bandwidth: $2.452 \times 10^6 \text{ Hz}$.	2450F9
Composite transmission: F9	$B_n = 2M + 2DK \text{ K} = 1$	Microwave radio relay system specifications: 1200 telephone channels occupying baseband between 60 and 5684 kHz; rms per-channel deviation 200 kHz; continuity pilot at 6199 kHz produces 140 kHz rms deviation of main carrier. Computation of $B_n D = (200 \times 10^3 \times 3.76 \times 3.63) = 2.73 \times 10^6 \text{ Hz}$; $M = 5.684 \times 10^3 \text{ Hz}$; $P = 6.2 \times 10^4 \text{ Hz}$; $(2M + 2DK) > 2P$. Bandwidth: $16.59 \times 10^6 \text{ Hz}$.	16,600F9
Composite transmission: F9	$B_n = 2P$	Microwave radio relay system specifications: 600 telephone channels occupying baseband between 60 and 2540 kHz; continuity pilot at 8500 kHz produces 140 kHz rms deviation of main carrier. Computation of $B_n D = (200 \times 10^3 \times 3.76 \times 2.565) = 1.93 \times 10^6 \text{ Hz}$; $M = 2.54 \times 10^4 \text{ Hz}$; $K = 1$; $P = 6.5 \times 10^4 \text{ Hz}$; $(2M + 2DK) < 2P$. Bandwidth: $17 \times 10^6 \text{ Hz}$.	17,000F9

3. Section 2.989 is amended by revising paragraph (f)(2) to read as follows:

§ 2.989 Measurement required: Occupied bandwidth.

(f) * * *

(2) Modulation reference level being established, the total rms deviation of the transmitter is measured when a test

signal consisting of a band of random noise extending from below 20 kHz to the highest frequency in the baseband, is applied to the modulator input through any preemphasis networks used in normal service. The average power level of the test signal shall exceed the modulation reference level by the number of decibels determined using the appropriate formula in the following table:

Number of message circuits that modulate the transmitter	Number of dB by which the average power (P_{avg}) level test signal shall reference level	Limits of P_{avg} (dBm0)
More than 3, but less than 12	* * *	
At least 12, but less than 60	$X + 2 \log_{10} N_c$	X: -2 to +2.6
At least 60, but less than 240	$X + 4 \log_{10} N_c$	X: -5.6 to -1.0
240 or more	$X + 10 \log_{10} N_c$	X: -19.6 to -15.0

Where X represents the average power in a message circuit in dBm0; N_c is the number of circuits in the multiplexed message load. P_{avg} shall be selected by the transmitter manufacturer and included with the technical data submitted with the application for type acceptance. (See § 2.202(e) in this Chapter).

PART 21—DOMESTIC PUBLIC FIXED RADIO SERVICES (OTHER THAN MARITIME MOBILE)

§ 21.710 [Amended]

Section 21.710(c) is amended to add the following new sentence to the end of the paragraph:

(c) * * * For the 3700–4200 MHz band, all persons intending to utilize baseband frequencies above 7.3 MHz, or to operate with more than 1500 equivalent 4 kHz voice channels per radio channel, must submit evidence of coordination pursuant to § 21.100(d). Where no construction of radio facilities is requested, licensees must submit this evidence with their filing of any necessary authority required pursuant to Section 214 of the Communications Act and Part 63 of this Chapter.

[FR Doc. 83-9969 Filed 4-15-83; 8:45 am]
BILLING CODE 6712-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1201

[Docket No. 38848]

Elimination of Supplement 4 to Valuation Order No. 3—List of Units for Use of Carriers in the Preparation of Completion Reports

AGENCY: Interstate Commerce Commission.

ACTION: Final rule; elimination of basis for reporting.

SUMMARY: ICC is eliminating Revised Supplement No. 4 to Valuation Order No. 3, Second Revised Issue—List of Units for Use of Carriers in the Preparation of Completion Reports and the Record of Property Changes. This Order became effective January 1, 1933. In previous years this information was used in ratemaking decisions. However, the Commission now relies upon Annual Report Form R-1 for all data on net investment in railway operating property. Therefore, the Commission believes the recordkeeping required in Revised Supplement No. 4 is extraneous and should be eliminated. No changes to the uniform system of accounts are contemplated by this proceeding, nor does Revised Supplement No. 4 currently appear in the Code of Federal Regulations.

DATES: The effective date of this elimination is January 1, 1982.

FOR FURTHER INFORMATION CONTACT: Charles S. Thomason, (202) 275-7448.

SUPPLEMENTARY INFORMATION:

Background

On October 29, 1982, the Commission served a notice of proposed rulemaking entitled Elimination of Supplement 4 to Valuation Order No. 3—List of Units for Use of Carriers in the Preparation of Completion Reports (47 FR 49480, November 1, 1982).¹ Revised Supplement No. 4 to Valuation Order No. 3, Second Revised Issue (RS4), became effective January 1, 1933. This Order cancelled

¹ Note: This document was submitted for publication in the Notices Section of the Federal Register.

Supplement No. 4 to Valuation Order No. 3, Second Revised Issue. It established a list of property units which affected carriers were to keep records of, including changes made to that property. Valuation Order No. 3, Second Revised Issue, prescribed the instructions to govern the recording and reporting of all extensions and improvements or other changes in physical property for every common carrier subject to the Interstate Commerce Act. In order to establish a uniform manner of reporting and recording this information, carriers were required to record changes in property subsequent to December 31, 1932, in accordance with the list of property units specified in Revised Supplement No. 4 to Valuation Order No. 3, Second Revised Issue.

Until 1964, the information required in RS4 was used in ratemaking decisions. However, since then the Commission has used information from Annual Report Form R-1 to determine the book value of net investment in railway property. This data is also used for the Uniform Rail Costing System. In Ex Parte No. 393, *Standards for Railroad Revenue Adequacy*, (364 ICC 803 (1981)) only the dollar amounts for the various property accounts are needed. Instructions for Property Accounts (2-1 through 2-20), in Part 1201, contain all necessary instructions for the proper accounting of investment in carrier property. Thus, the Commission feels that the detail required in RS4 is extraneous and should be eliminated.

The Commission stated in Docket No. 36988, *Alternative Methods of Accounting for Railroad Track Structures*, served February 17, 1983 (48 FR 7180, February 18, 1983), that rail track structure shall be accounted for under the Depreciation method rather than the Retirement-Replacement-Betterment method. Instruction 2-19, List of Units of Property, and other instructions for property accounts have been revised.

Review of Responses

The Commission received two responses to the notice of proposed rulemaking. The Association of American Railroads (AAR) agrees with our proposal.

The Western Coal Traffic League (WCTL) is concerned that precision in costing may be lost by eliminating the units of property prescribed by Supplement 4 to Valuation Order No. 3. It is primarily concerned that our

proposal may permit the elimination of property records which the Commission will need in future ratemaking proceedings.

Discussions and Conclusions

The extent of this rulemaking is not to eliminate the need for a uniform series of units of property but rather to eliminate duplicative requirements. Instruction 2-19 of the Uniform System of Accounts (49 CFR Part 1201) specifies a list of units of property which will be required in place of the list required by RS4. No changes are contemplated in the records required to be kept by railroad companies or in the requirements for maintenance of valuation sections as specified by Part 1262 of the Code of Federal Regulations. References to Supplement 4 to Valuation Order No. 3 were removed in the revision of Part 1262 at 45 FR 81051, December 9, 1980.

Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities. This final rule does not impose new accounting or reporting requirements, rather it eliminates an existing burden on railroads. This rule will only affect the reporting procedures of a small number of railroads and the economic impact, though beneficial, will not be significant.

List of Subjects in 49 CFR Part 1201

Railroads, Uniform System of Accounts.

This decision does not significantly affect the quality of the human environment or the conservation of energy resources.

This rule is issued under the authority of 49 U.S.C. 10781 and 5 U.S.C. 553.

Decided: March 23, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre, and Gradison. Commissioner Andre was absent and did not participate.

Agatha L. Morgenovich,
Secretary.

[FR Doc. 83-10027 Filed 4-15-83; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 23

Export of Bobcats Taken in 1982-83 Season

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final findings and rule.

SUMMARY: The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) regulates international trade in certain animal and plant species. Exports of animals and plants listed in Appendix II of CITES may only occur if a Scientific Authority (SA) has advised a permit-issuing Management Authority (MA) that such exports will not be detrimental to the survival of the species, and if a Management Authority is satisfied that the animals or plants were not obtained in violation of laws for their protection.

This notice announces final findings by the Scientific and Management Authorities of the United States on the export of bobcats. These are final determinations on the export of specimens taken in the 1982-83 harvest season. Such findings are made annually on a state-by-state basis. These findings and guidelines are to be effective on April 25, 1983—less than 30 days from the date of publication. The Fish and Wildlife Service has determined that good cause exists for making this rule effective on April 25 and has explained the reasons supporting such determination in the Supplementary Information section of this rule.

DATE: These findings are effective on April 25, 1983.

ADDRESS: Please send correspondence concerning this notice to the Office of the Scientific Authority, U.S. Fish and Wildlife Service, Washington, D.C. 20240. Materials received will be available for public inspection from 7:45 a.m. to 4:15 p.m., Monday through Friday, at the Office of the Scientific Authority, room 537, 1717 H Street, NW., Washington, D.C., or at the Federal Wildlife Permit Office, room 621, 1000 N. Glebe Road, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT:

Scientific Authority Finding—Dr.

Richard M. Mitchell, Office of the Scientific Authority, U.S. Fish and Wildlife Service, Washington, D.C. 20240, telephone (202) 653-5948.

Management Authority Finding—Mr. S. Ronald Singer, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, D.C. 20240, telephone (703) 235-2418.

Export Permits—Ms. Maggie Tieger, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, D.C. 20240, telephone (703) 235-1903.

SUPPLEMENTARY INFORMATION: This is the last of four notices concerning the Service's findings on export of bobcats

(*Lynx rufus*) taken in the 1982-83 harvest season.

In the first notice for the 1982-83 season (47 FR 14664; April 5, 1982), the Service invited comments on proposed guidelines and information on the bobcat and certain other Appendix II species. These guidelines were based on a ruling by the U.S. Court of Appeals for the District of Columbia Circuit that bobcat exports should not be permitted under CITES unless the SA findings were based on "reliable estimates of the bobcat population and data showing the total number of bobcats to be killed, in each of the states involved." (Defenders of Wildlife, Inc., vs. Endangered Species Scientific Authority, No. 79-2512, D.C. Cir., February 3, 1981). The Service's second notice (47 FR 34457; August 20, 1982) announced the guidelines being used to develop SA advice on bobcat export and described the proposed state-by-state findings on export of bobcats taken in the 1982-83 season under the judicially-defined, pre-1982 Amendment standards. The third notice announced supplementary proposed findings by Scientific and Management Authorities of the United States on the export of bobcats. These findings incorporated the 1982 Amendments to Section 8A of the Endangered Species Act, which establish standards for findings by the SA on export of animal species included in CITES Appendix II. CITES regulates international trade in species included in Appendix II through a system of permits issued by designated Management Authorities in each Party nation. Export permits are to be issued only if a Management Authority receives advice from a Scientific Authority that the export will not be detrimental to the survival of the species.

The Endangered Species Act of 1973, as amended in 1979, designates the Secretary of the Interior as both Management Authority and Scientific Authority of the United States, for purposes of CITES. These functions are carried out by the Fish and Wildlife Service. Management Authority responsibilities are delegated to the Associate Director—Federal Assistance. Scientific Authority responsibilities are delegated to the Associate Director—Research.

Criteria for Scientific Authority advice were elaborated upon in the February 23, 1983, Federal Register notice (48 FR 7604). At the same time, the Service requested comments on these proposed findings and information on the species involved.

A. Comments and Information Received

The Service received comments from 13 State wildlife agencies (Arizona, Colorado, Georgia, Idaho, Kansas, Louisiana, Maine, Missouri, New Mexico, Pennsylvania, Tennessee, Texas and Washington) and 6 non-governmental organizations (Covington and Burling on behalf of Defenders of Wildlife, Inc., and the Humane Society of the United States; Georgia Trappers Association; International Association of Fish and Wildlife Agencies; Law Offices of Kiefer and Morrison; the American Fur Resources Institute; and The Wildlife Legislative Fund of America).

1. States' Comments

The State comments were generally the same: (1) That the Secretary of the Interior "... is not required to make, nor may he require any State to make, estimates of population size in making such determinations or giving such advice"; (2) that target harvest levels should be a matter of State choice and not a federal requirement; (3) that setting target harvest levels not to exceed 20 percent of the estimated pre-harvest population is too restrictive and does not represent sound and accepted wildlife management practices; and (4) that the proposed requirement of a possession tag for the 1983-84 taking season will only add another layer of regulations to the tagging process and do little for enforcement purposes.

The States contend that the interpretation of target harvest levels by the Scientific Authority involves the use of pre-harvest population estimates, which they believe was overruled by Congress in the 1982 Amendments.

2. Non-governmental Organizations' Comments

The law firm of Covington and Burling submitted comments on behalf of both Defenders of Wildlife, Inc., and the Humane Society of the United States. In summary, their comments are: (1) The proposed standards for application of the Scientific Authority guidelines contain fundamental legal and factual errors; (2) The Service has failed to take into consideration the effects of past harvest on the bobcat species; (3) The Service has impermissibly reversed the burden of proof regarding export of bobcats; (4) The Service makes use of past harvest data to derive population estimates; (5) The Scientific Authority's use of available population estimates is generally acceptable, with some exceptions; (6) The Scientific Authority should have adopted a lower ratio of allowable kill to population in setting its

harvest levels; and (7) The Management Authority requirements are seriously flawed.

The Georgia Trappers Association challenged the accuracy and necessity of population estimates, with particular emphasis on pre-harvest population estimates. They contend that after Congress passed the Endangered Species Act Amendments of 1982, "reliable population estimates" were eliminated as a requirement for export. They also object to the Management authority findings on tagging requirements, especially the proposed rule for the 1983-84 season where a possession tag must be applied to the skin at the time of take.

The International Association of Fish and Wildlife Agencies (IAFWA) submitted extensive comments on the proposed guidelines for export of bobcats taken during the 1982-83 season. They feel that revisions to the proposal guidelines should be made in order to respect basic principles of wildlife management and to carry out the intent of Congress as expressed in the Endangered Species Act Amendments of 1982, Pub. L. No. 97-304. A summary of their comments is: (1) The proposal should be revised to eliminate the requirement that non-detriment findings are made on the basis of target harvest levels which are not to exceed a fixed percentage of each State's estimated population; (2) Because the proposal bases non-detriment findings under CITES on harvest, which is targeted not to exceed 20 percent of each State's estimated population, it necessarily requires that a population estimate be made for each State; (3) The proposal shifts the focus of decision making with regards to bobcat management from the States to the federal government; (4) The Service's proposal contravenes principles of sound wildlife management, and (5) The methodology adopted in the proposed guidelines "... setting harvest objectives as a fixed percentage of total population—excludes a variety of other techniques which are applied successfully to the management of bobcats.

The Law Offices of Kiefer and Morrison, representing the American Fur Industry, stated that the proposed action does have a significant economic impact on a substantial number of fur manufacturers and fur brokers.

The American Fur Resources Institute (AFRI) offered the following comments: (1) Because of the Amendments passed by Congress to the Endangered Species Act, population estimates cannot be required as a condition for export; (2)

The AFRI does not believe that under the 1982 Amendment to the Act, that the Secretary may require the establishment of target harvest levels; and (3) that they oppose the proposed management authority export criterion of a possession tag for the 1983-84 harvest.

The Wildlife Legislative Fund of America commented on the utilization of target harvest levels for decision-making for export of bobcats and the use of a target harvest level in terms of a percentage of a pre-harvest population estimate. They propose that the achievement of the target harvest objective be substituted for the target harvest level as the guideline for SA monitoring of State management programs.

In the following, the Service would like to address all the pertinent comments received.

(1) *Comments on Scientific Authority Guidelines.* The Endangered Species Act Amendment of 1982, Pub. L. No. 97-304, specifically overruled the decision of the United States Court of Appeals for the District of Columbia Circuit in *Defender of Wildlife, Inc. v. Endangered Species Scientific Authority*, 627 F. 2d 1238 (D.C. Cir. 1980), which had imposed two requirements on the Scientific Authority for issuing export findings for bobcats under CITES: (1) That each State be required to submit reliable population estimates for bobcats, and (2) that information on maximum level of kill (quotas) be submitted by the States to the Scientific Authority. By overruling this decision, Congress intended that the Scientific Authority be allowed to make export findings under CITES on the basis of the best available biological information derived from professionally-accepted wildlife management practices and that in no case would the States be required to submit population estimates of the bobcat population within their territories. On the other hand, the Scientific Authority was expressly directed by Congress to consider population estimates along with all other scientific data in making export findings if such population estimates were available. S. Rep. No. 418, 97th Cong., 2d Sess. 22 (1982).

The committee reports to the 1982 Amendments provided for the Scientific Authority, in its discretion, to require the establishment of target harvest levels as a part of the process used in making export findings. E.G., S. Rep. No. 418, *supra*, at 23.

The reports did not specify whether those levels were to be set by the Service or the States. However, the Service has determined that harvest level objectives should be determined

annually by the States. This information has been requested since 1977 and the States have determined their own harvest level objectives based upon their management programs for the species.

Nevertheless, Congress did not intend that the concept of target harvest levels be used to revive the requirement of "quotas" that had been imposed by the Circuit Court opinion. Therefore, the Service interprets the concept of "target harvest levels" to be a discretionary, diagnostic tool that is available to the Scientific Authority when needed to alert States of possible problems with their management programs that might lead to a finding of "detriment" for the following season's export findings. Further, the Service believes that the Scientific Authority should consider target harvest levels supplied by the States and need not suggest Federal levels in those instances where the States have shown through the data submitted by them that their management programs for regulating bobcat take are operating effectively and clearly fit within the "no detriment" requirements needed for export approval under CITES. It must be noted that in no instance should the target harvest level established by a State be treated as a Federal quota. If a target harvest level set by a State is exceeded in an amount that the Scientific Authority believes to be detrimental to the survival of the species, export approval should be denied for the following season for that State unless it takes steps that can reasonably be expected to reduce the harvest to a level acceptable to the Scientific Authority in the following season. In no event would a target harvest level operate to cut-off Federal export approval while a State's bobcat season is in progress.

In order to ensure that expert was not detrimental to the survival of the species the Scientific Authority evaluated target harvest levels for 1982-83 using variations in habitat and long-term recruitment figures from State to State.

The Scientific Authority has taken into consideration all data submitted and has been flexible to a degree if States were able to supply information on recruitment and survival rates to justify a higher target harvest level.

Defenders and the Humane Society suggest setting lower target harvest levels. They provided no data to substantiate their figures nor did they give reasons for setting lower limits. The final findings for export of bobcats in the 1982-83 season do not differ significantly from the proposed

findings in the February 23, 1983 Federal Register notice.

Although the Scientific Authority "no detriment" findings are properly based on data supplied by State wildlife agencies possessing primary management authority for bobcats, it is important to recognize the independent authority of the Scientific Authority to make these findings on the basis of its own separate review of the data in light of CITES requirements. To this end, the best available biological information has been analyzed in the context of professionally accepted wildlife management practices for bobcats, as required by statute and as determined by the Secretary of the Interior.

(2) *Proposed requirement of possession tags for the 1983-84 harvest season.* The Service does not require possession tags in order to meet MA requirements for the 1982-83 export season. The Service solicited comments on the proposed requirement of possession tags for the 1983-84 season and will announce its decision on the issue in the near future when the SA and MA publish their notice of intent for export of bobcats taken during the 1983-84 season.

Scientific Authority Advice

In determining if export of bobcats will not be detrimental to the survival of the species, the Service adopted guidelines that were developed by a working group of wildlife biologists (January 23-24, 1978). The 1982 Amendments to the Act were also incorporated into these guidelines with provision for population estimates to be considered, when available, along with other biological information in making export findings. The 1982 Amendments also allow the Secretary to require, at his discretion, the establishment of target harvest levels.

These guidelines are listed below, with the additional provisions for consideration of population estimates and target harvest levels in making non-detriment findings for export of bobcats:

A. Minimum Requirements for Biological Information

(1) Information on the condition of the population, including trends (the method of determination to be a matter of state choice), and population estimates where such information is available.

(2) Information on total harvest of the species.

(3) Information on distribution of harvest.

(4) Habitat evaluation.

B. Minimum Requirements for a Management Program

(1) There should be a controlled harvest, methods and seasons to be a matter of state choice.

(2) All pelts should be registered and marked.

(3) Harvest level objective should be determined annually by the States.

The types of specific information on bobcat populations considered by the Service in applying these guidelines included (a) current estimate (if such information is available) of the total number of animals in the preharvest population derived by extrapolating the number of animals per unit area in each of the major habitat types to obtain an estimate of the total number of animals in the state, where the number of animals per unit area is determined by direct count (e.g., by using radio tracking) or by indirect indications of abundance (e.g., track counts, scented track plots, hunter/trapper surveys, and/or harvest records), or by using population modeling (e.g., calculation population size from data on recruitment, mortality, sex ratio, age composition, or other parameters), (b) a description of any research being conducted to assess the distribution, abundance, or general condition of the species in the State, summarizing results so far obtained, including results of any analyses of age structure or reproductive parameters, and (c) an assessment of long-term population trends of the species in the State, and the relationship of these trends to habitat condition, management practices, harvesting pressure, or other factors.

The change in the Act does not require the states to submit reliable population estimates in order to export bobcats taken on or after January 1, 1981. However, if these data were provided by the States or by other sources, they were considered by the Service in making "non-detriment" findings. The Service, therefore, considered all pertinent information, including indices of population size, and information on age and sex structure, habitat, and harvest in evaluating the condition of bobcat populations; if population estimates were available, they were considered together with the above data in making SA findings, the Service conducted an independent assessment of the effect that harvest for export is expected to have on the survival of bobcat populations. It made decisions on the basis of the best available biological information of the types described above.

The types of specific information on harvest considered by the Service included (a) The number of animals (by county or game management unit, if data are available at these local levels) that were (i) harvested, (ii) tagged, and (iii) bought by dealers operating in the state during the previous season; (b) that total number of animals that were harvested and tagged in the season before that; (c) the number of licensed trappers in the state, and the number of these trappers setting from the species in question, (d) any available information on harvest per unit effort, and (e) prices paid to harvesters for pelts of the species, including the average price and the range of extremes. The Service used this information to assess harvest pressure on the species, which is important in making export findings.

The Service evaluated the harvest level objectives set by the state in relation to information on the condition of the bobcat population. If the best available biological information indicated that the harvest allowed by a state is causing or contributing to a serious decline in the condition of the bobcat population, then the Service did not issue SA advice in favor of export for that state.

Under the 1982 Amendments to the Act, the Secretary may require the establishment of target harvest levels and tagging procedures to ensure that the export of bobcats will not be detrimental to the survival of the species. Accordingly, the SA has determined that target harvest levels are required for the 1982-83 export season.

The Service finds that current information on population condition, management, and harvest submitted by certain states, as well as that collected by the Service, fully support its final SA findings. The Service has summarized this information in documents that detail the basis for SA advice for each state. Due to their length, details of these documents are not published in the *Federal Register*, but are available for public inspection at the Office of the Scientific Authority (address given above).

Management Authority Findings

Exports of Appendix II species are to be allowed under CITES only if the MA is satisfied that the specimens were not obtained in contravention of laws for the protection of wildlife or plants. The Service, therefore, must be satisfied that bobcat pelts or products were not obtained in violation of state or Federal law, in order to allow export. Evidence of legal taking for bobcat is provided by state tagging systems. For the 1982-83

season, the Service is requiring the use of locking plastic strip tags with embossed legends. The Service has arranged for the manufacturing of such tags for the majority of the states. Other states already use similar tags. Several states were permitted to use state purchased, nonconforming tags for the current season because of tags on hand, or mistakes in their tag orders.

The states receiving export approval for the 1982-83 season had to satisfy the following criteria, which do not differ from those proposed earlier for this season's harvest:

(1) Each skin must be marked with a tag that is:

(a) Made of some permanent material in the style recommended by the Service;

(b) Applied within a specific time of taking that is established by the state; and

(c) Permanently attached to each skin by the state, state registered dealer, or taker. (Dealer and taker must be accountable for all tags received).

(2) The tags must show state or origin, year of take, species, and be serially unique.

(3) Report of take and tagging must be required by state law.

(4) A sample of each tag must be received by the Service.

The Service approves exports of bobcats harvested during the 1982-83 season in the following states and Indian Nations on the grounds that both SA and MA guidelines are met: Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Kansas, Klamath Tribe, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Navajo Nation, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

The Service has denied general approval for export of bobcats harvested in North Dakota. The Service presently lacks information that its SA guidelines are met in this state.

For all other states not addressed above, either the taking of bobcats is not allowed by the state, bobcats do not occur in the state, or the Service did not obtain adequate information on which to base SA and MA findings. The Service did not intend to grant general approval for export of bobcats from such states.

These findings and rule are issued under authority of the Endangered

Species Act of 1973 (16 U.S.C. 1531 et seq.; 87 Stat. 884 as amended), and were prepared by Dr. Richard M. Mitchell, Office of the Scientific Authority.

Note.—The Department has determined that these final findings are not a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act and, therefore, the preparation of an Environmental Impact Statement is not required. The Department has determined that this is not a major rule under Executive Order 12291 and does not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601). This rule treats exports on a state-by-state basis and, in most cases, approves export in accordance with state management programs. Since any effects on small entities are imposed by these state management programs, this rule will have little effect on small entities in and of itself.

The Department has further determined that good cause exists for making these findings and guidelines effective on April 25, 1983, 5 U.S.C. Sec. 553(d). This final notice represents the last administrative step in authorizing the export of bobcat pelts taken in the 1982-83 season. This action has been delayed for many months due to the injunction against bobcat export that remained in force as late as December 23, 1982. The SA has evaluated all available data in carefully making these final findings effective as soon as possible to avoid further economic injury to individual trappers, dealers, or other small entities that are directly affected by these findings. Because further delays in making these findings effective would probably cause loss of sale and/or injury to those small entities at the auctions to be held at the end of April, good cause exists to take this action, and the Department has exercised its discretion to relieve the export restriction at an earlier date in light of the "no detriment" findings noted herein. It must be noted that by shortening the timing of the effective date no adverse effects of any kind will result to bobcat populations. As of March 31, 1983, the bobcat season for 1982-83 had ended throughout the United States. Therefore, no animals in the wild are impacted; only those bobcats killed during the 1982-83 season are affected by this notice. Therefore, further takings are not stimulated by this action. The Department considers this action to fall within the emergency exception of Executive Order 12291 for the reasons noted above.

List of Subjects in 50 CFR Part 23

Endangered and threatened wildlife, Exports, Fish, Imports, Plants (agriculture), Treaties.

PART 23—[AMENDED]

Accordingly, the Service proposes to amend Part 23 of Title 50, Code of Federal Regulations, as set forth below:

Subpart F—Export of Certain Species

In § 23.52, add new paragraph (g) as follows:

• • • • •
§ 23.52 Bobcat (*Lynx rufus*).

(g) 1982-83 Harvest: Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Kansas, Klamath Tribe, Louisiana,

Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Navajo Nation, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Condition on export: Each pelt must be clearly identified as to state of origin

and season of taking by a permanently attached state tag of a type approved and attached under conditions established by the Service.

Dated: April 13, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-10278 Filed 4-15-83; 8:45 am]

BILLING CODE 4310-55-M

Proposed Rules

Federal Register

Vol. 48, No. 75

Monday, April 18, 1983

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.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

1 CFR Ch. III

Exceptions Processes; Meeting

AGENCY: Administrative Conference of the United States; Committee on Regulations.

ACTION: Committee meeting.

SUMMARY:

Agenda: The Committee will consider comments received on a proposed recommendation on the subject of "administrative exceptions processes." (Reference: 48 FR 14910.) This topic includes agency procedures involved in the granting of waivers, exemptions, variances, or other individualized exceptions to rules of general applicability. The Committee may take a final vote on this proposal.

DATE: April 27, 1983, at 1:30 p.m.

ADDRESS: 2120 L Street, NW., Washington, D.C., Lower Level Hearing Room No. 1.

FOR FURTHER INFORMATION CONTACT:

William C. Bush, Administrative Conference of the United States, 2120 L Street NW., Suite 500, Washington, D.C. 20037. Telephone: (202) 254-7065.

SUPPLEMENTARY INFORMATION:

Public Participation: Attendance at the Committee's meeting is open to the public, but limited to the space available. Persons wishing to attend should notify the contact person at least two days in advance of the meeting. The Committee chairman may permit members of the public to present appropriate oral statements at the meeting. Any member of the public may file a written statement with the Committee before, during, or after the meeting. Minutes of the meeting will be available on request to the contact person. This meeting is subject to the Federal Advisory Committee Act (Pub. L. 92-463).

Subjects:

1. Administrative practice and procedure

2. Exceptions

Richard K. Berg,
General Counsel.

April 11, 1983.

[FR Doc. 83-10093 Filed 4-15-83; 8:45 am]

BILLING CODE 6110-01-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 20

[Docket No. PRM-20-13]

Victor E. Anderson; Withdrawal of Petition for Rulemaking

AGENCY: Nuclear Regulatory Commission.

ACTION: Withdrawal of petition for rulemaking (PRM-20-13) that was filed by Victor E. Anderson.

SUMMARY: The Nuclear Regulatory Commission is withdrawing, at the petitioner's request, a petition for rulemaking (PRM-20-13) that was filed by Victor E. Anderson. The petitioner, in his January 17, 1979 letter, requested that the Commission amend 10 CFR Part 20 to require that health physics personnel be certified by the Commission.

ADDRESSES: A copy of the NRC's letter confirming the withdrawal of the petition is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, DC. A copy of the NRC's letter confirming the withdrawal of the petition may be obtained by writing to the Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

FOR FURTHER INFORMATION CONTACT: John Philips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: 301-492-7086 or Toll Free: 800-368-5642.

SUPPLEMENTARY INFORMATION: In a Federal Register notice published on February 28, 1979 (44 FR 11284), the Commission announced the receipt of and requested comments on a petition for rulemaking (PRM-20-13) filed by Victor E. Anderson. The comment period was subsequently extended for

an additional 30 days on May 2, 1979 (44 FR 25716). The petition, which was dated January 17, 1979, requested that the Commission amend 10 CFR Part 20 to require that health physics personnel be certified by the Commission. The petitioner's proposed amendment of § 20.600 provided for the certification of health physicists on five levels. It also provided for the certification, validation, and revocation of certificates. By letter dated March 8, 1983, the NRC has confirmed that the petitioner stated his intention to withdraw his petition during a March 4, 1983 telephone conversation with a member of the NRC's staff. This withdrawal was based on the fact that several developments in radiation protection during the past few years were likely to achieve the objectives of the petition. The developments included the publication of draft NUREG-0781, revision 4 of Regulatory Guide 8.8, publication of the RSO Qualifications guide, the NRC Health Physics Appraisal program, and the INPO/Industry effort in dose reduction.

Dated at Bethesda, Md., this 6th day of April 1983.

For the Nuclear Regulatory Commission,
William J. Dircks,

Executive Director for Operations.

[FR Doc. 83-10249 Filed 4-15-83; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

Proposed Advisory Circular; Active Flight Controls; Reopening of Comment Period

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Reopening of comment period.

SUMMARY: This notice reopens the comment period for proposed Advisory Circular (AC) 25-XX (48 FR 7464; February 22, 1983), which sets forth an acceptable means of compliance with the provisions of Part 25 of the Federal Aviation Regulations (FAR) pertaining to the certification requirements of active flight controls. This notice is based on requests from industry for additional time to study the AC and prepare comments.

DATE: Comments must be received on or before May 18, 1983.

ADDRESS: Send all comments on the proposed AC to: Federal Aviation Administration, Northwest Mountain Region, ANM-110, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. Comments may be inspected at the above address weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Iven Connally, Regulations and Policy Office, at the above address, telephone (206) 764-7053.

SUPPLEMENTARY INFORMATION:

Comments Invited

A copy of the draft AC may be obtained by contacting the person named above under "FOR FURTHER INFORMATION CONTACT." Interested persons are invited to comment on the proposed AC by submitting such written data, views, or arguments as they may desire. Communications should identify AC 25-XX and be submitted to the address specified above. All communications received on or before the closing date for comments, including those received in response to the first notice, will be considered by the regulations and Policy Office before issuing the final AC.

Background

Stability augmentation systems (SAS) have been successfully used on transport airplanes for several years. The earlier SAS were limited in authority to assure acceptable handling qualities with the system malfunctioning or inoperative. Although the SAS provided some alleviation of flight loads, no credit was given since the SAS effectiveness in relieving loads was not assessed against system reliability.

In recent years, significant developments in active controls technology have advanced the state-of-the-art of active flight control systems in both effectiveness and reliability to the point some alleviation from flight loads can be achieved. Flutter suppression systems (FSS) may also be installed in conjunction with the load alleviation system (LAS) to provide flutter margins.

The procedures set forth in the proposed AC were developed jointly by the FAA and the aerospace industry (Aerospace Industries Association of America (AIA)) for use in certification of active controls. Adherence to these criteria will provide a level of safety in airplanes equipped with these systems consistent with the level of safety found in airplanes without them.

On February 22, 1983, the FAA issued a notice of availability of proposed AC 25-XX (48 FR 7464). Some of the

comments received in response to the notice included a request for additional time in which to study the AC and to coordinate and prepare comments.

Additionally, the FAA has amended the introductory paragraph of the AC to more accurately reflect the regulatory basis upon which the AC is predicated. This change does not affect the technical content of the AC.

Individuals who requested a copy of the AC when the notice of availability was originally published need not submit another request as copies of the amended AC will be provided to those individuals by the Regulations and Policy Office.

Reopening of Comment Period

In consideration of some of the comments received in response to AC 25-XX, and due to the fact that the introductory paragraph of the AC has been amended, the FAA concludes that it is in the public interest to reopen the comment period. This will allow an additional opportunity for individuals to adequately review the AC and to furnish comments. Accordingly, the comment period for AC 25-XX, Active Flight Controls, is reopened.

Issued in Seattle, Washington, on April 6, 1983.

Leroy A. Keith,

Manager, Aircraft Certification Division,
Northwest Mountain Region.

[FR Doc. 83-10168 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-NM-18-AD]

Airworthiness Directives; British Aerospace Aircraft Group Model H.S. 748 Series 1, 2, and 2A Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes an airworthiness directive (AD) that would require inspection of fasteners on the wing lower surface on certain British Aerospace Model H.S. 748 airplanes. In several cases incorrect fasteners were inadvertently installed when the wing was manufactured. These incorrect fasteners reduce the structural capability of the wing.

DATES: Send comments in duplicate to FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. Comments must be received no later than June 7, 1983.

ADDRESSES: The applicable service information and copies may be obtained from British Aerospace, Inc., Librarian,

Box 17414, Dulles International Airport, Washington, D.C. 20041, or may also be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT:

Mr. Sulmo Mariano, Foreign Aircraft Certification Branch, ANM-150S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 767-2530.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and be submitted in duplicate to the address specified below. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the FAA, Northwest Mountain Region, Office of the Regional Counsel, Attention: Airworthiness Rules Docket No. 83-NM-18-AD, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

Discussion: The United Kingdom Civil Aviation Authority has classified British Aerospace Aircraft Group H.S. 748 Service Bulletins 57/62 and 57/63 as mandatory. The following conditions are described in these bulletins:

1. Incorrect fasteners at the rib/stringer attachment brackets have been found on a number of wing assemblies of series 2 and 2A airplanes on the wing bottom surface at rib 224.366 and at stringers 4 and 6 at all ribs on each side of wing access panels W3 to W12 except W10. Some of the fasteners have been identified as $\frac{3}{8}$ -inch diameter rivets; the correct item should be a $\frac{3}{8}$ -inch diameter huckbolt. In addition, other incorrect fasteners at the other locations have been identified as rivets; the correct items should be $\frac{3}{8}$ -inch diameter huckbolts.

2. Incorrect fasteners at the rib/stringer attachment bracket on the wing lower surface at rib 16.071 and stringers 9, 10, 11, and 12 on series 1, 2, and 2A airplanes have been found on a number of wing assemblies. One of the fasteners at each of the above rib/stringer brackets has been identified as a $\frac{1}{8}$ -inch diameter rivet. The correct item should be a $\frac{3}{16}$ -inch diameter rivet.

The service bulletins prescribe replacement of the incorrect fasteners.

Since these conditions are likely to exist on airplanes of this model registered in the United States, the FAA has determined that an AD is necessary which would require replacement of the incorrect fasteners.

It is estimated that five U.S. registered airplanes would be affected by this AD, that it would take approximately 64 manhours per airplane to accomplish the required actions, and that the average labor cost would be \$35 per manhour. Repair parts are supplied by the manufacturer at no cost to user. Based on these figures, the total cost impact of this AD to U.S. users is estimated to be \$11,200. For these reasons, the proposed rule is not considered to be a major rule under the criteria of Executive Order 12291. Few small entities within the meaning of the Regulatory Flexibility Act would be affected.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by adding the following new airworthiness directive:

British Aerospace Aircraft Group

Applies to Model H.S. 748 airplanes certified in all categories. To prevent wing structural failure accomplish the following, unless already accomplished:

1. (For series 2 and 2A airplanes with wing fuel tanks extending outboard beyond rib 350.366) Within the next 1,500 hours or six months time in service, whichever occurs first after the effective date of this AD, inspect the rib/stringer bracket fasteners of the wing bottom surface at rib 224.366 and at stringers 4 and 6 at all ribs on each side of wing access panels W3 to W12 except W10, and perform the actions described in paragraph 2, Accomplishment Instructions, of British Aerospace Aircraft Group H.S. 748 Service Bulletin 57/62 dated June 1980.

2. (For series 1, 2 and 2A airplanes) Within the next 500 hours of 60 days time in service, whichever occurs first after the effective date of this AD, inspect the rib/stringer bracket fasteners of wing bottom surface rib 16.071 and stringers numbered 9, 10, 11, and 12 and perform the actions described in paragraph 2, Accomplishment Instructions, of British

Aerospace Aircraft Group H.S. 748 Service Bulletin 57/63 dated June 1980.

3. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

4. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD. (Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.85).

Note.—For the reasons discussed earlier in the preamble, the FAA has determined that this document (1) involves a proposed regulation which is not major under Executive Order 12291 and (2) is not a significant rule pursuant to the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is certified under the criteria of the Regulatory Flexibility Act that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. A regulatory evaluation has been prepared and has been placed in the public docket.

Issued in Seattle, Washington on April 8, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-10164 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-NM-31-AD]

Airworthiness Directives; Lockheed Model L-1011 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend an existing Airworthiness Directive (AD) applicable to Lockheed Model L-1011 Series Airplanes which requires initial and repetitive leak tests and visual inspections of fuel line couplings, fittings, and hydraulic servos located in the afterbody compartment. The AD was issued to detect the accumulation of flammable fluids and/or vapors in the vicinity of the APU exhaust shroud, an area which does not have fire extinguishing nor fire detection systems. Since the issuance of this AD, Lockheed has released a modification for the APU exhaust shroud which reduces the skin temperature to a safe level and eliminates the need for repetitive inspections. This amendment, if adopted, would require accomplishment of the modification.

DATES: Comments must be received no later than June 7, 1983.

Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: Send comments on the proposal in duplicate to Federal Aviation Administration, Northwest Mountain Region, Office of the Regional Counsel, Attention: Airworthiness Rules, Docket 83-NM-31-AD, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. The applicable service information may be obtained from: Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts, Dept. 63-11, U-33, B-1. This information also may be examined at FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or 4344 Donald Douglas Drive, Long Beach, California.

FOR FURTHER INFORMATION CONTACT: Stephen Kolb, Aerospace Engineer, Propulsion Branch, ANM-140L, Federal Aviation Administration, Northwest Mountain Region, Los Angeles Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California 90808, telephone (213) 548-2835.

SUPPLEMENTARY INFORMATION: Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified below. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Availability of NPRMS

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Northwest Mountain Region, Office of the Regional Counsel, Attention: Airworthiness Rules Docket No. 83-NM-31-AD, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

Discussion: Airworthiness Directive 82-03-04, Amendment 39-4310, was published in the *Federal Register* February 4, 1982 (47 FR 5197), applicable to all Lockheed Model L-1011 Series Airplanes, requiring initial and repetitive leak test and visual inspections of fuel line couplings and fittings and the hydraulic servos located in the afterbody compartment.

After issuing Amendment 39-4310, the FAA approved a modification to the APU exhaust duct and shroud contained in Part II of the Accomplishment Instructions of Lockheed L-1011 Service Bulletin 093-49-058, Revision 3, dated October 28, 1982. This modification consists of the installation of insulation blankets over the APU exhaust duct and exhaust shroud. Tests have confirmed that the modified shroud surface temperatures are reduced to acceptable levels; therefore, repetitive tests and inspections will not be required after the modification has been installed.

The possibility still exists for fuel leaks to occur between the inspections called for by the present AD, which if directed toward the APU exhaust shroud, represent a potential fire hazard in an area that does not have fire walls or fire detection systems. For this reason, the proposed AD is considered to be necessary.

The estimated costs associated with the proposed AD are as follows: Kit costs: \$2,000 per airplane \times 111 airplanes = \$222,000. Installation cost: 12.3 manhours per airplane \times \$35 per manhour \times 111 airplanes = \$47,486. The total cost is estimated to be \$269,786. For these reasons, the proposed rule is not considered to be a major rule under the criteria of Executive Order 12291. Few, if any, small entities within the meaning of the Regulatory Flexibility Act would be affected.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by amending AD 82-03-04, Amendment 39-4310 (47 FR 5197; February 4, 1982), as follows:

Revise the first paragraph to read as follows:

Lockheed-California Company: Applies to Lockheed Model L-1011 Series Airplanes, prior to Serial No. 1239, certificated in all categories. Compliance required as indicated, unless previously accomplished.

Revise paragraphs A, B, and C by changing the word "Chief" to "Manager" and by deletion of the word "Area."

Reidentify paragraph B. as paragraph A.3. Add new paragraph B. to read as follows: B. Within 5000 flight hours or two (2) calendar years after the effective date of this amendment, whichever occurs first, install APU Exhaust Duct and Shroud Insulation as specified in Part II, Accomplishment Instructions of Lockheed L-1011 Service Bulletin 093-49-058, Revision 3, dated October 28, 1982, or later revisions approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region. This action terminates the requirement for repetitive inspections as required in paragraph A., above.

Delete the first paragraph after paragraph D. and revise the second to read as follows:

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to: Lockheed-California Company, P.O. Box 551, Burbank, California 91520, Attention: Commercial Support Contracts, Dept. 63-11, U-33, B-1. These documents also may be examined at FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or 4344 Donald Douglas Drive, Long Beach, California.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.85)

Note.—For the reasons discussed earlier in the preamble, the FAA has determined that this document (1) involves a proposed regulation which is not major under Executive Order 12291 and (2) is not a significant rule pursuant to the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is certified under the criteria of the Regulatory Flexibility Act that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. A regulatory evaluation has been prepared and has been placed in the public docket.

Issued in Seattle, Wash., on April 8, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-10166 Filed 4-15-83; 8:45 a.m.]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

15 CFR Part 400

[Docket No. 21222-257]

Foreign-Trade Zones in the United States; Additional Information and Time Extension for Comments

AGENCY: Foreign-Trade Zones Board, Commerce.

ACTION: Proposed rule; Extension of comment period.

SUMMARY: A proposed revision of the Foreign-Trade Zones Board's regulations (15 CFR Part 400) was published in the *Federal Register* on February 18, 1983 (48 FR 7188-7200), with corrections published on February 28, 1983 (48 FR 8291).

This notice contains a revision to one section of the proposal, and extends the period for comments to May 31, 1983.

The original period for comments was to close on April 19, 1983. As a result of a number of requests for an extension, and the further changes to proposed § 400.303, the period for public comment is extended to May 31, 1983.

DATE: Comments must be received by May 31, 1983.

ADDRESS: Comments (original and 6 copies) are to be addressed to the: Executive Secretary, Foreign-Trade Zones Board, International Trade Administration, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue NW., Room 1872, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: John J. Da Ponte, Jr., Executive Secretary, Foreign-Trade Zones Board, 202/377-2862.

SUPPLEMENTARY INFORMATION:

PART 400—[AMENDED]

After publication of the proposed changes, a further change to § 400.303, concerning eligible locations for subzones, was received from the Customs Service.

Section 400.303 is proposed to be revised and is published below so that interested parties can comment.

§ 400.303 Location in relation to ports of entry.

Zones and subzones may be located only in or adjacent to ports of entry. The definition of "adjacent" is a location within 35 statute miles of a Customs port of entry. For the purposes of this section, a Customs station designated by Customs Regulations is considered a port of entry if it is staffed by at least one full-time Customs officer at the time the application is filed. Because of the special nature of subzones, a more distant location may be considered "adjacent" if the subzone operator agrees to deliver the merchandise and its associated Customs documentation to the adjacent port designated by Customs for inspection before admission to, and upon removal from, the subzone, and gives bond as required by the U.S. Customs Service to guarantee safe delivery and compliance with U.S. laws and regulations.

Dated: April 13, 1983.

(Sec. 8, Foreign Trade Zones Act of June 13, 1934, 48 Stat. 1000; 19 U.S.C. 81h)

John J. Da Ponte, Jr.,
Executive Secretary, Foreign-Trade Zones
Board.

[FR Doc. 83-10250 Filed 4-15-83; 8:45 a.m.]

BILLING CODE 3510-25-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 4

Proposed Customs Regulations Amendment Relating to Filing of Coastwise Cargo Declaration

AGENCY: Customs Service, Treasury.

ACTION: Proposed rule.

SUMMARY: Generally, the coastwise trade involves the transportation by vessel of merchandise or passengers between points in the United States embraced within the coastwise laws. These points include ports and places in the United States, its territorial waters, and nearly all of the territories and possessions of the United States. By statute, any vessel, properly registered under the laws of the United States, may engage in trade between ports in the United States with the privilege of touching at one or more foreign ports during the voyage.

The Customs regulations provide that a certified coastwise Cargo Declaration must be used to identify the merchandise to be transported from the port of lading in the United States via the foreign port or ports to the subsequent ports in the United States. Under current procedures, this cargo declaration must be presented to Customs for certification and returned to the master of the vessel before the vessel can depart from the United States port of lading. Because this has on occasion unnecessarily prevented a vessel from departing timely, this document proposes to amend the regulations by providing an alternative procedure so that a vessel operator may present the required coastwise cargo declaration for certification after the vessel's departure from the United States port of lading.

DATE: Comments must be received on or before June 17, 1983.

ADDRESS: Written comments (preferably in triplicate) may be addressed to the Commissioner of Customs, Attention: Regulations Control Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Room 2426, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Donald H. Reusch, Carriers, Drawback and Bonds Division (202-566-5706); U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229.

SUPPLEMENTARY INFORMATION:

Background

Generally, the coastwise trade involves the transportation by vessel of merchandise or passengers between points in the United States embraced within the coastwise laws. These points include ports and places in the United States, its territorial waters, and nearly all of the territories and possessions of the United States.

In accordance with section 293 of title 19, United States Code (19 U.S.C. 293), any vessel, on being duly registered in pursuance of the laws of the United States, may engage in trade between ports in the United States with the privilege of touching at one or more foreign ports during a voyage. At a foreign port, the vessel may discharge or take on merchandise, passengers and their baggage, letters and mail.

Section 293 further provides that all such vessels (in coastwise trade via foreign ports) shall be furnished by the appropriate Customs officers of the ports at which they shall take in their cargoes in the United States, with certified manifests, setting forth the particulars of the cargoes such as the marks and numbers of the packages, the names of the shippers and consignees, and the destinations.

Section 4.82, Customs Regulations (19 CFR 4.82), sets forth the applicable procedures relating to vessels touching at a foreign port while in the coastwise trade. Section 4.82(a), provides that Cargo Declaration, Customs Form 1302 or 1302-A, must be used to identify only cargo for a foreign destination. Section 4.82(b) provides that a certified coastwise Cargo Declaration must be used to identify the merchandise to be transported from the port of lading in the United States via the foreign port or ports to the subsequent ports in the United States. In accordance with § 4.82(c), upon arrival from the foreign port or ports at the subsequent port in the United States, the master of the vessel is required to present the Cargo Declaration and the certified copies of the coastwise Cargo Declaration, Customs Form 1302, to Customs. Section 4.82(d) provides that all merchandise on the vessel upon its arrival at the subsequent port in the United States is subject to such Customs examination and treatment as may be necessary to protect the revenue. Any article on board which is not identified to the satisfaction of the district director by

the coastwise Cargo Declaration as part of the coastwise cargo shall be treated as imported merchandise.

The coastwise cargo declaration is essential because it is used by Customs at the subsequent port of destination in the United States to identify domestic cargo on the vessel which is not imported and, therefore, not subject to entry for Customs purposes.

Based on 19 U.S.C. 293, § 4.82(b) provides that at the port of lading in the United States, the master is required to present to the district director for certification the coastwise Cargo Declaration and the district director shall return two certified copies to the master. As a result of the requirement that the certified copies be returned to the master, the vessel can not depart until a manifest is prepared, presented to Customs for certification, and returned certified to the master. Customs is aware of occasions when a vessel is loaded and ready to depart on a coastwise voyage via foreign ports before the manifest is completed and presented to Customs for certification. Holding the vessel in port pending completion, presentation, certification, and return of the manifest to the master is extremely costly and burdensome to the vessel operator.

Additionally, § 4.82(b) may place one vessel operator at a competitive disadvantage with another. For example, a vessel may transport coastwise merchandise from New York to Puerto Rico (covered by the coastwise laws) via Jamaica and the Dominican Republic. Before leaving New York, the procedure set forth in § 4.82(b) must be followed. The master must present to Customs in New York for certification a coastwise manifest of cargo to be unladed in Puerto Rico. The certified coastwise manifest must be returned to the vessel before it can depart New York. Because the coastwise manifest must be completed to be certified and returned before the vessel departs, lading operations must necessarily be terminated several hours before the time of the vessel's departure to do the necessary paperwork. However, in the situation where a competing vessel operator provides service directly from New York to Puerto Rico, the vessel can accept shipments until the last minute before departure because, as Puerto Rico is within the coastwise laws, manifests are not required.

This situation is unsatisfactory for vessel operators and Customs. Accordingly, this document proposes to amend § 4.82(b) by providing an alternative procedure which would permit the vessel to depart the port of

lading in the United States before presentation of the coastwise Cargo Declaration to Customs for certification. The operator of the vessel could present the coastwise Cargo Declaration to the district director for certification and return to the operator after the vessel's departure. The vessel operator at the port of lading could use the mail, telecopy, or other electronic data transmission to forward the manifest to the subsequent United States port of destination in advance of the arrival of the vessel. The responsibility for the timely presentation of the certified manifest upon the vessel's arrival at the subsequent port in the United States would be exclusively with the master. Failure to present the manifest timely would result in the merchandise being treated as imported pursuant to § 4.82(d).

The master of a vessel, which is also transporting foreign merchandise during the coastwise voyage, is still required to obtain from the district director a certified copy of the complete inward foreign manifest (traveling manifest) before the vessel departs from the first United States port of arrival.

Authority

This amendment is proposed under the authority of R.S. 251, as amended (19 U.S.C. 66), R.S. 3126 (19 U.S.C. 293), R.S. 3127 (19 U.S.C. 294), section 624, 46 Stat. 759 (19 U.S.C. 1624).

Comments

Before adopting this proposal, consideration will be given to any written comments timely submitted to the Commissioner of Customs. Comments submitted will be available for public inspection in accordance with § 103.11(b), Customs Regulations (19 CFR 103.11(b)), during regular business days between the hours of 9:00 a.m. and 4:30 p.m. at the Regulations Control Branch, Room 2426, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW., Washington, D.C. 20229.

E.O. 12291

The proposed amendment does not meet the criteria for a "major rule" as specified in section 1(b) of E.O. 12291. Accordingly, no regulatory impact analysis has been prepared.

Regulatory Flexibility Act

Pursuant to the provisions of section 3 of the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601 *et seq.*), it is hereby certified that the proposed regulation set forth in this document will not have a significant economic impact on a substantial number of small entities. There is no indication that a substantial

number of small entities, if any, will be affected by the proposal. Accordingly, this regulation is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Drafting Information

The principal author of this document was Charles D. Rassin, Regulations Control Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

List of Subjects in 19 CFR Part 4

Customs duties and inspection, Imports, Cargo vessels.

Proposed Amendments

It is proposed to revise § 4.82(b), Customs Regulations (19 CFR 4.82(b)), by designating the present paragraph as paragraph (b)(1) and by adding a new paragraph (b)(2) to read as follows:

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

§ 4.82 Touching at foreign port while in coastwise trade.

* * * * *

(b)(1) * * *

(2) As an alternative to the procedure described in paragraph (b)(1) of this section, upon approval by the district director of a vessel operator's written request, the vessel operator may present the coastwise Cargo Declaration to the district director for certification and return to the operator after the vessel has departed. The master shall be responsible for the timely presentation to the district director of the coastwise Cargo Declaration when the vessel arrives at the subsequent port in the United States.

William von Raab,

Commissioner of Customs.

David Q. Bates,

Acting Assistant Secretary of the Treasury.

April 14, 1983.

[FR Doc. 83-10342 Filed 4-15-83; 8:45 am]

BILLING CODE 4820-02-M

1. In § 1.451-3(a)(6), in the last two lines of the middle column of page 10705, "method § 1.451-3(a)(6) described" should have read "method described".

2. In § 1.451.3(b)(1)(ii), in the third column of page 10705, the line reading "§ 1.451.3(B)(1)(ii)" which appears above the paragraph designated "(2) Completion" should be removed.

3. In § 1.451.3(b)(3)(iii)(C)(2), in the third column of page 10708, the last two lines of paragraph (e) now reading "An option to acquire shall be considered as an option to acquire such an interest" should have read "An option to acquire an option, and each one of a series of such options shall be considered as an option to acquire such an interest."

4. In § 1.451-3(b)(3)(v)(B), on page 10709, eleven lines from the bottom of the third column, the line reading "subassemblies, or (2) any other subject" should have read "subassemblies are first incurred after the".

5. In § 1.451-3(d)(1), on page 10710, six lines from the top of the first column, "in paragraph (d)(2)" should have read "in paragraph (b)(2)". Also, a line of five asterisks should have appeared after the paragraph to indicate that (d)(2) through (d)(4) were not changed.

6. On page 10718, middle column, § 1.471-11(c)(1), twenty-one lines from the bottom of the column, the line reading "paragraph (d)(6) of § 1.451-3 rather than" should be removed and the words "paragraph. For contracts entered into" should be inserted.

BILLING CODE 1505-01-M

DEPARTMENT OF EDUCATION

34 CFR Part 682

Family Contribution Schedule for the Guaranteed Student Loan Program for 1984-85; Correction

AGENCY: Department of Education

ACTION: Notice of proposed rulemaking; Corrections.

SUMMARY: This document makes technical corrections in the Notice of Proposed Rulemaking for the Family Contribution Schedule for the Guaranteed Student Loan Program for 1984-85 (48 FR 14344, April 1, 1983).

FOR FURTHER INFORMATION CONTACT:

Mr. Larry Oxendine, Policy Section, Guaranteed Student Loan Branch, Division of Policy and Program Development, Office of Student Financial Assistance, 400 Maryland Avenue, SW., (Room 4310, ROB-3)

Internal Revenue Service

26 CFR Part 1

[LR-274-81]

Accounting for Long-Term Contract

Correction

In FR Doc. 83-6524 beginning on page 10702 in the issue of Monday, March 14, 1983, make the following corrections:

Washington, D.C., telephone: (202) 245-2475.

SUPPLEMENTARY INFORMATION: On April 1, 1983, the Secretary published a notice of proposed rulemaking for this program in the Federal Register at 48 FR 14344-14346. This document corrects several errors that were made in those regulations.

On page 14344, third column, the sentence beginning on line 9 is revised to read as follows:

"The Secretary also proposes to modify the standard used to measure family resources under the tables in this schedule to include untaxed income such as nontaxable investment income, welfare benefits, and child support payments."

On page 14345, third column, the sentence beginning on line 9 is revised to read as follows:

"The Secretary expects to issue regulations regarding the verification of information provided by the student and the student's family."

On page 14345, third column, the sentence beginning on line 38 is revised to read as follows:

"The Secretary considers the present dependent/independent classification inadequate to address the different financial needs of students of different ages, marital status, years of independent living, and numbers of dependents, and will propose redefining 'independent student' to reflect those varying equities."

(Catalog of Federal Domestic Assistance Number 84.032, Guaranteed Student Loan Program)

Dated: April 13, 1983.

Daniel Oliver,

General Counsel.

[FR Doc. 83-10244 Filed 4-15-83; 8:45 am]

BILLING CODE 4000-01-M

The proposed rule would apply only to those roadless areas which have not been addressed by Congress. The action is necessary to respond to a recent court ruling that the environmental statement on which the 1979 roadless area decisions were based did not adequately meet National Environmental Policy Act requirements. The intent of the proposed action is to minimize future legal challenges and disruption of National Forest planning and management activities.

DATE: Comments must be received on or before June 17, 1983.

ADDRESS: Comments or questions on the proposed rule may be addressed to: R. Max Peterson, Chief (1920), Forest Service, USDA, P.O. Box 2417, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: Charles R. Hartgraves, Director, Land Management Planning Staff, (202) 447-6697.

SUPPLEMENTARY INFORMATION: In January 1979 the Forest Service issued a national environmental statement documenting the results of a review of 62 million acres of roadless and undeveloped areas within the National Forest System (RARE II). On the basis of the environmental statement, the Department of Agriculture announced decisions to recommend that Congress designate 15.1 million acres as wilderness, to continue to study an additional 10.8 million acres, and to manage the remaining 36 million acres for multiple uses other than wilderness. Consistent with those decisions, the regulations governing National Forest Land and Resource Management Planning specify, at 36 CFR 219.17, that the 36 million acres are to be managed for nonwilderness uses and that no such area will be considered for wilderness designation until a forest plan is revised.

In 1979, the State of California filed a lawsuit challenging the adequacy of the RARE II Environmental Impact Statement as the basis for deciding to manage 47 roadless areas in California for uses other than wilderness. In October 1982, the U.S. Court of Appeals for the Ninth Circuit ruled that the RARE II Environmental Impact Statement did not adequately meet the requirements of the National Environmental Policy Act (NEPA) with regard to evaluation of environmental consequences of the actions proposed for these areas. *California, et. al. v. Block, et. al.*, Nos. 80-4101, 80-4111, 80-4112, 80-4115, 80-4218 (Ninth Circuit, October 22, 1982). The Ninth Circuit ruling leaves the regulation at 36 CFR 219.17 vulnerable to future court

challenge unless it is changed to direct further NEPA evaluation of these areas.

The recommendations that Congress designate other National Forest System roadless areas as wilderness also were left vulnerable to future court challenge by the Ninth Circuit ruling. These decisions relied on the same evaluation that was found inadequate under NEPA by the court. The court's decision also left unanswered the question of whether administrative decisions to recommend individual roadless areas for wilderness designation or to manage them for uses besides wilderness may be made outside the forest planning process required by the National Forest Management Act and described in 36 CFR Part 219.

For these reasons, the proposed rule would remove the prohibition against further consideration for potential wilderness designation of roadless areas made available to nonwilderness uses as a result of RARE II. In order to minimize future risk of court challenge, it would direct that all roadless areas reviewed in RARE II or existing unit and forest plans are subject to evaluation for their wilderness designation potential in current and future forest planning cycles. This direction would apply if the roadless area remains essentially roadless and undeveloped, and if it has not been designated wilderness or released for nonwilderness uses by an Act of Congress. The proposed rule is so written that this direction is subject to existing and future legislation by Congress. For example, in regard to National Forest roadless areas in Alaska, Colorado, Indiana, Missouri, New Mexico, and West Virginia, Congress has acted affirmatively to ratify the legal adequacy of the RARE II Environmental Impact Statement and study process and to prohibit further review of roadless areas for wilderness designation potential in each State except as provided in the legislation.

The proposed change recognizes that considerable evaluation of roadless areas has already been completed in RARE II and existing plans. It provides that the appropriate scope and detail of evaluation in the forest planning process for each area will be determined with the help of public participation. This approach is consistent with the current regulations implementing NEPA, 40 CFR Parts 1500-1507, and the existing forest planning process described in 36 CFR 219.

It should not be necessary for forest staffs who are already far along in preparation of a forest plan to formally repeat planning process steps already completed. It should be sufficient to

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 219

National Forest System Land and Resource Management Planning

AGENCY: Forest Service, USDA.

ACTION: Proposed rule.

SUMMARY: The Department of Agriculture is proposing to revise 36 CFR 219.17, wilderness designation. The rule would direct reevaluation through forest planning of those National Forest System roadless and undeveloped areas recommended in 1979 for wilderness designation or designated for management for nonwilderness uses.

initiate a public meeting or other public participation activity to determine the appropriate scope and detail of evaluation necessary for each roadless area subject to further evaluation on a forest. Additional consideration of alternative uses for these areas, examination of environmental consequences, and other planning analyses may then be integrated into existing planning documents. Those draft forest plans which have been published and accompanying draft environmental impact statement documents may be amended and supplemented accordingly (see 40 CFR 1502.9). All evaluations would include consideration of the items currently listed in 36 CFR 219.17(b)(2), as well as address the concerns described in the *California v. Block* decision. Additional evaluation would fully utilize existing information and analysis available for roadless areas from RARE II and other sources, but would not be bound by past recommendations for or against wilderness designation for these areas. Under the proposed rule, information, analysis, and public participation, in addition to that available from RARE II and other sources would be developed for each area that is subject to evaluation to minimize the risk that any future legal challenges based on *California v. Block* will occur.

Prior to the *California v. Block* decision, a tremendous amount of planning, scheduling, and implementation of management activities proceeded based on the RARE II decision, and these activities have not been challenged. The court order invalidates the RARE II process only as applied to the 47 California areas involved in the lawsuit. Therefore, for other roadless areas, the Forest Service does not anticipate proposing changes in either RARE II wilderness recommendations or management of areas for nonwilderness uses on individual National Forests until completion of the forest plan. If the forest planning process results in a change in actual or recommended management of a roadless area, the change would be implemented in the same manner as for roadless areas already designated for further planning by RARE II or by legislation. In other words, any such changes will not be implemented without adequate notice to Congress and the public.

Finding of No Significant Environmental Impact

This proposed rule change is not a major Federal action significantly affecting the quality of the human environment and, therefore, does not

require the preparation of an environmental impact statement. The change is procedural only and directs further evaluation of environmental consequences of proposed actions as part of the land and resource management planning process. The regulation change, therefore, has no potential for significant effect on the physical and biological components of the human environment.

Regulatory Impact

The Assistant Secretary for Natural Resources and Environment has determined that the proposed rule is considered "nonmajor," as defined in Executive Order 12291. Therefore, a regulatory impact analysis is not required for this rulemaking. The proposed rule requires the Forest Service to further study roadless areas as part of a legally required planning process. Increases in costs of planning to the Forest Service are necessary to avoid even greater costs to the government from further delay and other disruption of planning and management activities due to legal challenges. The proposed rule, therefore, would not cause a major increase in costs or prices to consumers, individual industries, Federal, State, or local government agencies, or geographic regions. It would not have an annual effect on the economy of \$100 million or more, or have significant adverse effect on competitive employment, investment, productivity, innovation, or ability of United States based enterprises to compete with foreign based enterprises.

Small Entity Impact

The Assistant Secretary for Natural Resources and Environment has determined that this proposed rule will not have a significant economic impact on a substantial number of small entities. The proposed rule imposes no direct or indirect costs on small entities. It requires no paperwork or recordkeeping requirement as defined in the Paperwork Reduction Act of 1980; it does not affect the competitive position of small entities in relation to large entities; it does not affect the ability of a small entity to stay in the market, and it does not require that small entities obtain professional assistance to meet regulatory requirements.

List of Subjects in 36 CFR Part 219

Environmental impact statements,
National Forests.

PART 219—[AMENDED]

Therefore, for the reasons set forth in the preamble, Part 219-Planning, Subpart A, *National Forest System Land*

and Resource Management Planning, Title 36 of the Code of Federal Regulations is proposed to be amended as follows:

Section 219.17 is amended by changing the title, "Wilderness Designation" to "Evaluation of Roadless Areas"; by removing paragraph (a); by renumbering paragraph (b) as (a); and by revising the introductory text of redesignated paragraphs (a) and (a)(1), and by revising paragraphs (a)(1)(i), and (a)(2) to read as follows:

§ 219.17 Evaluation of roadless areas.

(a) Unless otherwise provided by law, roadless areas of public lands within or adjacent to the forest shall be evaluated and considered for recommendation as potential wilderness areas during the forest planning process, as provided in paragraph (a)(1) and (a)(2) of this section.

(1) During analysis of the management situation, the following areas shall be subject to evaluation:

(i) Roadless areas previously inventoried in the second roadless area review and evaluation (RARE II), in a unit plan, or in a forest plan, which remain essentially roadless and undeveloped, and which have not yet been designated as wilderness or for nonwilderness uses by law.

(2) For each area subject to evaluation under paragraph (a)(1) of this section, the evaluation, and the determination of the appropriate detail and scope of evaluation, shall be developed with public participation. As a minimum, the evaluation shall include consideration of:

Douglas W. MacCleery,

Deputy Assistant Secretary for Natural Resources and Environment.

March 30, 1983.

[FR Doc. 83-10174 Filed 4-15-83; 8:45 am]

BILLING CODE 3410-11-M

VETERANS ADMINISTRATION

38 CFR Part 21

Veterans Education; Report of State Approving Agency Activities

AGENCY: Veterans Administration.

ACTION: Proposed regulation.

SUMMARY: This proposed regulation is designed to reduce the amount of information the VA (Veterans Administration) is collecting from State approving agencies, and to make the collection of this information less

frequent. This proposal will reduce the reporting burden on State approving agencies.

DATE: Comments must be received on or before May 16, 1983. It is proposed to make this regulation effective the date of final approval.

ADDRESSES: Send written comments to: Administrator of Veterans Affairs (271A), 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 the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays) until May 25, 1983. Anyone visiting Central Office in Washington, D.C. for the purpose of inspecting any of these comments will be received by the Central Office Veterans Services Unit in room 132. 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: June C. Schaeffer (225), Assistant Director for Policy and Program Administration, Education Service, Department of Veterans Benefits, Veterans Administration, Washington, D.C. 20420 (202-389-2092).

SUPPLEMENTARY INFORMATION: The VA has determined through its administrative experience that it does not need to receive State approving agency reports as frequently as it has been. The agency has also determined that it does not need to receive reports of State approving agency activities separated on the basis of whether the school has previously had courses approved.

Furthermore, in order to comply with the Paperwork Reduction Act of 1980 (Pub. L. 96-511), the VA is no longer requiring State approving agencies to report their activities from the beginning of the fiscal year to the date of the report. The VA is giving State approving agencies a choice of the way in which they will report the number of schools and establishments with approved courses in their jurisdictions.

Accordingly, 38 CFR 21.4154 is amended to change the frequency of State approving agency reports from monthly to quarterly and to eliminate some of the information to be reported.

The VA has determined that this proposed regulation contains no major rules as that term is defined by Executive Order 12291, Federal Regulation. The annual effect on the economy will be less than \$100 million. It will have no 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.

The Administrator of Veterans' Affairs hereby certifies that this proposed regulation, if promulgated, will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. Pursuant to 5 U.S.C. 605(b), this proposed regulation, therefore, is exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

This certification can be made because this regulation affects only State governments. State governments do not come within the term "small governmental jurisdiction" as defined in section 601(5) of the RFA. The regulation will have no significant impact on small entities, i.e. small businesses, small, private and nonprofit organizations, and small governmental jurisdictions.

The Catalog of Federal Domestic Assistance numbers for the programs affected by this proposed regulation are 64.111, 64.117 and 64.120.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs—education, Loan programs—education, Reporting requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: March 29, 1983.

By direction of the Administrator.

Everett Alvarez, Jr.,
Deputy Administrator.

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

It is proposed to amend 38 CFR Part 21 by revising § 21.4154 to read as follows:

§ 21.4154 Report of activities.

(a) *State approving agencies must report their activities.* Each State approving agency entering into a contract or agreement under § 21.4153 must submit a quarterly report of its activities to the Veterans Administration.

(38 U.S.C. 1774)

(b) *Content of the report.* The report shall be in the form prescribed by the Administrator. It shall detail the activities of the State approving agency under the agreement or contract during the preceding quarter. The State approving agency may also detail its activities from the beginning of the fiscal

year through the end of that quarter. Each report shall describe the services performed and the determinations made in supervising and ascertaining the qualifications of educational institutions in connection with the programs of the Veterans Administration. The content of the report shall include as a minimum:

- (1) Either a report of—
 - (i) The number of active schools and establishments with approved courses in the jurisdiction of the State approving agency, or
 - (ii) The changes since the previous report in the number of active schools and establishments with approved courses in the jurisdiction of the State approving agency;
- (2) The actions taken by the State approving agency on applications for approval of new courses and course revisions;
- (3) The number of inspection visits to schools for course approvals or course revisions and the number of supervisory visits to schools made by the State approving agency;
- (4) The actions taken by the State approving agency with respect to schools and establishments which have deficiencies; and
- (5) The number of man-months used by the State approving agency pursuant to the contract.

(38 U.S.C. 1774)

[FR Doc. 83-10077 Filed 4-15-83; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL-2349-1]

Approval and Promulgation of Implementation, Ohio

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of the public comment period.

SUMMARY: On February 18, 1983, the U.S. Environmental Protection Agency (EPA) proposed rulemaking on a revision in the form of individual variance permits for two coal-fired boilers and three PVC resin storage silos at the B. F. Goodrich Chemical Plant located in Avon Lake (Lorain County), Ohio (48 FR 7211). The State requested that EPA approve an alternate strategy "bubble" which would involve trading emission reductions between the boilers and the silos.

At the time of proposed rulemaking a 30 day comment period was provided. However, in response to a request from

the Natural Resources Defense Council (NRDC) for additional time to comment, the public comment period is extended to April 20, 1983.

On February 3, 1983, EPA proposed rulemaking on a revision to the ozone and carbon monoxide (CO) State Implementation Plan (SIP) for Cincinnati, Ohio to demonstrate attainment of the National Ambient Air Quality Standards (NAAQS) by December 31, 1987. (48 FR 5118).

At the time of proposed rulemaking, a 30 day comment period was provided. However in response to a request by the Tri-State Air Committee, Inc. on March 15, 1983, for additional time to comment, the comment period is extended to April 20, 1983.

DATE: Comments for both notices must be received on or before April 20, 1983.

ADDRESS: Comments should be submitted to: Gary V. Gulezian, Chief, Regulatory Analysis Section (5 AP-26), Air Programs Branch, Region V, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Anne E. Tenner, (312) 886-6036.

Dated: April 5, 1983.

Valdas V. Adamkus,
Regional Administrator.

[FR Doc. 83-10281 Filed 4-15-83; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-9-FRL 2259-5]

California State Implementation Plan Revisions

Correction

In FR Doc. 83-2447 beginning on page 5074 in the issue of Thursday, February 3, 1983, make the following correction.

On page 5084, second column, under the heading: "North Central Coast Air Basin (O₃):" add the following: "Sacramento Metropolitan Area (CO):".

BILLING CODE 1505-01-M

40 CFR Part 228

[WH-FRL-2347-6]

Ocean Dumping; Notice of Public Hearing on 106-Mile Ocean Dump Site

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public hearing.

SUMMARY: EPA today announces a public hearing to be held in Rehoboth

Beach, Delaware, on May 10, 1983, to receive public comment on the proposed designation of the 106-Mile Ocean Dump Site as an EPA approved ocean dumping site.

DATE: The public hearing will be held on May 10, 1983.

ADDRESSES: Send comments or statements to: Mr. T. A. Wastler, Chief, Marine Protection Branch (WH-585), EPA, Washington, DC 20460.

The hearing will be held in the Rehoboth Beach Convention and Civic Center, 73 Rehoboth Avenue, Rehoboth Beach, Delaware.

FOR FURTHER INFORMATION CONTACT:

Mr. T. A. Wastler, 202/755-0356.

SUPPLEMENTARY INFORMATION: On December 20, 1982, EPA published in the Federal Register a proposed rule to designate the 106-Mile Ocean Dump Site as an EPA approved ocean dumping site. 47 FR 56663, December 20, 1982. The comment period on this proposed rule expired on February 18, 1983. As a result of public comments and requests for a public hearing on the proposed designation of this site, EPA plans to hold a public hearing to receive additional public comment. This hearing will be held on May 10, 1983, in the Rehoboth Beach Convention and Civic Center, 73 Rehoboth Avenue, Rehoboth Beach, Delaware. There will be a morning session from 10 a.m. to 12 noon. If all those wishing to make statements cannot be accommodated during the morning session, an afternoon session will be held starting at 2 p.m. An evening session is scheduled to begin at 7 p.m.

It is emphasized that the purpose of this hearing is solely to collect information concerning the possible designation of the 106-mile Ocean Dump Site for the receipt of certain industrial wastes and sewage sludges. This hearing is not concerned with the relocation of sludge dumping, with individual permit actions, or with the development of alternatives by any present or future permittees. Separate hearings are held by EPA Region II on such permit actions.

All interested parties are invited to be represent or to be presented to express their views on the proposed designation of this site. For reasons of accuracy, however, we request that statements be submitted in writing. Oral statements should summarize any extensive written material and in general should be limited to ten minutes so that there will be time for all interested parties to be heard. If persons desire to participate in

this hearing but are not able to attend, they are encouraged to send their comments or statements to the address given above on or before the date of the hearing, for inclusion in the record. In order to assist EPA in scheduling presentations, it would be appreciated if those who wish to make statements would write to Mr. Wastler at the address given above or call Ms. Ramsey at the number given above.

Dated: April 7, 1983.

Frederic A. Eidsness, Jr.,
Assistant Administrator for Water.

[FR Doc. 83-10067 Filed 4-15-83; 8:45 am]

40 CFR Part 421

[OW-FRL-2346-8]

Nonferrous Metals Manufacturing Point Source Category; Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards; Correction

AGENCY: Environmental Protection Agency.

ACTION: Correction of proposed rule; extension of comment period.

SUMMARY: This document corrects the proposed limitations and standards for the nonferrous metals manufacturing point source category that appeared in the Federal Register on Thursday, February 17, 1983, (48 FR 7032). Some of the corrections are due to typographical errors. In other cases, EPA inadvertently published limitations and standards not based on the regulatory control options and flows which were selected by the Administrator. The Agency is extending the comment period for this proposal to ensure that interested persons have sufficient time to review and comment on the proposed rule as corrected by this notice.

DATES: Comments on this proposal must be submitted by May 27, 1983.

ADDRESSES: Send comments to: Mr. James R. Berlow, Effluent Guidelines Division (WH-552), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460, Attention: Nonferrous Metals Manufacturing Comments. Technical information and copies of technical documents may be obtained from Mr. James R. Berlow, Effluent Guidelines Division, U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460 or call (202) 382-7126. The economic analysis may be obtained from Mr. John Kukulka, Economic Analysis Staff (WH-586), U.S. Environmental Protection

Agency, 401 M Street S.W., Washington, D.C. 20460, or call (202) 382-5388.

FOR FURTHER INFORMATION CONTACT: Mr. Ernst P. Hall (202) 382-7126 or Mr. James R. Berlow (202) 382-7126, Effluent Guidelines Division (WH-552), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460.

SUPPLEMENTARY INFORMATION: These proposed regulations are supported by three major documents available from EPA. Analytical methods are discussed in *Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants*. EPA's technical conclusions are detailed in the *General Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Point Source Category* and the subcategory supplements. The Agency's economic analysis is found in *Economic Impact Analysis of Effluent Limitations Guidelines and Standards for the Nonferrous Metals Manufacturing Point Source Category*.

Organization of This Notice

- I. Introduction
- II. Summary of Corrections
- III. Extension of Comment Period

I. Introduction

On February 17, 1983, EPA published proposed effluent limitations guidelines and standards for the nonferrous metals manufacturing point source category, 48 FR 7032. This notice of proposed rulemaking contained a number of errors. All of these errors are identified below. Some of the corrections are due to typographical errors. In other cases, EPA inadvertently published limitations and standards not based on the regulatory control options and flows which were selected by the Administrator. Accordingly, we are correcting these limitations and standards. The changes made today are corrections only to the numerical limitations and standards; the flow and technology bases are identical to those discussed in the preamble to the proposed regulation and in the technical development document entitled *Development Document for Effluent Limitations Guidelines and Standards for the Nonferrous Metals Manufacturing Point Source Category* and the subcategory supplements.

II. Summary of Corrections

The BPT effluent limitations for the primary aluminum subcategory which appear at § 421.22(b) in the *Federal Register* on Thursday, February 17, 1983, on page 7083 are incorrect due to an error made by the Agency. The units for the effluent limitations which read "mg/

kg of product" and "lbs/million lbs of product" are corrected to read "kg/kg of product" and "lbs/thousand lbs of product", respectively.

The BAT effluent limitations for the primary aluminum subcategory which appear at § 421.23 in the *Federal Register* on Thursday, February 17, 1983, on page 7083 are incorrect due to an error made by the Agency. EPA used incorrect treatable concentrations for antimony and fluoride when computing BAT effluent limitations. The technology basis is identical to that discussed at 48 FR 7056 and in Volume II, page 148, of the development document.

There is a typographical error which appears at § 421.24 (a) and (b) in the *Federal Register* on Thursday, February 17, 1983, on pages 7084 and 7085. The value reported for benzo(a)pyrene for the maximum monthly average reads 0 mg/kg and is corrected to read "_____".

The new source performance standards for the primary aluminum smelting subcategory which appear at § 421.24 (c), (d), (e), (i), and (j) in the *Federal Register* on Thursday, February 17, 1983, on page 7085 are incorrect due to an error made by the Agency. EPA used incorrect treatable concentrations for antimony and fluoride when computing new source performance standards. The technology basis is identical to that discussed at 48 FR 7060 and in Volume II, page 175, of the development document.

There is a typographical error which appears at § 421.24(e) in the *Federal Register* on Thursday, February 17, 1983, on page 7085. The title which reads "Subpart B—Anode Contact Cooling NSPS" is corrected to read "Subpart B—Anode Contact Cooling NSPS."

There is a typographical error which appears at § 421.26 (a) and (b) in the *Federal Register* on Thursday, February 17, 1983, on page 7086. There is no value reported for benzo(a)pyrene for the maximum monthly average. The maximum monthly value is corrected to read "_____".

The pretreatment standards for new sources for the primary aluminum smelting subcategory which appear at § 421.26 (c), (d), (e), (i), and (j) in the *Federal Register* on Thursday, February 17, 1983, on page 7086 are incorrect due to an error made by the Agency. EPA used incorrect treatable concentrations for antimony and fluoride when computing the pretreatment standards for this subcategory. The technology basis is identical to that discussed at 48 FR 7064 and in Volume II, page 188, of the development document.

There is a typographical error which appears at § 421.26(c) in the *Federal*

Register on Thursday, February 17, 1983, on page 7086. The title which reads "Subpart B—Cathode Manufacturing Control PSNS" is corrected to read "Subpart B—Cathode Manufacturing PSNS."

There is a typographical error which appears at § 421.26(d) in the *Federal Register* on Thursday, February 17, 1983, on page 7086. The title which reads "Subpart B—Chathode Reprocessing PSNS" is corrected to read "Subpart B—Cathode Reprocessing PSNS."

There is a typographical error which appears at § 421.27(e) in the *Federal Register* on Thursday, February 17, 1983, on page 7087. The title which reads "(b) Subpart B—Anode Contact Cooling" is corrected to read "(e) Subpart E—Anode Contact Cooling."

The BAT effluent limitations for the secondary aluminum subcategory which appear at § 421.33(e) in the *Federal Register* on Thursday, February 17, 1983, on page 7089 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for direct chill casting when computing the effluent limitations for this process waste stream. The technology basis is identical to that discussed at 48 FR 7057 and in Volume III, page 828, of the development document. Development of the correct regulatory flow is discussed on pages 830 and 831, Volume III, of the development document.

The new source performance standards for the secondary aluminum subcategory which appear at § 421.34(e) in the *Federal Register* on Thursday, February 17, 1983, on page 7089 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for direct chill casting when computing effluent standards for this waste stream. The technology basis is identical to that discussed at 48 FR 7060 and in Volume III, page 851 of the development document. Development of the correct regulatory flow is presented on pages 830 and 831, Volume III of the development document.

There is a typographical error which appears at § 421.34(f) in the *Federal Register* on Thursday, February 17, 1983, on page 7090. The title which reads "Subpart C—Stationary Casting Contact Cooling NSPS" is corrected to read "Subpart C—Stationary Casting Contact Cooling NSPS."

There is a typographical error which appears at § 421.35(g) in the *Federal Register* on Thursday, February 17, 1983, on page 7090. The title which reads "Subpart C—Short Casting Contact Cooling NSPS" is corrected to read "Subpart C—Shot Casting Contact Cooling NSPS."

There is a typographical error which appears at § 421.35(a) in the *Federal Register* on Thursday, February 17, 1983, on page 7090. The title which reads "Subpart C—Scrap Drying Wet Air Pollution Control PSES" is corrected to read "Subpart C—Scrap Drying Wet Air Pollution Control PSES."

The pretreatment standards for existing sources for the secondary aluminum subcategory which appear at § 421.35(e) in the *Federal Register* on Thursday, February 17, 1983, on page 7090 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for direct chill casting when computing effluent standards for this waste stream. The technology basis is identical to that discussed at 48 FR 7062 and in Volume III, page 855, of the development document.

There is a typographical error which appears at § 421.35(g) in the *Federal Register* on Thursday, February 17, 1983, on page 7090. The title which reads "Subpart C—Shot Casting Cooling PSES" is corrected to read "Subpart C—Shot Casting Contact Cooling PSES."

There is a typographical error which appears at § 421.35(g) in the *Federal Register* on Thursday, February 17, 1983, on page 7090. The maximum for monthly average for ammonia is reported as 56.6 mg/l. This value is corrected to read 58.6 mg/l.

The pretreatment standards for the secondary aluminum subcategory which appear at § 421.36(e) in the *Federal Register* on Thursday, February 17, 1983, on page 7091 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for direct chill casting when computing effluent standards for this waste stream. The technology basis is identical to that discussed at 48 FR 7064 and in Volume III, page 855, of the development document.

The BCT effluent limitations for the secondary aluminum subcategory which appear at § 421.37(e) in the *Federal Register* on Thursday, February 17, 1983, page 7092 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for direct chill casting when computing effluent limitations for the waste stream. The technology basis is identical to that discussed at 48 FR 7066 and in Volume III, page 868, of the development document.

There is a typographical error which appears in the *Federal Register* on Thursday, February 17, 1983, on page 7094. On this page "§ 412.54 Standards of Performance for New Sources" is corrected to read "§ 421.54 Standards of Performance for New Sources".

There is a typographical error which appears at § 421.54(c) in the *Federal Register* on Thursday, February 17, 1983, on page 7094. The title which reads "Subpart E—Casting Contact Cooling NSPS" is corrected to read "Subpart E—Casting Contact Cooling NSPS".

There is a typographical error which appears at § 421.62(d) in the *Federal Register* on Thursday, February 17, 1983, on page 7096. The units reported for the effluent limitations in this section which read "Metric units (mg/l)" and "English units (ppm)" are corrected to read "Metric units (mg/l)" and "English units (ppm)" respectively.

There is a typographical error which appears at § 421.73(d) in the *Federal Register* on Thursday, February 17, 1983, on page 7098. The title which reads "Subpart G—Dross Reverberatory Wet Air Pollution Control" is corrected to read "Subpart G—Dross Reverberatory Furnace Wet Air Pollution Control."

There is a typographical error which appears at § 421.77(b) in the *Federal Register* on Thursday, February 17, 1983, on page 7098. The values reported for TSS for the maximum for any one day and maximum for monthly average which read "....." are corrected to read 0 mg/kg.

There is a typographical error which appears at § 421.84(b) in the *Federal Register* on Thursday, February 17, 1983, on page 7100. The value reported for leaching NSPS for the maximum for any one day for the pollutant TSS which reads 19,650.01, is corrected to read 19,650.0.

There is a typographical error which appears at § 421.102(a) in the *Federal Register* on Thursday, February 17, 1983, on page 7103. The title which reads "Subpart J—Tungsten Acid Rinse" is corrected to read "Subpart J—Tungstic Acid Rinse".

There is a typographical error which appears at § 421.102(b) in the *Federal Register* on Thursday, February 17, 1983, on page 7103. The value reported for selenium for the maximum for monthly average which reads 2,735.0 mg/kg is corrected to read 20,735.0 mg/kg.

There is a typographical error which appears at § 421.103(a) in the *Federal Register* on Thursday, February 17, 1983, on page 7104. The title which reads "Subpart G—Tungsten Acid Rinse" is corrected to read "Subpart G—Tungstic Acid Rinse".

The BAT effluent limitations for the primary tungsten subcategory which appear at § 421.103 (a), (b), (c), (d), (e), and (i) in the *Federal Register* on Thursday, February 17, 1983, starting on page 7104 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for

selenium when computing effluent limitations. The technology basis is identical to that discussed at 48 FR 7059 and in Volume III, page 132, of the development document.

The BAT effluent limitations for paratungstate conversion to oxides wet air pollution control for the primary tungsten subcategory which appear at § 421.103(g) in the *Federal Register* on Thursday, February 17, 1983, on page 7104 are incorrect due to an error made by the Agency. EPA used incorrect treatable concentrations for lead, selenium, and zinc when computing the effluent limitations. The technology basis is identical to that discussed at 48 FR 7059 and in Volume III, page 132, of the development document.

The BAT effluent limitations for reduction to tungsten wet air pollution control for the primary tungsten subcategory which appear at § 421.103(h) in the *Federal Register* on Thursday, February 17, 1983, on page 7105 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for this process waste stream when computing the effluent limitations. The technology basis is identical to that discussed at 48 FR 7059 and in Volume III, page 132, of the development document. Development of the correct regulatory flow is presented on pages 113 and 134 of Volume III of the development document.

There is a typographical error which appears at § 421.104(a) in the *Federal Register* on Thursday, February 17, 1983, on page 7105. The title which reads "Subpart J—Tungsten Acid Rinse NSPS" is corrected to read "Subpart J—Tungstic Acid Rinse NSPS".

The new source performance standards for the primary tungsten subcategory which appear at § 421.104 (a), (b), (c), (d), (e), and (i) in the *Federal Register* on Thursday, February 17, 1983, starting on page 715 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for selenium when computing effluent standards. The technology basis is identical to that discussed at 48 FR 7061 and in Volume III, page 150, of the development document.

There is a typographical error which appears at § 421.04(c) in the *Federal Register* on Thursday, February 17, 1983, on page 7105. The value reported for alkali leach wash for the maximum for monthly average for the pollutant zinc which reads 10,614 mg/kg is corrected to read 19,614 mg/kg.

The new source performance standards for ammonium paratungstate conversion to oxides wet air pollution control in the primary tungsten

subcategory which appear at § 421.104(g) in the Federal Register on Thursday, February 17, 1983, on page 7105 are incorrect due to an error made by the Agency. EPA used incorrect treatable concentrations for lead, selenium, zinc, and TSS when computing effluent standards. The technology basis is identical to that discussed at 48 FR 7061 and in Volume III, page 150, of the development document.

The new source performance standards for reduction to tungsten wet air pollution control for the primary tungsten subcategory which appear at § 421.104(h) in the Federal Register on Thursday, February 17, 1983, on page 7105 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for this process waste stream when computing the effluent standards. The technology basis is identical to that discussed at 48 FR 7061 and in Volume III, page 150, of the development document. Development of the correct regulatory flow is presented on pages 133 and 134, Volume III of the development document.

There is a typographical error which appears at § 421.105(a) in the Federal Register on Thursday, February 17, 1983, on page 7106. The title which reads "Subpart J—Tungsten Acid Rinse PSES" is corrected to read "Subpart J—Tungstic Acid Rinse PSES."

The pretreatment standards for existing sources for the primary tungsten subcategory which appear at § 421.105(a), (b), (c), (d), (e), and (i) in the Federal Register on Thursday, February 17, 1983, starting on page 7106 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for selenium when computing effluent standards. The technology basis is identical to that discussed at 48 FR 7063 and in Volume III, page 159, of the development document.

The pretreatment standards for existing sources for paratungstate conversion to oxides wet air pollution control in the primary tungsten subcategory which appear at § 421.105(g) in the Federal Register on Thursday, February 17, 1983, on page 7106 are incorrect due to an error made by the Agency. EPA used incorrect treatable concentrations for lead, selenium, and zinc when computing effluent standards. The technology basis is identical to that discussed at 48 FR 7063 and in Volume III, page 159, of the development document.

The pretreatment standards for existing sources tungsten wet air pollution control for the primary tungsten subcategory which appear at

§ 421.105(h) in the Federal Register on Thursday, February 17, 1983, on page 7106 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for this process waste stream when computing the effluent standards. The technology basis is identical to that discussed at 48 FR 7063 and in Volume III, page 159, of the development document. Development of the correct regulatory flow is presented on pages 133 and 134, Volume III, of the development document.

There is a typographical error which appears at § 421.106(a) in the Federal Register on Thursday, February 17, 1983, on page 7107. The title which reads "Subpart J—Tungsten Acid Rinse PSNS" is corrected to read "Subpart J—Tungstic Acid Rinse PSNS."

The pretreatment standards for new sources for the primary tungsten subcategory which appear at § 421.106(a), (b), (c), (d), (e), and (i) in the Federal Register on Thursday, February 17, 1983, starting on page 7107 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for selenium when computing effluent standards. The technology basis is identical to that discussed at 48 FR 7065 and in Volume III, page 159, of the development document.

The pretreatment standards new sources for paratungstate conversion to oxides wet air pollution control in the primary tungsten subcategory which appear at § 421.106(g) in the Federal Register on Thursday, February 17, 1983, on page 7107 are incorrect due to an error made by the Agency. EPA used incorrect treatable concentrations for lead, selenium, and zinc when computing effluent standards. The technology basis is identical to that discussed at 48 FR 7065 and in Volume III, page 159, of the development document.

The pretreatment standards new sources for tungsten wet air pollution control in the primary tungsten subcategory which appear at § 421.106(h) in the Federal Register on Thursday, February 17, 1983, starting on page 7107 are incorrect due to an error made by the Agency. EPA used an incorrect regulatory flow for this process waste stream when computing the effluent standards. The technology basis is identical to that discussed at 48 FR 7065 and in Volume III, page 159, of the development document. Development of the correct regulatory flow is presented on pages 133 and 134, Volume III, of the development document.

There is a typographical error which appears at § 421.107(a) in the Federal Register on Thursday, February 17, 1983,

on page 7107. The title which reads "Subpart J—Tungsten Acid Rinse" is corrected to read "Subpart J—Tungstic Acid Rinse."

The BAT effluent limitations for the primary columbium-tantalum subcategory which appear at § 421.113(a) through (g) in the Federal Register on Thursday, February 17, 1983, starting on page 7109 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for fluoride when computing effluent limitations. The technology basis is identical to that discussed at 48 FR 7059 and in Volume III, page 326, of the development document.

The new source performance standards for the primary columbium-tantalum subcategory which appear at § 421.114(a) through (g) in the Federal Register on Thursday, February 17, 1983, on page 7110 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for fluoride when computing new source performance standards. The technology basis is identical to that discussed at 48 FR 7061 and in Volume III, page 346, of the development document.

The pretreatment standards for existing sources for the primary columbium-tantalum subcategory which appear at § 421.115(a) through (g) in the Federal Register on Thursday, February 17, 1983, on page 7111 are incorrect due to an error made by the Agency. EPA use an incorrect treatable concentration for fluoride when computing pretreatment standards for existing sources. The technology basis is identical to that discussed at 48 FR 7063 and in Volume III, page 355, of the development document.

The pretreatment standards for new sources for the primary columbium-tantalum subcategory which appear at § 421.116(a) through (g) in the Federal Register on Thursday, February 17, 1983, starting on page 7111 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for fluoride when computing pretreatment standards for new sources. The technology basis is identical to that discussed at 48 FR 7065 and in Volume III, page 355, of the development document.

There is a typographical error which appears at § 421.123(a) Alternative A in the Federal Register on Thursday, February 17, 1983, on page 7114. The value for the maximum for monthly average for ammonia which reads "....." is corrected to read 94,873,400.0 mg/kg.

There is a typographical error which appears at § 421.123(m) Alternative A in

the Federal Register on Thursday, February 17, 1983, on page 7115. The title which reads "Subpart L—Precipitation and Filtration of Nonphotographic" is corrected to read "Subpart L—Precipitation and Filtration of Nonphotographic Solutions."

There is a typographical error which appears at § 421.123(n) Alternative A in the Federal Register on Thursday, February 17, 1983, on page 7115. The title which reads "Subpart L—Precipitation and Filtration of Nonphotographic" is corrected to read "Subpart L—Precipitation and Filtration of Nonphotographic Solutions Wet Air Pollution Control."

There is a typographical error which appears at § 421.123(n) Alternative B in the Federal Register on Thursday, February 17, 1983, on page 7117. The title which reads "Subpart L—Precipitation of Nonphotographic Solutions Wet Air Pollution Control" is corrected to read "Subpart L—Precipitation and Filtration of Nonphotographic Solutions Wet Air Pollution Control."

There are two typographical errors which appear at § 421.125(c) Alternative A in the Federal Register on Thursday, February 17, 1983, on page 7118. The table which reads "Maximum for Monthly Average" is corrected to read "Maximum for Monthly Average". The maximum for monthly average value for ammonia which reads 108,468,600.0 mg/kg is corrected to read 108,468,600.0 mg/kg.

The BAT effluent limitations for the secondary lead subcategory which appear at § 421.133(a), (b), and (d) Alternative B in the Federal Register on Thursday, February 17, 1983, on page 7124 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for antimony when computing the effluent limitations. The technology basis is identical to that discussed at 48 FR 7060 and in Volume III, page 984, of the development document.

The new source performance standards for the secondary lead subcategory which appear at § 421.134(a), (b) and (d) in the Federal Register on Thursday, February 17, 1983, on page 7124 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for antimony when computing new source performance standards. The technology basis is identical to that discussed at 48 FR 7061 and in Volume III, page 1005, of the development document.

The pretreatment standards for existing sources for the secondary lead subcategory which appear at § 421.135(a), (b), and (d) in the Federal

Register on Thursday, February 17, 1983, starting on page 7125 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for antimony when computing pretreatment standards for new sources. The technology basis is identical to that discussed at 48 FR 7065 and in Volume III, page 1013, of the development document.

The pretreatment standards for existing sources for the secondary lead subcategory which appear at § 421.136(a), (b), and (d) Alternative B in the Federal Register on Thursday, February 17, 1983, on page 7125 are incorrect due to an error made by the Agency. EPA used an incorrect treatable concentration for antimony when computing pretreatment standards for existing sources. The technology basis is identical to that discussed at 48 FR 7064 and in Volume III, page 1014, of the development document.

There is a typographical error which appears on page 7069 in the Federal Register on Thursday, February 17, 1983. The sentence within the discussion of PSES which reads "Compliance with the less stringent option proposed for the secondary lead refining and secondary silver subcategories will result in total costs for this regulation to be \$58.20 million in investment costs and \$32.73 million in annual costs including interest and depreciation." is corrected to read "Compliance with the less stringent option proposed for the secondary lead refining and secondary silver subcategories will result in total costs of this regulation to be \$10.88 million in investment costs and \$6.93 million in annual costs including interest and depreciation."

III. Extension of Comment Period

The Agency is extending the comment period for this proposal to ensure that interested persons have sufficient time to review and comment on the proposed rule as corrected by this notice. The deadline for all comments pertaining to the material published at 48 FR 7032 on February 17, 1983, and the corrections made today, is May 27, 1983.

Dated: April 8, 1983.
Rebecca W. Hanmer,
Acting Assistant Administrator for Water.

PART 421—CORRECTED

The following corrections are made to Federal Register document OW-FRL-2289-1 appearing 48 FR 7032 (February 17, 1983).

§ 421.122 [Corrected]

1. In 40 CFR 421.22(b), which appears

on page 7083, "mg/kg of product" and "lbs/million lbs of product" are corrected to read "kg/kg of product" and "lbs/thousands lbs of product," respectively.

2. 40 CFR 421.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable, which appear on pages 7083 to 7084, are corrected to read as follows:

§ 421.23 Effluent limitations guidelines representing the degree of effluent reductions attainable by the application of the best available technology economically achievable.

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable:

(a) Subpart B—Anode Paste Plant Wet Air Pollution Control.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of paste produced		
English units—pounds per billion pounds of paste produced		
Benz(a) pyrene ¹	1.03	
Antimony	198.70	86.58
Cyanide	20.60	8.24
Nickel	56.85	36.11
Aluminum	312.09	127.72
Fluoride	4,069.10	1,812.80

¹ At the source.

(b) Subpart B—Anode Bake Plant Wet Air Pollution Control.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of anodes baked		
English units—pounds per billion pounds of anodes baked		
Benz(a) pyrene ¹	0.49	
Antimony	95.34	42.48
Cyanide	9.88	3.95
Nickel	27.17	18.26
Aluminum	149.66	61.26
Fluoride	1,961.18	869.44

¹ At the source.

(c) Subpart B—Cathode Manufacturing.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of cathodes produced		
English units—pounds per billion pounds of cathodes produced		
Antimony	149.38	66.56
Cyanide	15.48	6.19
Nickel	42.57	28.84
Aluminum	234.52	95.98
Fluoride	3,072.78	1,362.24

(d) Subpart B—Cathode Reprocessing.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum from electrolytic reduction		
English units—pounds per billion pounds of aluminum from electrolytic reduction		
Benzo (a) pyrene ¹	9.52	
Antimony	1,837.36	818.72
Cyanide	190.40	76.16
Nickel	523.60	352.24
Aluminum	2,884.56	1,180.48
Fluoride	37,794.40	16,755.20

(e) Subpart B—Anode Contact Cooling.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of anodes cast		
English units—pounds per billion pounds of anodes cast		
Antimony	1,198.72	534.15
Cyanide	124.22	49.69
Nickel	341.61	229.81
Aluminum	1,881.93	770.16
Fluoride	24,657.67	10,931.36

(f) Subpart B—Potline Wet Air Pollution Control.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum from electrolytic reduction		
English units—pounds per billion pounds of aluminum from electrolytic reduction		
Benzo (a) pyrene ¹	8.38	
Antimony	1,617.34	720.68
Cyanide	167.60	67.04
Nickel	460.90	310.06
Aluminum	2,539.14	1,039.12
Fluoride	33,268.60	14,748.80

¹ At the source.

(g) Subpart B—Potroom Wet Air Pollution Control.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum from electrolytic reduction		
English units—pounds per billion pounds of aluminum from electrolytic reduction		
Benzo(a)pyrene ¹	13.05	
Antimony	2,518.85	1,122.30
Cyanide	261.0	104.40
Nickel	717.75	462.65
Aluminum	3,954.15	1,618.20
Fluoride	51,808.50	22,968.0

¹ At the source.

(h) Subpart B—Degassing Wet Air Pollution Control.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum degassed		
English units—pounds per billion pounds of aluminum degassed		
Antimony	0	0
Cyanide	0	0
Nickel	0	0
Aluminum	0	0
Fluoride	0	0

(i) Subpart B—Direct Chill Casting Contact Cooling.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum product from direct chill casting		
English units—pounds per billion pounds of aluminum product from direct chill casting		
Antimony	3,858.07	1,719.14
Cyanide	399.80	159.92
Nickel	1,099.45	739.63
Aluminum	6,056.97	2,478.76
Fluoride	79,360.30	35,182.40

(j) Subpart B—Continuous Rod Casting Contact Cooling.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum product from continuous rod casting		
English units—pounds per billion pounds of aluminum product from continuous rod casting		
Antimony	201.30	89.70
Cyanide	20.66	8.34
Nickel	57.37	38.59
Aluminum	316.03	129.33
Fluoride	4,140.71	1,835.68

(k) Subpart B—Stationary Casting Contact Cooling.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum product from stationary casting		
English units—pounds per billion pounds of aluminum product from stationary casting		
Antimony	0	0
Cyanide	0	0
Nickel	0	0
Aluminum	0	0
Fluoride	0	0

§ 421.24 [Corrected]

3. In 40 CFR 421.24 (a) and (b), which appear on page 7085, the maximum for monthly average for benzo(a)pyrene of "0 mg/kg" is corrected to read ".....".

4. 40 CFR 421.24 (c), (d), (e), (i), and (j), which appear on page 7085, are corrected to read as follows:

(c) Subpart B—Cathode Manufacturing NSPS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of cathodes produced		
English units—pounds per billion pounds of cathodes produced		
Antimony	149.38	66.56
Cyanide	15.48	6.19
Nickel	42.57	28.84
Aluminum	234.52	95.98
Fluoride	3,072.78	1,362.24
Oil and Grease	774.0	774.0
TSS	1,161.0	928.80
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.

(d) Subpart B—Cathode Reprocessing NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of aluminum from electrolytic reduction	
	English units—pounds per billion pounds of aluminum from electrolytic reduction	
Benzo(a)pyrene ¹	9.52	
Antimony	1,837.36	518.72
Cyanide	190.40	76.16
Nickel	523.60	352.24
Aluminum	2,884.56	1,180.48
Fluoride	37,794.4	16,755.20
Oil and Grease	9,520.0	9,520.0
TSS	14,280.0	11,424.0
pH	(¹)	(¹)

¹ At the source.² Within the range of 7.5 to 10.0 at all times.**(e) Subpart B—Anode Cooling NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of anodes cast	
	English units—pounds per billion pounds of anodes cast	
Antimony	1,196.72	534.15
Cyanide	124.22	49.69
Nickel	341.61	229.81
Aluminum	1,881.93	770.16
Fluoride	24,857.67	10,931.36
Oil and Grease	6,211.0	6,211.0
TSS	9,316.50	4,453.20
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(i) Subpart B—Direct Chill Casting Contact Cooling NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of aluminum product from direct chill casting	
	English units—pounds per billion pounds of aluminum product from direct chill casting	
Antimony	3,858.07	1,719.14
Cyanide	399.80	159.92
Nickel	1,099.45	739.63
Aluminum	6,056.97	2,478.76
Fluoride	79,360.30	35,162.40
Oil and Grease	19,990.0	19,990.0
TSS	29,985.0	23,986.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(j) Subpart B—Continuous Rod Casting Contact Cooling NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of aluminum product from continuous rod casting	
	English units—pounds per billion pounds of aluminum product from continuous rod casting	
Antimony	201.30	89.70
Cyanide	20.86	8.34
Nickel	57.37	38.59
Aluminum	316.03	129.33
Fluoride	4,140.71	1,835.68
Oil and Grease	1,043.0	1,043.0
TSS	1,564.50	1,251.80
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**§ 421.26 [Corrected]**

5. In 40 CFR 421.26(a) and (b), which appear on page 7086, the maximum for monthly average for benzo(a)pyrene is corrected to read ".....".

6. 40 CFR 421.26(c), (d), (e), (i) and (j), which appear on page 7086, are corrected to read as follows:

(c) Subpart B—Cathode Manufacturing PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of cathodes produced	
	English units—pounds per billion pounds of cathodes produced	
Antimony	149.38	66.56
Cyanide	15.46	6.19
Nickel	42.57	26.64
Fluoride	3,072.78	1,362.24

(d) Subpart B—Cathode Reprocessing PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of aluminum product from electrolytic reduction	
	English units—pounds per billion pounds of aluminum product from electrolytic reduction	
Benzo (a)pyrene ¹	9.52	
Antimony	1,837.36	518.72
Cyanide	190.40	76.16
Nickel	523.60	352.24
Fluoride	37,794.40	16,755.2

¹ At the source.**(e) Subpart B—Anode Contact Cooling PSNS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of anodes cast	
	English units—pounds per billion pounds of anodes cast	
Antimony	1,196.72	534.15
Cyanide	124.22	49.69
Nickel	341.61	229.81
Fluoride	24,857.67	10,931.36

(i) Subpart B—Direct Chill Casting Contact Cooling PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric units—mg/kg of aluminum product direct chill casting	
	English units—pounds per billion pounds of aluminum product from direct chill casting	
Antimony	3,858.07	1,719.14
Cyanide	399.80	159.92
Nickel	1,099.45	739.63
Fluoride	79,360.30	35,162.40

(j) Subpart—Continuous Rod Casting Contact Cooling PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
	Metric Units—mg/kg of aluminum product from continuous rod casting	
	English Units—pounds per billion pounds of aluminum product from continuous rod casting	
Antimony	201.30	89.70
Cyanide	20.86	8.34
Nickel	57.37	38.59
Fluoride	4,140.71	1,835.68

§ 421.27 [Corrected]

7. In 40 CFR 421.27, which appears on page 7087, "(b) Subpart B—Anode Contact Cooling." is corrected to read "(e) Subpart B—Anode Contact Cooling."

§ 421.33 [Corrected]

8. 40 CFR 421.33(e), which appears on page 7089, is corrected to read as follows:

(e) Subpart C—Direct Chill Casting Contact Cooling.**BAT EFFLUENT LIMITATIONS**

Pollutant or pollutant property	Maximum for any day	Maximum for monthly average
Metric Units—mg/kg of aluminum product from direct chill casting		
English Units—pounds per billion pounds of aluminum product from direct chill casting		
Lead	199.90	179.91
Zinc	2,038.98	839.58
Aluminum	6,056.97	2,478.76
Ammonia (as N)	265,867.0	117,141.40

§ 421.34 [Corrected]

9. 40 CFR 421.34(e), which appears on page 7089, is corrected to read as follows:

(e) Subpart C—Direct Chill Casting Contact Cooling NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum product from direct chill casting		
English units—pounds per billion pounds of aluminum product from direct chill casting		
Lead	199.90	179.91
Zinc	2,038.98	839.58
Aluminum	6,056.97	2,478.76
Ammonia (as N)	265,867.0	117,141.40
Oil and grease	19,990.0	19,990.0
TSS	29,985.0	23,988.0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

10. In 40 CFR 421.34(f), which appears on page 7090, "Subpart C—Stationary Casing Contract Cooling NSPS." is corrected to read "Subpart C—Stationary Casting Contact Cooling NSPS."

11. In 40 CFR 421.34(g), which appears on page 7090, "Subpart C—Short Casting Contact Cooling NSPS." is corrected to read "Subpart C—Shot Casting Contact Cooling NSPS."

§ 421.35 [Corrected]

12. In 40 CFR 421.35(a), which appears on page 7090, "Subpart C—Scrap Drying Wet Air Pollution PSES." is corrected to read "Subpart C—Scrap Drying Wet Air Pollution Control PSES."

13. In 40 CFR 421.35(e), which appears on page 7090, is corrected to read as follows:

(e) Subpart C—Direct Chill Casting Contact Cooling PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum product from direct chill casting		
English units—pounds per billion pounds of aluminum product from direct chill casting		
Lead	199.90	179.91
Zinc	2,038.98	839.58
Ammonia (as N)	265,867.0	117,141.40

14. In 40 CFR 421.35(g), which appears on page 7090, "Subpart C—Shot Casting Cooling PSES." is corrected to read "Subpart C—Shot Casting Contact Cooling PSES."

15. In 40 CFR 421.35(g), which appears on page 7090, the maximum for monthly average effluent limitation for ammonia of 56.6 mg/l is corrected to 58.6 mg/l.

§ 421.36 [Corrected]

16. 40 CFR 421.36(e), which appears on page 7091, is corrected to read as follows:

(e) Subpart C—Direct Chill Casting Contact Cooling PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum product from direct chill casting		
English units—pounds per billion pounds of aluminum product from direct chill casting		
Lead	199.90	179.91
Zinc	2,038.98	839.58
Ammonia (as N)	265,867.0	117,141.40

§ 421.37 [Corrected]

17. 40 CFR 421.37(e), which appears on page 7092, is corrected to read as follows:

(e) Subpart C—Direct Chill Casting Contact Cooling.**BCT EFFLUENT LIMITATIONS**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of aluminum product from direct chill casting		
English units—pounds per billion pounds of aluminum product from direct chill casting		
Oil and grease	39,890.0	23,988.0
TSS	81,959.0	39,980.0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

§ 421.54 [Corrected]

18. In 40 CFR 421.54, which appears on page 7094, "§ 421.54 Standards of performance for new sources." is corrected to read "§ 421.54 Standards of performance for new sources."

19. In 40 CFR 421.54(c), which appears on page 7094, "Subpart E—Casting Cooling NSPS." is corrected to read "Subpart E—Casting Contact Cooling NSPS."

§ 421.62 [Corrected]

20. In 40 CFR 421.62(d), which appears on page 7096, "Metric units (mg/l)" and "English units (ppm)" are corrected to read "Metric units (mg/l)" and "English units (ppm)," are corrected to read "Metric units (mg/l)" and "English units (ppm)," respectively.

§ 421.73 [Corrected]

21. In 40 CFR 421.73(d), which appears on page 7098, "Subpart G—Dross Reverberatory Wet Air Pollution Control." is corrected to read "Subpart G—Dross Reverberatory Furnace Wet Air Pollution Control."

§ 421.77 [Corrected]

22. In 40 CFR 421.77(b), which appears on page 7098, for TSS for the maximum for any one day and maximum for monthly average "....." are corrected to read 0 mg/kg.

§ 421.84 [Corrected]

23. In 40 CFR 421.84(b), which appears on page 7100, the maximum for any one day for TSS of 19,650.01, mg/kg is corrected to read "19,650" mg/kg.

§ 421.102 [Corrected]

24. In 40 CFR 421.102(a), which appears on page 7103, "Subpart J—Tungsten Acid Rinse." is corrected to read "Subpart J—Tungstic Acid Rinse."

25. In 40 CFR 421.102(b), which appears on page 7103, the maximum monthly average effluent limitation for selenium of 2,735.0 mg/kg is corrected to read "20,735.0" mg/kg.

26. In 40 CFR 421.103 Effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable which appears on page 7104 are corrected to read as follows:

§ 421.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart shall achieve the following effluent limitations

representing the degree of effluent reduction attainable by the application of the best available technology economically achievable:

(a) *Subpart J—Tungstic Acid Rinse.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	4,760.0	4,294.0
Selenium	39,032.0	17,612.0
Zinc	48,552.0	19,992.0
Ammonia (as N)	6,330,800.0	2,789,360.0

(b) *Subpart J—Tungstic Acid Leach Wet Air Pollution Control.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	377.0	339.30
Selenium	3,091.40	1,394.90
Zinc	3,845.40	1,583.40
Ammonia (as N)	501,410.0	220,922.0

(c) *Subpart J—Alkali Leach Wash.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of sodium tungstate produced		
English units—pounds per billion pounds of sodium tungstate produced		
Lead	4,670.0	4,203.0
Selenium	38,294.0	17,279.0
Zinc	47,634.0	19,614.0
Ammonia (as N)	6,211,100.0	2,736,620.0

(d) *Subpart J—Ion-Exchange Raffinate.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of ammonium tungstate produced		
English units—pounds per billion pounds of ammonium tungstate produced		
Lead	5,120.0	4,608.0
Selenium	41,984.0	18,944.0
Zinc	52,224.0	21,504.0
Ammonia (as N)	6,809,600.0	3,000,320.0

(e) *Subpart J—Calcium Tungstate Precipitate Wash.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of calcium tungstate produced		
English units—pounds per billion pounds of calcium tungstate produced		
Lead	3,720.0	3,348.0
Selenium	30,504.0	13,764.0
Zinc	37,944.0	15,624.0
Ammonia (as N)	4,947,600.0	2,179,920.0

(f) *Subpart J—Crystallization and Drying of Ammonium Paratungstate.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—kg/kg of ammonium paratungstate produced		
English units—pounds per billion pounds of ammonium paratungstate produced		
Lead	0	0
Selenium	0	0
Zinc	0	0
Ammonia (as N)	0	0

(g) *Subpart J—Ammonium Paratungstate Conversion to Oxides Wet Air Pollution Control.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of "blue" oxide (WO ₃) produced		
English units—pounds per billion pounds of "blue" oxide (WO ₃) produced		
Lead	2,090.0	1,861.0
Selenium	17,138.0	7,733.0
Zinc	21,318.0	8,778.0
Ammonia (as N)	2,779,700.0	1,224,740.0

(h) *Subpart J—Reduction to Tungsten Wet Air Pollution Control.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten produced		
English units—pounds per billion pounds of tungsten produced		
Lead	940.0	846.0
Selenium	7,708.0	3,478.0
Zinc	9,588.0	3,948.0
Ammonia (as N)	1,250,200.0	550,840.0

(i) *Subpart J—Reduction to tungsten Water of Formation.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten reduced		
English units—pounds per billion pounds of tungsten reduced		
Lead	1,940.0	1,746.0
Selenium	15,908.0	7,178.0
Zinc	19,788.0	8,148.0
Ammonia (as N)	2,580,200.0	1,136,840.0

27. 40 CFR 421.104 Standards of performance for new sources, which appears on page 7105 are corrected to read as follows:

§ 421.104 Standards of performance for new sources.

Any new source subject to this subpart shall achieve the following new source performance standards:

(a) *Subpart J—Tungstic Acid Rinse NSPS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	4,760.0	4,284.0
Selenium	39,032.0	17,612.0
Zinc	48,552.0	19,992.0
Ammonia (as N)	6,330,800.0	2,789,360.0
TSS	714,000.0	571,200.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.

(b) *Subpart J—Acid Leach Wet Air Pollution Control NSPS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	377.0	339.30
Selenium	3,091.40	1,394.90
Zinc	3,845.40	1,583.40
Ammonia (as N)	501,410.0	220,922.0
TSS	58,550.0	45,240.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.

(c) *Subpart J—Alkali Leach Wash NSPS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of sodium tungstate produced		
English units—pounds per billion pounds of sodium tungstate produced		
Lead	4,670.0	4,203.0
Selenium	36,294.0	17,279.0
Zinc	47,634.0	19,614.0
Ammonia (as N)	6,211,100.0	2,736,620.0
TSS	700,500.0	560,400.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(d) Subpart J—Ion-Exchange Raffinate NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of ammonium tungstate produced		
English units—pounds per billion pounds of ammonium tungstate produced		
Lead	5,120.0	4,608.0
Selenium	41,964.0	18,944.0
Zinc	52,224.0	21,504.0
Ammonia (as N)	6,809,600.0	3,000,320.0
TSS	786,000.0	614,400.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(e) Subpart J—Calcium Tungstate Precipitate Wash NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of calcium tungstate produced		
English units—pounds per billion pounds of calcium tungstate produced		
Lead	3,720.0	3,348.0
Selenium	30,504.0	13,764.0
Zinc	37,944.0	15,624.0
Ammonia (as N)	4,947,600.0	2,179,920.0
TSS	556,000.0	446,400.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(f) Subpart J—Crystallization and Drying of Ammonium Paratungstate NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of ammonium paratungstate produced		
English units—pounds per billion pounds of ammonium paratungstate produced		
Lead	0	0
Selenium	0	0
Zinc	0	0

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Ammonia (as N)	0	0
TSS	0	0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(g) Subpart J—Ammonium Paratungstate Conversion to Oxides Wet Air Pollution Control NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of "blue" oxide (WO ₃) produced		
English units—pounds per billion pounds of "blue" oxide (WO ₃) produced		
Lead	2,090.0	1,861.0
Selenium	17,138.0	7,733.0
Zinc	21,318.0	8,778.0
Ammonia (as N)	2,779,700.0	1,224,740.0
TSS	313,500.0	250,800.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(h) Subpart J—Reduction to Tungsten Wet Air Pollution Control NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten produced		
English units—pounds per billion pounds of tungsten produced		
Lead	940.0	846.0
Selenium	7,708.0	3,478.0
Zinc	9,588.0	3,948.0
Ammonia (as N)	1,250,200.0	550,840.0
TSS	141,000.0	112,800.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.**(i) Subpart J—Reduction to Tungsten Water of Formation NSPS.**

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten reduced		
English units—pounds per billion pounds of tungsten reduced		
Lead	1,940.0	1,746.0
Selenium	15,908.0	7,178.0
Zinc	19,788.0	8,148.0
Ammonia (as N)	2,580,200.0	1,136,840.0
TSS	291,000.0	232,800.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.

28. 40 CFR 421.105 Pretreatment standards for existing sources which appears on page 7106 are corrected to read as follows:

§ 421.105 Pretreatment standards for existing sources.

Except as provided in 40 CFR 403.7 and 403.13, and existing source subject to this subpart which introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources. The mass of wastewater pollutants in primary tungsten process wastewater introduced into a POTW shall not exceed the following values:

(a) Subpart J—Tungstic Acid Rinse PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	4,760.0	4,264.0
Selenium	39,032.0	17,612.0
Zinc	48,552.0	19,992.0
Ammonia (as N)	6,330,900.0	2,789,360.0

(b) Subpart J—Acid Leach Wet Air Pollution Control PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	377.0	339.30
Selenium	3,901.40	1,394.90
Zinc	3,845.40	1,563.40
Ammonia (as N)	501,410.0	220,992.0

(c) Subpart J—Alkali Leach Wash PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of sodium tungstate produced		
English units—pounds per billion pounds of sodium tungstate produced		
Lead	4,670.0	4,203.0
Selenium	36,294.0	17,279.0
Zinc	47,634.0	19,614.0
Ammonia (as N)	6,211,100.0	2,736,620.0

(d) Subpart J—Ion-Exchange Raffinate PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of ammonium tungstate produced		
English units—pounds per billion pounds of ammonium tungstate produced		
Lead	5,120.0	4,808.0
Selenium	41,984.0	18,944.0
Zinc	52,224.0	21,504.0
Ammonia (as N)	6,809,600.0	3,000,320.0

(e) Subpart J—Calcium Tungstate Precipitate Wash PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of calcium tungstate produced		
English units—pounds per billion pounds of calcium tungstate produced		
Lead	3,720.0	3,348.0
Selenium	30,504.0	13,764.0
Zinc	37,944.0	15,624.0
Ammonia (as N)	4,947,600.0	2,179,920.0

(f) Subpart J—Crystallization and Drying of Ammonium Paratungstate PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of ammonium paratungstate produced		
English units—pounds per billion pounds of ammonium paratungstate produced		
Lead	0	0
Selenium	0	0
Zinc	0	0
Ammonia (as N)	0	0

(g) Subpart J—Ammonium Paratungstate Conversion to Oxides Wet Air Pollution Control PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of "blue" oxide (WO ₃) produced		
English units—pounds per billion pounds of "blue" oxide (WO ₃) produced		
Lead	2,090.0	1,881.0
Selenium	17,138.0	7,733.0
Zinc	21,318.0	8,778.0
Ammonia (as N)	2,779,700.0	1,224,740.0

(h) Subpart J—Reduction to Tungsten Wet Air Pollution Control PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten produced		
English units—pounds per billion pounds of tungsten produced		
Lead	940.0	846.0
Selenium	7,708.0	3,478.0
Zinc	9,586.0	3,948.0
Ammonia (as N)	1,250,200.0	112,800.0

(i) Subpart J—Reduction to Tungsten Water of Formation PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten reduced		
English units—pounds per billion pounds of tungsten reduced		
Lead	1,940.0	1,748.0
Selenium	15,908.0	7,178.0
Zinc	19,788.0	8,148.0
Ammonia (as N)	2,580,200.0	1,136,840.0

29. 40 CFR 421.106 Pretreatment standards for new sources which appears on page 7106 are corrected to read as follows:

§ 421.106 Pretreatment standards for new sources.

Except as provided in 40 CFR 403.7, any new source subject to this subpart which introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources. The mass of wastewater pollutants in primary tungsten process wastewater introduced into a POTW shall not exceed the following values:

(a) Subpart J—Tungstic Acid Rinse PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	4,760	4,284.0
Selenium	39,032.0	17,612.0
Zinc	48,552.0	19,992.0
Ammonia (as N)	6,330,800.0	2,789,360.0

(b) Subpart J—Acid Leach Wet Air Pollution Control PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungstic acid produced		
English units—pounds per billion pounds of tungstic acid produced		
Lead	377.0	339.50
Selenium	3,091.40	1,394.90
Zinc	43,845.40	1,583.40
Ammonia (as N)	501,410.0	220,922.0

(c) Subpart J—Alkali Leach Wash PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of sodium tungstate produced		
English units—pounds per billion pounds of sodium tungstate produced		
Lead	4,670.0	4,203.0
Selenium	38,294.0	17,279.0
Zinc	47,634.0	19,614.0
Ammonia (as N)	6,211,100.0	2,736,620.0

(d) Subpart J—Ion-Exchange Raffinate PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of ammonium tungstate produced		
English units—pounds per billion pounds of ammonium tungstate produced		
Lead	5,120.0	4,808.0
Selenium	41,984.0	18,944.0
Zinc	52,224.0	21,504.0
Ammonia (as N)	6,809,600.0	3,000,320.0

(e) Subpart J—Calcium Tungstate Precipitate Wash PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of calcium tungstate produced		
English units—pounds per billion pounds of calcium tungstate produced		
Lead	3,720.0	3,348.0
Selenium	30,504.0	13,764.0
Zinc	37,944.00	15,624.0
Ammonia (as N)	4,947,600.0	2,179,920.0

(f) *Subpart J—Crystallization and Drying of Ammonium Paratungstate PSNS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of ammonium paratungstate produced		
English units—pounds per billion pounds of ammonium paratungstate produced		
Lead	0	0
Selenium	0	0
Zinc	0	0
Ammonia (as N)	0	0

(g) *Subpart J—Ammonium Paratungstate Conversion to Oxides Wet Air Pollution Control PSNS*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of "blue" oxide (WO ₃) produced		
English units—pounds per billion pounds of "blue" oxide (WO ₃) produced		
Lead	2,090.0	1,861.0
Selenium	17,138.0	7,733.0
Zinc	21,318.0	8,778.0
Ammonia (as N)	2,779,700.0	1,224,740.0

(h) *Subpart J—Reduction to Tungsten Wet Air Pollution Control PSNS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten produced		
English units—pounds per billion pounds of tungsten produced		
Lead	940.0	848.0
Selenium	7,708.0	3,478.0
Zinc	9,568.0	3,948.0
Ammonia (as N)	1,250,200.0	550,840.0

(i) *Subpart J—Reduction to Tungsten Water of Formation PSNS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of tungsten reduced		
English units—pounds per billion pounds of tungsten reduced		
Lead	1,940.0	1,748.0
Selenium	15,908.0	7,178.0
Zinc	19,788.0	8,148.0
Ammonia (as N)	2,580,200.0	1,136,840.0

§ 421.107 [Corrected]

30. In 40 CFR 421.107(a), which appears on page 1707, "Subpart J—Tungsten Acid Rinse." is corrected to read "Subpart J—Tungsten Acid Rinse".

31. 40 CFR 421.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable, which appear on pages 7109 and 7110, are corrected to read as follows:

§ 421.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) *Subpart K—Concentrate Digestion Wet Air Pollution Control.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt produced from digestion		
English units—pounds per billion pounds of columbium or tantalum salt produced from digestion		
Lead	515.63	464.07
Zinc	5,259.43	2,185.65
Ammonia (as N)	685,787.90	302,159.18
Fluoride	204,705.11	90,750.88

(b) *Subpart K—Solvent Extraction Raffinate.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt extracted		
English units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	2,691.60	2,422.44
Zinc	27,454.32	11,304.72
Ammonia (as N)	3,579,828.0	1,577,277.60
Fluoride	1,068,565.20	473,721.60

(c) *Subpart K—Solvent Extraction Wet Air Pollution Control.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt extracted		
English units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	43.01	38.71
Zinc	438.70	180.54
Ammonia (as N)	57,203.30	25,203.86
Fluoride	17,074.97	7,569.76

(d) *Subpart K—Precipitation and Filtration of Metal Salts.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt precipitated		
English units—pounds per billion pounds of columbium or tantalum salt precipitated		
Lead	24,722.30	22,250.07
Zinc	252,167.46	103,833.66
Ammonia (as N)	32,890,659.0	14,487,267.80
Fluoride	9,814,753.10	4,351,124.80

(e) *Subpart K—Metal Salt Drying Wet Air Pollution Control.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt dried		
English units—pounds per billion pounds of columbium or tantalum salt dried		
Lead	1,647.90	1,483.11
Zinc	16,808.58	6,921.18
Ammonia (as N)	2,191,707.0	965,669.40
Fluoride	654,218.30	290,030.40

(f) *Subpart K—Reduction of Salt to Metal.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum salt reduced		
Lead	35,266.30	31,739.67
Zinc	359,716.26	148,118.46
Ammonia (as N)	46,904,179.0	20,666,051.80
Fluoride	14,000,721.10	6,206,868.80

(g) *Subpart K—Reduction of Salt to Metal Wet Air Pollution Control.*

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum reduced		
Lead	2,152.10	1,936.89
Zinc	21,951.42	9,038.82
Ammonia (as N)	2,862,293.0	1,261,130.60
Fluoride	854,383.7	378,769.60

(h) Subpart K—Consolidation and Casting Contact Cooling.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum cast or consolidated		
English units—pounds per billion pounds of columbium or tantalum cast or consolidated		
Lead	0	0
Zinc	0	0
Ammonia (as N)	0	0
Fluoride	0	0

32. 40 CFR 421.114 Standards of performance for new sources, which appears on page 7110 and 7111, are corrected to read as follows:

§ 421.114 Standards of performance for new sources.

Any new source subject to this subpart shall achieve the following new source performance standards:

(a) Subpart K—Concentrate Digestion Wet Air Pollution Control NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt produced from digestion		
English units—pounds per billion pounds of columbium or tantalum salt produced from digestion		
Lead	515.63	464.07
Zinc	5,259.43	2,165.65
Ammonia	665,767.90	302,159.18
Fluoride	204,705.11	90,750.66
Total Suspended Solids	77,344.50	61,675.60
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

(b) Subpart K—Solvent Extraction Raffinate NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt extracted		
English units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	2,691.60	2,422.44
Zinc	27,454.32	11,304.72
Ammonia (as N)	3,579,828.0	1,577,277.60
Fluoride	1,068,565.20	473,721.60
Total Suspended Solids	403,740.0	322,992.0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

(c) Subpart K—Solvent Extraction Wet Air Pollution Control NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt extracted		
English units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	43.01	38.71
Zinc	438.70	190.64
Ammonia (as N)	57,203.30	25,203.86
Fluoride	17,074.97	7,569.78
Total Suspended Solids	6,451.50	5,161.20
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

(d) Subpart K—Precipitation and Filtration of Metal Salts NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt precipitated		
English units—pounds per billion pounds of columbium or tantalum salt precipitated		
Lead	24,722.30	22,250.07
Zinc	252,167.46	103,833.66
Ammonia (as N)	32,880,659.0	14,487,267.60
Fluoride	9,814,753.10	4,351,124.80
Total Suspended Solids	3,708,345.0	2,968,676.0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

(e) Subpart K—Metal Salt Drying Wet Air Pollution Control NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt dried		
English units—pounds per billion pounds of columbium or tantalum salt dried		
Lead	1,543.90	1,483.11
Zinc	16,806.58	6,921.19

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Ammonia (as N)	2,191,707.0	965,669.40
Fluoride	654,218.30	290,030.40
Total Suspended Solids	247,185.0	197,748.0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

(f) Subpart K—Reduction of Salt to Metal NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum reduced		
Lead	35,266.30	31,739.67
Zinc	359,716.26	148,118.46
Ammonia (as N)	46,904,179.0	20,666,051.80
Fluoride	14,000,721.10	8,206,868.60
Total Suspended Solids	5,289,945.0	4,231,956.0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

(g) Subpart K—Reduction of Salt to Metal Wet Air Pollution Control NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum reduced		
Lead	2,152.10	1,936.89
Zinc	21,951.42	9,038.82
Ammonia (as N)	2,862,293.0	1,261,130.60
Fluoride	854,383.70	378,769.60
Total Suspended Solids	322,615.0	256,252.0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

(h) Subpart K—Consolidation and Casting Contact Cooling NSPS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum cast or consolidated		
English units—pounds per billion pounds of columbium or tantalum cast or consolidated		
Lead	0	0
Zinc	0	0
Ammonia (as N)	0	0
Fluoride	0	0
TSS	0	0
pH	(?)	(?)

¹ Within the range of 7.5 to 10.0 at all times.

33. 40 CFR 421.115 Pretreatment standards for existing sources, which

appear on page 7111, are corrected to read as follows:

§ 421.115 Pretreatment standards for existing sources.

Except as provided in 40 CFR 403.7 and 403.13, any existing source subject to this subpart which introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for existing sources. The mass of wastewater pollutants in primary columbium-tantalum process wastewater introduced into a POTW shall not exceed the following values:

(a) Subpart K—Concentrate Digestion Wet Air Pollution Control PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium-tantalum salt produced from digestion		
English units—pounds per billion pounds of columbium-tantalum salt produced from digestion		
Lead	515.63	464.07
Zinc	5,259.43	2,165.65
Ammonia (as N)	685,787.90	302,159.18
Fluoride	204,705.11	90,750.88

(b) Subpart K—Solvent Extraction Raffinate PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt extracted		
English units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	2,691.60	2,422.44
Zinc	27,454.32	11,304.72
Ammonia (as N)	3,579,826.0	1,577,277.60
Fluoride	1,068,565.20	473,721.60

(c) Subpart K—Solvent Extraction Wet Air Pollution Control PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt extracted		
English units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	43.01	38.71
Zinc	438.70	180.64
Ammonia (as N)	57,203.30	25,203.86

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Fluoride	17,074.97	7,569.78

(d) Subpart K—Precipitation and Filtration of Metal Salts PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt precipitated		
English units—pounds per billion pounds of columbium or tantalum salt precipitated		
Lead	24,722.30	22,250.07
Zinc	252,167.46	103,833.66
Ammonia (as N)	32,880,659.0	14,487,267.80
Fluoride	9,814,753.10	4,351,124.80

(e) Subpart K—Metal Salt Drying Wet Air Pollution Control PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt dried		
English units—pounds per billion pounds of columbium or tantalum salt dried		
Lead	1,647.90	1,483.11
Zinc	16,908.56	6,921.18
Ammonia (as N)	2,191,707.0	965,669.40
Fluoride	654,216.30	290,030.40

(f) Subpart K—Reduction of Salt to Metal PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum reduced		
Lead	35,266.30	31,739.67
Zinc	359,716.28	148,118.46
Ammonia (as N)	46,904,179.0	20,868,051.80
Fluoride	14,000,721.10	6,205,868.80

(g) Subpart K—Reduction of Salt to Metal Wet Air Pollution Control PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum reduced		
Lead	2,152.10	1,936.89
Zinc	21,951.42	9,038.82
Ammonia (as N)	2,882,293.0	1,261,130.60
Fluoride	854,383.70	378,769.60

(h) Subpart K—Consolidation and Casting Contact Cooling PSES.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric Units—mg/kg of columbium or tantalum cast or consolidated		
English Units—pounds per billion pounds of columbium or tantalum cast or consolidated		
Lead	0	0
Zinc	0	0
Ammonia (as N)	0	0
Fluoride	0	0

34. 40 CFR 421.116 Pretreatment standards for new sources, which appear on pages 7111 and 7112, are corrected to read as follows:

§ 421.116 Pretreatment standards for new sources.

Except as provided in 40 CFR 403.7, any new source subject to this subpart which introduces pollutants into a publicly owned treatment works must comply with 40 CFR Part 403 and achieve the following pretreatment standards for new sources. The mass of wastewater pollutants in primary columbium-tantalum process wastewater introduced into a POTW shall not exceed the following values:

(a) Subpart K—Concentrate Digestion Wet Air Pollution Control PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric Units—mg/kg of columbium or tantalum salt produced from digestion		
English Units—pounds per billion pounds of columbium or tantalum salt produced from digestion		
Lead	515.63	464.07
Zinc	5,259.43	2,165.65
Ammonia (as N)	685,787.90	302,159.18
Fluoride	204,705.11	90,750.88

(b) Subpart K—Solvent Extraction Raffinate PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric Units—mg/kg of columbium or tantalum salt extracted		
English Units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	2,691.60	2,422.44
Zinc	27,454.32	11,304.72
Ammonia (as N)	3,579,828.00	1,577,277.60
Fluoride	1,068,565.20	473,721.80

(c) Subpart K—Solvent Extraction Wet Air Pollution Control PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric Units—mg/kg of columbium or tantalum salt extracted		
English Units—pounds per billion pounds of columbium or tantalum salt extracted		
Lead	43.01	38.71
Zinc	438.70	180.64
Ammonia (as N)	57,203.30	25,203.86
Fluoride	17,074.97	7,569.76

(d) Subpart K—Precipitation and Filtration of Metal Salts PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric Units—mg/kg of columbium or tantalum salt precipitated		
English Units—pounds per billion pounds of columbium or tantalum salt precipitated		
Lead	24,722.30	22,250.07
Zinc	252,167.46	103,833.66
Ammonia (as N)	32,880,659.00	14,467,267.80
Fluoride	9,814,753.10	4,351,124.80

(e) Subpart K—Metal Salt Drying Wet Air Pollution Control PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum salt dried		
English units—pounds per billion pounds of columbium or tantalum salt dried		
Lead	1,647.90	1,483.11
Zinc	16,806.58	6,921.18
Ammonia (as N)	2,191,707.0	965,869.40
Fluoride	654,216.30	290,030.40

(f) Subpart K—Reduction of Salt to Metal PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum reduced		
Lead	35,266.30	31,739.67
Zinc	359,716.26	148,118.46
Ammonia (as N)	46,904,179.0	20,666,051.80
Fluoride	14,000,721.10	6,206,668.60

(g) Subpart K—Reduction of Salt to Metal Wet Air Pollution Control PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum reduced		
English units—pounds per billion pounds of columbium or tantalum reduced		
Lead	2,152.10	1,936.89
Zinc	21,951.42	9,038.82
Ammonia (as N)	2,862,293.0	1,261,130.60
Fluoride	854,383.70	378,769.60

(h) Subpart K—Consolidation and Casting Contact Cooling PSNS.

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of columbium or tantalum cast or consolidated		
English units—pounds per billion pounds of columbium or tantalum cast or consolidated		
Lead	0	0
Zinc	0	0
Ammonia (as N)	0	0
Fluoride	0	0

§ 421.123 [Corrected]

35. In 40 CFR 421.123(a) Alternative A, which appears on page 7114, for the maximum for monthly average for ammonia "....." is corrected to read 94,873,400.0 mg/kg.

36. In 40 CFR 421.123(m) Alternative A, which appears on page 7115, "Subpart L—Precipitation and Filtration of Nonphotographic." is corrected to read "Subpart L—Precipitation and Filtration of Nonphotographic Solutions."

37. In 40 CFR 421.123(n) Alternative A, which appears on page 7115, "Subpart L—Precipitation and Filtration of Nonphotographic." is corrected to read "Subpart L—Precipitation and Filtration

of Nonphotographic Solutions Wet Air Pollution Control."

38. In 40 CFR 421.123(n) Alternative B, which appears on page 7117, "Subpart L—Precipitation of Nonphotographic Solutions Wet Air Pollution Control." is corrected to read "Subpart L—Precipitation and Filtration of Nonphotographic Solutions Wet Air Pollution Control."

§ 421.125 [Corrected]

39. In 40 CFR 421.125(c) Alternative A, which appears on page 7118, the table which reads "Maximum for Monthly Average" is corrected to read "Maximum for Monthly Average". The maximum for monthly average value for ammonia, 108,468,600.0 mg/kg, is corrected to read 108,468,600.0 mg/kg.

§ 421.133 [Corrected]

40. 40 CFR 421.133(a), (b), and (d) Alternative B, which appear on page 7124, are corrected to read as follows:

(a) Subpart M—Battery Cracking.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead scrap produced		
English units—pounds per billion pounds of lead scrap produced		
Antimony	1,298.89	578.78
Arsenic	935.47	383.61
Lead	67.30	60.57
Zinc	686.46	282.66
Ammonia (as N)	0.0	0.0

(b) Subpart M—Blast and Reverberatory Furnace Wet Air Pollution Control.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead produced from smelting		
English units—pounds per billion pounds of lead produced from smelting		
Antimony	5,037.30	2,244.60
Arsenic	3,627.90	1,487.70
Lead	261.0	234.90
Zinc	2,662.20	1,096.20
Ammonia (as N)	0.0	0.0

* * * * *

(d) Subpart M—Casting Contact Cooling.

BAT EFFLUENT LIMITATIONS

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead cast		
English units—pounds per billion pounds of lead cast		
Antimony	42.65	19.01
Arsenic	30.72	12.60
Lead	2.21	1.99
Zinc	22.54	9.28
Ammonia (as N)	0.0	0.0

§ 421.134 [Corrected]

41. 40 CFR 421.134(a), (b), and (d), which appear on page 7124, are corrected to read as follows:

(a) *Subpart M—Battery Cracking NSPS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead scrap produced		
English units—pounds per billion pounds of lead scrap produced		
Antimony	1,298.89	578.78
Arsenic	935.47	383.61
Lead	67.30	60.57
Zinc	686.46	282.66
Ammonia (as N)	0.0	0.0
Total Suspended Solids	10,095.0	8,076.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.

(b) *Subpart M—Blast and Reverberatory Furnace Wet Air Pollution Control NSPS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead produced from smelting		
English units—pounds per billion pounds of lead produced from smelting		
Antimony	5,037.30	2,244.60
Arsenic	3,627.90	1,487.70
Lead	261.0	234.90
Zinc	2,662.20	1,096.20
Ammonia (as N)	0.0	0.0
Total Suspended Solids	39,150.0	31,320.0
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0 at all times.

(d) *Subpart M—Casting Contact Cooling NSPS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead cast		
English units—pounds per billion pounds of lead cast		
Antimony	42.65	19.01
Arsenic	30.72	12.60
Lead	2.21	1.99
Zinc	22.54	9.28
Ammonia (as N)	0.0	0.0
Total Suspended Solids	331.50	265.20
pH	(¹)	(¹)

¹ Within the range of 7.5 to 10.0.

§ 421.135 [Corrected]

42. 40 CFR 421.135(a), (b), and (d) Alternative B, which appear on page 7125, are corrected to read as follows:

(a) *Subpart M—Battery Cracking PSES.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead scrap produced		
English units—pounds per billion pounds of lead scrap produced		
Antimony	1,298.89	578.78
Arsenic	935.47	383.61
Lead	67.30	60.57
Zinc	686.46	282.66
Ammonia (as N)	0.0	0.0

(b) *Subpart M—Blast and Reverberatory Furnace Wet Air Pollution Control PSES.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead produced from smelting		
English units—pounds per billion pounds of lead produced from smelting		
Antimony	5,037.30	2,244.60
Arsenic	3,627.90	1,487.70
Lead	261.0	234.90
Zinc	2,662.20	1,096.20
Ammonia (as N)	0.0	0.0

(d) *Subpart M—Casting Contact Cooling PSES.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead cast		
English units—pounds per billion pounds of lead cast		
Antimony	42.65	19.01
Arsenic	30.72	12.60
Lead	2.21	1.99
Zinc	22.54	9.28

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Ammonia (as N)	0.0	0.0

§ 421.136 [Corrected]

43. 40 CFR 421.136(a), (b), and (d), which appear on pages 7125 to 7128, are corrected to read as follows:

(a) *Subpart M—Battery Cracking PSNS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead scrap produced		
English units—pounds per billion pounds of lead scrap produced		
Antimony	1,298.89	578.78
Arsenic	935.47	383.61
Lead	67.30	60.57
Zinc	686.46	282.66
Ammonia (as N)	0.0	0.0

(b) *Subpart M—Blast and Reverberatory Furnace Wet Air Pollution Control PSNS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead produced from smelting		
English units—pounds per billion pounds of lead produced from smelting		
Antimony	5,037.30	2,244.60
Arsenic	3,627.90	1,487.70
Lead	261.0	234.90
Zinc	2,662.20	1,096.20
Ammonia (as N)	0.0	0.0

(d) *Subpart M—Casting Contact Cooling PSNS.*

Pollutant or pollutant property	Maximum for any 1 day	Maximum for monthly average
Metric units—mg/kg of lead cast		
English units—pounds per billion pounds of lead cast		
Antimony	42.65	19.01
Arsenic	30.72	12.60
Lead	2.21	1.99
Zinc	22.54	9.28
Ammonia (as N)	0.0	0.0

[FR Doc. 83-10106 Filed 4-15-83; 8:45 am]

BILLING CODE 6560-50-M

**FEDERAL COMMUNICATIONS
COMMISSION
47 CFR Part 2**

[Gen. Docket No. 80-739]

**Implementation of the Final Acts of the
World Administrative Radio
Conference, Geneva, 1979; Order
Extending Time for Filing Reply
Comments**

AGENCY: Federal Communications
Commission.

ACTION: Proposed rule; Extension of
reply comment period.

SUMMARY: The FCC has denied a Motion from NASA for extension of time for Reply Comments and granted a Motion from United Satellite Communications, Inc. (USCI) for extension of Time for Reply Comments in the Implementation of the Final Acts of World Administrative Radio Conference, Geneva, 1979 (48 FR 3790, January 27, 1983). The NASA Motion was denied as it did not provide sufficient information on the studies it has undertaken or the points they would address. The USCI Motion was granted because it was not given adequate opportunity to fairly respond to a revised filing by Satellite Television Corporation.

DATES: The deadline for Reply Comments is extended to April 18, 1983.

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

FOR FURTHER INFORMATION CONTACT:
Fred L. Thomas, Office of Science and
Technology, (202) 653-8171.

Note.—The full text of the Proposed Rule was not published in the *Federal Register* due to the effort to minimize printing costs. However, copies are available from any of the distribution centers listed in the FCC Office of Public Affairs, Room 202, 1919 M St., NW., Washington, D.C. (202) 254-7674. Also, a copy is available for public inspection in the FCC Dockets Branch, Room 239, and the FCC Library, Room 839, both located at 1919 M St., NW., Washington, D.C.

**Order Extending Time for Reply
Comments**

In the matter of implementation of the Final Acts of the World Administrative Radio Conference, Geneva, 1979, General Docket 80-739.

Adopted: April 7, 1983.

Released: April 8, 1983.

By the Office of Science and Technology.

1. On March 31, 1983, the National

Aeronautics and Space Administration (NASA), filed a *Motion for Extension of Time* (USCI Motion) in the above-captioned proceeding requesting that the date for Reply Comments to the *Notice of Proposed Rulemaking* (NPRM) be extended from April 11, 1983, to April 25, 1983. NASA states that it needs the additional time to complete technical studies in order to respond to comments regarding an allocation for the mobile-satellite service and related issues.

2. On April 6, 1983, United Satellite Communications, Inc. (USCI), also filed a *Motion for Extension of Time* (NASA Motion) in the proceeding requesting that the date for Reply Comments be extended to April 18, 1983. USCI states that, on March 15, 1983, Satellite Television Corporation (STC) filed a revised version of a Technical Appendix regarding fixed-satellite and broadcasting-satellite use of the 11.7-12.7 band. However, USCI was not served a copy of the revised Appendix and was unaware of its existence until April 4, 1983. USCI claims that many of the conclusions of the Appendix are without merit and that to prepare an adequate and accurate response to the Appendix requires additional time.

3. The NASA Motion does not give sufficient reason to warrant extension of the reply comment period. It does not provide any information as to the nature of the technical studies being undertaken or the points they would address. USCI, however, has demonstrated that it has not had adequate opportunity to fairly respond to specific conclusions of the revised STC Technical Appendix filed on March 15, 1983. All parties should have an opportunity to respond to the proposals in the NPRM and to the comments received. Accordingly, we believe that it is in the public interest to extend the period for filing Reply Comments until April 18, 1983.

4. Therefore, it is ordered, that the *Motion for Extension of Time* filed by NASA is hereby denied, that the *Motion for Extension of Time* filed by USCI is hereby granted, and that the date for filing Reply Comments is extended to and including April 18, 1983.

5. This action is taken pursuant to authority found in Sections 4(i), 5(d), and 303 of the Communications Act of

1934, as amended, and § 0.241 of the Commission's Rules.

Robert S. Powers,
Acting Chief Scientist.

[FR Doc. 83-0972 Filed 4-15-83; 8:45 am]

BILLING CODE 6712-01-M

**INTERSTATE COMMERCE
COMMISSION**

49 CFR Ch. X

[Ex Parte No. 444]

**Electronic Filing of Tariffs; Extension
of Comment Period**

AGENCY: Interstate Commerce
Commission.

ACTION: Extension of time to file
comments to advance notice of
proposed rulemaking.

SUMMARY: In the *Federal Register* advance notice of proposed rulemaking (ANPR), March 8, 1983 (48 FR 9672) the Commission considered establishing rules and procedures to permit parties wishing to do so to file tariffs electronically. The date that comments were due was April 22, 1983. The American Trucking Association, Inc. (ATA) requests that the date for filing comments be extended to May 23, 1983. The ATA stresses their interest and support in the movement to increase use of electronic filing of tariffs. In view of the many issues raised in the ANPR and its interest the ATA suggests a more complete record could be achieved by the extension.

Considering the importance of the rulemaking and the desire of the Commission to elicit meaningful comments the request is warranted.

DATE: Comments should be submitted
by May 23, 1983.

ADDRESS: An original and ten copies
should be sent to: Secretary, Interstate
Commerce Commission, Washington,
DC 20423.

FOR FURTHER INFORMATION CONTACT:
W. Paul Geisenkotter, Section of Tariffs,
Bureau of Traffic (202) 275-7739.

Dated: April 12, 1983.

By the Commission, Reese H. Taylor, Jr.,
Chairman.

Agatha L. Mergenovich
Secretary

[FR Doc. 83-10181 Filed 4-15-83; 8:45 am]

BILLING CODE 7035-01-M

Notices

Federal Register

Vol. 48, No. 75

Monday, April 18, 1983

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

Food Safety and Inspection Service

[Docket No. 83-011N]

SLD Policy Memoranda; Semi-Annual Listing

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This document lists memoranda issued by the Standards and Labeling Division (SLD), Meat and Poultry Inspection Technical Services, Food Safety and Inspection Service (FSIS), and available to the public which

contain significant new applications or interpretations of the Federal Meat Inspection Act, the Poultry Products Inspection Act, the regulations promulgated thereunder, or departmental policy in the labeling area.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert G. Hibbert, Director, Standards and Labeling Division, Meat and Poultry Inspection Technical Services, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447-6042.

SUPPLEMENTARY INFORMATION:

FSIS conducts a prior approval program for labels or other labeling (specified in 9 CFR 317.4, 317.5, 381.132, and 381.134) to be used on federally inspected meat and poultry products. Pursuant to the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and the Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*), and the regulations promulgated thereunder, meat and poultry products which do not bear approved labels may not be distributed in commerce.

FSIS's prior label approval program is conducted by label review experts within SLD. A variety of factors, such as

continuing technological innovations in food processing and expanded public concern regarding the presence of various substances in foods, has generated a series of increasingly complex issues which SLD must resolve as part of the prior label approval process. In interpreting the Acts or regulations to resolve these issues, SLD may modify its policies on labeling or develop new ones.

Significant or novel interpretations or determinations made by SLD are issued in writing in memorandum form. This document lists those SLD policy memoranda issued from September 1, 1982, through March 31, 1983.

Persons interested in obtaining copies of any of the following SLD policy memoranda, or in being included on a list for automatic distribution of future SLD policy memoranda may write to: Printing and Distribution Section, Paperwork Management Branch, Administrative Services Division, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250.

Memo No.	Title and date	Issue	Reference
030A	Labeling Meat Food Products Containing Poultry Ingredients, Sept. 13, 1982 (Replaces Policy Memo 030).	How meat food products containing poultry ingredients should be labeled.	NA.
043A	Rescindment of Policy Memo 043, Sept. 15, 1982.		NA.
050A	Canadian Style Bacon, Feb. 2, 1983 (Replaces Policy Memo 050).	What cut of pork must be used in product that is labeled "Canadian Style Bacon"?	NA.
051	Species Sausage, Sept. 13, 1982.	The labeling and standards of sausage products labeled with species identification.	9 CFR 319.141, 319.142, 319.144, and 319.160.
052	The Use of Cured Pork Tissue in Making Lard, Sept. 15, 1982.	May cured pork tissues be used in preparation of lard?	9 CFR 319.702.
053	Labeling Turkey Ham Products Containing Added Water, Sept. 24, 1982.	What is the appropriate labeling for a Turkey Ham product that contains added water?	9 CFR 381.171.
054	Quality Control Claims, Nov. 10, 1982.	What guidelines should be followed in approving labels bearing claims indicating that the product's quality is controlled or assured?	9 CFR 318.4, and 381.145.
055	Natural Claims, Nov. 22, 1982.	Appropriate policy for the approval or denial of labeling for meat and poultry products bearing the term "natural".	NA.
056	Potassium Sorbate and Propylparaben on Semi-Dry Sausage, Jan. 12, 1983.	The use of potassium sorbate or propylparaben as an external mold inhibitor on semi-dry sausages.	9 CFR 318.7 and Policy 017.
057	Labeling Turkey Ham Products Containing Added Water, Jan. 26, 1983 (Replaces Policy Memo 53).	What is the appropriate labeling for a Turkey Ham product that contains added water?	9 CFR 381.171.
058	Smoked Products, Mar. 22, 1983.	What guidelines should be followed when approving labeling for products prepared with natural smoke and/or smoke flavor (natural or artificial)?	9 CFR 317.2 and 381.119, and Policy Memo 040.
059	Labeling Turkey Ham Products Containing Ground Turkey Thigh Meat Mar. 29, 1983.	What is the appropriate labeling for a Turkey Ham product containing ground turkey thigh meat?	9 CFR 381.171.

The SLD policies specified in these memoranda will be uniformly applied to all relevant labeling applications unless modified by future memoranda or more formal Agency action. Applicants retain all rights of appeal regarding decisions based upon these memoranda.

Done at Washington, D.C., on April 6, 1983.

Robert G. Hibbert,

Director, Standards and Labeling Division,
Meat and Poultry Inspection Technical
Services, Food Safety and Inspection Service.

[FR Doc. 83-10252 Filed 4-15-83; 8:45 am]

BILLING CODE 3410-DM-M

CIVIL AERONAUTICS BOARD

Announcement of Approval of
Reporting Form by the Office of
Management And Budget Under the
Paperwork Reduction Act (44 U.S.C.
35)

On March 14, 1983, the Office of

Management and Budget approved the extension of the following reporting form:

Form 251—Report of Passengers Denied Confirmed Space (filed pursuant to Part 250 of the Economic Regulations) extended to February 28, 1988, under OMB No. 3024-0018.

Robin A. Caldwell,

Chief, Information Management Division,
Office of Comptroller

April 11, 1983.

[FR Doc. 83-10271 Filed 4-15-83; 8:45 am]

BILLING CODE 6320-01-M

[Docket No. 41422]

Tower Air, Inc.; Fitness Investigation; Assignment of Proceeding

This proceeding has been assigned to Chief Administrative Law Judge Elias C. Rodriguez. Future communications should be addressed to him.

Dated at Washington, D.C., April 13, 1983.

Elias C. Rodriguez,

Chief Administrative Law Judge.

[FR Doc. 83-10272 Filed 4-15-83; 8:45 am]

BILLING CODE 6320-01-M

[Order 83-4-57; Docket 41422]

Tower Air, Inc.; Fitness Investigation

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order Instituting the Tower Air, Inc. Fitness Investigation; Order 83-4-57, Docket 41422.

SUMMARY: The Board is instituting an investigation to determine the fitness of Tower Air, Inc. to engage in scheduled foreign air transportation of persons, property, and mail between the United States, Belgium, and Israel. If the carrier is found fit, it will receive a certificate of public convenience and necessity authorizing such air transportation.

DATES: Persons wishing to file requests for additional evidence or petitions to intervene in the Tower Air, Inc. Fitness Investigation shall file their petitions in Docket 41422 by April 22, 1983, and serve such filings on all persons listed below.

ADDRESSES: Requests for additional evidence and petitions to intervene should be filed in the Docket Section, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

In addition copies of such filings should be served on: Tower Air, Inc., the New York and New Jersey Departments of Transportation, the Mayors and airport managers of New York City and Newark, the U.S. Departments of State and Transportation, the Federal Aviation Administration, and the

Ambassadors of Belgium and Israel in Washington, D.C.

Service will also be required on any other persons filing petitions.

FOR FURTHER INFORMATION CONTACT:

Ronald A. Brown, Bureau of International Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, (202) 673-5203.

SUPPLEMENTARY INFORMATION: The complete text of Order 83-4-57 is available from our Distribution Section, Room 100, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 83-4-57 to that address.

By the Civil Aeronautics Board: April 12, 1983.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 83-10273 Filed 4-15-83; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-479-063]

Animal Glue and Inedible Gelatin From Yugoslavia; Preliminary Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of antidumping finding.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping finding on animal glue and inedible gelatin from Yugoslavia. The review covers the one known exporter of this merchandise to the United States, Kemija-Impex, and the period December 1, 1981 through November 30, 1982. There were no known shipments of this merchandise to the United States during the period and there are no known unliquidated entries.

As a result of the review, the Department has preliminarily determined to require cash deposits of estimated antidumping duties equal to the margin calculated on the last known shipments. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: April 18, 1983.

FOR FURTHER INFORMATION CONTACT:

Linda L. Pasden or Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department

of Commerce, Washington, D.C. 20230, telephone: (202) 377-3601/5255.

SUPPLEMENTARY INFORMATION:

Background

On September 29, 1982, the Department of Commerce ("the Department") published in the *Federal Register* (47 FR 42768-9) the final results of its last administrative review of the antidumping finding on animal glue and inedible gelatin from Yugoslavia (42 FR 64116-7, December 22, 1977) and announced its intent to conduct the next administrative review by the end of December 1983. 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 animal glue and inedible gelatin, of which there are two principal types, hide glue and bone glue. Animal glue is an organic colloid of protein derivation. There is no significant difference between animal glue and inedible gelatin. Animal glues are odorless, dry, hard, hornlike materials. They are used as general purpose adhesives in industries producing abrasives, paper containers, book and magazine bindings, and leather goods. They are also used as sizing agents and as colloids in emulsions and cleaning compounds. Animal glue and inedible gelatin are currently classifiable under items 455.4000 and 455.4200 of the Tariff Schedules of the United States Annotated.

The Department knows of only one exporter of Yugoslavian animal glue and inedible gelatin to the United States, Kemija-Impex.

The review covers the period December 1, 1981 through November 30, 1982. There were no known shipments to the United States during the period and there are no known unliquidated entries.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that, as provided for in § 353.48(b) of the Commerce Regulations, a cash deposit of estimated antidumping duties of 9.7 percent, based upon the margin calculated on the last known shipments of this merchandise from Kemija-Impex, shall be required on all shipments of Yugoslavian animal glue and inedible gelatin entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. These deposit requirements 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 hearing, if requested, will be held 45 days after the date of publication of this notice or the first workday thereafter. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

(Sec. 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53))

Gary N. Horlick,

Deputy Assistant Secretary for Import Administration.

April 7, 1983.

[FR Doc. 83-10207 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-25-M

Industry Advisory Committees for Trade Policy Matters; Open Meeting

AGENCY: International Trade Administration, Commerce.

SUMMARY: A meeting of the committees listed below will be held June 2, 1983. The committees were established to provide advice to the Secretary of Commerce and the U.S. Trade Representative on trade negotiations and other matters arising in connection with the administration of U.S. trade policy.

Industry Policy Advisory Committee for Trade Policy Matters (IPAC)

Industry Sector Advisory Committees for Trade Policy Matters (ISACs)

- On Aerospace Equipment (ISAC 1)
- On Capital Goods (ISAC 2)
- On Chemicals and Allied Products (ISAC 3)
- On Consumer Goods (ISAC 4)
- On Electronics and Instrumentation (ISAC 5)
- On Energy (ISAC 6)
- On Ferrous Ores and Metals (ISAC 7)
- On Footwear, Leather, and Leather Products (ISAC 8)
- On Industrial and Construction Material and Supplies (ISAC 9)
- On Lumber and Wood Products (ISAC 10)
- On Nonferrous Ores and Metals (ISAC 11)
- On Paper and Paper Products (ISAC 12)
- On Services (ISAC 13)
- On Small and Minority Business (ISAC 14)
- On Textiles and Apparel (ISAC 15)
- On Transportation, Construction, and Agricultural Equipment (ISAC 16)

On Wholesaling and Retailing (ISAC 17)

Industry Functional Advisory Committees for Trade Policy Matters (IFACs)

On Customs Matters for Trade Policy Matters (IFAC 1)

On Standards for Trade Policy Matters (IFAC 2)

TIME AND PLACE: June 2, 1983; U.S. Department of Commerce Auditorium, 14th and Constitution Avenue NW., Washington, D.C. Plenary Session: 10:30 a.m. to 3:30 p.m.—Auditorium.

AGENDA:

Plenary Session:

1. Continuing Role of Advisory Process.
2. Trade Policy Formulation.
3. Current Issues.

PUBLIC PARTICIPATION: Limited seating for the public available.

FOR FURTHER INFORMATION CONTACT:

Ms. Clare Soponis, Trade Advisory Center, Room 1015C, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: 202-377-3268.

Dated: April 7, 1983.

J. Mishell George,

Acting Deputy Assistant Secretary for Industry Projects.

[FR Doc. 83-10208 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-25-M

[Case No. 620]

Richard Kwik and Jamson Aviation and Spares (PTE) Ltd.; Order Amending Denial Order

On April 23, 1982, I entered an Order denying Richard Kwik, aka Siong Hian Kwik, ("Kwik") and Jamson Aviation and Spares (Pte) Ltd. ("Jamson") all U.S. export privileges until May 31, 2001. 47 FR 18403 (April 29, 1982). On December 3, 1982, the U.S. Department of Commerce ("Department") moved that an Order to Show Cause be issued to Claypro (Pte) Ltd. ("Claypro"), directing Claypro to show cause why the Order dated April 23, 1982, should not be amended by adding Claypro as a related party. An Order to Show Cause was issued to Claypro on December 7, 1982 and service of that Order was effected on December 20, 1982.

By letter dated January 17, 1983, signed by Kwik, Claypro responded to the Order to Show Cause and submitted certain facts for consideration pursuant to the Order to Show Cause. The Department has also submitted evidence to support its allegation that Claypro is a party related to Kwik and Jamson. I have reviewed the evidence presented by the parties. My findings are detailed below.

I find that Kwik's employment with Jamson was terminated in 1982. I find further that Kwik established a company named Claypro, which was registered in Singapore on March 12, 1976. The registration states that the company is fully owned by Mr. Kwik and his wife; that they are the only registered directors; and that Claypro's interest in Jamson totals approximately 30 percent. Kwik alleges that Claypro is now known as Aeriotechnics (Pte) Ltd. ("Aeriotechnics"). In addition, I find that Kwik, through Claypro and/or Aeriotechnics, is seeking to engage in transactions involving U.S.-origin commodities. Accordingly, I find that both Claypro and the company which Kwik alleges is its successor, Aeriotechnics, are related to Kwik and Jamson. In order to prevent evasion of the Order of April 23, 1982, that Order will be made applicable not only to Kwik and Jamson but also Claypro and Aeriotechnics.

Therefore, pursuant to the authority delegated to me, 15 CFR Part 388, it is *Ordered* that the Order of April 23, 1982, is amended to add Claypro (Pte) Ltd. and Aeriotechnics (Pte) Ltd. as related parties to Kwik and Jamson and therefore subject to the terms of that Order. That Order is amended to read as follows:

III. Such denial of export privileges shall extend not only to the respondents but also to their agents, employees, representatives, and partners. After notice and opportunity for comment, such denial may also be made applicable to any person, firm, corporation, or business organization with which respondents are now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of export trade or related services. Following the issuance of an Order to Show Cause by the Hearing Commissioner, it has been determined that the following firms are related to Kwik and Jamson and are therefore subject to the provisions of this denial: Claypro (Pte) Ltd. and Aeriotechnics (Pte) Ltd., Suite 608, 6th Floor, Colombo Court, Singapore 0617 and 4E Dyson Road, Singapore 1130.

The Order of April 23, 1982, applies to those persons and related parties specifically named in the Order, as hereby amended.

Dated: April 11, 1983; 4:05 pm EST.

Thomas W. Hoya,

Hearing Commissioner.

[FR Doc. 83-10200 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

Evaluation of State/Territorial Coastal Management Programs, Coastal Energy Impact Programs and National Estuarine Sanctuaries

AGENCY: National Oceanic and Atmospheric Administration, National Ocean Service, Office of Ocean and Coastal Resource Management, Commerce.

ACTION: Notice of availability of evaluation findings.

SUMMARY: Notice is hereby given of the availability of the written evaluation, including an assessment and detailed findings for Florida, Guam, Hawaii, Pennsylvania, Indiana and Mississippi Coastal Zone Management Programs, and/or Coastal Energy Impact Programs and/or National Estuarine Sanctuaries.

Section 312 of the Coastal Zone Management Act of 1972, as amended, requires a continuing review of the performance of each coastal state with respect to the implementation of its federally approved Coastal Management Program, Coastal Energy Impact Program, and National Estuarine Sanctuary financial assistance awards. The states and territories evaluated were found to be adhering both to the programmatic items of their financial assistance awards and/or to their approved coastal management programs; and to be making satisfactory progress on award tasks, special award conditions, and significant improvement tasks aimed at program implementation and enforcement, as appropriate. Accomplishments in implementing coastal zone management programs were occurring with respect to the national coastal management objectives identified in Section 303(2)(A)-(I) of the Coastal Zone Management Act.

A copy of the assessment and detailed findings for these programs may be obtained on request from: D. H. (Bill) Stearns, Acting Evaluation Officer, Policy Coordination Division, Office of Ocean and Coastal Resource Management, National Ocean Service, NOAA, 3300 Whitehaven Street NW., Washington, D.C. 20235 (telephone: 202/634-4245).

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: April 13, 1983.

K. E. Taggart,

Acting Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 83-10270 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-08-M

Marine Fisheries Advisory Committee; Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Notice of public meeting with partially closed session.

SUMMARY: As required by Section 10(a)(2) of the Federal Advisory Committee, 5 U.S.C. App. (1976) as amended, notice is hereby given of a partially closed meeting of the Marine Fisheries Advisory Committee (MAFAC). MAFAC was established by the Secretary of Commerce on February 17, 1971, to advise the Secretary on matters pertinent to the Department's responsibilities for marine fishery resources and on means to facilitate cooperation between public and private interests in these matters.

DATES: The meeting will convene April 28, 1983, at 8:30 a.m. and adjourn at approximately 5:00 p.m. on April 29, 1983. The closed session of the meeting will commence at 2:00 p.m. on April 29, 1983, and adjourn at 3:30 a.m.

ADDRESS: The meeting will be held at the Scripps Institution of Oceanography, in La Jolla, California.

Meeting agenda: The proposed meeting agenda is as follows:

Agenda

Open session—April 28, 1983 (8:30 a.m.—Noon) Panel presentation and discussion of tuna-related industry issues

Open session—April 28, 1983 (1:00 p.m.—5:00 p.m.)

- (a) Discussion of tuna-related issues
- (b) Subcommittee reports

Open session—April 29, 1983 (8:30 a.m.—11:45 a.m.)

- (a) Subcommittee reports
- (b) Presentation and discussion of an American Fisheries Development Corporation
- (c) NMFS survey of household purchase and usage of fishery products and the attitude of fishery consumers.

Open session—April 29, 1983 (12:45 p.m.—2:00 p.m.)

- (a) Menhaden and artificial reef movies
- (b) User fees presentation of what services are now provided by NOAA or what services could be provided that would be useful and appropriate

Closed session—April 29, 1983 (2:00 p.m.—3:30 p.m.)

Consider and discuss the living marine resources proposals of the NOAA FY 1984 and FY 1985 budgets.

Open session—April 29, 1983 (3:30–5:00 p.m.)
Tour of the NMFS Southwest Fisheries Center.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration of the Department of Commerce, with the concurrence of the General Counsel, formally determined on April 11, 1983, pursuant to section 10(d) of the Federal

Advisory Committee Act, that the agenda item to be covered during the closed session may be exempt from the provisions of the Act relating to open meetings and public participation therein, because the item will be concerned with matters that are within the purview of 5 U.S.C. Section 552b(c)(9)(B) as information the premature disclosure of which will be likely to significantly frustrate the implementation of proposed agency action. (A copy of the determination is available for public inspection and duplication in the Central Reference and Records Inspection Facility, Room 6628, Department of Commerce.) All other portions of the meeting will be open to the public.

FOR FURTHER INFORMATION OR COPIES OF MINUTES CONTACT: Ann Smith, Executive Secretary, Marine Fisheries Advisory Committee, National Marine Fisheries Service, Washington, D.C. 20235, Telephone: (202) 254-5536.

Dated: April 12, 1983.

Carmen J. Blondin,

Acting Deputy Assistant Administrator for Fisheries Resource Management.

[FR Doc. 83-10268 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-22-M

Coastal Zone Management; Intent To Evaluate; Louisiana, et al.

AGENCY: National Oceanic and Atmospheric Administration, National Ocean Service, Office of Ocean and Coastal Resource Management, Commerce.

ACTION: Notice of intent to evaluate.

SUMMARY: The National Oceanic and Atmospheric Administration, National Ocean Service, Office of Ocean and Coastal Resource Management (OCRM), announces its intent to evaluate the performance of the Louisiana Coastal Management Program (CMP) and Coastal Energy Impact Program (CEIP), the Rhode Island CMP, CEIP and National Estuarine Sanctuary (Narragansett Bay); the Puerto Rico CMP, CEIP and National Estuarine Sanctuary (Jobos Bay); the New Hampshire CMP; and the California CEIP and National Estuarine Sanctuary (Elkhorn Slough) through May 1983. These reviews will be conducted pursuant to Section 312 of the Coastal Zone Management Act (CZMA) which requires a continuing review of the performance of the states with respect to coastal management, and their adherence to the terms of financial assistance awards funded under the CZMA. Coastal zone management is

funded under Section 306, CEIP is funded under Section 308, and the Estuarine Sanctuary Program under Section 315 of the CZMA. The reviews involve consideration of written submissions, a site visit to the state, and consultations with interested Federal, state and local agencies and members of the public. Public meetings will be held as part of the site visits. Opportunity will be provided for the submission of oral and written comments by the public. The states will issue notice of these meetings. Copies of each state's most recent performance report, as well as the financial assistance application or work program, performance reports, OCRM's notification letter and supplemental information request to the state, are available upon request from the OCRM. A subsequent notice will be placed in the *Federal Register* announcing the availability of the Final Findings based on each evaluation once these are completed.

FOR FURTHER INFORMATION CONTACT:
D. H. (Bill) Stearns, Acting Evaluation Officer, Policy Coordination Division, Office of Ocean and Coastal Resource Management, National Ocean Service, NOAA, 3300 Whitehaven Street, N.W., Washington, D.C. 20235 (telephone: 202/634-4245).

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

Dated: April 12, 1983.

K. E. Taggart,

Acting Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 83-10299 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-08-M

Office of the Secretary

Frequency Management Advisory Council; Notice of Renewal

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. (1976) and Office of Management and Budget Circular A-63 of March 1974, and after consultation with GSA, the Secretary of Commerce has determined that the renewal of the Frequency Management Advisory Council is in the public interest in connection with the performance of duties imposed on the Department by law.

The Council was first established on July 19, 1965, and was to terminate on January 9, 1983. It provided advice to the Director of the Office of Telecommunications Policy (OTP), Executive Office of the President, until that office was merged by Executive Order 12046 of March 27, 1978, into the

Department of Commerce, National Telecommunications and Information Administration.

In reviewing the need for the Council, the Secretary has reaffirmed its original purpose of providing advice on radio frequency spectrum allocation and assignment matters and means by which the effectiveness of Federal Government frequency management may be enhanced. Research indicates that the Council's function cannot be accomplished by any organizational element or other committee of the Department.

The Council shall continue with a balanced representation of 15 members, chaired by the Assistant Secretary for Communications and Information or designee, and will operate in compliance with the provisions of the Federal Advisory Committee Act.

Copies of the Council's revised Charter will be filed with appropriate committees of Congress and with the Library of Congress.

Inquiries or comments may be addressed to the Committee Control Officer, Mr. Charles L. Hutchison, National Telecommunications and Information Administration, U.S. Department of Commerce, Room 4701, Washington, D.C. 20230, telephone: (202) 377-0805, or the Department Committee Management Analyst, telephone: (202) 377-4217.

Dated: April 11, 1983.

Dennis C. Boyd,

Acting Director, Management Systems.

[FR Doc. 83-10199 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-CW-M

Marine Fisheries Advisory Committee; Notice of Renewal

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. (1976) and Office of Management and Budget Circular A-63 (as revised), and after consultation with the General Services Administration, the Department has determined that the renewal of the charter for the Marine Fisheries Advisory Committee is in the public interest in connection with the performance of duties imposed on the Department by law.

The Marine Fisheries Advisory Committee (MAFAC) was initially established by the Secretary of Commerce on February 17, 1971, pursuant to Executive Order 11007. The Committee advises the Secretary of Commerce through its Chairman, the Administrator of NOAA, on matters pertinent to the Department's responsibilities for living marine resources and on means to facilitate

cooperation between public and private interests in these matters.

The Committee membership represents a collective voice for the many and diverse interests concerned with marine resources. Membership on the Committee is balanced by background and experience, living marine resources interest, geographic location, and national and regional peer group recognition. As specified in the charter, representatives are sought from the commercial and recreational fishing communities, State governments and consumer interests. Members serve for three years and approximately one-third of the members are replaced each year to provide continuity and balance.

The Marine Fisheries Advisory Committee (MAFAC) will continue to operate in compliance with the provisions of the Federal Advisory Committee Act (FACA). Copies of the MAFAC charter will be filed with the appropriate committees of Congress and with the Library of Congress. Inquiries regarding this notice may be addressed to the Committee Liaison Officer, National Oceanic and Atmospheric Administrators, U.S. Department of Commerce, Rockville, Maryland 20852, or Mrs. Yvonne Barnes, Committee Management Analyst, U.S. Department of Commerce, Washington, D.C. 20230

Dated: April 11, 1983.

Dennis C. Boyd,

Acting Director, Management Systems.

[FR Doc. 83-10197 Filed 4-15-83; 8:45 am]

BILLING CODE 3510-CW-M

CONSUMER PRODUCT SAFETY COMMISSION

Notification of Proposed Collection of Information

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1981 (44 U.S.C. 3501 *et seq.*), the Consumer Product Safety Commission has submitted to the Office of Management and Budget a request for approval of a collection of information in the form of a questionnaire about Commission publications sent to consumers.

The purpose of the questionnaire is to obtain information from persons who have received publications from the Commission. That information will be used by the Commission staff to evaluate the effectiveness of those publications to make consumers aware of safety hazards associated with

products and to make appropriate modifications of their use of those products to eliminate or reduce those hazards.

The Commission staff will send copies of the questionnaire to persons who request publications from the Commission through September 30, 1983.

Information about the Proposed Collection of Information:

Agency address: Consumer Product Safety Commission, 1111 18th Street, NW., Washington, D.C. 20207.

Title of information collection:

Questionnaire to assess CPSC publications, "Don't Let Yourself Be a Puppet."

Type of request: Approval of a new plan.

Frequency of collection: One time.

General description of respondents: Persons who have requested publications from the Commission.

Estimated average number of hours per response: 1/30 (2 minutes).

Comments: Comments on this proposed collection of information should be addressed to Gwen Pla, Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503, telephone: (202) 395-7313. Copies of the proposed collection of information are available from Francine Shacter, Office of Budget, Program Planning, and Evaluation, Consumer Product Safety Commission, Washington, D.C. 20207, telephone: (301) 492-6529.

This is not a proposal to which 44 U.S.C. 3504(h) is applicable.

Dated: April 12, 1983.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 83-10329 Filed 4-15-83; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

April 8, 1983.

The USAF Scientific Advisory Board Weapons and Avionics Panel of the Advanced Tactical Fighter (ATF) Technology Committee will meet at Hughes Aircraft Company, Los Angeles, CA, on May 9-10, 1983. The purpose of the meeting will be to discuss avionics technologies that have application to the ATF. Industry counseling concerning the technical state of the art available for the ATF is the secondary meeting purpose. The meeting will convene at 8:00 a.m. and adjourn at 5:00 p.m. each day.

The meeting concerns matters listed in Section 552(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. 83-10202 Filed 4-15-83; 8:45 am]

BILLING CODE 3910-01-M

DEPARTMENT OF EDUCATION

National Advisory Council on Bilingual Education; Hearing

AGENCY: National Advisory Council on Bilingual Education.

ACTION: Notice of hearing.

SUMMARY: This notice sets forth the Schedule and proposed agenda of a forthcoming hearing of the National Advisory Council on Bilingual Education. Notice of this hearing is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATES: May 3, 1983—Public Hearing—9:00 a.m.—4:30 p.m. Public Hearing will be held at the Portland Hilton Hotel, 921 SW 6th Avenue, Portland, Oregon 97204.

FOR FURTHER INFORMATION CONTACT: Ramon Ruiz, Designated Federal Official, Room 421, Reporter's Building, 400 Maryland Avenue, SW., Washington, D.C. 20202 (202-245-2600).

SUPPLEMENTARY INFORMATION: The National Advisory Council on Bilingual Education is established under Section 732(a) of the Bilingual Education Act (20 U.S.C. 3242). The Council is established to advise the Secretary of the Department of Education concerning matters arising in the administration of the Bilingual Education Act and other laws affecting the education of limited English proficient populations.

May 3, 1983 in consonance with the Council's mission to advise in the preparation of regulations under the Bilingual Education Act, testimony will be heard on the following topics which impact on the Migrant Bilingual Community:

- (1) 1983 Reauthorization
- (2) Research
- (3) Reports of the Effectiveness of Bilingual Education
- (4) Interrelations and Interdependency of Bilingual Education and Modern Language Teachers

Witnesses should notify Ramon Ruiz (see address above) of their intention of testifying.

The following procedures shall be observed during the public hearings:

(1) Witnesses shall be heard on a first come basis

(2) Witnesses shall limit their testimony to twenty minutes.

(3) All testimony shall be tape recorded

(4) Exceptions to the aforementioned procedures shall be at the discretion of the Chairperson.

Records are kept of all Council proceedings, and are available for public inspection at the Office of Bilingual Education and Minority Languages Affairs, Room 421, Reporters Building, 400 Maryland Avenue, SW., Washington, D.C. 20202 from the hours of 8:00 a.m.—4:30 p.m.

Dated: April 12, 1983.

Jesse M. Soriano,

Director, Office of Bilingual Education, and Minority Languages Affairs.

[FR Doc. 83-10142 Filed 4-15-83; 8:45 am]

BILLING CODE 4000-01-M

National Advisory Council on Bilingual Education; Meeting

AGENCY: National Advisory Council on Bilingual Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the National Advisory Council on Bilingual Education. Notice of this meeting is required under Section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATES: May 11-13, 1983—Business Meeting 9:00-4:30 p.m.

ADDRESS: The Business Meeting will be held in Room 409 of the Reporter's Building, 300 7th Street, SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ramon Ruiz, Designated Federal Official, Room 421, Reporter's Building, 400 Maryland Avenue, SW., Washington, DC 20202, (202) 245-2600.

SUPPLEMENTARY INFORMATION: The National Advisory Council on Bilingual Education is established under Section 732(a) of the Bilingual Education Act (20 U.S.C. 3242). The Council is established to advise the Secretary of the Department of Education concerning matters arising in the administration of the Bilingual Education Act and other laws affecting the education of limited English proficient populations. The meeting of the Council is open to the

public. The proposed agenda includes the following:

May 11, 1983

9:00-9:30 a.m.—Appoint parliamentarian—Presentation of Overview.
9:30-10:30 a.m.—1983 Annual Report Review—Annual Report Committee.
10:30-10:45 a.m.—Break.
10:45-12:00 noon—1983 Annual Report Review (continued).
12:00-1:30 p.m.—Lunch.
1:30-4:30 p.m.—1983 Annual Report Review to completion and approval.
Evening—Committee Meetings to be set by chairs. Time and place to be announced. Address reauthorization issues, OBEMLA administration of Title VII, grants and reader process, funding, Charter language, etc. Prepare recommendations.

May 12, 1983

9:00-12:00 noon—Presentation by Office of Civil Rights on National Origin Legislation—Title VI—Reauthorization Issues
—Legislation—H.R. 11 introduced by Rep. Carl Perkins (D-Ky.)
—Language and content
—Status
—Department of Education Bill
—Content
—Status
—Recommendations by Legislation Committee
—Discussion
—Adoption of Recommendations
—Letter to Secretary Bell drafted
—Copies to key committee chairmen in Congress
—1984 Appropriations—Recommendations from Council to be inserted as part of record of Sub-Committee on Labor, Human Resources, and Education of Senate Appropriations Committee—Dr. Flores and Budget Committee
—Testimony for Reauthorization Hearings in September
—NACBE Charter.
12:00-1:30 p.m.—Lunch.
1:30-4:30 p.m.—1983-84 Committee Assignments
—Committees and functions
—1984 Annual Report
—Dissertation Awards or Teacher of the Year Award.

May 13, 1983

9:00-12:00 noon—Report from Testimony Committee
—Other Committee Reports
—Proposed 1983-84 Calendar
12:00-1:30 p.m.—Lunch.
1:30-4:30 p.m.—Unfinished Business.
Adjournment.

Dated: April 12, 1983.

Jesse M. Soriano,
Director, Office of Bilingual Education and Minority Languages Affairs.

[FR Doc. 83-10143 Filed 4-15-83; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Conduct of Employees; Notice of Waiver Pursuant to Section 605(a)(3) of the Department of Energy Organization Act

Section 605(a)(3) of the Department of Energy Organization Act (Pub. L. 95-91) authorizes the Secretary of Energy to waive the post-employment restrictions of section 605 of the Act to permit a former employee with outstanding scientific or technological qualifications to make appearances before or communications to the Department in connection with a particular matter which lies in a scientific or technological field where it has been determined that such a waiver would serve the national interest.

It has been established to my satisfaction that George A. Wiltsee, Jr., former Deputy Director of the Grand Forks Energy Technology Center, has outstanding scientific and technological qualifications in the fields of chemical engineering, fossil energy research, and coal utilization technology.

Further, I am satisfied that it serves the national interest to permit him, in his capacity as the new Director of the University of North Dakota Energy Research Center, to appear before and communicate with employees of the Department of Energy with respect to the development, implementation, and funding of the low-rank coals research and development program conducted by the Center pursuant to a cooperative agreement between the Center and the Department of Energy. I am satisfied that these activities are in a scientific or technological field and require the qualifications stated.

I have, therefore, waived the post-employment prohibitions of section 605(a)(1) of the Department of Energy Organization Act with respect to contact by Mr. Wiltsee with employees of the Department of Energy, to permit him, in his capacity as Director of the University of North Dakota Energy Research Center, to undertake the stated activities on behalf of the Center.

Dated: April 8, 1983.

Donald Paul Hodel,
Secretary.

[FR Doc. 83-10153 Filed 4-15-83; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. QF83-233-000]

Applied Power Technology, Inc., Application for Commission Certification of Qualifying Status of a Small Power Production Facility

April 13, 1983.

On March 21, 1983, Applied Power Technology, Inc., (Applicant), of 3432 Mendocino Avenue, Santa Rosa, California 95401, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The facility will be located at Hayfork, California. The generating capacity of the facility 15 megawatts. The primary energy source will be biomass in the form of wood waste. There are no other biomass fueled small power production facilities owned by the Applicant located within one mile of the site. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status 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. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. 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. 83-10218 Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF83-234-000]

Applied Power Technology, Inc. (Oroville); Application for Commission Certification of Qualifying Status of a Small Power Production Facility

April 13, 1983.

On March 26, 1983, Applied Power

Technology, Inc., (Applicant) of 3432 Mendocino Avenue, Santa Rosa, California 95401, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The facility will be located in Oroville, California. The generating capacity of the facility will be 15 megawatts. The primary energy source will be biomass in the form of wood waste. There are no other biomass fueled small power production facilities owned by the Applicant located within one mile of the site. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. 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. 83-10217 Filed 4-15-83; 8:45 am]
BILLING CODE 6717-01-M

[Project No. 3507-001]

City of Santa Clara; Surrender of Preliminary Permit

April 13, 1983.

Take notice that the City of Santa Clara, Permittee for the proposed East Park Dam Hydroelectric Project No. 3507, has requested that its preliminary permit be terminated. The preliminary permit was issued on May 28, 1982, and would have expired on October 31, 1983. The project would have been located at the United States Bureau of Reclamation's East Park Dam on Little Stony Creek in Colusa County, California.

The Permittee filed its request on March 21, 1983, and the surrender of the

preliminary permit for Project No. 3507 is deemed effective as of the date of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-10218 Filed 4-15-83; 8:45 am]
BILLING CODE 6717-01-M

[Project No. 6100-001]

Energenics Systems, Inc.; Surrender of Preliminary Permit

April 13, 1983.

Take notice that Energenics Systems, Inc. (ESI) Permittee for the Blackwater Dam Project No. 6100, located on the Blackwater River in Merrimack County, New Hampshire has requested that its preliminary permit be terminated. The preliminary permit was issued on October 18, 1982, and would have expired on April 30, 1984.

ESI states that the lack of adequate head and flow have rendered the project infeasible.

ESI's request was dated March 21, 1983. The surrender of the aforementioned permit is accepted as of the date of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-10219 Filed 4-15-83; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. QF83-228-000]

Lynn E. Stevenson—Lot 3; Application for Commission Certification of Qualifying Status of a Small Power Production Facility

April 13, 1983.

On March 21, 1983, Lynn E. Stevenson of Star Route, Box 3, Bliss, Idaho 83314, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The hydroelectric facility is located in Gooding County, Idaho. The generating capacity of the facility is 80 kilowatts. The facility is located approximately one mile from another small power production facility owned by the Applicant. The waters used for power generation comes from springs in the same general area, but the same waters are not used as an energy source in both of the facilities. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy

Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. 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. 83-10220 Filed 4-15-83; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. QF83-227-000]

Lynn E. Stevenson—Lot 7; Application for Commission Certification of Qualifying Status of a Small Power Production Facility

April 13, 1983.

On March 21, 1983, Lynn E. Stevenson, of Star Route, Box 3, Bliss, Idaho 83314, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's rules.

The hydroelectric facility is located in Gooding County, Idaho. The generating capacity of the facility is 70 kilowatts. The facility is located approximately one mile from another small power production facility owned by the Applicant. The waters used for power generation comes from springs in the same general area, but the same waters are not used as an energy source in both of the facilities. No electric utility, electric utility holding company or any combination thereof has any ownership interest in the facility.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such petitions or protests must be filed within 30 days after the date of publication of this notice and must be served on the applicant. 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. 83-10221 Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5953-001]

**Stephen E. & George S. Austin;
Surrender of Preliminary Permit**

April 13, 1983.

Take notice that Stephen E. and George S. Austin, Permittees for the Pike Mill Project No. 5953, located on the Moose River in Concord County, Vermont, have requested that its preliminary permit be terminated. The preliminary permit was issued on September 27, 1982, and would have expired on August 31, 1984.

The Applicants request the surrender due to economic infeasibility.

The Applicants' request was dated March 25, 1983. The surrender of the permit is accepted as of the date of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-10222 Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5986-001]

**Stephen E. & George S. Austin;
Surrender of Preliminary Permit**

April 13, 1983.

Take notice that Stephen E. and George S. Austin, Permittees for the Bradley Vail Mill Project No. 5986, located on the Moose River in Concord County, Vermont, have requested that their preliminary permit be terminated. The preliminary permit was issued on July 28, 1982, and would have expired December 31, 1983.

The Applicants request the surrender due to economic infeasibility.

The Applicants' request was dated March 25, 1983. The surrender of the permit is accepted as of the date of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-10223 Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5415-001]

**Sun Valley Co.; Surrender of
Preliminary Permit**

April 13, 1983.

Take notice that Sun Valley Company, Permittee for the proposed Trail Creek Project No. 5415, has requested that its preliminary permit be terminated. The Preliminary Permit was issued on February 9, 1982, and would have expired on August 31, 1983. The project would have been located on the Trail Creek near Sun Valley, in Blaine County, Idaho.

The Permittee filed its request on March 11, 1983, and the surrender of its permit for Project No. 5415 is deemed effective as of the date of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-10224 Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-M

Office of Hearings and Appeals

**Objection to Proposed Remedial Order
Filed; Week of March 7 Through**

March 11, 1983

During the week of March 7 through March 11, 1983, a notice of objection to the proposed remedial order listed in the Appendix to this Notice was filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who wishes to participate in the proceeding the Department of Energy will conduct concerning the proposed remedial order described in the Appendix to this Notice must file a request to participate pursuant to 10 CFR 205.194 within 20 days after publication of this Notice. The Office of Hearings and Appeals will then determine those persons who may participate on an active basis in the proceeding and will prepare an official service list, which it will mail to all persons who filed requests to participate. Persons may also be placed on the official service list as non-participants for good cause shown.

All requests to participate in this proceeding should be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

Dated: April 11, 1983.

George B. Breznay,

Director, Office of Hearings and Appeals.

*Summa Energy Corporation, Wichita Falls,
Texas; HRO-0131, crude oil*

On March 8, 1983, Summa Energy Corporation, 5200 Lakeshore Drive, Wichita Falls, Texas 76310 filed a Notice of Objection to a Proposed Remedial Order which the DOE Southwest District Office of the

Economic Regulatory Administration issued to the firm on February 2, 1983. In the PRO the Southwest District found that during the period June 1979 through February 1980, Summa violated the crude oil reseller and certification regulations in 10 CFR Part 212 of the Mandatory Petroleum Price Regulations.

According to the PRO the Summa violation resulted in \$860,903.63 of overcharges.

[FR Doc. 83-10139 Filed 4-15-83; 8:45 a.m.]

BILLING CODE 6450-01-M

**Issuance of Decisions and Orders;
Week of March 21 through March 25,
1983**

During the week of March 21 through March 25, 1983, the decisions and orders summarized below were issued with respect to appeals and applications for other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeal

Thornton Oil Corp. 3/22/83; HFA-0111

Thornton Oil Corporation filed an Appeal from a partial denial by the Acting Disclosure Officer of the DOE Office of Special Counsel of a Request for Information which the firm had submitted under the Freedom of Information Act. In considering the appeal, the DOE found that the withholding of certain documents had not been properly justified and that certain responsive documents had not been identified in the index of documents. This portion of the determination was remanded for an additional search for documents and for a more complete justification for withholding of certain documents. In addition, factual information in some documents withheld pursuant to exemption 5 was ordered released. Accordingly, the Appeal was granted in part.

Remedial Order

J. R. Cone, 3/25/83; DRO-0247

J. R. Cone (Cone) objected to a Proposed Remedial Order (PRO) which the Southwest Enforcement District of the DOE's Economic Regulatory Administration (ERA) issued to him on May 31, 1979. In the PRO, the ERA found that during the period November 1973 through February 1977, Cone incorrectly classified two properties as stripper well properties and thus sold crude oil produced from those properties at prices exceeding the applicable ceiling prices permitted by DOE regulations. After considering Cone's objections, the DOE concluded that the PRO, with modifications, should be issued as a final Remedial Order. The important issues considered in the Decision and Order include: (i) the validity of Ruling 1974-29 and whether injection wells should be included in the calculation of average daily production; (ii) the validity of Ruling 1975-12, concerning the requirement that separate tubing strings be utilized to produce crude oil from two or

more producing formations or reservoirs to qualify a well as a multiple completion well; and (iii) whether a PRO is invalid to the extent that it deviates from or extends beyond the allegations contained in the Notice of Probable Violation.

Request for Modification and/or Rescission Husky Oil Company, 3/22/83; HER-0053

On March 17, 1983, Husky Oil Company filed with the Office of Hearings and Appeals a Motion, for Reconsideration. In this submission, Husky requested that the OHA reconsider its approval of discovery requests submitted by Exxon Company, U.S.A. and Cities Service Company, Exxon Co., U.S.A., 10 DOE ¶ 84,029 (1983). Those discovery requests related to entitlements exception relief that had been tentatively granted to Husky for the period January 1978 through January 1981 in a Proposed Decision and Order issued on February 4, 1983. In considering Husky's Motion, the OHA stated that the issues related to Husky's level of relief must be evaluated on the basis of the firm's financial results for the period under consideration. Therefore the OHA determined that discovery of Husky's financial data is relevant and material to a resolution of the underlying exception proceeding. The OHA also disagreed with Husky's contention that the discovery would be burdensome. The OHA therefore denied Husky's Motion.

Motion for Discovery

Gulf Oil Corporation, 3/22/83; HED-0014

Gulf Oil Corporation filed a Motion for Discovery on March 15, 1983. The Motion related to a Proposed Decision and Order issued to Husky Oil Company on February 4, 1983, in Case No. BEX-0210. In the Motion, Gulf requested access to arguably confidential data that Husky submitted in its pending exception proceeding. According to Gulf, the discovery is relevant and material to an evaluation of Husky's eligibility for relief under the standards that the Office of Hearings and Appeals applied in the Proposed Decision. In considering the Gulf Motion, the OHA determined that Gulf's request satisfies the discovery criteria in 10 C.F.R. § 205.66, and therefore granted the Motion.

Supplemental Order

Atlantic Richfield Co., HRX-0080; Gulf Oil Corp., HRX-0081; Marathon Oil Co., HRX-0082; Texaco Inc., HRX-0084; Louisiana Land & Exploration Co., 3/23/83; HRX-0083

On January 14, 1983, Atlantic Richfield Company, Gulf Oil Corporation, Marathon Oil Company, Standard Oil Company (OHIO), Texaco Inc. and Louisiana Land and Exploration Company (the "producers") filed a motion to compel additional discovery with the Office of Hearings and Appeals. In that motion, the producers requested the OHA to order the Office of Special Counsel for Compliance (OSC) to produce certain documents which the OSC had identified in response to the OHA's discovery order in *Atlantic Richfield Co.*, 5 DOE ¶ 82,521 (1980), and for which the OSC has asserted claims of privilege. On February 14, 1983, the OHA

issued a decision sustaining all but one of the privilege claims at issue and ordered the OSC to submit that document to the OHA for *in camera* review. *Atlantic Richfield Co.*, 10 DOE ¶ 84,027 (1983). Pursuant to that decision, the OSC submitted one document to the OHA. After completing it is *in camera* review, the OHA upheld the OSC's privilege claim for the document submitted.

Refund Applications

Standard Oil Company (Indiana)/John's Self Service et al., 3/24/83; RF21-834 et al.

The DOE issued a Decision and Order concerning 270 Applications for Refund from branded retailers of Amoco motor gasoline. All of these firms elected to apply for a refund based upon the presumption of injury and the formulae outlined in *Office of Special Counsel*, 10 DOE ¶ 85,048 (1982). Each retailer therefore submitted detailed information concerning its Amoco purchase volumes. After analyzing this information, the DOE concluded that each of the 270 applicants should receive a refund based upon the total volume of their Amoco motor gasoline purchases during the consent order period. Accordingly, these applications were granted in full.

Vickers Energy Corporation, Crest Petroleum Corporation, 3/21/83; RF1-217

Crest Petroleum Corporation, a reseller of petroleum products, filed an Application for Refund seeking a portion of the fund obtained by the DOE through a consent order with Vickers Energy Corporation. Because Crest's purchases from Vickers exceeded the 50,000 gallon per month small claims threshold, Crest was required to demonstrate that it had been injured as a result of Vicker's pricing practices. Crest provided no pricing information or other concrete data which established that the firm did not pass through any alleged Vickers' overcharges to its customers. The DOE therefore determined that Crest had failed to make the necessary showing of injury. Accordingly, Crest's application was granted at the threshold level.

Protective Orders

The following firms filed Applications for Protective Orders. The applications, if granted, would result in the issuance by the DOE of the proposed Protective Orders submitted by the firms. The DOE granted the following applications and issued the requested Protective Orders as Orders of the Department of Energy:

Name and Case No.

ERA/Marathon Oil Co.; HRJ-0033
ERA/Murphy Oil Corp.; HRJ-0034
Husky Oil Co. of Delaware, Exxon Co., U.S.A., Cities Service Co., Gulf Oil Corp.; HEJ-0038

Dismissals

The following submissions were dismissed:

Name and Case No.

Bosselman & Hartner Truck Plaza; RF21-3495, RF21-3497
Fasgo, Inc.; HRO-0073, HRO-0085, HRH-0085
Fullan Oil Company; RF21-1905
Marie Lynch; RF21-2291

Copies of the full text of these decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room 1111, New Post Office Building, 12th and Pennsylvania Ave., NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: April 11, 1983.

George B. Breznay,

Director, Office of Hearings and Appeals,

[FR Doc. 83-10140 Filed 4-15-83; 8:45 am]

BILLING CODE 6450-01-M

Office of the Secretary

Oak Ridge Operations Office; Trespassing on DOE Property

AGENCY: Department of Energy.

ACTION: Designation of Commerce Building of Oak Ridge, Inc. as off-limits area.

SUMMARY: The Department of Energy hereby designates the Commerce Building of Oak Ridge, Inc. an Off-Limits Area in accordance with 10 CFR Part 860, making it a Federal crime under 42 U.S.C. 2278a for unauthorized persons to enter into or upon the Commerce Building of Oak Ridge, Inc. If unauthorized entry into or upon the building is into an area enclosed by a fence, wall, roof, or other standard barrier, conviction for such unauthorized entry may result in a fine of not more than \$5,000 or imprisonment for not more than one year or both. If unauthorized entry into or upon the building is into an area not enclosed by a fence, wall, roof, or other standard barrier, conviction for such unauthorized entry may result in a fine of not more than \$1,000.

FOR FURTHER INFORMATION CONTACT:

William Luck, Office of General Counsel, U.S. Department of Energy, 1000 Independence Ave. SW., Washington, D.C. 20585 (202) 252-6975 and

James Leonard, Supply Division, U.S. Department of Energy, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, Tennessee 37830 (615) 576-0999.

Notice

Pursuant to Section 229 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2278a), Section 104 of the Energy Reorganization Act of 1974 (42 U.S.C.

5814), as implemented by 10 CFR Part 860 published in *Federal Register* on July 9, 1975 (40 FR 28789), and Section 301 of the Department of Energy Organization Act (42 U.S.C. 7151), the Department of Energy hereby gives notice that the Commerce Building of Oak Ridge, Inc. is designated an Off-Limits Area and prohibits the unauthorized entry and the unauthorized introduction of weapons or dangerous materials, as provided in 10 CFR 860.3 and 860.4 into or upon the Commerce Building of Oak Ridge, Inc.

The Commerce Building of Oak Ridge, Inc. is a leased facility located in the 2nd Civil District of Anderson County, Tennessee, within the corporate limits of the City of Oak Ridge at 101 East Tennessee Avenue. This building is a two-story structure containing 13,257 square feet and is identified as Parcel 82 on City of Oak Ridge Plat 17CG. A United States Department of Energy sign is affixed to the front entrance of this building.

Notices stating the pertinent prohibitions of 10 CFR 860.3 and 860.4 and penalties of 10 CFR 860.5 will be posted at all entrances of the building and at intervals along its perimeter as provided in 10 CFR 860.6.

Dated at Washington, D.C., this 31st day of March 1983.

Troy E. Wade II,

Acting Assistant Secretary for Defense Programs.

[FR Doc. 83-10209 Filed 4-15-83; 9:45 am]

BILLING CODE 6450-01-M

Public Comment and Hearings on the February 9, 1983, Senate Armed Services Committee Hearing Record on the Environmental Consequences of the Restart of the L Reactor at the Savannah River Plant

AGENCY: Department of Energy.

ACTION: Notice of a 90-day public comment period and public hearings.

SUMMARY: The Department of Energy (DOE) announces the initiation of a 90-day public comment period on the record of the public hearing conducted by the Senate Armed Services Committee on February 9, 1983, in North Augusta, South Carolina, concerning the environmental consequences of the restart of the L Reactor at the Savannah River Plant. At the request of Senator Strom Thurmond and Senator Mack Mattingly, the Department is conducting a 90-day public comment period on the hearing record, to include four public hearings. Consistent with the purpose of the February 9, 1983, Senate Armed Services Committee hearing, comments

on the record of that hearing should be limited to the environmental consequences of restarting the L Reactor. Written comments on the February 9, 1983, hearing record may be submitted at any time during the 90-day comment period and should be directed to Mr. Melvin J. Sires, III, at the address listed below. The Department will also hold public hearings in Aiken and Beaufort, South Carolina, and Augusta and Savannah, Georgia, for the purpose of receiving oral comments on the hearing record. Within 30 days after the 90-day public comment period, the Department will submit a report to the Armed Services and Appropriation Committees of the Senate and House of Representatives summarizing the comments received during the public comment period, and the Department's actions to address those comments. All oral comments received at the hearings, and all written comments postmarked by July 18, 1983, will be considered by the Department in preparing this report.

Dates and times: The 90-day public comment period will begin on April 18, 1983, and will end on July 17, 1983. All written comments postmarked by July 18, 1983, will be considered by the Department in preparing its report to the Committees.

Oral comments will be received at public hearings which will be held as follows:

1. Augusta, Georgia, on May 23, 1983, at 9:00 a.m. and 6:00 p.m. at the National Guard Armory, 1 Milledge Road, Augusta, Georgia 20904.

2. Aiken, South Carolina, on May 24, 1983, at 9:00 a.m. and 6:00 p.m. at the Odell Weeks Activity Center Gymnasium, 1700 Whiskey Road, Aiken, South Carolina 29801.

3. Savannah, Georgia, on May 26, 1983, at 9:00 a.m. and 6:00 p.m. at the Civic Center of Savannah, Orleans Square, Savannah, Georgia 31401.

4. Beaufort, South Carolina, on May 27, 1983, at 9:00 a.m. and 6:00 p.m. at the Neighborhood Activities Center, Green and Haymen Streets, Beaufort, South Carolina, 29902.

Hearing Record Availability: Copies of the record of the February 9, 1983, public hearing conducted by the Senate Armed Services Committee are being distributed to Federal, State, and local elected officials of the states of South Carolina and Georgia, to individuals of record who received the Environmental Assessment: L Reactor Operations, Savannah River Plant, Aiken, South Carolina (DOE/EA-0195), dated August, 1982, and to those individuals who participated in the February 9, 1983, Senate Armed Services Committee

public hearing on the environmental consequences of the restart of the L Reactor. Copies of the hearing record may also be obtained by contacting Mr. M. J. Sires at the address listed below. In addition, copies of the hearing record are available for inspection at the reading rooms and libraries listed below.

ADDRESSES: Written comments, requests for copies of the February 9, 1983, hearing record, requests to speak at the hearings, and requests for further information on the 90-day, public comment period should be directed to: Mr. Melvin J. Sires III, Assistant Manager for Health, Safety, and Environment, Department of Energy, Savannah River Operations Office, P.O. Box A, Aiken, South Carolina 29801; (803) 725-2597.

Envelopes should be marked "Attention: L Reactor comment."

Copies of the February 9, 1983 hearing record, the L-Reactors environmental assessment and Finding of No Significant Impact are available for inspection at the following locations:

Freedom of Information Reading Room, Room 1E-190, U.S. Department of Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, D.C. 20585;

Augusta Regional Library, 902 Greene Street, Augusta, Georgia 30901; (404) 724-1871;

Burke County Library, Fourth Street, Waynesboro, Georgia 30830; (404) 554-3277;

U.S. Department of Energy, 211 York Street NE., Federal Building, Aiken, South Carolina 29801;

Warren C. Gibbs Memorial Library, 326 North Bel Air Road, Evans, Georgia 30809; (404) 863-1948;

Chatham County Public Library, 2002 Bull Street, Savannah, Georgia 31499; (921) 234-5127;

Statesboro Regional Library, 124 South Main Street, Statesboro, Georgia 30458; (912) 764-7573;

Atlanta Public Library, 1 Margaret Mitchell NW., Atlanta, Georgia 30303; (404) 688-4636;

Richland County Public Library, 1400 Sumter Street, Columbia, South Carolina 29201; (803) 779-9084;

South Carolina State Library, 1500 Senate Street, Columbia, South Carolina 29201; (803) 758-3181;

Aiken-Bamberg-Barnwell-Edgefield Regional Library, 224 Laurens Street SW., Aiken, South Carolina 29801; (803) 648-8961;

Allendale-Hampton-Jasper Regional Library, War Memorial Building,

Court House Square, Allendale, South Carolina 29810; (803) 584-3513;
 Charleston County Library, 404 King Street, Charleston, South Carolina 29403; (803) 723-1645;
 Screven-Jenkins Regional Library, 302 East Ogeechee Street, Sylvania, Georgia 30467; (912) 564-7526;
 Washington Memorial Library, 1180 Washington Avenue, Macon, Georgia 31202; (912) 744-0800;
 Aiken-Bamberg-Barnwell-Edgefield Regional Library, 1307 Georgia Avenue, North Augusta, South Carolina 29841; (803) 279-5767;
 Orangeburg County Free Library, 510 Lories NE., P.O. Box 1367, Orangeburg, South Carolina 29115; (803) 531-4636;
 Beaufort County Library, 710 Craven Street, Beaufort, South Carolina 29902; (803) 524-0762;
 Spartanburg County Library, 333 South Pine Street, Spartanburg, South Carolina 29304; (803) 596-3505; and
 Greenville County Library, 300 College Street, Greenville, South Carolina 29601; (803) 242-5000.

Hearing Procedures: The Department of Energy invites any person who has an interest in the environmental consequences of the restart of the L Reactor or who is a representative of a group of persons that has an interest in the environmental consequences of the restart of the L Reactor, to submit written comments or to make an oral presentation at one of the public hearings. Individuals desiring to make oral presentations should notify Mr. M. J. Sires at the above address no later than one week before the hearing so that the Department may arrange a schedule for the presentations. Persons who have not submitted a request to speak in advance may register to speak at the public hearings before each hearing commences; they will be called on to present their comments as time permits. In order to ensure that everyone who wishes to speak has a chance to do so, five minutes will be allotted to individuals, and ten minutes will be allotted for individuals representing groups.

The Department will provide a panel who will discuss at the beginning of each session the environmental aspects of the restart of L Reactor and who may clarify or comment on issues raised during the hearings. There will be no cross examination and questions, to either the panel or persons making presentations, can only be asked by the hearing officer. Any further procedural rules needed for the proper conduct of each hearing will be announced by the hearing officer prior to the start of the hearing.

All written comments and the hearing transcripts will be included as appendices to the final report. All persons receiving a copy of the Senate Armed Service Committee hearing record from the Department, who make a presentation at the public hearing, or who provide written comments, will be sent a copy of the Department's report to the Committees.

Issued at Washington, D.C., on April 12, 1983.

Troy E. Wade, II,
Acting Assistant Secretary for Defense Programs.

[FR Doc. 83-10277 Filed 4-15-83; 8:45 am]

BILLING CODE 6450-01-M

Southeastern Power Administration

Proposed Rate Adjustment, Public Forum, and Opportunities for Public Review and Comment

AGENCY: Southeastern Power Administration (Southeastern), DOE.

ACTION: Notice of proposed rate adjustment for Georgia-Alabama System of Projects, notice of public forum and opportunity for review and comment.

SUMMARY: Southeastern proposes to revise existing schedules of rates and charges applicable to the sale of power from the Georgia-Alabama System of Projects effective for a one-year period, October 1, 1983, through September 30, 1984.

Opportunities will be available for interested persons to review the present rates, the proposed rates and supporting studies, to participate in a forum and to submit written comments. Southeastern will evaluate all comments received in this process.

DATES: Written comments are due on or before July 1, 1983. A public information and comment forum will be held in Atlanta, Georgia, on June 2, 1983. Persons desiring to speak at the forum should notify Southeastern at least 4 days before the forum is scheduled, so that a list of forum participants can be prepared. Others may speak if time permits.

ADDRESSES: Five copies of written comments should be submitted to: Administrator, Southeastern Power Administration, Department of Energy, Samuel Elbert Building, Elberton, Georgia 30635. The public information and comment forum for the Georgia-Alabama System of Projects will begin at 10 a.m. on June 2, 1983, in the Hartsfield Conference room at the Holiday Inn, North-Airport, 1380 Virginia Avenue, Atlanta, Georgia 30320.

FOR FURTHER INFORMATION CONTACT: Leon Jourolmon, Jr., Chief, Division of Fiscal Operations, Southeastern Power Administration, Department of Energy, Samuel Elbert Building, Elberton, Georgia 30635, (404) 283-3261.

SUPPLEMENTARY INFORMATION: The Federal Energy Regulatory Commission (FERC) By order issued April 8, 1981, in Docket No. EF79-3011, confirmed and approved Wholesale Power Rate Schedules GAMF-1-B, GAMF-2-B, ALA-1-B, MISS-1-B, SC-1-B, SC-2-B, CAR-1-B, and CAR-2-B applicable to Georgia-Alabama System of Projects' power for a period ending September 30, 1983. The FERC by order issued April 9, 1982, in Docket No. EF82-3011, confirmed and approved Rate Schedules CAR-1-C as a replacement for CAR-1-B for a period ending September 30, 1983 and eliminated CAR-2-B.

Additional time is needed to negotiate contracts to implement the new written power marketing policy for the Georgia-Alabama System of Projects. Therefore, Southeastern is proposing to establish short-term rates to allow time to negotiate contracts and permit development of appropriate rates applicable to the new policy.

Discussion

Existing rate schedules are predicated upon a March 1979 repayment study and other supporting data all of which are contained in FERC Docket No. EF79-3011, and upon a September 1981 repayment study and other supporting data all of which are contained in FERC Docket No. EF82-3011. The current repayment study prepared in March of 1983 shows that existing rates are not adequate to recover all costs required by present repayment criteria.

A revised repayment study with a \$5,716,000 revenue increase in each future year over the current repayment study demonstrates that all costs are paid within their repayment life. Therefore, Southeastern is proposing to revise existing rates so as to recover that additional \$5,716,000. The increase is primarily due to escalated costs at the generating projects. The overall increase amounts to a 17.5 percent increase in rates, and Southeastern is proposing to increase all applicable rates in the system uniformly by 17.5 percent. It is proposed that revised rate schedules applicable to Customers purchasing power from the Georgia-Alabama System of Projects contain the following unit rates:

PROPOSED UNIT RATES

Dependable capacity/mo-except preference customers Duke area \$1.20

PROPOSED UNIT RATES—Continued

Dependable capacity/mo-preference customers	
Duke area	\$2.73
Delivered energy/kwh (mills)	4.29
Energy at projects/kwh (mills)	3.53
Dump and excess energy/kwh (mills)	2.64
Standby capacity/kwh	\$0.33
Use charge/day	\$0.041

The referenced March 1983 current repayment study along with a revised repayment study dated March 1983 and previous system repayment studies are available for examination at the Samuel Elbert Building, Elberton, Georgia 30635. Proposed Rate schedules GAMF-1-C, GAMF-2-C, ALA-1-C, MISS-1-C, SC-1-C, SC-2-C, CAR-1-D, and CAR-2-C (a replacement rate schedule for CAR-2-B which was eliminated in rate filing contained in FERC Docket No. EF82-3011) are also available.

Issued at Elberton, GA., April 8, 1983.

Kenelm E. Rucker,
Acting Administrator.

[FR Doc. 83-10141 Filed 4-15-83; 8:45 am]
BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPRM-FRL 2348-8]

Agency Forms Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 3507(a)(2)(B) of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires the Agency to publish in the Federal Register a notice of proposed information collection requests that have been forwarded to the Office of Management and Budget (OMB) for review. The information collection requests listed are available to the public for review and comment.

FOR FURTHER INFORMATION CONTACT: David Bowers, Office of Standards and Regulations, Information Management Section (PM-223), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, telephone (202) 382-2742 or FTS 382-2742.

SUPPLEMENTARY INFORMATION:

Air Programs

• Title: Declaration Form for Imported Motor Vehicles Not Conforming to Federal Air Pollution Regulations (EPA ID 0223).

Abstract: When importers bring motor vehicles and engines into the country, they must file a declaration of noncompliance with U.S. Customs for any that do not meet Federal emission

requirements. EPA uses this information to ensure that these imports are either brought into compliance with the regulations or exempted.

Respondents: Importers of motor vehicles and engines.

• Title: Statement for Residents of High-Altitude Areas Purchasing Low-Altitude Vehicles Attesting to Intended Use (EPA ID 1032).

Abstract: In order to limit their liability, vehicle manufacturers may collect from dealers statements signed by purchasers of low-altitude vehicles in high-altitude areas. EPA will occasionally review these statements, which attest to the planned use of the vehicles.

Respondents: Residents of high-altitudes who purchase low-altitude motor vehicles.

Agency Forms Cleared by OMB Between March 29 and April 4, 1983

• EPA ID 0805, General Facility Operating Requirements, was approved March 30 (OMB #2050-0012).

• EPA ID 0811, Unsaturated Zone Monitoring at Hazardous Waste Land Treatment Units Under RCRA, was approved on March 30 (OMB #2000-0461).

• EPA ID 0812, Information Requirements for Locations Standards, was approved on March 30 (OMB #2050-0010).

Comments on all parts of this notice should be sent to:

David Bowers, U.S. Environmental Protection Agency, Office of Standards and Regulations (PM-223), 401 M Street, SW., Washington, D.C. 20460
and
Anita Ducca, Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building (Room 3228), 726 Jackson Place, NW., Washington, D.C. 20503.

Dated: April 8, 1983.

N. Phillip Ross,
Chief, Statistical Policy Staff.

[FR Doc. 83-10262 Filed 4-15-83; 8:45 am]
BILLING CODE 6560-50-M

[OPTS-59119A TSH-FRL 2348-4]

Toxic Substances; Certain Chemicals; Approval of Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of TM-83-29 and TM-83-30, two applications for test marketing

exemption (TME) under section 5(h)(6) of the Toxic Substances Control Act (TSCA). The test marketing conditions are described below.

EFFECTIVE DATE: April 11, 1983.

FOR FURTHER INFORMATION CONTACT: Theodore C. Jones, Acting Chief, Notice Review Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-204, 401 M St. SW., Washington, DC 20460, (202-382-3725).

SUPPLEMENTARY INFORMATION: Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and to permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use and disposal of the substances for test marketing purposes will not present any unreasonable risk of injury to health or the environment. EPA may impose restrictions on test marketing activities.

EPA has determined that test marketing of the new chemical substances described below, under the conditions set out in the applications, and for the time periods specified below, will not present any unreasonable risk of injury to health or the environment. Production volume, number of workers exposed to the new chemical, and the levels and duration of exposure must not exceed that specified in the applications. All other conditions described in the applications must be met. The following additional restrictions apply:

1. The applicant must maintain records of the date(s) of shipment(s) to each customer and the quantities supplied in each shipment, and must make these records available to EPA upon request.

2. A bill of lading accompanying each shipment must state that use of the substance is restricted to that approved in the TME.

TME 83-29

Date of Receipt: March 4, 1983.

Notice of Receipt: March 18, 1983 (48 FR 11499).

Applicant: Confidential.

Chemical: Etheric aromatic ester (Generic).

Use: Confidential.

Production Volume: Confidential.

Number of Customers: 1.

Exposure Information: During manufacturing and processing, up to 3 workers may be exposed to the test market substance. Overall exposure per batch of new substance processed is not

expected to exceed 3 man-hours per batch. A total of 18 to 20 batches are expected to be processed during the test market period. Exposure by dermal and eye contact will be minimized by the use of gloves and protective eye gear. Exposure via inhalation is expected to be minimal because of the low vapor pressure of the new chemical substance. The new substance will be manufactured in a closed process.

Test Marketing Exemption Period: 6 months.

Commencing on: April 11, 1983.

Risk Assessment: The Agency did not identify any significant health or environmental effects based on the information received from the submitter and other data currently available to the Agency. In addition, the production volume and potential for exposure and release are very low. The overall concerns, therefore, for health and ecotoxicity are low.

Public Comments: None.

TME 83-30.

Date of Receipt: March 4, 1983.

Notice of Receipt: March 18, 1983 (48 FR 11499).

Applicant: Confidential.

Chemical: Organosiloxane copolymer (Generic).

Use: Confidential.

Production Volume: Confidential.

Exposure Information: Exposure to workers and the environment will be minimal. (A Material Safety Data Sheet will be provided), and appropriate worker practices, including personal protective equipment, will be employed by workers.

Test Marketing Period: 1 year.

Commencing on: April 11, 1983.

Risk Assessment: Based on the type of polymer, molecular weight, and that the test market substance is not designed to be water soluble, no significant health or environmental concerns were identified.

Public Comments: None.

The Agency reserves the right to rescind approval of an exemption should any new information come to its attention which casts significant doubt on its finding that the test marketing activities will not present an unreasonable risk to health or the environment.

Dated: April 11, 1983.

Marcia Williams,

Acting Director, Office of Toxic Substances.

[FR Doc. 83-10283 Filed 4-15-83; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

BA Co. and Microband Corp. of America; Hearing

Memorandum Opinion and Order

Adopted: April 6, 1983.

Released: April 11, 1983.

By the Common Carrier Bureau.

In re applications of Robert A. Gordon d.b.a. the BA Company; CC Docket No. 83-368, File No. 638-CM-P-80; and Microband Corporation of America; CC Docket No. 83-369, File No. 4158-CM-P-80; for construction permits in the Multipoint Distribution Service for a new station at Homestead, Florida; designating applications for consolidated hearing on stated issues.

1. For consideration are the above-referenced applications.¹ These applications are for construction permits in the Multipoint Distribution Service and they propose operations on Channel 1 at Homestead, Florida. The applications are therefore mutually exclusive and, under present procedures, require comparative consideration. These applications have been amended as result of informal requests by the Commission's staff for additional information. There are no petitions to deny or other objections under consideration.²

2. Upon review of the captioned applications, we find that these applicants are legally, technically, financially, and otherwise qualified to provide the services which they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.

3. Accordingly, it is hereby ordered, That pursuant to Section 309(e) of the Communications Act of 1934, as amended, 47 U.S.C. 309(e) and § 0.291 of the Commission's Rules, 47 CFR 0.291, the above-captioned applications are designated for hearing, in a consolidated proceeding, at a time and place to be specified in a subsequent Order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order

¹ On August 18, 1980, Tymshare, Inc. (Tymshare) and Arthur Lipper Corporation (ALC) executed a contract whereby ALC agreed to transfer control of Microband Corporation of America to Tymshare. *Transfer of Control/MDS*, 85 FCC 2d 1023 (1981).

² By Memorandum Opinion and Order adopted June 28, 1981 and released July 2, 1981. Mimeo No. 001863. Microband was granted an exemption from the Commission's "cut-off" rules pursuant to § 21.31 of the Rules, 47 CFR 21.31, to preserve the status of its pending mutually exclusive application.

to best serve the public interest, convenience and necessity. In making such a determination, the following factors shall be considered:³

(a) The relative merits of each proposal with respect to efficient frequency use, particularly with regard to compatibility with co-channel use in nearby cities and adjacent channel use in the same city;

(b) The anticipated quality and reliability of the service proposed, including installation and maintenance programs; and

(c) The comparative cost of each proposal considered in context with the benefits of efficient spectrum utilization and the quality and reliability of service as set forth in issues (a) and (b).

4. It is further ordered, That Robert A. Gordon d.b.a. The BA Company, Microband Corporation of America and the Chief, Common Carrier Bureau, are made parties to this proceeding.

5. It is further ordered, That parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of Section 1.221 of the Commission's Rules, 47 CFR 1.221.

6. The Secretary shall cause a copy of this Order to be published in the Federal Register.

James R. Keegan,

Chief, Domestic Facilities Division, Common Carrier Bureau.

[FR Doc. 83-10145 Filed 4-15-83; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL HOME LOAN BANK BOARD

Biscayne Federal Savings & Loan Association, Miami, Fla.; Notice of Appointment of Receiver

Notice is hereby given that pursuant to the authority contained in Section 5(d)(6)(A) of the Home Owners' Loan Act of 1933 ("HOLA"), as amended, 12 U.S.C. 1464(d)(6)(A) (1976), the Federal Home Loan Bank Board appointed the Federal Savings and Loan Insurance Corporation as sole receiver for Biscayne Federal Savings and Loan Association, Miami, Florida, on April 6, 1983.

Dated: April 12, 1983.

J. J. Finn,
Secretary.

[FR Doc. 83-10177 Filed 4-15-83; 8:45 am]

BILLING CODE 6720-01-M

³ Consideration of these factors shall be in light of the Commission's discussion in *Frank K. Spain*, 77 FCC 2d 20 (1980).

FEDERAL MARITIME COMMISSION

[Agreements Nos. 6200-24 and 10470]

Availability of Findings of No Significant Impact

Upon completion of environmental assessments, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decisions on Agreements Nos. 6200-24 and 10470 will not constitute major Federal actions significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and that preparation of environmental impact statements is not required.

Agreement No. 6200-24 enables the U.S. Atlantic & Gulf/Australia-New Zealand Conference to offer intermodal service from Atlantic and Gulf ports and points in the United States, adds new subsections to the basic agreement setting procedures for implementing the intermodal authority, and updates the names of various South Sea Islands served by the Conference.

Agreement No. 10470, between Compagnie Marocaine De Navigation, the National Shipping Company of Morocco (Comanav), and Lykes Bros. Steamship Co., Inc., a United States flag vessel operating common carrier, permits the parties to charter space on a space-available basis on each other's vessels for carrying cargo between Morocco and United States ports on the Atlantic and Gulf of Mexico. The agreement also permits Lykes and Comanav to attain associate line status so they may operate under equal conditions in the trade. The agreement does not create a partnership, joint venture or a pool for revenue. There is no rate setting authority under the agreement.

These Findings of No Significant Impact (FONSI) will become final within 20 days unless petitions for review are filed pursuant to 46 CFR 547.6(b).

The FONSI's and related environmental assessments are available for inspection upon request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523-5725.

Francis C. Hurney,
Secretary.

[FR Doc. 83-10176 Filed 4-15-83; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Acquisition of Bank Shares by Bank Holding Companies; American National Corporation

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 Chicago (Franklin D. Dreyer, Vice President), 230 South LaSalle Street, Chicago, Illinois 60690:

1. American National Corporation, Chicago, Illinois; to acquire 100 percent of the voting shares (less directors' qualifying shares) of First National Bank of Libertyville, Libertyville, Illinois.

Comments on this application must be received not later than May 11, 1983.

2. Walter E. Heller International Corporation, Chicago, Illinois; to acquire through its subsidiary, American National Corporation, Chicago, Illinois, 100 percent of the voting shares (less directors' qualifying shares) of First National Bank of Libertyville, Libertyville, Illinois. Comments on this application must be received not later than May 11, 1983.

B. Board of Governors of the Federal Reserve System (William W. Wiles, Secretary), Washington, D.C. 20551:

1. United Central Bancshares, Inc., Des Moines, Iowa; to acquire 80 percent or more of the voting shares of Plaza State Bank, Urbandale, Iowa. This application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Comments on this application must be received not later than May 6, 1983.

Board of Governors of the Federal Reserve System, April 12, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-10147 Filed 4-15-83; 8:45 am]

BILLING CODE 6210-01-M

First Interstate Bancorp; Proposed Acquisition of Spoor Behrins Campbell & Young, Inc.

First Interstate Bancorp, Los Angeles, California, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire voting shares of Spoor Behrins Campbell & Young, Inc., New York, New York.

Applicant states that the proposed subsidiary would engage in the activities of providing port folio investment advice and furnishing general economic information and advice as authorized by 12 CFR 225.4(a)(5)(iii) and (iv). These activities would be performed from offices of Applicant's subsidiary in New York, New York and Los Angeles, California, serving customers in the United States and abroad. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the Offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any person wishing to comment on

the application should submit views in writing to the Reserve Bank to be received not later than May 11, 1983.

Board of Governors of the Federal Reserve System, April 12, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-10148 Filed 4-15-83; 8:45 am]

BILLING CODE 6210-01-M

Formation of Bank Holding Companies; Ameribank Bancshares

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 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. *Ameribank Bancshares*, Hollywood, Hollywood, Florida; to become a bank holding company by acquiring 100 percent of the voting shares of American Bank of Hollywood, Florida. Comments on this application must be received not later than May 6, 1983.

2. *Liberty Bancorp of Georgia, Inc.*, Clayton, Georgia; to become a bank holding company by acquiring up to 100 percent of the voting shares of Rabun County Bank, Clayton, Georgia. Comments on this application must be received not later than May 6, 1983.

B. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Greater Columbia Bancshares, Inc.*, Portage, Wisconsin; to become a bank holding company by acquiring 80 percent of the voting shares of The First National Bank of Portage, Portage, Wisconsin. Comments on this application must be received not later than May 6, 1983.

C. Federal Reserve Bank of St. Louis

(Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *CBT Corporation*, Paducah, Kentucky; to become a bank holding company by acquiring 100 percent of the voting shares of Citizens Bank and Trust Company of Paducah, Paducah, Kentucky. Comments on this application must be received not later than May 6, 1983.

D. Federal Reserve Bank of Minneapolis (Bruce J. Hedblom, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Peoples Bancshares of Hayward, Inc.*, Hayward, Wisconsin; to acquire 90.97 percent of the voting shares or assets of The Peoples National Bank of Hayward, Hayward, Wisconsin. Comments on this application must be received not later than May 10, 1983.

2. *Roseville Bancorp, Inc.*, Roseville, Minnesota; to become a bank holding company by acquiring 100 percent of the voting shares of Mid America National Bank of Roseville, Roseville, Minnesota. Comments on this application must be received not later than May 6, 1983.

E. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *City National Bancshares, Inc.*, Carrollton, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of City National Bank of Carrollton, Carrollton, Texas. Comments on this application must be received not later than May 6, 1983.

2. *First Rockwall Bancshares, Inc.*, Rockwall, Texas; to become a bank holding company by acquiring 80 percent of the voting shares of The First State Bank, Rockwall, Texas. Comments on this application must be received not later than May 6, 1983.

Board of Governors of the Federal Reserve System, April 12, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-10146 Filed 4-15-83; 8:45 am]

BILLING CODE 6210-01-M

Midlantic Banks Inc. and Florida Coast Banks, Inc.; Proposed Acquisition of a de Novo Office of Florida Coast Midlantic Trust Company, N.A.

Midlantic Banks, Inc., Edison, New Jersey, and Florida Coast Banks, Inc., Pompano Beach, Florida, 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)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire a de novo office of their joint venture trust

company, Florida Coast Midlantic Trust Company, N.A., Lighthouse Point, Florida.

Applicant states that the proposed de novo office would engage in the activities of a trust company. The de novo office will be located in Palm Beach, Florida, and the geographic areas to be served are central and north Palm Beach County, Florida. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4 (b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Banks of New York and Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. not later than May 11, 1983.

Board of Governors of the Federal Reserve System, April 12, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-10149 Filed 4-15-83; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Cancellation of Meeting of the Biochemical Research Support Subcommittee of the General Research Support Review Committee

Notice is hereby given of the cancellation of the meeting of the Biomedical Research Support Subcommittee of the General Research

Support Review Committee, Division of Research Resources, National Institutes of Health, Conference Room 7, Building 31-C, Bethesda, Maryland 20205, on May 6, 1983, which was published in the *Federal Register* on March 4, 1983 (48 FR 9377).

(Catalogue of Federal Domestic Assistance Program No. 13.337, Biomedical Research Support, National Institutes of Health)

Dated: April 1, 1983.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 83-10154 Filed 4-15-83; 8:45 am]

BILLING CODE 4140-01-M

Public Health Services

Emergency Planning and Action in a Radiation Emergency; Memorandum of Agreement Between the Centers for Disease Control and the Health Resources and Service Administration

AGENCY: Centers for Disease Control, Public Health Service, HHS.

ACTION: Notice.

SUMMARY: The Centers for Disease Control (CDC) and the Health Resources and Services Administration (HRSA) have developed and executed a memorandum of agreement (MOA) to provide a basis for coordinating interagency planning and action in response to radiation emergencies. **EFFECTIVE DATE:** This memorandum of agreement became effective on January 17, 1983.

FOR FURTHER INFORMATION CONTACT: Glyn G. Caldwell, M.D., Deputy Director, Chronic Diseases Division, Center for Environmental Health, Centers for Disease Control, Atlanta, Georgia 30333, 404-452-4095 or FTS: 238-4095.

SUPPLEMENTARY INFORMATION: CDC and HRSA concur that the content of this MOA will be of specific interest to a variety of other Federal agencies, State and local government agencies, and industrial firms, and of general interest to the public. Therefore, CFC is publishing it in its entirety as follows:

Memorandum of Agreement between the Centers for Disease Control and the Health Resources and Services Administration for Emergency Planning and Action in a Radiation Emergency

I. Background and Purpose

Subsequent to the Assistant Secretary for Health's May 30, 1979, directive designating the Centers for Disease Control (CDC) as the lead agency within the Public Health Service (PHS) for the management of toxic environmental

emergencies, the CDC and the Health Resources and Services Administration (HRSA) have joined in cooperative and mutually supportive actions to carry out the Department of Health and Human Services (HHS) responsibilities in this important area of public health.

The purpose of this agreement is to delineate the respective responsibilities of the CDC and HRSA with regard to peacetime radiological emergencies and how emergency planning and action will be coordinated. This agreement is similar in nature to the agreement established between CDC and the Food and Drug Administration on November 28, 1980 (46 FR 7442, January 23, 1981).

II. Authority

The CDC and the HRSA will continue to act under existing delegations of authority. No transfer of statutory authority or functions is implied by this agreement.

Both the CDC and the HRSA derive authority from the PHS Act, 42 U.S.C. 241, et seq., which provides authority for the conduct of health studies and the provision of guidance, assistance and information on health matters and for health emergencies. The Secretary of HHS is authorized to provide for cooperative planning to cope with health problems resulting from disasters, for participation in carrying out such planning and, at the request of State and local authorities, in meeting health emergencies.

The CDC serves as the national focus for developing and applying disease prevention and control, environmental health and health promotion and health education activities designed to improve the health of the people of the United States. To accomplish its mission, the CDC: (1) identifies and defines preventable health problems and maintains active surveillance of diseases through epidemiological and laboratory investigations and data collection, analysis, and distribution; (2) serves as the PHS lead agency in developing and implementing operational programs relating to environmental health problems including response to environmental, chemical, and radiation emergencies; (3) conducts operational research aimed at developing and testing effective disease prevention, control, and health prevention programs; (4) administers a national program to develop recommended occupational safety and health standards and to conduct research, training, and technical assistance to assure safe and healthful working conditions for every working person; (5) develops and implements a program to sustain a strong national

workforce in disease prevention and control; and (6) conducts a national program for improving the performance of clinical laboratories.

The HRSA provides leadership and direction to programs and activities designed to improve the health services for all people of the United States and to develop health care and maintenance systems which are adequately financed, comprehensive, interrelated and responsive to the needs of individuals and families in all levels of society. Specifically: (1) Provides leadership and support efforts designed to intergrate health services delivery program with public and private health financing programs, including the health maintenance organizations; (2) administers the health services block grants, categorical grants, and formula grant-supported programs; (3) provides or arranges for personal health services, including both hospital and out-patient care to designated beneficiaries; (4) administers programs to improve the utilization of health resources through health planning; (5) provides technical assistance for modernizing or replacing health care facilities; (6) provides leadership to improve the education, training, supply, use and quality of the Nation's health personnel; and (7) provides advice and support to the Assistant Secretary for Health in the formulation of health policies.

The President on December 7, 1979, directed the Federal Emergency Management Agency (FEMA) to take the lead in all off-site planning and response activities for peacetime radiological accidents at nuclear reactor facilities. He further directed FEMA to undertake a series of activities including the development and issuance of updated interagency assignments delineating respective agency capabilities and responsibilities as published in the *Federal Register* (41 CFR Part 401).

III. Substance of Agreement

CDC Responsibilities

A. Response Planning.

1. CDC has the lead role within the PHS for planning the HHS role in the FEMA national response to radiation emergencies. This includes the following activities:

a. CDC is responsible for arranging PHS/HHS representation on the Federal Radiation Preparedness Coordinating Committee (FRPCC) and designating PHS/HHS lead agency membership on relevant FRPCC subcommittees, e.g., HRSA to be represented on the task

forces for: (a) training and exercises, and (b) potassium iodide.

b. CDC arranges for appropriate PHS/HHS representation at meetings of the Regional Advisory Committees (RAC).

c. CDC participates in FEMA activities related to planning for radiation emergencies including coordinating the PHS/HHS response to review of FEMA documents relating to radiation emergency.

d. CDC arranges for consultations between appropriate PHS/HHS components and State and local agencies and officials to help them plan for radiation emergencies in their jurisdiction.

e. CDC has the lead role for developing specific PHS/HHS response for implementation of the national radiation emergency response (Master Plan).

f. CDC has the lead coordinating role for provision of technical assistance between FDA/BRH and HRSA.

B. Emergency Response Actions.

CDC has the lead role to coordinate PHS/HHS response to radiological emergencies. When notified of radiological emergency, CDC:

1. Obtains sufficient information to allow a determination to be made of whether or not an emergency requiring PHS/HHS action exists.

2. Alerts all appropriate PHS/HHS agencies.

3. Consults with other PHS/HHS agencies to determine availability of resources required under the FEMA national radiation emergency response (Master Plan).

4. Requests mobilization of resources of PHS agencies.

CDC serves as the focal point for communication and coordination of information within PHS/HHS and between PHS/HHS and other Federal agencies, including designation of an on-site PHS coordinator at the scene of the emergency.

CDC develops and maintains epidemiological surveillance of populations exposed to radiological accidents and emergencies at local, State, and national levels for purposes of disease prevention.

As coordinator for PHS/HHS emergency response and liaison with FEMA, CDC consults with other HHS agencies, State and local authorities to:

1. Identify segments of the population which may be at high risk of harm from exposure (e.g., people with predisposing clinical conditions, children, pregnant women, the elderly).

2. Arrange for collection and analysis of appropriate biological specimens.

3. Consult on recommendations for decontamination and prophylactic procedures.

HRSA Responsibilities

A. Response Planning.

1. HRSA will be responsive to CDC's request for representation on task forces and coordinating committees relating to FEMA's Radiological Emergency Response Plan (RERP).

2. HRSA will assist in the development of FEMA guidance for PHS/HHS responsibilities that fall under HRSA jurisdiction and expertise. Specifically, maintain the responsibility for the following:

a. Provide guidance to State and local government agencies on the location and functions of health and medical service organizations that may become part of the overall response action in a radiation emergency.

b. Provide guidance to State and local government agencies on the delivery of health and medical care for emergency and less urgent patients who, due to radiation hazards present unique or unusual situations for the existing State and local resources.

c. Provide guidance to State and local government agencies on the establishment of a coordinated medical control communications system for fixed and mobile medical support facilities, which may be utilized in a radiation emergency through the State and local emergency medical services.

d. In coordination with CDC, HRSA will assist FEMA to provide guidance to State and local government agencies on the development and dissemination to the public of information on sheltering, respiratory protection, radio protective drugs, and special needs of the handicapped.

3. HRSA will keep CDC regularly informed of activities in the above areas and will request to review and provide appropriate comments on the overall PHS perspective relating to those activities.

4. HRSA will provide CDC with appropriate technical review and comment in areas of HRSA responsibility and all RERP's.

5. HRSA will provide medical assistance to CDC in developing and implementing PHS/HHS Radiological Emergency Preparedness Training Programs, including medical staff and treatment protocols.

B. Emergency Response Actions.

1. Should HRSA be alerted to a radiation emergency prior to an alert from CDC, it will immediately alert CDC and FDA/BRH.

2. In accordance with specific State, regional, or national plans,¹ this agreement, and specific requests by CDC, the HRSA will:

a. As part of the PHS/HHS team, participate in radiological emergency exercises, tests, and response actions.

b. Establish appropriate emergency response liaison with the on-site CDC designated coordinator and keep CDC Headquarters and FDA/BRH advised.

c. Provide technical support to State, local, and other Federal agencies about medical services.

d. Implement and coordinate HRSA's own emergency response procedures.

3. HRSA will provide technical support to CDC headquarters with FDA/BRH for the preparation of news releases, for coordination with other agencies, and for working with public media in informing the public about the health significance of a radiological incident.

4. HRSA will provide CDC with emergency contact telephone numbers for maintaining close liaison in case an emergency response action becomes necessary and for implementing HHS resources.

Name and address of participating agencies:

Centers for Diseases Control, 1600 Clifton Road, Atlanta, Georgia 30333
Health Resources and Services Administration, 5600 Fishers Lane, Rockville, Maryland 20857

Liaison officers:

CDC: Director, Chronic Disease Division, Center for Environmental Health

HRSA: Chief, Program Implementation and Coordination, Division of Primary Care, BHCDA, Health Resources and Services Administration

Approved and Accepted for the Centers for Disease Control: William H. Foege, M.D., Director, dated: January 17, 1983.

Approved and Accepted for the Health Resources and Services Administration: Robert Graham, M.D., Administrator, dated: January 10, 1983.

Dated: April 7, 1983.

William C. Watson, Jr.,
Acting Director, Centers for Disease Control.

[FR Doc. 83-10226 Filed 4-13-83; 8:45 am]

BILLING CODE 4160-16-M

¹ Plans as defined in NUREG-0654, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants."

Title V of the Public Health Service Act; Miscellaneous Delegation of Authority

Notice is hereby given that in furtherance of the delegation of December 9, 1982 (48 FR 9067), by the Secretary of Health and Human Services to the Assistant Secretary for Health, the Assistant Secretary for Health has delegated to the Director, Centers for Disease Control, the following authorities delegated to the Assistant Secretary for Health under Title V of the Public Health Service Act (42 U.S.C. 219 *et seq.*), as amended, insofar as they pertain to the functional responsibilities of the Centers for Disease Control:

Section 501—Gifts, excluding the authority to accept gifts of property. Offers of personal property shall not be accepted if the total costs associated with acceptance are expected to exceed the cost of purchasing a similar item and the cost of normal care and maintenance.

Section 502—Use of Immigration Station Hospitals

Section 506—Transportation of Remains of Officers

Section 509—Availability of Appropriations

Section 512—Memorials and Other Acknowledgments

Section 514—Contract Authority

The Director, Centers for Disease Control, may redelegate the authority delegated to him, except redelegation of the authority under section 501 is limited to the acceptance of unconditional gifts of personal property valued at \$5,000 or less.

Exercise of the authorities under Title V of the Public Health Service Act shall be in accordance with established policies, procedures, guidelines, and regulations as prescribed by the Secretary.

The delegation dated August 20, 1979, from the Director, Office of Management, to the Director, Centers for Disease Control, relating to section 501 has been superseded.

The delegation to the Director, Centers for Disease Control, became effective on March 29, 1983.

Dated: March 29, 1983.

Edward N. Brandt, Jr.,
Assistant Secretary for Health.

(FR Doc. 83-10301 Filed 4-15-83; 8:45 am)

BILLING CODE 4160-16-M

Preparation for Practice; Section 336(a) of the Public Health Service Act; Delegation of Authority

Notice is hereby given that the following delegation has been made

regarding Preparation for Practice under Section 336(a) of the Public Health Service Act (42 U.S.C. 245h-1), as amended.

Delegation from the Administrator, Health Resources and Services Administration, to the Director, Bureau of Health Care Delivery and Assistance, with the authority to redelegate, of all the authorities under Section 336(a) of the Public Health Service Act, as amended.

Previous delegations and redelegations made to officials within the Public Health Service of authorities under Title III of the Public Health Service Act may continue in effect provided they are consistent with this delegation.

The above delegation was effective on April 3, 1983.

Dated: April 3, 1983.
Robert Graham,
Administrator, Health Resources and Services Administration.

(FR Doc. 83-10301 Filed 4-15-83; 8:45 am)

BILLING CODE 4160-16-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Environmental and Energy

[Docket No. NI-110]

Intended Environmental Impact Statement

The Department of Housing and Urban Development gives notice that an Environment Impact Statement (EIS) is intended to be prepared by the City of Weirton, West Virginia for the following project under HUD programs as described in the appendix to this Notice: Brown's Island Coke Battery, Weirton, West Virginia. This Notice is required by the Council on Environmental Quality under its rules (40 CFR Part 1500).

Interested individuals, governmental agencies, and private organizations are invited to submit information and comments concerning the project to the specific person or address indicated in the appropriate part of the appendix.

Particularly solicited is information on reports or other environmental studies planned or completed in the project area, issues and data which the EIS should consider, recommended mitigating measures and alternatives, and major issues associated with the proposed project. Federal agencies having jurisdiction by law, special expertise or other special interests should report their interests and indicate their readiness to aid the EIS effort as a "cooperating agency."

Each Notice shall be effective for one year. If one year after the publication of a Notice in the Federal Register a Draft EIS has not been filed on a project, then the Notice for that project shall be cancelled. If a Draft EIS is expected more than one year after the publication of the Notice in the Federal Register, then a new and updated Notice of Intent will be published.

Issued at Washington, D.C., April 7, 1983.

Francis G. Haas,
Deputy Director, Office of Environment and Energy.

Appendix

EIS on the Weirton Steel Brown's Island Coke Battery, Weirton, West Virginia

The City of Weirton, West Virginia intends to prepare an Environmental Impact Statement on the project described below and solicits information and comments for consideration in the EIS.

Description: On March 2, 1982 the National Steel Corporation proposed the sale of its fully integrated steel mill to the Weirton Steel local management and its two unions. An agreement, in principle, was achieved on March 12, 1983, with the City of Weirton actively supporting these efforts.

One important element in the development of the new "Independent Weirton Steel Company" is the "pad-up rebuild" program for the Brown's Island Coke Battery which was shut down on August 31, 1982. This battery, located on Brown's Island at Mile Point 62 on the Ohio River, is an essential facility for the operation of a fully integrated steel mill. The scope of work for the "pad-up rebuild" program includes (1) the demolition of the existing 87-oven coke battery down to the concrete pad, (2) the preparation of the site for new construction, and (3) the erection of a replacement 87-oven coke battery on the existing pad. The existing coal handling facilities, coal charging cars, door machines, pusher machines and by-product facilities will be re-used with appropriate upgrading. It is estimated that the scope of work for this program can be completed within twenty-four months after the approval of funding. Estimated cost of the project is seventy-three million dollars. The proposed project may be assisted under the Department of Housing and Urban Development's Urban Development Action Grant Program.

Need: The determination to prepare this Environmental Impact Statement was based on the following: (a) The size and importance of the project has generated extensive community interest;

(b) the economic impact of the project will be far reaching; and (c) the type of activity supported, generates questions about the level of impacts on the natural and human environment.

Alternatives: Alternatives to the project are: (a) purchase of coke from other sources; or (b) construction of a coke battery at an alternative site.

Scoping: The City of Weirton plans to hold a scoping meeting with concerned Federal, State and Local Agencies, service organizations and other interested persons. All responses will be utilized to help: (a) Determine significant environmental issues; (b) identify data which the Environmental Impact Statement can use or should address; and (c) identify cooperating agencies. A Scoping Meeting will be held on May 19, 1983, at 1:00 p.m. in the Rose Room of the Thomas E. Millsop Community Center, 3420 Main Street, Weirton, West Virginia.

Comments: Comments should be sent prior to the scoping meeting to: Mayor Donald T. Mentzer, City of Weirton, 200 Municipal Plaza, Weirton, WV 26062, telephone: (304) 748-5050, extension 30.

[FR Doc. 83-10152 Filed 4-15-83; 8:45 am]
BILLING CODE 4210-29-M

[Docket No. NI-111]

Intended Environmental Impact Statement, Shenandoah at the City of Sand Springs, Tulsa County, Oklahoma

The Department of Housing and Urban Development gives notice that an Environmental Impact Statement (EIS) is intended to be prepared for the following project under HUD programs as described in the appendix of this Notice: The City of Sand Springs, Tulsa County, Oklahoma. This Notice is required by the Council on Environmental Quality under its rules (40 CFR Part 1500).

Interested individuals, governmental agencies, and private organizations are invited to submit information and comments concerning the project to the specific person or address indicated in the appropriate part of the appendix.

Particularly solicited is information on reports or other environmental studies planned or completed in the project area, issues and data which the EIS should consider, recommended mitigating measures and alternatives, and major issues associated with the proposed project. Federal agencies having jurisdiction by law, special expertise or other special interests should report their interests and indicate their readiness to aid the EIS effort as a "cooperating agency."

Each Notice shall be effective for one year. If one year after the publication of a Notice in the *Federal Register* a draft EIS has not been filed on a project, then the Notice for that project shall be cancelled. If a Draft EIS is expected more than one year after the publication of the Notice in the *Federal Register*, then a new and updated Notice of Intent will be published.

Issued at Washington, D.C., April 7, 1983.
Francis G. Haas,
Deputy Director, Office of Environment and Energy.

Appendix

Environmental Impact Statement on Shenandoah at The City of Sand Springs, Tulsa County, Oklahoma

The Department of Housing and Urban Development (HUD) Oklahoma City Area Office intends to prepare an EIS on the project described below. The Department hereby solicits comments and information for consideration in the EIS.

Description: The Shenandoah is a proposal to develop 2,028 acres in The City of Sand Springs with residential uses at various densities, offices, commercial uses, community needs and greenbelts. HUD may participate in the development under Section 203(b) of HUD statutes. The Developer, Bellamah Community Development, is asking for an "early start" for "The Glen" containing 199 single-family lots. If approved, the development will begin before the EIS is completed.

Need: An EIS is proposed due to HUD threshold requirements in accordance with housing program environmental regulations and probable impact on: topography, water quality, air quality, noise, vegetation, soils, utilities, flood prone areas, and transportation.

Alternatives: At this time, the HUD alternatives are: accept the proposed development as submitted, accept the proposed development with modifications, or reject the proposed development.

Scoping: A general scoping meeting will not be held. Many meetings have already occurred and are continuing. For further information, please contact Mrs. Laura Thomas, Environmental Officer, HUD, 200 N.W. 5th St., Oklahoma City, OK 73102. Her telephone number is (405) 231-4462.

Comments: Comments and questions regarding this proposal should be sent within 30-days of the date of this announcement to: Emil L. Huber, Jr., Area Manager, Attention: Mrs. Laura Thomas, Environmental Officer, HUD, 200 N.W. 5th St., Oklahoma City, OK

73102. The Area Office telephone number is (405) 231-9891.

[FR Doc. 83-10151 Filed 4-15-83; 8:45 am]
BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Delegation of Authority

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of Delegation of Authority to Outer Continental Shelf Regional Managers to make Acceptance or Rejection Decisions on High Valid Bids for Leases on the Outer Continental Shelf

On September 30, 1982, Department Manual Release Number 2440 announced new department Manual (DM) Part 218. Part 218 DM 2.1 states that:

The Director, Minerals Management Service is delegated the Secretary's authority under the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et seq.), and Section 105 of the Energy Policy and Conservation Act (42 U.S.C. 6213) to manage and administer programs for the leasing of minerals from, and issuance of rights-of-way across, the submerged lands of the Outer Continental Shelf, including all associated functions related to royalty management.

That delegation includes the authority to make decision to accept or reject high valid bids for leases on the Outer Continental Shelf (OCS) and to authorize the issuance of OCS leases.

The authority to make decisions to accept or reject high valid bids for leases on the OCS, and to authorize the issuance of OCS leases, is hereby redelegated to the OCS Regional Managers with respect to bids submitted at lease offerings conducted by their respective offices. This delegation is effective April 25, 1983.

In making decisions authorized by this redelegation, Regional Managers will follow guidelines established prior to the lease offering and will seek the advice of the Office of the Solicitor.

Coordination with the Attorney General and the Federal Trade Commission on their review of bids prior to bid acceptance (under 30 CFR 256.47(d)) will remain the responsibility of the headquarters office pending the results of further studies. Bid acceptance decisions are not to be made until the results of this coordination are communicated to the Regional Managers. Options for the further

delegation of coordination with the Attorney General and the Federal Trade Commission are currently under development.

This delegation does not include the Secretary's authority to reconsider rejected bids under 30 CFR 258.47(e). Reconsideration of rejected bids should be requested by the high valid bidder in a written request addressed to the Secretary of the Interior.

In the absence of the Regional Manager, the Acting Regional Manager is authorized to make acceptance or rejection decisions on high valid bids for OCS leases and to authorize the issuance of OCS leases; however, this authority may not be otherwise redelegated.

It should be noted that in making this delegation, the Director, Minerals Management Service, has not divested himself of the power to exercise this authority himself (see 200 DM 1.9).

Dated: April 11, 1983.

Harold Doley,

Director, Minerals Management Service.

[FR Doc. 83-10184 Filed 4-15-83; 8:45 am]

BILLING CODE 4310-MR-M

National Park Service

Availability of Plan of Operations and Environmental Analysis for the Kirby No. 2 Development Well; Gulf Oil Corp., Big Thicket National Preserve, Texas

Notice is hereby given in accordance with § 9.52(b) of Title 36 of the Code of Federal Regulations that the National Park Service has received from Gulf Oil Corporation a Plan of Operations for the Kirby No. 2 Development Well, Big Sandy Unit, Big Thicket National Preserve, Polk County, Texas.

The Plan of Operations and Environmental Analysis are available for public review and comment for a period of 30 days from the publication date of this notice in the Office of the Superintendent, Big Thicket National Preserve, 8185 Eastex Freeway, Beaumont, Texas; the Jefferson County Courthouse, in Beaumont, Texas; and the Southwest Regional Office, National Park Service, 1100 Old Santa Fe Trail, Santa Fe, New Mexico. Copies of the documents are available from the Southwest Regional Office, National Park Service, Post Office Box 728, Santa Fe, New Mexico 87501, and will be sent upon request.

Dated: April 7, 1983.

Robert L. Kerr,

Regional Director, Southwest Region.

[FR Doc. 83-10239 Filed 4-15-83; 8:45 am]

BILLING CODE 4310-70-M

Availability of Plan of Operations and Environmental Analysis for the Kirby No. 2 Development Well; Gulf Oil Corp., Big Thicket National Preserve, Texas

Notice is hereby given in accordance with § 9.52(b) of Title 36 of the Code of Federal Regulations that the National Park Service has received from Gulf Oil Corporation a Plan of Operations for the Kirby No. 2 Development Well, Big Sandy Unit, Big Thicket National Preserve, Polk County, Texas.

The Plan of Operations and Environmental Analysis are available for public review and comment for a period of 30 days from the publication date of this notice in the Office of the Superintendent, Big Thicket National Preserve, 8185 Eastex Freeway, Beaumont, Texas; the Jefferson County Courthouse, in Beaumont, Texas; and the Southwest Regional Office, National Park Service, 1100 Old Santa Fe Trail, Santa Fe, New Mexico. Copies of the documents are available from the Southwest Regional Office, National Park Service, Post Office Box 728, Santa Fe, New Mexico 87501, and will be sent upon request.

Dated: April 7, 1983.

Robert L. Kerr,

Regional Director, Southwest Region.

[FR Doc. 83-10240 Filed 4-15-83; 8:45 am]

BILLING CODE 4310-70-M

Availability of Plan of Operations and Environmental Analysis for the Purpose of Conducting Seismic Exploration; Shell Oil Co., Big Thicket National Preserve, Texas

Notice is hereby given in accordance with § 9.52(b) of Title 36 of the Code of Federal Regulations that the National Park Service has received from Shell Oil Company a Plan of Operations for the purpose of conducting seismic exploration, Neches Bottom/Jack Gore Baygall Unit, Big Thicket National Preserve, Texas.

The Plan of Operations and Environmental Analysis are available for public review and comment for a period of 30 days from the publication date of this notice in the Office of the Superintendent, Big Thicket National Preserve, 8185 Eastex Freeway, Beaumont, Texas; the Jefferson County Courthouse, in Beaumont, Texas; and the Southwest Regional Office, National

Park Service, 1100 Old Santa Fe Trail, Santa Fe, New Mexico. Copies of the documents are available from the Southwest Regional Office, National Park Service, Post Office Box 728, Santa Fe, New Mexico 87501, and will be sent upon request.

Dated: April 7, 1983.

Robert L. Kerr,

Regional Director, Southwest Region.

[FR Doc. 83-10238 Filed 4-15-83; 8:45 am]

BILLING CODE 4310-70-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

President's Task Force on International Private Enterprise; Meeting

Pursuant to the Federal Advisory Committee Act, notice is hereby given of a meeting sponsored by the President's Task Force on International Private Enterprise which will be held May 2, 1983 at The White House and at the Agency for International Development, U.S. Department of State.

This will be the first formal meeting of the Task Force.

The portion of the meeting at The White House will be closed. The remainder of the meeting will be open to the public. Any interested person may attend, request to appear before, or file statements with the Task Force in accordance with procedures established by the Task Force. Written statements should be filed prior to the meeting and should be available in twenty-five copies.

There will be an AID representative at the meeting. It is suggested that those desiring further information contact Birge Watkins on (202) 632-8518 or by mail c/o President's Task Force on International Private Enterprise, Agency for International Development, Room 3328, Washington, D.C. 20523.

Dated: April 7, 1983.

Elise du Pont,

Assistant Administrator, Bureau for Private Enterprise.

[FR Doc. 83-10012 Filed 4-15-83; 8:45 am]

BILLING CODE 5116-01-7-M

INTERSTATE COMMERCE COMMISSION

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Motor Common and Contract Carriers of Property (except fitness-only); Motor

Common Carriers of Passengers (public interest); Freight Forwarders; Water Carriers; Household Goods Brokers.

The following applications for motor common or contract carriers of property, water carriage, freight forwarders, and household goods brokers are governed by Subpart A of Part 1160 of the Commission's General Rules of Practice. See 49 CFR Part 1160, Subpart A, published in the *Federal Register* on November 1, 1982, at 47 FR 49583, which redesignated the regulations at 49 CFR 1100.251, published in the *Federal Register* December 31, 1980. For compliance procedures, see 49 CFR 1160.19. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart B.

The following applications for motor common carriage of passengers, filed on or after November 19, 1982, are governed by Subpart D of 49 CFR Part 1160, published in the *Federal Register* on November 24, 1982 at 47 FR 53271. For compliance procedures, see 49 CFR 1160.86. Carriers operating pursuant to an intrastate certificate also must comply with 49 U.S.C. 10922(c)(2)(E). Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E. In addition to fitness grounds, these applications may be opposed on the grounds that the transportation to be authorized is not consistent with the public interest.

Applicant's representative is required to mail a copy of an application, including all supporting evidence, within three days of a request and upon 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 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.

We make an additional preliminary finding with respect to each of the following types of applications as indicated: common carrier of property—that the service proposed will serve a useful public purpose, responsive to a public demand or need; water common

carrier—that the transportation to be provided under the certificate is or will be required by the public convenience and necessity; water contract carrier, motor contract carrier of property, freight forwarder, and household goods broker—that the transportation will be consistent with the public interest and the transportation policy of section 10101 of chapter 101 of Title 49 of the United States Code.

These presumptions 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. OP2-169

Decided: April 8, 1983.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier. Member Fortier not participating.

W-1283 (Sub-3), filed March 23, 1983. Applicant: AMERICAN CRUISE LINES, INC., One Marine Park, Haddam, CT 06438. Representative: J. Raymond Clark, 1225 19th St., NW., Suite 350, Washington, DC 20036-2441; 202-659-0770. To operate as a *common carrier*, by water, transporting *passengers and*

their baggage, in one-way and round-trip excursion cruises, between all ports and points in the U.S., including AK, on the Gulf of Alaska and Pacific Coast extending from Blaine, WA, to San Diego, CA, and tributary waterways. Condition: This is a major regulatory action and requires preparation of a statement of energy impact under the provisions of 49 CFR 1106.5(a)(8). Applicant must submit the material required within 20 days after publication to Team 2, Room 2379.

MC 115603 (Sub-25), filed March 25, 1983. Applicant: TURNER BROS. TRUCKING COMPANY, INC., P.O. Box 94626, Oklahoma City, OK 73109. Representative: J. Michael Alexander, 5801 Marvin D. Love Freeway, Suite 301, Dallas, TX 75237-2385; 214-339-4108. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except HI).

MC 141532 (Sub-114), filed March 16, 1983. Applicant: PACIFIC STATES TRANSPORT, INC., DBA PST, P.O. Box 440, Orem, UT, 84057. Representative: Michael J. Norton, 1905 South Redwood Rd., Salt Lake City, UT 84104; 801-973-4449. Transporting (1) *food and related products*, (2) *chemicals and related products*, and (3) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities above, between points in the U.S. (except AK and HI). Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. 11343(a), submit an affidavit indicating why such approval is unnecessary, or file a petition seeking exemption under 49 U.S.C. 11343(e). In order to expedite issuance of any authority please submit a copy of the petition for exemption, the affidavit, or proof of filing the application(s) for common control to Team 2, Room 2379.

MC 146842 (Sub-6), filed March 29, 1983. Applicant: BELL TRUCKING COMPANY, INC., Route 1, Box 81-H, Honesboro, LA 71251. Representative: James M. Duckett, 221 W. 2nd, Suite 411, Little Rock, AR 72201; 501-375-3022. Transporting *lumber and wood products*, between points in AR, LA, and TX.

MC 151193 (Sub-40), filed March 29, 1983. Applicant: PAULS TRUCKING CORPORATION, 286 Homestead Ave., Avenel, NJ 07001. Representative: MICHAEL A. BEAM (same address as applicant) 201-499-3869. Transporting *general commodities* (except classes A

and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with TDS Brokerage, Inc., of Des Plaines, IL.

MC 166312, filed February 17, 1983. Applicant: NATIONWIDE EXPRESS, INC., P.O. Box 125, Concord, NC 28025. Representative: Leonard S. Cassell, P.O. Box 28064, Charlotte, NC 28221, 704-598-0133. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S., under continuing contract(s) with American Display Corporation, of Concord, NC.

MC 167092, filed March 29, 1983. Applicant: FISHER TRUCKING, INC., P.O. Box 181, Springdale, AR 72764. Representative: Kurt Butcher, 209 NE 2nd, Bentonville, AR 72712, 501-273-9031. 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).

Please direct status inquiries about the following to Team 3 at (202) 275-5223.

Volume No. OP 3-147

Decided: April 7, 1983.

By the Commission, Review Board No. 2. Members Carlton, Williams, and Ewing.

MC 150055 (Sub-1), filed March 23, 1983. Applicant: AGRA TRANSPORT SERVICE, INC., 8164 W. Buckeye Rd., Phoenix, AZ 85031. Representative: Michael W. Baker, (same address as applicant), (602) 247-7116. Transporting *food and related products*, between points in AZ, on the one hand, and, on the other, points in CA, CO, ID, MT, NV, NM, OR, TX, UT, WA, and WY.

MC 154624 (Sub-2), filed March 21, 1983. Applicant: ACE LIQUID WASTE HAULERS, INC., 3715 Beechmont CT, Cincinnati, OH 45226. Representative: Robert G. Nichols, 4854 Beechwood Rd., Cincinnati, OH 45244, (513) 871-8397. Transporting *commodities in bulk, chemicals and related products, food and related products, and liquor beverages*, between points in OH, IL, NJ, FL, TX, WY, PA, DE, WV, MI, VA, MO, LA, WI, ME, NC, CA, OR, NY, CT, MA, AR, KS, AL, TN, KY, IN and GA, on the one hand, and, on the other, points in the U.S.

MC 186484, filed March 21, 1983. Applicant: THE BINGHAM CORPORATION d.b.a. BINGHAM FAST FREIGHT, 805 6th Ave., P.O. Box 368, Safford, AZ 85546. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014, (602) 264-4891. Transporting *general commodities* (except classes A and B explosives and

commodities in bulk), between points in AZ.

MC 166995, filed March 22, 1983. Applicant: DIXIE TRUCKING & WAREHOUSING, LTD. d.b.a. DIXIE TRUCKING, 1961 Diamond Springs Rd., Virginia Beach, VA 23455. Representative: Frank L. Willard, First & Merchants Nat'l. Bank Bldg., Suite 1001, Norfolk, VA 23510; (804) 627-0070. 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 167024 filed March 24, 1983. Applicant: RED OWL STORES, INC., 215 E. Excelsior Ave., Hopkins, MN 55343. Representative: Stephen F. Grinnell, 1600 TCF Tower, 212 S. Eighth St., Minneapolis, MN 55402. Transporting *general commodities* (except Classes A and B explosives, household goods, and commodities in bulk), between points in IA, IL, IN, MI, MN, MO, NE, ND, OH, SD, and WI.

Please direct status inquiries about the following to Team 4 at (202) 275-7669

Volume No. OP4-219

Decided: April 12, 1983.

By the Commission, Review Board No. 1. Members Parker, Chandler, and Fortier. Member Parker not participating.

MC 166627, filed March 7, 1983, and previously noticed in the *Federal Register* issue of March 17, 1983, republished herein. Applicant: AAA PACKING & SHIPPING, INC., 2455 E. 27th St., Los Angeles, CA 90058. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609; (213) 945-2745. Transporting *such commodities as are dealt in or used by manufacturers and sellers of office equipment, furniture and fixtures*, between New York, NY, and points in Los Angeles County, CA, and Dade County, FL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Note.—The purpose of this republication is to more accurately describe the commodities requested by applicant.

Volume No. OP4-221

Decided: April 11, 1983.

By the Commission, Review Board No. 2. Members Carleton, Williams, and Ewing.

MC 105636 (Sub-48), filed March 31, 1983. Applicant: ARMELLINI EXPRESS LINES, INC., P.O. Box 2394, Stuart, FL 33494. Representative: Wilmer B. Hill, Suite 366, 1030 Fifteenth St., NW., Washington, DC 20005; (202) 296-5188. 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 129897 (Sub-8), filed March 31, 1983. Applicant: M.S.B.P., INC., Box 8, Papillion, NE 68406. Representative: Richard A. Peterson, Box 81849, Lincoln, NE 68501; (402) 476-1144. Transporting *such commodities as are dealt in or used by hide processors and tanners*, between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 155796 (Sub-8), filed April 4, 1983. Applicant: TRANSPORTATION SPECIALISTS, LTD., 440 Commercial Federal Tower, 2120 S. 72nd St., Omaha, NE 68124. Representative: Arthur J. Cerra, 2100 CharterBank Center, P.O. Box 19251, Kansas City, MO 64141; (816) 842-8600. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Truck Track, Ltd., of Omaha.

MC 159487 (Sub-1), filed April 4, 1983. Applicant: MIDWEST LIQUID TRANSPORT CO., 101 3rd St., N.W., P.O. Box 138, Buffalo Center IA 50424. Representative: Richard D. Howe, 600 Hubbell Bldg., Des Moines, IA 50309; (515) 244-2339. Transporting *commodities in bulk*, between points in IL, IA, KS, MN, MO, NE, ND, SD, and WI.

MC 161456, filed April 5, 1983. Applicant: HARMONY HILL TRUCKING COMPANY, INC., Range Rd., Thomaston, AL 36783. Representative: William S. Poole, Jr., 111 S. Walnut St., P.O. Box 118, Demopolis, AL 36732; (205) 289-2006. Transporting *ammonium nitrate*, between points in Santa Rosa County, FL, on the one hand, and, on the other, points in Hale, Sumter and Perry Counties, AL, under continuing contract(s) with J. K. Kuykendall and Co., Inc., of Geiger, AL; Hodges Fertilizer Co. IMC Dealer, of Faunsdale, AL; Jim Watson and Company—Swift Farm Center, and Central Alabama Farm Co-op, both of Catherine, AL; Estech, Inc., of Atlanta, GA; Estech Farm Center, of Gallion, AL; and Estech, Inc., of Montgomery, AL.

MC 162586 (Sub-1), filed April 5, 1983. Applicant: LEONARD & IRIS PALMER TRUCKING, INC. Box 187, Wilsonville, NE 69046. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501; (402)475-8761. Transporting *food and related products*, between points in IA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 163376, filed April 5, 1983. Applicant: WAYNE BRADLEY

TRUCKING, INC. Hartford Rd., New Milford, PA 18834. Representative: Peter Wolff, 722 Pittston Ave., Scranton, PA 18505; (717) 342-7595. Transporting (1) *metal and metal products*, between points in CT, DE, IL, IN, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, SC, VA, VT, WV, and DC; (2) *ores and minerals*, between points in Bradford, Lackawanna, McKean, Potter, Susquehanna, Tioga, Wayne, and Wyoming Counties, PA, on the one hand, and, on the other, points in CT, DE, IL, IN, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, SC, VA, VT, WV, and DC; and (3) *food and related products*, between points in Monroe County, NY, on the one hand, and, on the other, points in Susquehanna County, PA.

MC 166726, filed April 1, 1983. Applicant: CHRIS A. THOMAS, d.b.a. REX "N" DON VAN LINES, P.O. Box 217, Charleston, IL 62705. Representative: Edward D. McNamara, Jr., 907 South 4th St., P.O. Box 5039, Springfield, IL 62705; (217) 528-8476. Transporting *trailers*, between points in IL, MO, IN, TN, OH, MI, WI, MN, and IA, under continuing contract(s) with Trailmobile, Inc., of Chicago, IL.

MC 167206, filed April 4, 1983. Applicant: JOHN A. WILLIAMS d.b.a. JOHN A. WILLIAMS MOBILE HOME TRANSPORT & SERVICE, 303 So. 27th St., Pasco, WA 99301. Representative: Michael B. Crutcher, 2000 IBM Bldg., P.O. Box 2927, Seattle, WA 98111; (206) 623-7580. Transporting *modular buildings, grain bins, and mobile homes*, between points in WA, OR, ID, CA, MT, NV, UT, AZ, CO, NM, WY, NE, and IN.

MC 167227, filed April 4, 1983. Applicant: ROBERT P. CARLIN, Box 301, Snow Shoe, PA 16874. Representative: Dwight L. Koerber, Jr., 110 North 2nd St., P.O. Box 1320, Clearfield, PA 16830; (814) 765-9611. Transporting *coal and coal products*, between points in Centre County, PA, on the one hand, and, on the other, points in NJ, NY, and MD.

MC 167257, filed April 5, 1983. Applicant: STEPHEN M. JUETTNER AND WILLIAM A. STENBERG d.b.a. J & S TRANSPORT CO., R.R. 2, Box 140-B, Brook Park, MN 55007. Representative: Stephen M. Juettner (same address as applicant) (612) 679-2380. Transporting *commodities in bulk*, between points in the U.S. (except AK and HI), under continuing contract(s) with Apple Valley Red-E-Mix, of Apple Valley, MN.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 83-10178 Filed 4-15-83; 6:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register**. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

The following applications were filed in Region I. Send protests to: Interstate Commerce Commission, Regional Authority Center, 150 Causeway Street, Room 501, Boston, MA 02114.

MC 166562 (Sub-1-1TA) filed April 5, 1983. Applicant: AMERICAN STUDENT MOVING INC., 200 East 82nd Street, New York, NY 10028. Representative: William F. King, Esq., P.O. Box 11278, Alexandria, VA 22312. *Household goods, as defined by the Commission*, between Boston, MA, Albany, NY and

points in Cortland and Tompkins Counties, NY, on the one hand, and, on the other, points in CT, MA, NJ, and NY. Supporting shipper(s): There are nine supporting statements attached to this application which may be examined at the Boston Regional Office.

MC 167201 (Sub-1-1TA) filed April 4, 1983. Applicant: BIG RED LTL TRUCKING, INC., P.O. Box 88, Hwy. 46, Great Meadows, NJ 07838. Representative: Robert B. Pepper, 169 Woodbridge Avenue, Highland Park, NJ 08904. *Food or kindred products STCC 20* between the Commercial Zones of New York, NY and Philadelphia, PA, on the one hand, and, on the other, points in DE, KY, MD, PA, TN, VA and WV. Supporting shipper(s): There are six statements of support with this application which may be examined at the I.C.C. Regional Office in Boston, MA.

MC 145189 (Sub-1-1TA), filed March 31, 1983. Applicant: LENRON LTD., 716 Woodstock Road, Fredericton, New Brunswick, CD E3B 5N7. Representative: Beth Dobson, Esq., Two Canal Plaza, P.O. Box 586, Portland, ME 04112. *Contract carrier: irregular routes: Lime, bagged lime, bulk lime limestone products and other products of Brookville Mfg.* between points of entry on the International Boundary Line between the U.S. and CD and points in ME, under continuing contract(s) with Brookville Mfg. of St. John, New Brunswick, CD. Supporting shipper: Brookville Mfg., P.O. Box 2332, St. John, New Brunswick, CD E2L 3V6.

MC 30787 (Sub-1-1TA), filed March 30, 1983. Applicant: NIAGARA SCENIC BUS LINES, INC., 5700 S. Maelou Drive, Hamburg, NY 14075. Representative: Jeremy Kahn, Suite 733, Investment Bldg., 1511 K Street, N.W., Washington, DC 20005. *Common carrier: regular routes: Passengers*, (1) In intrastate, interstate or foreign commerce, between Niagara Falls, NY and the Buffalo International Airport at Cheektowaga, NY: in Niagara Falls, NY, from the Rainbow Bridge over LaSalle Arterial to junction Rainbow Blvd., then over Rainbow Blvd. to junction 1st St., then over 1st St. to junction Buffalo Ave., then over Buffalo Ave. to junction 3rd St., then over 3rd St. to junction Rainbow Blvd., then over Rainbow Blvd. to junction 1st St., then over 1st St. to junction Rainbow Blvd., then over Rainbow Blvd. to junction Main St., then over Main St. to junction Ferry Ave., then over Ferry Ave. to junction 3rd St., then over 3rd St. to junction Wendel Way, then over Wendel Way to junction LaSalle Arterial, then over LaSalle

Arterial to junction 3rd St., then over 3rd St. to junction Buffalo Ave., then over Buffalo Ave. to junction Robert Moses Parkway (also over Buffalo Ave. to junction 71st St.), then over Robert Moses Parkway to junction I Hwy 190, then over I Hwy 190 to junction US Hwy 62, then over US Hwy 62 to junction I 290, then over I Hwy 290 to junction I Hwy 90, then over I Hwy 90 to junction Kensington Expressway (NY Hwy 33), then over Kensington Expressway to junction Genesee St., then over Genesee St. to Buffalo International Airport at Cheektowaga, NY, and return over the same route, serving all intermediate points; and (2) In interstate or foreign commerce, between Niagara Falls, NY and the Buffalo International Airport at Cheektowaga, NY: in Niagara Falls, NY, from the Rainbow Bridge over LaSalle Arterial to junction Rainbow Blvd., then over Rainbow Blvd. to junction 1st St., then over 1st St. to junction Buffalo Ave., then over Buffalo Ave. to junction 3rd St., then over 3rd St. to junction Rainbow Blvd., then over Rainbow Blvd. to junction 1st St., then over 1st St. to junction Rainbow Blvd., then over Rainbow Blvd. to junction Main St., then over Main St. to junction Ferry Ave., then over Ferry Ave. to junction 3rd St., then over 3rd St. to junction Wendel Way, then over Wendel Way to junction LaSalle Arterial, then over LaSalle Arterial to junction 3rd St., then over 3rd St. to junction Buffalo Ave., then over Buffalo Ave. to junction Robert Moses Parkway (also over Buffalo Ave. to junction 71st St.), then over Robert Moses Parkway to junction I Hwy 190, then over I Hwy 190 to I Hwy 290, then over I Hwy 290 to junction I Hwy 90, then over I Hwy 90 to junction Kensington Expressway (NY Hwy 33), then over Kensington Expressway to junction Genesee St., then over Genesee St. to Buffalo International Airport at Cheektowaga, NY, and return over the same route, serving all intermediate points. Supporting shipper: Niagara Falls Route 62 Motel and Merchants Association, 6621 Pine Avenue, Niagara Falls, NY.

MC 142114 (Sub-1-18TA), filed April 1, 1983. Applicant: RETAIL EXPRESS, INC., 36 South Main Street, Sharon, MA 02087. Representative: Frank M. Cushman (Same as applicant). *Contract carrier: irregular routes: General commodities (except Classes A and B explosives, hazardous waste, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between all points in the 48 contiguous U.S. (except AK and HI), under continuing contract(s) with Matchmaker*

Transportation Services, Trumbull, CT. Supporting shipper: Matchmaker Transportation Service, P.O. Box 240, Trumbull, CT 06611.

MC 167014 (Sub-1-1TA), filed March 30, 1983. Applicant: TWIN TOWN RENDERING CO., INC., 741 Broad Street, Auburn ME 04210. Representative: Jack L. Schiller, 111-56 76th Drive, Forest Hills, NY 11375. *Contract carrier: irregular routes: Meat meal, meat scraps and bones between the facilities of Independent Tallow Co., located at or near Woburn, MA, to points in ME, under continuing contract(s) with Independent Tallow Co. of Woburn, MA. Supporting shipper: Independent Tallow Co., 39 Cedar Street, Woburn, MA.*

MC 151004 (Sub-1-10TA), filed March 31, 1983. Applicant: WARNACO TRUCKING CORP., 350 Lafayette Street, Bridgeport, CT 06601. Representative: John F. Ryan (same as applicant). *Contract carrier: irregular routes: General commodities between points in the U.S. (except AK and HI), under continuing contract(s) with Profit By Air of Atlanta, GA. Supporting shipper: Profit By Air, 2814 New Spring Road, Suite 330, Atlanta, GA 30339.*

MC 151004 (Sub-1-11TA), filed April 1, 1983. Applicant: WARNACO TRUCKING CORP., 350 Lafayette Street, Bridgeport, CT 06601. Representative: John F. Ryan (same as applicant). *Department store merchandise between points in the U.S. Supporting shipper: Reliable Transportation Associates, 5 Colorado Place, Huntington Station, NY 11746.*

The following applications were filed in Region 4.

Send protests to ICC, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 108435 (Sub-4-2TA), filed March 30, 1983. Applicant: G & R TRANSPORT, INC., 4703 Mayflower Ave., Wausau, WI 54401. Representative: Nancy J. Johnson, 103 East Washington Street, Box 218, Crandon, WI 54520. *Granite between Barre, VT, St. Cloud, MN, Milbank and Watertown, SD, on the one hand, and, on the other, points in MI. There are nine (9) supporting shippers.*

MC 144145 (Sub-4-1TA), filed March 30, 1983. Applicant: GILBERT & HOGLE TRUCKLINES, INC., 4491 W. Cleveland Highway, Perrinton, MI 48871. Representative: James R. Davis, Tenth Floor, Michigan National Tower, Lansing, MI 48933. *1. Farm Products, and animal food and related products between points in the States of MI, IN, OH, IL, WI and Ky. Supporting shipper(s): Central Soya Co., Inc., P.O.*

Box 1400, Ft. Wayne, IN 46901-1400, Wellen & Co., Inc., 6600 France Ave. South, Minneapolis, MN 55435.

MC 144630 (Sub-4-22TA), filed March 30, 1983. Applicant: STOOPS EXPRESS, INC., P.O. Box 287, Anderson, IN 46015. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. *Copper wire, cable, rod, bars, cathodes, and ingots from Starkville, MS to points in the U.S. west of the Mississippi River. Supporting shipper: Phelps Dodge Corporation, Greenwich, CT 06836.*

MC 149095 (Sub-4-2TA), filed March 30, 1983. Applicant: EAGLE EXPEDITING, INC., 5215 N. Grand River, P.O. Box 15103, Lansing, MI 48901. Representative: Robert E. McFarland, 2855 Coolidge, Ste. 201A, Troy, MI 48064. *Automobile parts between the facilities of Bosch Corporation located in Farmington Hills, MI, on the one hand, and, on the other, points in OH, IN, IL, NY, SC, MS, and PA. An underlying ETA seeks 120 days authority. Supporting shipper: Bosch Corporation, Traffic Control, 3800 Howard Rd., Farmington Hills, Michigan 48018.*

MC 159221 (Sub-4-1TA), filed March 30, 1983. Applicant: S.K.T., 623 10th St. NE., Minot, ND 58701. Representative: Jack L. Schiller, 111-56 76th Dr., Forest Hills, NY 11375. *Lumber and lumber products between points in CA, ID, MT, OR and WA, on the one hand, and, on the other, points in AR, CA, CO, IA, ID, KS, MN, MO, MT, ND, NE, OR, SD, TX, UT, WA, WI and WY. There are three supporting shippers.*

MC 166557 (Sub-4-1TA), filed March 30, 1983. Applicant: BRADEN TRUCKING, R.R. #2 Box 86, Maroa, IL 61756. Representative: Robert E. Braden, R.R. #2 Box 86, Maroa, IL 61756. *General commodities, between points in U.S. except AK and HI. Supporting Shippers: A.E. Staley Mfg. Co., P.O. Box 151, Decatur, IL; General Cable P.O. Box 489 Highway 105 South, Monticello, IL, 61856; Revere Copper and Brass, P.O. Box 258, Clinton, IL 61727; Wallace Computer Services, P.O. Box 379, Clinton, IL 61727; Wayne Pet Foods Division, Continental Grain Co., Everson, PA 15631.*

MC 166794 (Sub-4-1TA), filed March 14, 1983. Applicant: BEN KRAFT TRUCKING, P.O. Box 285, Aberdeen, S.D. 57401. Representative: Ben Kraft (same as above). *Contract irregular: Livestock trailers and pickup accessories from Madill, OK, and Moore, OK, to Aberdeen, SD. Supporting shippers: Brown Co. Implement and Farm Power Mfg. of Aberdeen, SD.*

MC 167140 (Sub-4-1TA), filed March 30, 1983. Applicant: CHARLES

TRAMMELL TRUCKING INC., 2945 West Broadway St., Robbins, IL 60472. Representative: Austin O'Malley, 17600 South Crawford, Country Club Hills, IL 60477. *Concrete, pipe, sand, gravel, building material, salt, iron, & steel, and related articles used in the manufacture, sales and distribution thereof*, IL, IN, MI, WI, on the one hand, and points in the U.S. except (AK & HI) on the other. Supporting Shipper: Continental Concrete Pipe Corp., P.O. Box 174, Blue Island, IL 60406.

MC 167175 (Sub-4-1TA), filed March 29, 1983. Applicant: BERTIS CARLSON TRUCKING, INC., 1480 South Henderson St., Galesburg, IL 61401. Representative: C. Don Weston, 120 North Dudley St., Macomb, IL 61455. *Metal products* between points in Knox County, IL on the one hand and on the other points in the United States (except AK and HI); and *malt beverages* between points in Milwaukee County, WI, Multnomah County, Oregon, Essex County, NJ, Huston County, GA on the one hand and on the other points in the United States (except AK and HI). Supporting shippers: Adams Pressed Metals Corporation, 524 Mulberry St., Galesburg, IL 61401. Pabst Brewing Company, 1000 Market St., Milwaukee, WI 53202.

MC 15735 (Sub-4-68TA) filed April 4, 1983. Applicant: ALLIED VAN LINES, INC., 2120 S. 25th Avenue, Broadview, IL 60153. Representative: Joseph P. Tuohy, P.O. Box 4403, Chicago, IL 60680. *Contract irregular: Household goods*, between points in the U.S., under a continuing contract(s) with Shopko Stores, Inc., of Green Bay, WI. Supporting shippers: Shopko Stores, Inc., 2800 So. Ashland, Green Bay, WI 54304.

MC 81835 (Sub-4-2 TA), filed April 4, 1983. Applicant: MONIOWCZAK TRANSIT CO., P.O. Box 235, Escanaba, MI 49829. Representative: William B. Elmer, P.O. Box 801, Traverse City, MI 49685-0801 (616) 941-5313. *Pulp, paper and related products* from points in Delta County, MI to points in the U.S., located in and east of ND, SD, NE, KS, OK and TX. Supporting shipper: Mead Paper, Mead Corporation, P.O. Box 757, Escanaba, MI 49829.

MC 87966 (Sub-4-8 TA), filed April 4, 1983. Applicant: ELEVELD CHICAGO FURNITURE SERVICE, INC., 9630 South 78th Court, Hickory Hills, IL 60457. Representative: Joseph P. Tuohy, P.O. Box 4403, Chicago, IL 60680. *Contract irregular: Store Furniture, Fixtures, Cases, Counters, Cabinets, and such commodities utilized in the manufacture and distribution thereof*, between points in the U.S. (except AK and HI), under a continuing contract(s), with MII-Myers

Industries, Inc. of Lincoln, IL. Supporting shipper: MII-Myers Industries, Inc. 2100 W. Fifth St. Road, Lincoln, IL 62656.

MC 146121 (Sub-4-6 TA), filed April 4, 1983. Applicant: BAY CARTAGE COMPANY, 1122 E. Barney Ave., Muskegon, MI 49444. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49504. *Contract irregular: General commodities (except in bulk, Classes A and B explosives, and household goods as defined by the Commission)*, between all points in the U.S. (except AK and HI), under contract with Howard City Paper Company. Supporting shipper: Howard City Paper Co., Lake Montcalm Rd., Box 430, Howard City, MI 49329.

MC 146314 (Sub-4-9 TA), filed April 4, 1983. Applicant: G & T TRUCKING CO., 11111 Deuce Road, Elko, MN 55020. Representative: Thomas Zwiers (same as above). *Petroleum Products* between points in IA, IL, KS, MI, MN, MO, MT, ND, NE, SD, WI and WY. Supporting shipper: Komatz Construction, St. Peter, MN.

MC 162185 (Sub-4-2 TA), filed April 4, 1983. Applicant: BRITAIN TRUCKING CO., 2759 Hatch Road, Jackson, MI 49201. Representative: Lester R. Gutman, 1919 Pennsylvania Avenue, NW., Suite 500, Washington, DC 20006. (1) *building materials* between points in IN, OH, PA, NC, SC, NY and IL, on the one hand, and, on the other, points in MI; (2) *lawn and garden supplies*, between points in MI, OH, KY, IN, IL and NY. There are 5 supporting shippers.

MC 165619 (Sub-4-2 TA), filed April 4, 1983. Applicant: HAL-COR TRUCKING, 2437 Root River Parkway, West Allis, WI 53227. Representative: Daniel R. Dineen, 710 North Plankinton Ave., Milwaukee, WI 53203. *Such commodities as are dealt in or used by a manufacturer of fertilizer ingredients* between the facilities of Hynite Corporation at Oak Creek, WI, and points in IA, IL, IN, KY, MI, MN, MO, OH, PA and TN. Supporting Shipper: Hynite Corporation, 4301 East Depot Road, Oak Creek, WI 53154.

MC 167038 (Sub-4-1 TA), filed March 29, 1983. Applicant: S AND Q TRUCK AND TRACTOR SERVICE, INC., P.O. Box 477, R.R. No. 1, Odin, IL 62870. Representatives: Edward D. McNamara, Jr., Leslieann G. Maxey, 907 South Fourth St., P.O. Box 5039, Springfield, IL 62705. *Contract irregular: Pre-cast and pre-stressed concrete pipe and products* between Marion County, IL, on the one hand, and points in MO on and East of Highway 63, on the other hand. Supporting shipper: Egyptian Concrete Company, 749 Commercial, Salem, IL 62881.

MC 167112 (Sub-4-1 TA) filed April 4, 1983. Applicant: KIERAN F. POWERS, d.b.a. POWERS TRUCKING, Box 239, Lyndon Station, WI 53944. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. *Iron valves, and materials, equipment and supplies used or useful in the manufacture, sale or distribution of iron valves*, between Mauston, WI and Chicago, IL and points in the Chicago, IL commercial zone. Underlying ETA seeks 120 days authority. Supporting shipper: Parker Hannefin Corporation, Refrigerating Specialties Division, 1040 Parker Drive, Mauston, WI 53948.

MC 167234 (Sub-4-1 TA), filed April 4, 1983. Applicant: WS-T CO-OP TRANSPORT, 136 East Elm Street, West Salem, WI 54689. Representative: Joseph E. Ludden, 2707 South Ave., P.O. Box 1567, La Crosse, WI 54601. *Contract irregular. Anhydrous Ammonia*, from points in Pine Bend, Rochester, Mankato and S. St. Paul, MN and Albany and East Dubuque, IL to points and places in the Counties of Marathon, Portage, Adams, Sauk, Waushara, Marquette, Columbia, Dane, Rock, Green, Lafayette, Grant, Iowa, Crawford, Richland, Vernon, Monroe, La Crosse, Trempealeau, Buffalo, Pepin, Eau Claire, Dunn, Chippewa, Clark, Jackson, Wood, Juneau, WI. Supporting Shipper: Farmers Co-op Supply and Shipping Association, West Salem, WI 54689.

MC 167235 (Sub-4-1 TA), filed April 4, 1983. Applicant: RICHARD W. WILSON, Post Office Box 188, Georgetown, IL 61846. Representative: Richard W. Wilson, (same as applicant). (1) *miscellaneous cleaning compounds and soaps* from Terre Haute IN, to points in CA, MO, KS, UT, GA, TN, CO, and TX. (2) *Material used in the manufacturing of cleaning compounds and soaps* from GA, WY, and TN to Terre Haute, IN. Supporting shipper: Continental Chem. Corp., P.O. Box 994, Terre Haute, IN 47808.

MC 103602 (Sub-4-3TA), filed April 4, 1983. Applicant: SKJONSBY TRUCK LINE, INC., P.O. Box 362, Fargo, ND 58107. Representative: Richard P. Anderson, P.O. Box 2581, Fargo, ND 58108. *Contract irregular: Pre-cast and pre-stressed building products* between the facilities of Gage Brothers Concrete Products, Inc. in Sioux Falls, SD, on the one hand, and, on the other, points in CO, MN, MT and WY, under contract(s) with Gage Brothers Concrete Products, Inc. Supporting shipper: Gage Brothers Concrete Products, Inc., P.O. Box 1526, Sioux Falls, SD 57101.

MC 141382 (Sub-4-3TA), filed April 4, 1983. Applicant: DON'S MOVING & DELIVERY SYSTEM, INC., 527 South Fremont, Janesville, WI 53545. Representative: James A. Spiegel, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719. *General commodities* between Chicago, IL, on the one hand, and, on the other, points within Rock and Walworth Counties, WI, restricted to shipments having a prior or subsequent movement by rail. An underlying ETA seeks 120 days authority. Supporting shipper: Merchants Stor-Dor Freight Systems, Inc., 1601 South Western Avenue, Chicago, IL 60608.

MC 160951 (Sub-4-4TA), filed April 4, 1983. Applicant: A. M. EXPRESS, INC., 18603 Harrison St., Lowell, IN 46356. Representative: Robert W. Loser II, 512 Chamber of Commerce Bldg., Indianapolis, IN 46204, (317) 635-2339. *Machinery racks*, between Schneider, IN and Willow Springs, IL. Underlying ETA seeks 120 days authority. Supporting shipper: Matt's Repair Shop, 111 Halsted, Lowell, IN 46356.

MC 162088 (Sub-4-2TA), filed April 4, 1983. Applicant: TRANSPORTATION AND WASTE, INC., 514 Kyser Drive, North Adams, MI 49262. Representative: James R. Neal, 1200 Bank of Lansing Bldg., Lansing, MI 48933. *Contract; irregular; Agricultural chemicals and agricultural supplies* between points in MI, OH and IN, under continuing contract(s) with Agrico Chemical Company, of Saginaw, MI. An underlying ETA seeks 120-day authority. Supporting shipper: Agrico Chemical Company, P.O. Box 750, Saginaw, MI 48606.

MC 165618 (Sub-4-1TA), filed April 4, 1983. Applicant: EUGENE D. EVERINGHAM, d.b.a. R & L SALVAGE, 8037 E. Carson City Road, Rte. 1, Carson City, MI 48811. Representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933, (517) 482-2400. *Such commodities as are dealt in by wholesale grocery distribution businesses* between Kent County, MI, on the one hand, and, on the other, points in AL, FL, GA, IL, IN, KY, LA, NY, OH, AR, WI, OK, PA, TN, TX, VA, WV, NC, SC, MS, and MO. Supporting shipper: S. Abraham & Sons, Inc., 3750 Roger Chaffee Blvd., Grand Rapids, MI 49508.

MC 167094 (Sub-4-1TA), filed April 4, 1983. Applicant: WILLIAMS TRUCKING, Box 85, Backus, MN 56435. Representative: Robert P. Scak, P.O. Box 21-307, Eagan, MN 55121. *Malt beverages*, from Chippewa Falls, WI to Elko, NV; Winnemucca, NV; Reno, NV; Carson City, NV; and South Lake Tahoe, CA. Applicant has an underlying ETA

seeking 120 days authority. Supporting shipper: Carson Brewing Company, Inc., Box CBC, South Lake Tahoe, CA 95729.

MC 167237 (Sub-4-1TA), filed April 4, 1983. Applicant: LYALL J. WRIGHT, P.O. Box 3065, Bloomington, IL 61701. Representative: Robert T. Lawley, 300 Reisch Building, Springfield, IL 62701. *Contract; Irregular: Cement*, from Greencastle and Logansport, IN to Champaign, IL, under continuing contracts with Central Material Company of Champaign, IL. An underlying ETA seeks 120 days authority. Supporting shipper: Central Material Company, 3200 West Springfield, Champaign, IL 61820.

MC 167239 (Sub-4-1TA), filed April 4, 1983. Applicant: ROGER G. DOLE d.b.a. DUSTY'S TRUCKING, 2100 South Marion Street, Janesville, WI 53545. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. *Contract Irregular: Plastic pipe and fittings, and materials, equipment and supplies* used or useful in the manufacture, installation or distribution of the involved commodities, from Janesville, WI to points in IL, IN, IA, KS, KY, MI, MN, MO, NE, ND, OH, PA, SD and WV under continuing contract(s) with Freedom Plastics, Inc. Underlying ETA seeks 120 days authority. Supporting shipper: Freedom Plastics, Inc., P.O. 1488, 210 South Arch Street, Janesville, WI 53545.

MC 167241 (Sub-4-1TA), filed April 4, 1983. Applicant: DONALD STARK, d.b.a. TETON TRUCKING, 11710 West Hampton Avenue, Milwaukee, WI 53225. Representative: Daniel R. Dineen, 710 North Plankinton Ave., Milwaukee, WI 53203 (414) 273-7410. *Contract; Irregular: Asphalt Cement*, from Whiting, IN, to the facilities of Northwest Asphalt Products, Inc., at Milwaukee, WI, under continuing contract(s) with Northwest Asphalt Products, Inc., of Milwaukee, WI. An underlying ETA seeks 120 days authority. Supporting shipper: Northwest Asphalt Products, Inc., 11710 West Hampton Avenue, Milwaukee, WI 53225.

The following applications were filed in Region 5. Send protest to Consumer Assistance Center, Interstate Commerce Commission, 411 West 7th Street, Suite 500, Fort Worth, TX 76102.

MC 2960 (Sub-5-10TA), filed April 5, 1983. Applicant: ENGLAND TRANSPORTATION COMPANY OF TEXAS, P.O. Box 4362, Houston, TX 77210. Representative: Doyle G. Owens, P.O. Box 7735, Beaumont, TX 77706. *Wire, iron or steel, tire cord or tire bead*, restricted to traffic moving in ocean containers and having a prior or subsequent movement via water or rail,

between New Orleans, LA and Natchez, MS. Supporting shipper: Stone & Co., Inc., Savannah, GA.

MC 5428 (Sub-5-3TA), filed April 5, 1983. Applicant: LYON VAN LINES, INC., P.O. Box 5011, Carrollton, TX 75006. Representative: J. B. Stuart (same as above). *Contract, irregular: Household goods* between points in the U.S., under continuing contract(s) with Gould, Inc. of Rolling Meadows, IL.

MC 53965 (Sub-5-14TA), filed April 4, 1983. Applicant: GRAVES TRUCK LINE, INC., 8717 W. 110th St., Suite 700, Overland Park, KS 66210. Representative: Bruce A. Bullock, One Woodward Ave., 26th Floor, Detroit, MI 48226. *Contract, irregular: General commodities (except Classes A and B explosives, commodities in bulk and those requiring special equipment, and household goods)* between points in the U.S. (except AK and HI), under continuing contract with FMC Corporation. Supporting shipper: FMC Corporation, Lexington, KY.

MC 79658 (Sub-5-13TA), filed April 4, 1983. Applicant: ATLAS VAN LINES, INC., Post Office Box 509, Evansville, IN 47711. Representatives: Robert C. Mills, Michael L. Harvey, 1212 St. George Road, Evansville, IN 47711. *Contract, irregular: Medical and scientific instruments and such component parts, accessories and supplies thereof as are used in the manufacture, distribution and sale of these commodities*, between points in the U.S. (except AK and HI) under continuing contract(s) with ADAC Laboratories, Inc., Sunnyvale, CA.

MC 79658 (Sub-5-14TA), filed April 4, 1983. Applicant: ATLAS VAN LINES, INC., Post Office Box 509, Evansville, IN 47711. Representatives: Robert C. Mills, Michael L. Harvey, 1212 St. George Road, Evansville, IN 47711. *Contract irregular: Household goods, used office furniture and fixtures, and medical diagnostic equipment*, between points in the U.S. (excluding AK and HI) under continuing contract(s) with Disonics, Inc., Milpitas CA.

MC 133655 (Sub-5-13 TA), filed April 4, 1983. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 402535, Dallas, TX 75240. Representative: Thomas E. Vandenberg, P.O. Box 2298, Green Bay, WI 54306. *Contract, irregular: General commodities (except household goods and Classes A and B explosives)*, between points in the U.S. (except AK and HI). Supporting shipper: Bowater Computer Forms, Inc., Plano, TX.

MC 134262 (Sub-5-4 TA), filed April 4, 1983. Applicant: FARMERS FEED AND SUPPLY TRANSPORTATION, INC., Box 385, Boyden, IA 51234. Representative:

Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Salt and salt products* from the facilities of Carey Salt Division of PMI, at or near Hutchinson, KS to points in AR, CO, IA, IL, IN, KY, LA, MI, MN, MO, MS, MT, ND, NM, OK, SD, TN, TX, WI, and WY. Supporting shipper: Carey Salt, Division of PMI, Hutchinson, KS.

MC 149553 (Sub-5-9 TA), filed April 5, 1983. Applicant: VALLEY TRANSPORTATION SERVICE, INC., 119 E. Chevez, Edinburg, TX 78539. Representative: D. R. Beeler, P.O. Box 482, Franklin, TN 37064. *Aloe Vera Gellanin* from LaFeria, TX to Lawton, OK. Supporting shipper: Magic Valley Investments, Inc., Pharr, TX.

MC 153131 (Sub-5-1 TA), filed April 5, 1983. Applicant: FISHER TRANSPORTATION INC., 1340 N. Hampton St., Dallas, TX 75208. Representative: Bill Fisher, (same as above). Contract, irregular: *Paint, paint materials and related articles and equipment, materials and supplies used in the manufacture, sale and distribution thereof except commodities in bulk in tank trucks, between points in the United States, under continuing contract with Kelly Moore Paint Co. Supporting shipper: Kelly Moore Paint Co., Hurst, TX.*

MC 154965 (Sub-5-2 TA), filed April 4, 1983. Applicant: P & H TRANSPORTATION, INC., 6939 Old Clinton, Houston, TX 77220-5906. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. *General Commodities (except classes A and B explosives, household goods or bulk commodities)*, between Dallas and Tarrant Counties, TX on the one hand, and, on the other, points in TX. Restricted to shipments for the account of Rio City Terminal Co. having a prior or subsequent movement by rail. Supporting shipper: Rio City Terminal Co., San Antonio, TX.

MC 158733 (Sub-5-4TA), filed April 4, 1983. Applicant: LEONARD FEED & GRAIN, INC., 5511 16th Ave., S.W., Cedar Rapids, IA 52404. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309. *Food and related products*, between points in Sac and Linn Counties, IA, on the one hand, and, on the other, points in the U.S. (except AK and HI). Supporting shipper: National Oats Company, Cedar Rapids, IA.

MC 159792 (Sub-5-4TA), filed April 4, 1983. Applicant: MID-AMERICA DAIRYMEN, INC., 800 West Tampa, Springfield, MO 65805. Representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Suite 600, Kansas City, MO 64105-1961. *General commodities*,

except classes A and B explosives and household goods as defined by the Commission, between points in the U.S. (except AK and HI). Supporting shippers: Nine.

MC 159792 (Sub-5-5TA), filed April 4, 1983. Applicant: MID-AMERICA DAIRYMEN, INC., 800 West Tampa, Springfield, MO 65805. Representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Suite 600, Kansas City, MO 65105-1961. *General commodities, (except classes A and B explosives, and household goods)*, between Springfield, MO, on the one hand, and, on the other, points in the U.S. (except AK and HI). Restricted to shipments originating at or destined to the facilities of R. T. French Company. Supporting shipper: R. T. French Company, Springfield, MO.

The following applications were filed in region 6. Send protests to Interstate Commerce Commission, Region 6 Motor Carrier Board, 211 Main St., Suite 501, San Francisco, CA 94105.

MC 167246 (Sub-6-1TA), filed April 5, 1983. Applicant: ASSOCIATED FOOD STORES, INC., P.O. Box 4069, Airport Road, Helena, MT 59604. Representative: William E. O'Leary, 4G Arcade Bldg., 111 N. Last Chance Gulch, Helena, MT 59601. *Food and related products* between points in WA, OR, CA, ID, MT, UT, and AZ, for 270 days. Supporting shippers: Associated Grocers, Inc., 3301 South Norfolk, Seattle, WA 98124; United Grocers, Inc., 6433 Southeast Lake Road, Milwaukie, OR 97222.

MC 167247 (Sub-6-1 TA), filed April 5, 1983. Applicant: KENNETH and JANICE ELLSWORTH, a partnership d.b.a. BIG RED TRUCKING, 5758 Gebhard Road, Central Point, OR 97502. Representative: (Same as applicant). *Lumber, building materials, heavy and construction equipment, farm, pole and piling commodities*, between points in OR, WA, CA, ID, NV and AZ for 270 days. Supporting Shippers: There are 8 shippers. Their statements may be examined at the Regional Office listed above.

MC 138313 (Sub-6-8 TA), filed March 30, 1983. Applicant: BUILDERS TRANSPORT, INC., 409 14th St. S.W., Great Falls, MT 59404. Representative: Mack E. Burgess (same as applicant). *General Commodities, (except Class A & B explosives)* between points in AL, AK, AZ, AR, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NM, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI for 270 days, tacking privileges requested. Supporting Shippers: There are 32 shippers. Their statements may be examined in the office listed.

MC 140633 (Sub-6-5 TA), filed March 29, 1983. Applicant: CAPITAL DELIVERY SYSTEMS, INC., P.O.B. 161115, Sacramento, CA 95816. Representative: John F. Parks III (same address as Applicant). *Contract carrier, Irregular Route: Home Furnishings and Accessories* between Benecia and Sacramento, CA, and Reno, NV, for 270 days. An underlying ETA seeks 120 day authority. Supporting Shipper: Breuners Home Furnishers, 3201 Fostoria Way, San Ramon, CA 94583.

MC 42487 (Sub-6-78 TA), filed April 4, 1983. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. B. 3062, Portland, OR 97208. *Contract carrier, irregular routes: General commodities, (except Classes A and B explosives, household goods and commodities in bulk)*, between points in the U.S., (except AK and HI), under continuing contract(s) with International Telephone and Telegraph Corporation of New York, NY and its wholly-owned subsidiaries, for 270 days. Supporting shipper(s): International Telephone and Telegraph Corporation, 320 Park Avenue, New York, NY 10022.

MC 150869 (Sub-6-1 TA), filed March 28, 1983. Applicant: CONTINENTAL ARMORED TRANSPORT, INC., P.O. Box 3004, Seattle, WA 98114. Representative: David C. White, 2400 SW Fourth Ave., Portland OR 97201. *Coin, currency, securities and other valuables*, in armored car service, between Portland, OR, on the one hand, and, on the other, points in Pacific, Wahkiakum, Cowlitz, Clark, Skamania and Klickitat Counties, WA, for 270 days. Underlying ETA has been filed. Supporting shipper: Federal Reserve Bank of San Francisco, 1001 Market Street, San Francisco, CA 94105.

MC 167194 (Sub-6-1TA), filed April, 1983. Applicant: Henry J. Dirksen, d.b.a. DIRKSEN TRANSPORTATION, 23418 Wilma Ave., Ripon, CA 95366. Representative: Fred R. Covington, 2150 Franklin St., Suite 554, Oakland, CA 94612. *Contract Carrier, Irregular routes: Paper and paper articles, and materials and supplies used in the manufacture and distribution of paper and paper articles*, between points in OR, WA, NV, CA, and AZ, for the account of Superior Transportation Systems, for 270 days. Supporting shipper: Superior Transportation Systems, Inc., 25200 SW Parkway, Wilsonville, OR 97070.

MC 145036 (Sub-6-1TA), filed Mar. 30, 1983. Applicant: TOM MARTINDALE, d.b.a. ENCLOSED AUTO TRANSPORT, 11717 Moorpark St., Studio City, CA

91804. Representative: (same as applicant). Automobiles and applicable parts, between all points in the U.S. excluding AK and HI for 270 days. Supporting shipper: Rich Cole Auctions, 11717 Moorpark St., Studio City, CA 91604.

MC 263 (Sub-6-9TA), filed April 5, 1983. Applicant: GARRETT FREIGHTLINES, INC., P.O. Box 4048, Pocatello, ID 83201. Representative: Bruce A. Bullock, One Woodward Ave., 26th Floor, Detroit, MI 48226. *Contract*, irregular, *General Commodities* (except Classes A and B explosives, commodities in bulk and those requiring special equipment, and household goods as defined by the Commission), between points in the U.S. (except Alaska and Hawaii), under continuing contract with FMC Corporation, for 270 days. Supporting shipper: FMC Corporation, P.O. Box 13600, 3001 Todds Road, Lexington, KY 40512.

MC 41098 (Sub-6-24TA), filed April 1, 1983. Applicant: GLOBAL VAN LINES, INC., One Global Way, Anaheim, CA 92803. Representative: Alan F. Wohlstetter, 1700 K Street, N.W., Washington, DC 20006. *Contract*, irregular routes, *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 Philips Medical Systems, Inc. of Shelton, CT and its affiliate Philips Ultrasound, Inc. of Santa Ana, CA for 270 days. Supporting shippers: Philips Medical Systems, Inc. of Shelton, CT and Philips Ultrasound, Inc. of Santa Ana, CA.

MC 145138 (Sub-6-1TA), filed March 31, 1983. Applicant: GOLDEN VALLEY TRANSPORTATION, INC., Roberts, ID 83444. Representative: Todd R. Clement, Box 130, Roberts, ID 83444. *Contract*, irregular routes, *pulp, paper and related products* from Longview Fiber Company, Longview, WA to Longview Fiber Company, Twin Falls, ID, under contract agreement with Longview Fiber Company, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Longview Fiber Company, P.O.B. 639, Longview, WA 98632.

MC 167052 (Sub-6-1TA), filed March 28, 1983. Applicant: DOUGLAS R. JOHNSON, d.b.a. HAMILTON DISTRIBUTING, E. 1606 Nebraska, Spokane, WA 99207. Representative: (Same as applicant). *Beer and wine*, from points in commercial zone of Portland, OR to Moscow, ID and from points in commercial zone of Seattle, WA to Moscow, ID, and from points in commercial zone of Olympia, WA to

Moscow, ID, for 270 days. An underlying ETA seeks 120 days authority. Supporting shipper: Bennett Distributing Co., Inc., 214 W. Morton, Moscow, ID 83843.

MC 167100 (Sub-6-1TA), filed March 30, 1983. Applicant: RICHARD A. LAWLESS, 1126 Glenwood, Wenatchee, WA 98801. Representative: Jim Pitzer, 15 South Grady Way, Suite 321, Renton, WA 98055. *Contract*, irregular, *Beer, Wine and Soft Drinks* between points in CA and WA for 270 days. Supporting Shipper: Columbia Distributing Co., Inc., 1911 N. Wenatchee Ave., Wenatchee, WA 98801.

MC 149036 (Sub-6-9TA), filed March 23, 1983. Applicant: MAHAFFEY'S WAREHOUSE, INC. P.O. B 317, Yellow Jacket, CO 81335. Representative: James F. Crosby, 7363 Pacific St., No. 210B, Omaha, NE 68114. *Beer*, from Olympia and Tumwater, WA (and points in their respective commercial zones) to Grand Junction, CO (and points in its commercial zone), for 270 days. An underlying ETA seeks 120 days authority. Supporting Shipper: Hub Distributing Co., Inc., 131 No. Spruce St., Grand Junction, CO 81501.

MC 143503 (Sub-6-8TA), filed March 30, 1983. Applicant: MERCHANTS HOME DELIVERY SERVICE, INC., P.O. Box 5067, Oxnard, CA 93031. Representative: David B. Schneider, 210 W. Park Ave., Suite 1120, Oklahoma City, OK 73102. *Contract*, irregular; *new furniture, fixtures, accessories and appliances*, between points in Shreveport and Bossier City, LA, and points in their Commercial Zones, on the one hand, and, on the other, points in TX, OK and AR under continuing contract or contracts with Sears Roebuck and Company, Inc. for 270 days. Supporting Shipper: Sears Roebuck and Company, Inc., 685 Ponce De Leon Ave., N.E. Atlanta, GA.

MC 167137 (Sub-6-1TA), filed March 30, 1983. Applicant: MINIREM CORPORATION, 10621 S. Bloomfield St., No. 38, Los Alamitos, CA 90720. Representative: Richard Barb (same as applicant). *Hazardous materials and low specific activity, radioactive materials, and waste* from points in CA to points in WA for 270 days. Supporting shippers: University of Southern California, 2025 Zonal Ave., RMR 206, Los Angeles, CA 90033; and Moravek Biochemicals, Inc., 577 Mercury Lane, Brea, CA 92621.

MC 167195 (Sub-6-1TA), filed April 1, 1983. Applicant: SOLEDAD D. FLORO, d.b.a. P & S ENTERPRISES, 3157 Yakima Circle, San Jose, CA 95121. Representative: (Same as applicant).

Passengers in special and charter operations between CA and NV for 270 days. Supporting shippers: Jessie Gonzales, 2424 Van Winkle, San Jose, CA 95116; Hedwigo S. Farralles, 1744 Cape Aston Ct, San Jose, CA 95133; Grace P. Pasion, 898 Stewart Dr., Sunnyvale, CA 94086; and Sonia Hatzidakis, 3967 Seven Trees Blvd, #160, San Jose, CA 95111.

MC 167099 (Sub-6-1TA), filed March 30, 1983. Applicant: STANLEY P. STOUT, d.b.a. S & S TRUCKING, P.O. Box 62, Malott, WA 98829. Representative: Jim Pitzer, 15 South Grady Way, Suite 321, Renton, WA 98055. *Contract*, irregular, *Beer, Wine and Soft Drinks* between points in CA and WA for 270 days. Supporting Shipper: Columbia Distributing Co., Inc., 1911 N. Wenatchee Ave., Wenatchee, WA 98801.

MC 144882 (Sub-6-4TA), filed March 28, 1983. Applicant: STATEWIDE DISTRIBUTION SERVICES, INC., P.O. Box 58926, Vernon, CA 90058. Representative: Marsha N. Honda, 1545 Wilshire Blvd., Suite 606, Los Angeles, CA 90017. *Contract*, irregular route, *paper and allied products*, from points in OR, on the one hand, to points in AZ, CO, ID, MT, NM, NV, CA, WA and WY, on the other for 270 days. Supporting shipper: Superior Transportation Systems, Inc., 25200 S.W. Parkway, Wilsonville, OR 97070.

MC 125080 (Sub-6-1TA), filed March 31, 1983. Applicant: TETON CRANE AND TRANSPORT, INC., 865 Pancheri Dr., Idaho Falls, ID 83401. Representative: Timothy R. Stivers, P.O.B. 1576, Boise, ID 83701. *Granulated aluminum*, from Henrietta, MO to Cyprus Mines, near Clayton, ID, for 270 days. Supporting shipper(s): Southwest Energy, P.O.B. 1059, Challis, ID 83226.

MC 150412 (Sub-6-4TA), filed April 1, 1983. Applicant: VERNON EQUIPMENT, INC., P.O.B. 701, Walnut, CA 91789. Representative: Carla T. Novak, 1101 31st St., Downers Grove, IL 60515. *Contract* irregular, *Electrical Appliances*, from Phoenix, AZ to San Diego, CA under continuing contract(s) with Appliance TV—City of Phoenix, AZ for 270 days. Supporting shipper: Appliance TV—City, 2202 S. 7th St., Phoenix, AZ 85038.

MC 167149 (Sub-6-1TA), filed March 30, 1983. Applicant: KIM WEBB, d.b.a. WEBB TRANSPORTING, 1029 Williams Rd., Emmett, ID 83617. Representative: John H. Goslin, P.O. Box 921, Caldwell, ID 83605. *Chemicals or Allied Products and Petroleum or Coal Products* between points in ID, UT, WA, OR, WY, NV, and MT for 270 days. Supporting

shippers: B & W Fuels, Inc., P.O. Box 747, Emmett, ID 83617.

MC 167138 (Sub-6-1TA), filed March 28, 1983. Applicant: TOM PLAGGEMEYER, d.b.a. WESTERN PACIFIC TRUCKING, POB 7068, Missoula, MT 59807. Representative: Tom Plaggemeyer (same address as above). *Such commodities as are dealt in or used by Lumber yards from points in OR, WA, and ID to MT, for 270 days.* Supporting shipper: Bascorp, d.b.a. Sirco Manufacturing, 1919 North Avenue West, Missoula, MT 59801.

MC 167166 (Sub-6-1TA) filed March 31, 1983. Applicant: WINDSOR TOURS AND CHARTERS, INC., 4301 E. Main, Farmington, NM 87401. Representative: Bob Windsor (same as applicant). *Passenger, Charter and Special Operations, from Farmington, NM to points in AZ, CA, CO, and NV for the account of Windsor Tours and Charters, for 270 days.* Supporting shipper: There are five Shippers. Their statements may be examined in the office listed above. Agatha L. Mergenovich, Secretary.

[FR Doc. 83-10182 Filed 4-15-83; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Motor Common and Contract Carriers of Property (fitness-only); Motor Common Carriers of Passengers (fitness-only); Motor Contract Carriers of Passengers; Property Brokers (other than household goods).

The following applications for motor common or contract carriage of property and for a broker of property (other than household goods) are governed by Subpart A of Part 1160 of the Commission's General Rules of Practice. See 49 CFR Part 1160, Subpart A, published in the *Federal Register* on November 1, 1982, at 47 FR 49583, which redesignated the regulations at 49 CFR 1100.251, published in the *Federal Register* on December 31, 1980. For compliance procedures, see 49 CFR 1160.19. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart B.

The following applications for motor common or contract carriage of passengers filed on or after November 19, 1982, are governed by Subpart D of the Commission's Rules of Practice. See 49 CFR Part 1160, Subpart D, published in the *Federal Register* on November 24, 1982, at 49 FR 53271. For compliance procedures, see 49 CFR 1160.86. Persons wishing to oppose an application must follow the rules under 49 CFR Part 1160, Subpart E.

These applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations.

Applicant's representative is required to mail a copy of an application, including all supporting evidence, within three days of a request and upon 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, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated 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 significant 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. OP2-170

Decided: April 8, 1983.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. Member Fortier not participating.

MC 159142 (Sub-2), filed March 29, 1983. Applicant: C & C TRANSPORTATION CO., P.O. Box 7446, Denver, CO 80207. Representative: John T. Wirth, 717 17th St., Suite 2600, Denver, CO 80202-3357, 303-892-8700. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

Please direct status inquiries about the following to Team 3 at (202) 275-5223.

Volume No. OP3-145

Decided: April 18, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 167004, filed March 23, 1983. Applicant: MASSINI BUS COMPANY, INC., Rt. 7A, Sheffield, MA 01257. Representative: David M. Marshall, Sixth Fl. 95 State St., Springfield, MA 01103, (413) 732-1138. Transporting *passengers*, in charter and special operations, between points in the U.S. (except HI).

Note.—Applicant seeks to provide privately funded charter and special transportation.

Please direct status inquiries about the following to Team 4 at (202) 275-7669.

Volume No. OP4-220

Decided: April 11, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 106207 (Sub-22), filed March 28, 1983. Applicant: NEW YORK-KEANSBURG-LONG BRANCH BUS CO. INC., 50 Hwy 36, Leonardo, NJ 10037. Representative: Sidney J. Leshin, 3 East 54th St., New York, NY 10022, (212) 759-3700. Over regular routes, transporting *passengers*, between Lakewood, NJ and New York, NY, serving all intermediate points: from Lakewood over local streets to junction U.S. Hwy 9, then north over U.S. Hwy 9 to junction of Garden State Parkway, then north over Garden State Parkway to junction New Jersey Turnpike, then north over New Jersey Turnpike to junction Interstate Hwy 495.

then east over Interstate Hwy 495 to Port Authority terminal, New York, NY, then over local streets in New York, NY to World Trade Center, New York, NY, and return over the same routes.

Note.—Applicant seeks to provide regular-route service in interstate or foreign commerce.

Volume No. OP4-222

Decided: April 11, 1983.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

MC 167207, filed April 1, 1983.

Applicant: YOGINDER SETHI, d.b.a. SETHI FREIGHT MANAGEMENT SERVICE, 3 Woodview Ct., San Ramon, CA 94583. Representative: Yoginder Sethi (same address as applicant), (415) 829-5827. As a broker of general commodities (except household goods), between points in the U.S.

MC 167217, filed April 4, 1983.

Applicant: WELSH INDUSTRIES, INC., R.D. #3, Box 78-C, Moscow, PA 18444. Representative: Raymond Talipski, 121 S. Main St., Taylor, PA 18517, (717) 344-8030. As a broker of general commodities (except household goods), between points in the U.S.

MC 167256, filed April 6, 1983.

Applicant: PML WAREHOUSES INC., 121 Enterprise Ave., South, Secaucus, NJ 07094. Representative: Edward L. Nehez, P.O. Box Y, 7 Becker Farm Rd., Roseland, NJ 07068, (201) 992-2200. As a broker of general commodities (except household goods), between points in the U.S.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 83-10179 Filed 4-15-83; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 387]

Rail Carriers; Exemptions for Contract Tariffs

AGENCY: Interstate Commerce Commission.

ACTION: Notices of provisional exemptions.

SUMMARY: Provisional exemptions are granted under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e), and the below-listed contract tariffs may become effective on one day's notice. These exemptions may be revoked if protests are filed.

DATE: Protests are due within 15 days of publication in the Federal Register.

ADDRESS: An original and 6 copies should be mailed to: Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Douglas Galloway, (202) 275-7278.

SUPPLEMENTARY INFORMATION: The 30-day notice requirement is not necessary in these instances to carry out the transportation policy of 49 U.S.C. 10101a or to protect shippers from abuse of market power; moreover, the transaction is of limited scope. Therefore, we find that the exemption requests meet the requirements of 49 U.S.C. 10505(a) and are granted subject to the following conditions:

These grants neither shall be construed to mean that the Commission has approved the contracts for purposes of 49 U.S.C. 10713(e) nor that the Commission is deprived of jurisdiction to institute a proceeding on its own initiative or on complaint, to review these contracts and to determine their lawfulness.

Sub-No.	Name of railroad, contract No., and Specifics	Review Board ¹	Decided date
895	Soo Line Railroad Co., ICC-SOO-C-0066, supplement 1, (wheat)	2	4-12-83
896	Union Pacific Railroad Co., ICC-UP-C-0057, supplement 2, (frozen foodstuffs)	3	4-12-83

¹ Review Board No. 2, Members Carleton, Williams, and Ewing; Review Board No. 3, Members Krock, Joyce, and Dowell.

This action will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Agatha L. Mergenovich,
Secretary.

[FR Doc. 83-10180 Filed 4-15-83; 8:45 am]

BILLING CODE 7035-01-M

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Advisory Committee on Actuarial Examinations; Meeting

Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet in Room E 300 U. John F. Kennedy Federal Building, Cambridge Street, Boston, Massachusetts on May 20, 1983, beginning at 8:30 a.m.

The purpose of the meeting is to prepare recommended questions for the Joint Board's examinations in actuarial mathematics and methodology referred to in Title 29 United States Code, section 1242(a)(1)(B). A determination as required by section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) has been made that the subject of the meeting falls within the exceptions to the open meeting requirement set forth in Title 5 United States Code, section 552b(c)(9)(B), and that the public

interest requires that such meeting be closed to public participation.

Dated: April 13, 1983.

Leslie S. Shapiro,

Advisory Committee Management Officer,
Joint Board for the Enrollment of Actuaries.

[FR Doc. 83-10194 Filed 4-15-83; 8:45 am]

BILLING CODE 4810-25-M

DEPARTMENT OF JUSTICE

[AAG/A Order No. 7-83]

Privacy Act of 1974; New Systems of Records

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), notice is hereby given that the Bureau of Prisons of the United States Department of Justice proposes to establish two new systems of records to be maintained by the National Institute of Corrections.

The National Institute of Corrections Technical Assistance Resource Persons Directory (JUSTICE/BOP-101) will provide a current list of persons who have agreed to provide technical assistance to state and local correctional agencies.

The National Institute of Corrections Field Readers List (JUSTICE/BOP-102) will contain names of persons who have expertise to review applications for grants where the amount of the award exceeds \$100,000 or where a substantial personal conflict of interest is indicated.

5 U.S.C. 552a(e)(4) and (11) provide that the public be given a 30-day period in which to comment on the routine uses of a new system of records. The Office of Management and Budget (OMB), which has oversight responsibility under the Act, requires a 60-day period in which to review the system before it is implemented. Therefore, the public, OMB, and the Congress are invited to submit written comments on these systems. Comments should be addressed to the Administrative Counsel, Justice Management Division, Department of Justice, Room 8239, 10th and Constitution Avenue, N.W., Washington, D.C. 20530. If no comments are received from the public, OMB, or the Congress within 60 days from the date of publication of this notice, the System will be implemented without further notice in the Federal Register.

Reports of the proposed systems have been provided to the Director, OMB, to the President of the Senate, and to the Speaker of the House of Representatives.

Dated: April 5, 1983
 Kevin D. Rooney,
 Assistant Attorney General for
 Administration.

JUSTICE/BOP-101

SYSTEM NAME:

National Institute of Corrections
 Technical Assistance Resource Persons
 Directory

SYSTEM LOCATION:

Records will be retained at either the
 National Institute of Corrections (NIC),
 320 First Street, N.W., Washington, D.C.
 20534 or at 1790 30th Street, Suite 140,
 Boulder, Colorado 80301.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who have been identified and
 have agreed to provide technical
 assistance to state and local
 correctional agencies in order to
 strengthen and improve the practice of
 corrections.

CATEGORIES OF RECORDS IN THE SYSTEM:

(1) Resume of individual including
 educational and work experience
 information; (2) Expertise checklist
 completed by named individual; and (3)
 Salary statement provided by named
 individual.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

This system is established and
 maintained under the authority of 18
 U.S.C. 4352(a).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The routine uses of this system are:
 (a) To provide an information source to
 officers and employees of the
 Department of Justice who have a need
 for the information in the performance
 of their duties; (b) to provide an
 information source to Federal, state, and
 local correctional and law enforcement
 officials who have a need for technical
 assistance in corrections; and (c) to
 provide an information source for
 individuals or groups who request
 information or technical assistance in
 corrections, including, but not limited to,
 members of Congress, architects of
 prisons, newspaper reporters, public and
 private social service organizations, and
 students.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

Storage
 Information maintained in the system
 may be stored on documents, magnetic
 tape, and magnetic disk.

RETRIEVABILITY:

Information is indexed by name and
 areas of expertise.

SAFEGUARDS:

Information is safeguarded in
 accordance with Bureau of Prisons rules
 governing access and release.

RETENTION AND DISPOSAL:

All records will be maintained until
 either the individual notifies NIC that he
 or she no longer desires to provide
 technical assistance or until NIC
 determines to delete a name from the
 list. If deleted for any reason, records
 will be destroyed by shredding.

SYSTEM MANAGER(S) AND ADDRESS:

Technical Assistance Manager,
 National Institute of Corrections, 320
 First Street, N.W., Washington, D.C.
 20534.

NOTIFICATION PROCEDURE:

Address inquiries to: Director,
 National Institute of Corrections, 320
 First Street, N.W. Washington, D.C.
 20534.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

All information is obtained from the
 individual named in the list.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

JUSTICE/BOP-102

SYSTEM NAME:

National Institute of Corrections Field
 Readers List

SYSTEM LOCATION:

Records will be retained at the
 National Institute of Corrections (NIC);
 320 First Street, N.W., Washington, D.C.
 20534.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons with expertise in a field of
 corrections who have been approved by
 the Advisory Board of NIC and who
 have agreed to review applications for
 grants where the amount of the award
 exceeds \$100,000 or where a substantial
 personal conflict of interest is indicated.

CATEGORIES OF RECORDS IN THE SYSTEM:

(1) Resume of individual including
 educational and work experience
 information; and (2) expertise checklist
 completed by the individual.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

This system is established and
 maintained under the authority of 18
 U.S.C. 4352(a).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The routine uses of this system are:
 (a) To provide an information source to
 officers and employees of the
 Department of Justice who have a need
 for the information in the performance
 of their duties; and (b) to provide the
 Advisory Board of NIC with a list of
 individuals who have the expertise to
 review applications for grants where the
 amount of the award exceeds \$100,000
 or where a substantial personal conflict
 of interest is indicated.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Information maintained in the system
 may be stored on documents, magnetic
 tape, and magnetic disk.

RETRIEVABILITY:

Information is indexed by name and
 areas of expertise.

SAFEGUARDS:

Information is safeguarded in
 accordance with Bureau of Prisons rules
 governing access and release.

RETENTION AND DISPOSAL:

All records will be maintained until
 either the individual notifies NIC that he
 or she no longer desires to provide
 assistance or until the Advisory Board
 of NIC determines that a name should
 be deleted from the list. If deleted for
 any reason, the records will be
 destroyed by shredding.

SYSTEM MANAGER(S) AND ADDRESS:

Administrative Officer, National
 Institute of Corrections, 320 First Street,
 N.W., Room 200, Washington, D.C. 20534.

NOTIFICATION PROCEDURE:

Address inquiries to: Director,
 National Institute of Corrections, 320
 First Street, N.W., Room 200,
 Washington, D.C. 20534.

RECORD ACCESS PROCEDURES:

Same as notification procedure.

CONTESTING RECORD PROCEDURES:

Same as notification procedure.

RECORD SOURCE CATEGORIES:

All information is obtained from the
 individual named in the list.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 83-10213 Filed 4-15-83; 8:45 am]

BILLING CODE 4410-05-M

Proposed Consent Decree in Action To Enforce the Clean Air Act; Carborundum Co.

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on March 25, 1983, a proposed consent decree in *United States v. The Carborundum Company, A Division of Kennecott Corporation*, Civil Action No. 83-336, was lodged with the United States District Court for the Western District of New York.

The proposed consent decree provides for compliance with both the New York State Clean Air Act Implementation Plan (SIP) and the Clean Air Act. The decree orders defendant to operate in compliance with the opacity provisions of the New York SIP; enjoins further operation of polluting equipment until suitable repairs and modifications are made; establishes a schedule, enforceable by stipulated penalties, for the making of such repairs and modifications; imposes maintenance, reporting and testing requirements; and requires defendant to pay to the United States \$21,000 in settlement of the allegations of the complaint.

The Department of Justice will receive for a period of thirty (30) days from the date of this notice written comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. The Carborundum Company, A Division of Kennecott Corporation*, DOJ No. 90-5-2-1-562.

A copy of the proposed consent decree may be examined at the offices of the United States Attorney, Western District of New York, 502 U.S. Courthouse, Court and Franklin Streets, Buffalo, New York 14202; the Environmental Protection Agency, 26 Federal Plaza, New York, New York 10778; and the Environmental Enforcement Section, Land and Natural Resources Division, United States Department of Justice, Room 1515, Ninth Street and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section,

Land and Natural Resources Division of the Department of Justice.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 83-10211 Filed 4-15-83; 8:45 am]

BILLING CODE 4410-01-M

Proposed Consent Decree in Action To Enforce the Clean Air Act; Virgin Islands Water and Power Authority

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on March 28, 1983, a proposed consent decree in *United States v. Virgin Islands Water and Power Authority*, Civil Action No. 83-85 was lodged with the United States District Court for the District of the Virgin Islands.

The proposed consent decree provides for compliance with the Clean Air Act, the U.S. Virgin Islands Implementation Plan ("SIP"), the Prevention of Significant Deterioration of Air Quality ("PSD") regulations and the New Source Performance Standards ("NSPS") in connection with the installation and subsequent operation of two stationary gas turbines. The Department of Justice will receive for a period of thirty (30) days from the date of this notice written comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Virgin Islands Water and Power Authority*, D.J. No. 90-5-2-1-568.

The proposed consent decree may be examined at the Office of the United States Attorney, Federal Building and U.S. Courthouse, Room 260, Veterans Drive, Charlotte Amalie, St. Thomas, Virgin Islands 00820; the Environmental Protection Agency, 26 Federal Plaza, New York, New York 10278; and the Environmental Enforcement Section, Land and Natural Resources Division, United States Department of Justice, Room 1515, Ninth Street and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 83-10212 Filed 4-15-83; 8:45 am]

BILLING CODE 4410-01-M

Antitrust Division**Proposed Consent Judgment in United States v. Danilow Pastry Co., Inc., et al. and Competitive Impact Statement**

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (b)-(h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement have been filed with the United States District Court for the Southern District of New York in *United States v. Danilow Pastry Co., Inc., et al.*, Civil Action No. 82 Civ. 3696. The Complaint in this case alleges that eight defendants combined and conspired to raise and fix prices of pastry in the New York metropolitan area in violation of Section 1 of the Sherman Act, 15 U.S.C. 1. The proposed Final Judgment enjoins each defendant from directly or indirectly entering into, participating in or maintaining any contract, combination or conspiracy with any other defendant, or any other wholesale bakery, or any jobber or any union to fix prices, discounts, or other terms or conditions for the sale of pastry.

Public comment is invited within the statutory sixty (60) day comment period. Such comments and responses thereto will be published in the *Federal Register* and filed with the Court. Comments should be directed to Ralph T. Giordano, Chief, New York Office, Antitrust Division, Department of Justice, Room 3630, 26 Federal Plaza, New York, New York 10278 (Telephone: 212-264-0390).

Joseph H. Widmar,
Director of Operations.

Stipulation

In the matter of United States District Court, Southern District of New York: *United States of America*, Plaintiff, v. *Danilow Pastry Co., Inc., Dan-San Pastry Shop, Inc., d.b.a. Broadway Pastry Shop, Kremo Baking Co., Inc., R. K. Baking Corp., Acme Cake Co., Inc., Wens Cake Distributing Corp., Mrs. Mac's Baking Co., Inc., Temtee Donuts, Inc.*, Defendants; 82 Civ. 3696 (EW).

Filed: April 5, 1983.

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. A Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act (15 U.S.C. 16), and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by

serving notice thereof on defendants and by filing that notice with the Court.

2. In the event plaintiff withdraws its consent, or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect and the making of this Stipulation shall be without prejudice to any person in this or any other proceeding.

For the Plaintiff:

William F. Baxter,
Assistant Attorney General.
Joseph H. Widmar,
Ralph T. Giordano,
Attorneys, Department of Justice.
Rebecca Meilkejohn,
Lowell L. Jacobs,
Marc A. Pergament,
Attorneys, Department of Justice, Antitrust
Division, Room 3630, 26 Federal Plaza,
New York, New York 10278, telephone:
(212) 264-0654.

For the Defendants:

Stillman, Friedman & Shaw,
By Charles A. Stillman, a Member of the
Firm, Attorneys for Defendants: Danilow
Pastry Co., Inc. and Kremo Baking Co.,
Inc., 521 Fifth Avenue, New York, New
York 10175; (212) 661-4100.
Vladeck, Waldman, Elias & Engelhard,
By Seymour M. Waldman, a Member of the
Firm, Attorneys for Defendant: R. K.
Baking Corp., 1501 Broadway, New York,
New York 10036; (212) 354-8330.
Nolan, O'Neill & Moore,
By Frank Careri, Jr., a Member of the Firm,
Attorneys for Defendant: Mrs. Mac's
Baking Co., Inc., Tower Suite 1900, 60
Park Place, Newark, New Jersey 07102;
(201) 643-8300.
Grand & Ostrow,
By Frank H. Wright, a Member of the Firm,
Attorneys for Defendant: Dan-San Pastry
Shop, Inc., 641 Lexington Avenue, New
York, New York 10022; (212) 832-3611.
Rogers & Wells,
By Rogers & Wells/John J. Sheehy a
Member of the Firm, Attorneys for
Defendants: Acme Cake Co., Inc. and
Wens Cake Distributing Corp., 200 Park
Avenue, New York, New York 10166;
(212) 878-9244.
Austrian, Lance & Stewart,
By Richard B. Cooper, a Member of the
Firm, Attorneys for Defendant: Temtee
Donuts, Inc., 30 Rockefeller Center, New
York, New York 10112; (212) 489-9500.

Final Judgment

In the matter of: United States District
Court Southern District of New York; United
States of America, Plaintiff, v. Danilow
Pastry Co., Inc., Dan-San Pastry Shop, Inc.,
d.b.a. Broadway Pastry Shop, Kremo Baking
Co., Inc., R.K. Baking Corp., Acme Cake Co.,
Inc., Wens Cake Distributing Corp., Mrs.
Mac's Baking Co., Inc., Temtee Donuts, Inc.,
Defendants; 82 Civ. 3696 (EW).

Filed: April 5, 1983.

Plaintiff, United States of America,
having filed its Complaint herein on June

4, 1982, and plaintiff and the defendants,
by their respective attorneys, having
consented to the entry of this Final
Judgment without trial or adjudication
of any issue of fact or law herein and
without this Final Judgment constituting
any evidence against or any admission
by any party with respect to any such
issue:

Now, therefore, before the taking of
any testimony and without trial or
adjudication of any issue of fact or law
herein and upon consent of the parties
hereto, it is hereby

*Ordered, adjudged, and decreed as
follows:*

I. This court has jurisdiction of the
subject matter of this action and of each
of the parties consenting hereto. The
Complaint states a claim upon which
relief may be granted against each
defendant under Section 11 of the
Sherman Act (15 U.S.C. 1).

II. As used in this Final Judgment:

(a) "Person" means any individual,
partnership, corporation, or other legal
or business entity.

(b) "Pastry" means baked or fried,
fresh, sweet goods made primarily from
flour, shortening, sugar and dairy
products and includes, but is not limited
to, danish, doughnuts, muffins, cookies,
coffee cakes, layer cakes and pies.

(c) "Wholesale bakery" means a
person engaged, in whole or in part, in
the business of making any of the items
defined as pastry for sale to jobbers, to
other persons that sell pastry to jobbers,
to institutional caterers, or to
restaurants, luncheonettes, hospitals,
schools, office cafeterias, or other
businesses that resell pastry directly to
the consumer.

(d) "Jobber" means a person, not a
wholesale bakery or employed by a
wholesale bakery, who is engaged, in
whole or in part, in the business of
distributing pastry to restaurants,
luncheonettes, hospitals, schools, office
cafeterias, or other businesses that
resell pastry directly to the consumer.

III. This Final Judgment applies to the
defendants and to their officers,
directors, agents, employees,
subsidiaries, successors and assigns,
and to all other persons in active
concert or participation with any of
them who shall have received actual
notice of this Final Judgment by
personal service or otherwise.

IV. Each defendant is enjoined and
restrained from directly or indirectly
entering into, adhering to, participating
in, maintaining, furthering, enforcing, or
claiming any right under any contract,
agreement, understanding, plan,
program, combination or conspiracy
with any other defendant or any other

wholesale bakery or any jobber or any
union to fix, establish, raise, lower or
maintain prices, discounts, or other
terms or conditions for the sale of
pastry.

V. Each defendant is enjoined and
restrained from communicating to,
requesting from or exchanging with any
other defendant or any other wholesale
bakery or any jobber any information
concerning actual or proposed prices,
discounts, terms or conditions of sale, or
actual or proposed pricing policies, or
any consideration or contemplation of
changes therein, for the sale of pastry.

VI. Noting contained in this Final
Judgment shall prohibit any defendant
from engaging in any transaction or
communication with any person in
connection with an actual or proposed
bona fide purchase or sale of pastry
from or to such person.

VII.(A) Each defendant shall advise
each of its officers who has management
responsibility for the sale of pastry and
each of its employees who has
responsibility for or authority over the
establishment of prices for pastry of his
obligations and of such defendant's
obligations under this Final Judgment.

(B) Each defendant is ordered and
directed to:

(1) Furnish a copy of this Final
Judgment to each of the persons
described in subsection (A) hereof
within thirty (30) days after the date of
the entry of this Final Judgment;

(2) Furnish a copy of this Final
Judgment to each person who in the
future shall have any of the
responsibilities described in subsection
(A) hereof within 30 days of his
obtaining such responsibilities;

(3) Obtain from each of those persons
furnished a copy of this Final Judgment
pursuant to subsections (B) (1) or (2)
hereof, a signed receipt therefor, which
receipt shall be retained in the
defendant's files for at least until the
termination of this Final Judgment;

(4) Attach to each copy of this Final
Judgment furnished to each of those
persons described in subsections (A)
and (B)(2), a statement advising each
such person of his obligations and of
such defendant's obligations under this
Final Judgment, and of the penalties
which may be imposed upon him and
upon such defendant for violation of this
Final Judgment;

(5) Hold within sixty (60) days after
the date of entry of this Final Judgment,
a meeting of the persons described in
subsections (A) and (B)(2) hereof, at
which meeting such persons shall be
instructed concerning their obligations
and such defendant's obligations under
this Final Judgment. Similar meetings

shall be held at least once a year for a period of five (5) years from the date of entry of this Final Judgment;

(6) Establish and implement a plan for monitoring compliance by the persons described in subsections (A) and (B)(2) hereof with the terms of this Final Judgment; and

(7) File with this Court, and serve upon plaintiff within ninety (90) days after the date of entry of this Final Judgment, an affidavit as to the fact and manner of its compliance with subsections (A), (B) (1), (3), (4), (5) and (6) hereof.

VIII. Each defendant shall require, as a condition of the sale or other disposition of all, or substantially all, of the assets used by it in its pastry business, that the acquiring party agree to be bound by the provisions of this Final Judgment. The acquiring party shall file with the Court and serve upon plaintiff its consent to be bound by this Final Judgment.

IX. For the purpose of determining or securing compliance with this Final Judgment, and subject to any legally recognized privilege, from time to time:

(A) Duly authorized representatives of the Department of Justice shall, upon written request of the Attorney General or of the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to a defendant made to its principal office, be permitted:

(1) Access during office hours of such defendant to inspect and copy all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of such defendant, who may have counsel present, relating to any matters contained in this Final Judgment; and

(2) Subject to the reasonable convenience of such defendant and without restraint or interference from it, to interview officers, employees and agents of such defendant, who may have counsel present, regarding any such matters.

(B) Upon the written request of the Attorney General or of the Assistant Attorney General in charge of the Antitrust Division made to a defendant's principal office, such defendant shall submit such written reports, under oath if requested, with respect to any of the matters contained in this Final Judgment as may be requested.

No information or documents obtained by the means provided in this Section IX shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings

to which the United States is a party, or for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

(C) If at the time information or documents are furnished by a defendant to plaintiff, such defendant represents and identifies in writing the material in any such information or documents to which a claim of protection may be asserted under Rule 26(c)(7) of the Federal Rules of Civil Procedure, and said defendant marks each pertinent page of such material, "Subject to claim of protection under Rule 26(c)(7) of the Federal Rules of Civil Procedure," then 10 days notice shall be given by plaintiff to such defendant prior to divulging such material in any legal proceeding (other than a grand jury proceeding) to which that defendant is not a party.

X. This Final Judgment shall terminate ten (10) years from the date of its entry.

XI. Jurisdiction is retained by this Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders or directions as may be necessary or appropriate for the construction or carrying out of this Final Judgment, for the modification of any of the provisions hereof, for the enforcement of compliance herewith, and for the punishment of any violation hereof.

XII. Entry of this Final Judgment is in the public interest.

United States District Court, Southern District of New York; United States of America, Plaintiff, v. Danilow Pastry Co., Inc., Dan-San Pastry Shop, Inc., d.b.a. Broadway Pastry Shop, Kremo Baking Co., Inc., R. K. Baking Corp., Acme Cake Co., Inc., Wens Cake Distributing Corp., Mrs. Mac's Baking Co., Inc., Temtee Donuts, Inc., Defendants; 82 Civ. 3696 (EW); Proposed Final Judgement; Competitive Impact Statement.

Filed: April 5, 1983.

The United States of America, pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b), files this Competitive Impact Statement in connection with the proposed Final Judgment submitted for entry in this civil antitrust proceeding.

I. *Nature and Purpose of the Proceeding.* On June 4, 1982, the United States filed a civil antitrust complaint under Section 4 of the Sherman Act, 15 U.S.C. 4, alleging that the above-named defendants and unnamed co-conspirators had from at least as early as the mid-1960s until at least March 1981 combined and conspired to raise and fix prices of pastry in the New York metropolitan area in violation of Section 1 of the Sherman Act, 15 U.S.C. 1. The Complaint also alleged that, as a result of the combination and conspiracy, price

competition among the defendants was restrained and their customers were deprived of the benefits of free and open competition.

The complaint sought an adjudication that the alleged combination and conspiracy was illegal and an injunction prohibiting the defendants from continuing, maintaining or renewing the combination or conspiracy, or from engaging in any other combination or conspiracy having a similar purpose or effect.

On the same day the United States filed its complaint in this proceeding, a federal grand jury in Manhattan returned an indictment charging six of the above-named defendants and six individuals with a criminal violation of the Sherman Act arising out of the same conspiracy alleged in the complaint. All of the defendants in the criminal action (82 Cr. 415) entered pleas of *nolo contendere* on November 29, 1982. On January 31, 1983, Judge David N. Edelstein sentenced the corporate defendants to pay fines that totalled \$220,000 and to make restitution valued at \$174,200. He sentenced the individual defendants to pay fines that totalled \$41,000, imposed suspended jail sentences that ranged from 30 to 120 days, and, for five of the six individuals, required them to perform between 200 and 1000 hours of community service during the next two years, as a condition of probation.

The Court's entry of the proposed Final Judgment will terminate this action, except that the Court will retain jurisdiction over the matter for the next ten years for possible further proceedings to construe, modify or enforce the judgment, or to punish violation of any of its provisions.

II. *Description of Practices Giving Rise to the Alleged Violation.* The defendants are the major wholesale bakeries, or their affiliated distributors, of pastry for customers such as restaurants, luncheonettes, hospitals, schools, office cafeterias and institutional caterers in the New York metropolitan area. They also sell pastry to independent middlemen known as jobbers. The defendants' total sales of pastry from 1977 through 1980 were more than \$100 million.

At trial, the United States would have been prepared to prove that owners and executives of each of the defendants regularly met to discuss price increases and that they repeatedly agreed to raise prices by approximately the same amounts and at approximately the same times, and also to limit discounts, to limit promotional devices, not to solicit each other's customers for a period of

time and to refuse new orders from each other's customers for a period of time. Within the past five years, the defendants implemented their agreements by increasing wholesale prices for pastry in February and March 1978, December 1978, November 1979, September 1980, November 1980, and February and March 1981 and by following the other terms of their conspiracy. A summary of the government's evidence, in the form of statements by each of its six anticipated trial witnesses, was made part of the record of the criminal proceeding before Judge Edelstein.

III. Explanation of the Proposed Final Judgment. The parties have stipulated that the proposed Final Judgment, in the form they negotiated, may be entered by the Court at any time after compliance with the Antitrust Procedures and Penalties Act. The judgment provides that it shall not constitute an admission by any party with respect to any issue of fact or law.

The proposed Final Judgment enjoins each defendant from directly or indirectly entering into, participating in or maintaining any contract, agreement, understanding, plan, program, combination or conspiracy with any other defendant, or any other wholesale bakery or any jobber or any union to fix, establish, raise, lower or maintain prices, discounts or other terms or conditions for the sale of pastry.

It also enjoins each defendant from communicating to, requesting from or exchanging with any other defendant or any other wholesale bakery or any jobber any information concerning actual or proposed prices, discounts, terms or conditions of sale, or actual or proposed pricing policies, or any consideration or contemplation of changes therein, for the sale of pastry.

The proposed Final Judgment contains several provisions relating to defendants' compliance with its terms. It prescribes the manner in which each defendant must notify certain of its officers and employees of their obligations under the judgment. It also requires that each defendant secure from any party who acquires all or substantially all of the assets used by the defendant in its pastry business an agreement to be bound by the provisions of the judgment.

The proposed Final Judgment specifies that it will be effective for ten years from the date of its entry.

The last provision states that entry of the Final Judgment is in the public interest. Under the provisions of the Antitrust Procedures and Penalties Act, entry of the proposed Final Judgment is

conditioned upon a determination by the Court that it is in the public interest.

The government believes that the proposed Final Judgment is fully adequate to prevent the continuation or recurrence of the violation of Section 1 of the Sherman Act alleged in the complaint, and that disposition of this proceeding without further litigation is appropriate and in the public interest.

IV. Remedies Available To Potential Private Plaintiffs. After entry of the proposed Final Judgment, any potential private plaintiff that might have been damaged by the alleged violation will retain the same right to sue for monetary damages and any other legal or equitable relief that it may have had if the Final Judgment had not been entered. The Final Judgment may not be used, however, as *prima facie* evidence in private litigation, pursuant to Section 5(a) of the Clayton Act, as amended, 15 U.S.C. 16(a).

V. Procedures Available for Modification of the Proposed Final Judgment. As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed Final Judgment should be modified may submit written comments within the 60-day period provided by the Act to Ralph T. Giordano, Chief, New York Office, Antitrust Division, United States Department of Justice, Room 3630, 26 Federal Plaza, New York, New York 10278 (Telephone: 212-264-0390). These comments and the Department's responses to them will be filed with the Court and published in the *Federal Register*.

All comments will be given due consideration by the Department of Justice. The Department remains free to withdraw its consent to the proposed Final Judgment at any time prior to its entry if it should determine that some modification is necessary. Additionally, the proposed Final Judgment provides that the Court retains jurisdiction over this action, and that the parties may apply to the Court at any time during the life of the Final Judgment for interpretation, modification, or enforcement of its provisions.

1. Alternatives To the Proposed Final Judgment. The alternative to the proposed Final Judgment considered by the government was a full trial on the merits and on relief. The government considers the proposed judgment to be of sufficient scope and effectiveness to make a trial unnecessary, since it provides appropriate relief against the violations alleged in the complaint.

VII. Determinative Materials and Documents. No materials or documents were considered determinative by the government in formulating the proposed

Final Judgment. Consequently, none is being filed pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b).

Dated: April 5, 1983, New York, New York.

Respectfully submitted:

Rebecca Meiklejohn,
Lowell L. Jacobs,
Marc A. Pergament,
Attorneys, Department of Justice, Antitrust
Division, Room 3630, 26 Federal Plaza,
New York, New York 10278, Tel. No.: (212)
264-0654.

[FR Doc. 83-10267 Filed 4-15-83; 8:45 am]

BILLING CODE 4410-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Subcommittee on Systematic Evaluation Program; Meeting

The ACRS Subcommittee on the Systematic Evaluation Program will hold a meeting on May 6, 1983, Room 1046, 1717 H Street, NW., Washington, D.C. The Subcommittee will discuss the Systematic Evaluation Program review of La Crosse Boiling Water Reactor (LACBWR).

In accordance with the procedures outlined in the *Federal Register* on October 1, 1982 (47 FR 43474), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The entire meeting will be open to public attendance except for those sessions during which the Subcommittee finds it necessary to discuss proprietary information. (Sunshine Act Exemption 4.) One or more closed sessions may be necessary to discuss such information. To the extent practicable, these closed sessions will be held so as to minimize inconvenience to members of the public in attendance.

The agenda for subject meeting shall be as follows: Friday, May 6, 1983—8:30 a.m. until the conclusion of business.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, will exchange preliminary views regarding matters to be

considered during the balance of the meeting. The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, their consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Herman Alderman (telephone 202/634-1414) between 8:15 a.m. and 5:00 p.m., EST.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it may be necessary to close some portions of this meeting to public attendance to protect proprietary information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: April 13, 1983.

John C. Hoyle,
Advisory Committee Management Officer.

[FR Doc. 83-10247 Filed 4-15-83; 8:45 am]
BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Westinghouse Water Reactors; Meeting

The ACRS Subcommittee on Westinghouse Water Reactors will hold a meeting on May 5, 1983, Room 1046, 1717 H Street, NW., Washington, DC.

The agenda for subject meeting shall be as follows: *Thursday, May 5, 1983—8:30 a.m. until the conclusion of business.*

The Subcommittee will discuss design information related to the Westinghouse Advanced Pressurized Water Reactor (WAPWR).

The entire meeting will be closed to public attendance in order to protect Westinghouse proprietary information concerning the WAPWR (Sunshine Act Exemption 4).

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of Westinghouse, NRC Staff, and their consultants regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled can

be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Anthony Cappucci (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m., EST.

I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act, that it will be necessary to close this meeting to protect proprietary information. The authority for such closure is Exemption (4) to the Sunshine Act, 5 U.S.C. 552b(c)(4).

Dated: April 13, 1983.

John C. Hoyle,
Advisory Committee Management Officer.

[FR Doc. 83-10246 Filed 4-15-83; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-272]

Public Service Electric & Gas Co.; Granting of Relief from ASME Section XI Inservice Testing Requirements

The U.S. Nuclear Regulatory Commission, (the Commission) has granted relief from certain requirements of the ASME Code, Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components" to Public Service Electric and Gas Company. The relief relates to the inservice testing program for the Salem Nuclear Generating Station, Unit No. 1 (the facility) located in Salem County, New Jersey. The ASME Code requirements are incorporated by reference into the Commission's rules and regulations in 10 CFR Part 50. The relief is effective as of the date of issuance.

The relief permits the licensee to test certain designated pumps and valves in a manner or on a schedule different from the prescribed in Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda, as required by 10 CFR Part 50, because of inaccessibility, configuration of components, radiation level, or other valid reasons.

The request for relief 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 letter granting relief.

The Commission has determined that the granting of this relief will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared

in connection with issuance of this relief.

For further details with respect to this action, see (1) the application for relief dated February 9, 1979, as revised March 10, 1980 and April 29, 1981, (2) the Commission's letter dated April 12, 1983, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Salem Free Public Library, 112 West Broadway, Salem, New Jersey.

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 12th day of April 1983.

For the Nuclear Regulatory Commission,
Steven A. Varga,
Chief, Operating Reactors Branch No. 1,
Division of Licensing.

[FR Doc. 83-10248 Filed 4-15-83; 8:45 am]
BILLING CODE 7590-01-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Commodity Policy Advisory Committee; Notice of Meeting and Determination of Closing of Meeting

The meeting of the Commodity Policy Advisory Committee (the Advisory Committee) to be held Wednesday, April 20, 1983, from 2:00 p.m. to 5:00 p.m. at the Office of the United States Trade Representative, will involve a review and discussion of the current issues involving the trade policy of the United States. The review and discussion will deal with information submitted in confidence by the private sector members of the Committee under Section 135(g)(1)(A) of the Trade Act of 1974, as amended, (the Act); information submitted by government officials under Section 135(g)(2) of the Act the disclosure of which could be reasonably expected to prejudice United States negotiating objectives; information the disclosure of which would be likely to significantly frustrate implementation of proposed government action; and information properly classified pursuant to Executive Order 12356 and specifically required by such Order to be kept secret in the interests of national security (i.e., the conduct of foreign relations) of the United States. All members of the Advisory Committee have all necessary security clearances. Consistent with previous determinations concerning other advisory committees,

established under Section 135(c) of the Act, I hereby determine that the meeting of the Advisory Committee will be concerned with matters listed above and with matters listed in Section 552b(c) of Title 5 of the United States Code. Therefore, the meeting of the Commodity Policy Advisory Committee will be closed to the public.

More detailed information can be obtained by contacting Phyllis O. Bonanno, Director, Office of Private Sector Liaison, Office of the United States Trade Representative, Executive Office of the President, Washington, D.C. 20506.

William E. Brock,

United States Trade Representative.

[FR Doc. 83-10173 Filed 4-15-83 8:45 am]

BILLING CODE 3190-01-M

PEACE CORPS

Candidate Selection Inventory; Pre-test Study

AGENCY: Peace Corps.

ACTION: Notification of a Proposed Peace Corps Pre-test Study of a Candidate Selection Inventory.

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 Peace Corps is soliciting public comments on the subject proposal.

ADDRESS: Interested persons are invited to submit comments regarding this proposal by name and should be sent to Francine Picoult, OMB Desk Officer, Office of Management and Budget, New Executive Office, Room 3235, Washington, D.C. 20503. Comments should be received by on or before June 17, 1983.

FOR FURTHER INFORMATION CONTACT: Jim Hogan, Special Assistant, Director of the Office of Recruitment, Placement and Staging, Peace Corps, 806 Connecticut Avenue, NW., Room M-900, Washington, D.C., 20526, telephone (202) 254-7080. This is not a toll-free number. For a copy of the scale contact Mr. Hogan.

SUPPLEMENTARY INFORMATION: Peace Corps proposes to examine the efficacy of a self administered paper-and-pencil inventory for helping staff improve the selection of Peace Corps Volunteers. Current research with the inventory, the Overseas Assignment Inventory (OAI), originally developed and validated to screen naval and private sector personnel for overseas assignments, suggests it might provide a cost effective

and systematic means for measuring and predicting Peace Corps Volunteer candidates' cross-cultural adjustment overseas. Use of this inventory by the U.S. Navy has not produced any evidence that it discriminates among groups on the basis of gender, race or ethnic background. Information derived from this study will be used to establish normative OAI data for Peace Corps Volunteer candidates and to test the abilities of the OAI to predict suitability as a Peace Corps Volunteer candidate as he or she goes through Peace Corps' Volunteer Delivery System and overseas service.

The study will include all candidates who have been nominated by Peace Corps recruiters for consideration to serve as Peace Corps Volunteers from about June 1983 through the end of FY'83 as well as all candidates who attend a Peace Corps Center for Assessment and Training (CAST) for the remainder of FY'83. It is estimated that 1300 people would be involved in total. Nominees will be mailed and requested to complete a copy of the OAI. Persons attending CASTs will be administered the OAI directly during the first day.

People participating will need to provide personal identifying information in order that later status changes can be tracked and linked to OAI scores, to establish its validity for Peace Corps. They will be told that their participation is voluntary and that the proposed study is a validation pre-test of the OAI, its procedures and results for Peace Corps, and its results will not be used for deselection purposes during this test phase. No modification of any selection/screening procedures will occur during this study.

The proposed information collection requirement is described as follows:

Proposal: Overseas Assignment Inventory

Office: Office of Recruitment, Placement and Staging

Form No.: PC-1556

Frequency of Submission: On occasion

Affected Public: Individuals who are candidates for Peace Corps Volunteer service

Estimated Burden Hours: 1300 respondents at 20 minutes each (433 hours.)

This is not a proposal to which 44 U.S.C. 3504(h) applies. This notice is issued in Washington, D.C. on April 11, 1983.

Robert T. Spencer,

Associate Director for Management.

[FR Doc. 83-10193 Filed 4-15-83; 8:45 am]

BILLING CODE 6051-01-M

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 22-12389-00 and 22-12389-01]

Exxon Corp. and Reliance Electric Co.; Application and Opportunity for Hearing

April 11, 1983.

Notice is hereby given that, Exxon Corporation ("Exxon") and Reliance Electric Company ("Reliance", Exxon and Reliance being sometimes referred to herein as the "Applicants") have filed a joint Application under clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for finding that the trusteeship of Citibank, N.A., a national banking association formerly named First National City Bank, under (i) an Indenture dated as of February 15, 1971 (the "1971 Indenture") between Reliance and Citibank, N.A., (ii) an Indenture dated as of December 15, 1974 (the "1974 Indenture") between Reliance and Citibank, N.A., and (iii) an Indenture dated as of July 15, 1968 (the "1968 Indenture") between Exxon and Citibank, N.A. would not, despite a guarantee by Exxon of obligations of Reliance under the 1971 Indenture and the 1974 Indenture, be so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Citibank, N.A. from acting as trustee under the 1971 Indenture and the 1974 Indenture were it to continue to act as trustee under the 1968 Indenture after such guarantees.

In support of this Application, the Applicants set forth the following:

(1) Reliance had outstanding as of December 31, 1982 \$21,000,000 aggregate principal amount of its 7- $\frac{1}{2}$ % Debentures due 1996 issued under the 1971 Indenture. The 1971 Indenture was filed by Reliance as an exhibit to Registration No. 2-39252 under the Securities Act of 1933 (the "1933 Act") which was declared effective on February 15, 1971 and was contemporaneously qualified under the 1939 Act.

(2) Reliance had outstanding as of December 31, 1982 \$32,200,000 aggregate principal amount of its 9- $\frac{1}{2}$ % Debentures due 1994 issued under the 1974 Indenture. The 1974 Indenture was filed by Reliance as an exhibit to Registration No. 2-52333 under the 1933 Act which was declared effective on December 10, 1974 and was contemporaneously qualified under the 1939 Act.

(3) Exxon had outstanding as of December 31, 1982 \$151,346,000 aggregate principal amount of its 6 $\frac{1}{2}$ % Debentures due 1998 issued under the 1968 Indenture. The 1968 Indenture was

filed by Exxon as an exhibit to Registration No. 2-29388 under the 1933 Act which was declared effective on July 11, 1968 and was contemporaneously qualified under the 1939 Act.

(4) As required by Section 310(b) of the 1939 Act, Section 7.08 of the 1971 Indenture provides in part as follows:

(a) If the Trustee has or shall acquire any conflicting interest, as defined in this Section 7.08, it shall, within 90 days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign in the manner and with the effect specified in Section 7.10.

(c) For the purposes of this Section 7.08 the Trustee shall be deemed to have a conflicting interest if:

(1) the Trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of the Company, are outstanding, unless such other indenture is a collateral trust indenture under which the only collateral consists of Debentures issued under this Indenture; *provided* that there shall be excluded from the operation of this paragraph any other indenture or indentures under which other securities, or certificates of interest or participation in other securities, of the Company, are outstanding if . . . (ii) the Company shall have sustained the burden of proving, on application to the Securities and Exchange Commission and after opportunity for hearing thereon, that the trusteeship under this Indenture and such other indenture or indentures is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Trustee from acting as such under this Indenture or such other indenture or indentures; . . .

(5) As required by Section 301(b) of the 1939 Act, Section 7.08 of the 1974 Indenture provides in part as follows:

(a) If the Trustee has or shall acquire any conflicting interest, as defined in this Section 7.08, it shall, within 90 days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign in the manner and with the interest effect specified in Section 7.10.

(c) For the purpose of this Section 7.08 the Trustee shall be deemed to have a conflicting interest if:

(1) the Trustee is trustee under another indenture under which any

other securities, or certificates of interest or participation in any other securities, of the Company, are outstanding, unless such other indenture is a collateral trust indenture under which the only collateral consists of Debentures issued under this Indenture; *provided* that there shall be excluded from the operation of this paragraph the Indenture dated as of February 15, 1971 between the Company and First National City Bank under which the 7½% Debentures Due 1996 of the Company are outstanding; and *provided* further that there shall also be excluded from the operation of this paragraph any other indenture or indentures under which other securities, or certificates of interest or participation in other securities, of the Company, are outstanding if . . . (ii) the Company shall have sustained the burden of proving, on application to the Securities and Exchange Commission and after opportunity for hearing thereon, that the trusteeship under this Indenture and such other indenture or indentures is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Trustee from acting as such under this Indenture or such other indenture or indentures; . . .

(6) As required by Section 310(b) of the 1939 Act, Section 7.08 of the 1968 Indenture provides in part as follows:

(a) If the Trustee has or shall acquire any conflicting interest, as defined in this Section 7.08, it shall, within 90 days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign in the manner and with the effect specified in Section 7.10.

(c) For the purposes of this Section 7.08 the Trustee shall be deemed to have a conflicting interest if

(1) the Trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in other securities, of the Company, are outstanding, unless such other indenture is a collateral trust indenture under which the only collateral consists of Debentures issued under this Indenture; *provided* that there shall be excluded from the operation of this paragraph any other indenture or indentures under which other securities, or certificates, of the Company, are outstanding if . . . (ii) the Company shall have sustained the burden of

proving, on application to the Securities and Exchange Commission and after opportunity for hearing thereon, that the trusteeship under this Indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Trustee from acting as such under one of such indentures; . . .

(7) Reliance, Exxon and Citibank, N.A. intend to enter into indentures supplemental to the 1971 Indenture and the 1974 Indenture under which supplemental indentures Exxon will guarantee the due and punctual payment of the principal of and premium, if any, and interest on Reliance's 7½% and 9½% Debentures in accordance with the terms of the 1971 Indenture and the 1974 Indenture, respectively. Citibank N.A. would not be qualified to continue to act as trustee under the 1971 Indenture, the 1974 Indenture and the 1968 Indenture after such supplemental indentures are executed unless Citibank, N.A. is deemed not to have such a conflict of interest by reason of a finding by the Commission after opportunity for a hearing that acting as trustee under the 1971 Indenture, the 1974 Indenture and the 1968 Indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Citibank, N.A. from so acting.

(8) Reliance has placed a specific group of government obligations in trust under a Trust Agreement dated July 29, 1982 with Morgan Guaranty Trust Company of New York ("Morgan") to secure payment of the principal and interest on the debentures issued under the 1971 Indenture. Reliance has placed a separate group of specific government obligations in trust under a separate Trust Agreement dated July 29, 1982 with Morgan to secure payment of the principal and interest on the debentures issued under the 1974 Indenture. Exxon has placed another separate group of specific government obligations in trust under a separate Trust Agreement dated June 28, 1982 with Morgan to secure payment of the principal and interest on the debentures issued under the 1968 Indenture.

(9) Since the debentures issued under the 1971 Indenture, the 1974 Indenture and the 1968 Indenture are each secured by separate groups of specific government obligations owned by separate trusts established exclusively for the benefit of the holders of debentures issued under a specific

indenture, should Citibank, N.A. have occasion to proceed against the security held in one of these trusts, such action would not affect the security, or use of any security, held in any other trust. Thus the existence of the other trusteeships should not inhibit or discourage action by Citibank, N.A. or involve it in a conflict of interest.

(10) Neither Reliance nor Exxon is now in default under the 1971 Indenture, the 1974 Indenture or the 1968 Indenture, nor would the execution of either of the aforementioned supplemental indentures cause such a default.

Such differences as exist among the 1971 Indenture, the 1974 Indenture and the 1968 Indenture are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Citibank, N.A. from acting as trustee under each such indenture after execution of the aforementioned supplemental indentures.

Applicants have waived (a) notice of hearing, (b) hearing on the issues raised by the Application and (c) all rights to specify procedures under Rule 8(b) of the Commission's Rules of Practice.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said Application, which is a public document on file in the office of the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549.

Notice is further given that any interested person may, not later than May 2, 1983, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issued of fact or law raised by said Application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the Application upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 83-10185 Filed 4-15-83; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Application No. 05/05-0172]

Business Ventures, Inc.; Application for License To Operate as a Small Business Investment Company (SBIC)

Notice is hereby given that an application has been filed with the Small Business Administration Pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1982)), under the name of Business Ventures, Inc., 20 North Wacker Drive, Suite 550, Chicago, Illinois 60606, for a license to operate as a small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (the Act), (15 U.S.C. 661 *et seq.*) and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and shareholders are:

Name and address	Title	Percent of ownership
Marc B. Grayson, 1325 Sheridan Road, Highland Park, Illinois 60035.	Chairman of the Board, Director.	10
Milton Lefton, 5490 South Shore Drive, Chicago, Illinois 60615.	President, Treasurer and Director.	16.67
Terry G. Chapman 175 East Delaware, #7709, Chicago, Illinois 60611.	Secretary, Director	16.67

The Applicant proposes to begin operations with a capitalization, after, organization expenses, of approximately \$515,000 depending upon the success of a private offering of its shares. The Applicant will conduct its operations in the State of Illinois, and will be a source of equity capital and long term loan funds for qualified small business concerns. The Applicant may render management consulting services to small business concerns.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

Notice is further given that any person may, not later than 15 days from the date of publication of this Notice, submit written comments on the proposed SBIC to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this Notice will be published in a newspaper of general circulation in Chicago, Illinois.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 12, 1983.

Edwin T. Holoway,
Associate Administrator for Finance & Investment.

[FR Doc. 83-10256 Filed 4-15-83; 8:45 am]

BILLING CODE 8025-01-M

[License No. 02/02-0452]

N.P.D. Capital, Inc.; Issuance of License To Operate as a Small Business Investment Company

On September 29, 1982, a notice was published in the Federal Register (47 FR 42859) stating that N.P.D. Capital, Inc., 375 Park Avenue, New York, New York 10152 had filed an Application with the Small Business Administration, pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1982)), for a license to operate as a small business investment company.

Interested parties were given until the close of business on October 14, 1982, to submit their comments. No comments were received.

Notice is hereby given that, having considered the application and all other pertinent information, SBA on March 21, 1983, issued License No. 02/02-0452 to N.P.D. Capital, Inc., pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 7, 1983.

Edwin T. Holloway,
Associate Administrator for Finance and Investment.

[FR Doc. 83-10255 Filed 4-15-83; 8:45 am]

BILLING CODE 8025-01-M

[License No. 02/02-0458]

Venray Capital Corp.; Issuance of License To Operate as a Small Business Investment Company

On January 11, 1983, a notice was published in the Federal Register (48 FR 1257), stating that an application had been filed by Venray Capital Corporation, 981 Route 22, Somerville, New Jersey 08876, with the Small Business Administration (SBA) for a license to operate as a small business investment company (SBIC), pursuant to § 107.102 of the Regulations governing

small business investment companies (13 CFR 107.102 (1982)).

Interested parties were given until the close of business January 28, 1983, to submit their written comments to SBA. No comments were received.

Notice is hereby given that, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended, and after having considered the application and all other information, SBA issued License No. 02/02-0458, on March 30, 1983, to Venray Capital Corporation to operate as an SBIC.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 12, 1983.

Edwin T. Holloway,

Associate Administrator for Investment.

[FR Doc. 83-10254 Filed 4-15-83; 8:45 am]

BILLING CODE 8025-01-M

[License No. 04/04-0008]

Virginia Capital Corp.; License Surrender

Notice is hereby given that Virginia Capital Corporation (VCC), Suite 815, 7th & Franklin Bldg., 701 East Franklin Street, Richmond, Virginia 23219, has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended (the Act). VCC was licensed by the Small Business Administration on July 29, 1959.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender of the license was accepted on December 29, 1982, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 12, 1983.

Edwin T. Holloway,

Associate Administrator for Finance and Investment.

[FR Doc. 83-10257 Filed 4-15-83; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area #2078; Amdt. 4]

California; Declaration of Disaster Loan Area

The above numbered Declaration (48 FR 8167), Amendment #1 (48 FR 9610), Amendment #2 (48 FR 12811), and Amendment #3 (48 FR 15207) are amended to include the Counties of

Riverside, Solano, and Trinity which are adjacent to the previously declared disaster area in the State of California as a result of damage caused by severe storms, high tides, wave action, mudslides and flooding beginning on January 21, 1983. All other information remains the same, i.e., the termination date for filing applications for physical damage is close of business on April 11, 1983, and for economic injury until the close of business on November 9, 1983.

(Catalog of Federal Domestic Assistance Programs Nos. 59002 and 59008)

Dated: March 22, 1983.

James C. Sanders,

Administrator.

[FR Doc. 83-10253 Filed 4-15-83; 8:45 am]

BILLING CODE 8025-01-M

Reporting and Recordkeeping Requirements for OMB Review

AGENCY: Small Business Administration, SBA.

ACTION: NOTICE OF REPORTING REQUIREMENTS SUBMITTED FOR OMB REVIEW.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the *Federal Register* notifying the public that the agency has made such a submission.

DATE: Comments must be received on or before May 5, 1983. If you anticipate commenting on a submission but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB reviewer and the agency clearance officer of your intent as early as possible.

Copies: Copies of the proposed forms, the requests for clearance (S.F. 83), supporting statements, instructions, transmittal letters, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Comments on the items listed should be submitted to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

Agency Clearance Officer: Elizabeth M. Zaic, Small Business Administration, 1441 L St., NW., Room 200, Washington, D.C. 20416, telephone: (202) 653-8538;

OMB Reviewer: J. Timothy Sprehe, Office of Information and Regulatory Affairs, Office of Management and

Budget, Room 3235, New Executive Office Building, Washington, D.C. 20503, telephone: (202) 395-4814.

SUPPLEMENTARY INFORMATION:

Form Submitted for Review

Title: Counseling Client Survey Card
Form No.: SBA 1356

Frequency: Non-recurring

Description of Respondents: Existing small business firms and prospective small business owners/operators

Annual Responses: 12,000

Annual Burden Hours: 2,000

Type of Request: New

Dated: April 12, 1983.

Elizabeth M. Zaic,

Chief, Paperwork Management Branch, Small Business Administration.

[FR Doc. 83-10258 Filed 4-15-83; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice CM-81617]

Study Group 7 of the U.S. Organization for the International Radio Consultative Committee (CCIR); Meeting

The Department of State announces that Study Group 7 of the U.S. Organization for the International Radio Consultative Committee (CCIR) will meet on May 2, 1983 at the U.S. Naval Observatory, Room 300, Building 52, 34th and Massachusetts Avenue, N.W., Washington, D.C. The meeting will begin at 8:30 a.m.

Study Group 7 deals with time-signal services by means of radiocommunications. The purpose of the meeting is to review the progress of work in preparation for the international Study Group 7 meeting to be held in November 1983.

Members of the general public may attend the meeting and join in the discussions subject to the instructions of the Chairman. Requests for further information should be directed to Mr. Richard Shrum, State Department, Washington, D.C. 20520 (telephone (202) 632-2592).

Dated: March 31, 1983.

Richard E. Shrum,

Chairman, U.S. CCIR National Committee.

[FR Doc. 83-10210 Filed 4-15-83; 8:45 am]

BILLING CODE 4710-07-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

General Aviation District Office at Scottsdale, Ariz., and Air Carrier District Office at Phoenix, Ariz.; Name Change

Notice is hereby given that on or about April 8, 1983, General Aviation District Office Number 9 at Scottsdale, Arizona, will be redesignated as Flight Standards District Office Number 87. Concurrently, Air Carrier District Office Number 34 at Phoenix, Arizona, will be redesignated as Flight Standards District Office Satellite Number 67S. Both offices will remain at their present locations, and services to the general public will continue without interruption. This information will be reflected in the FAA Organization Statement the next time it is reissued.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354)

Issued in Los Angeles, California, on April 7, 1983.

H. C. McClure,

Director, Western-Pacific Region.

[FR Doc. 83-10170 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-13-M

National Airspace Review; Meeting

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of meeting.

SUMMARY: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of Task Group 2-5 of the Federal Aviation Administration (FAA), National Airspace Review Advisory Committee. The agenda for this meeting is as follows: A review of the concept of the National Beacon Allocation Plan (NBCAP); its adequacy for providing code allocation, and operation effectiveness.

DATE: Beginning May 2, 1983, at 1 p.m., continuing daily, except Saturdays, Sundays, and holidays, not to exceed one week.

ADDRESS: The meeting will be held at the Federal Aviation Administration, conference room 9A/B, 800 Independence Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: National Airspace Review Program Management Staff, Room 1005, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591, (202) 428-3560. Attendance is open to the interested public, but limited to the space

available. To insure consideration, persons desiring to make statements at the meeting should submit them in writing to the Executive Director, National Airspace Review Advisory Committee, Air Traffic Service, AAT-1, 800 Independence Avenue, SW., Washington, D.C. 20591, by April 28, 1983. Time permitting and subject to the approval of the chairman, these individuals may make oral presentations of their previously submitted statements.

Issued in Washington, D.C., on April 8, 1983.

Anthony Borden,

Acting Manager, Special Projects Staff, Air Traffic Service.

[FR Doc. 83-10226 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA), Special Committee 151 on Airborne Microwave Landing System Area Navigation Equipment; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of RTCA Special Committee 151 on Airborne Microwave Landing System (MLS) Area Navigation Equipment to be held on May 10-11, 1983, in the RTCA Conference Room, One McPherson Square, 1425 K Street, NW., Suite 500, Washington, D.C., commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Introductory Remarks; (2) Review Committee Terms of Reference; (3) Briefing on the Microwave Landing System (MLS) Program Status; (4) Briefings on the Status of Related RTCA Activities; (5) Review Strawman Section 1.0 to the Minimum Operational Performance Standards for Airborne MLS Area Navigation Equipment; (6) Review Draft Operational Scenario for Airborne MLS Area Navigation Equipment; (7) Outline Committee Work Program and Schedule for Accomplishment; (8) Assignment of Tasks; and (9) 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, One McPherson Square, 1425 K Street, NW., Suite 500, Washington, D.C. 20005; (202) 682-0266. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C., on April 11, 1983.

Karl F. Bierach,

Designated Officer.

[FR Doc. 83-10167 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-13-M

Maritime Administration

Change of Name of Approved Trustee

Notice is hereby given that effective January 1, 1983, First Security Bank of Beaumont, N.A., Beaumont, Texas, changed its name to First City National Bank of Beaumont.

Dated: April 8, 1983.

By order of the Maritime Administrator.

Georgia P. Stamas,

Assistant Secretary.

[FR Doc. 83-10066 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-81-M

National Highway Traffic Safety Administration

Denial of Petition to Conduct Defect Proceeding

This notice sets forth the reasons for denial of a petition to determine whether to issue an order pursuant to section 152(b) of the National Traffic and Motor Safety Act, 15 U.S.C. 1412(b).

On November 1, 1982, Donald A. Black of Vergennes, Vermont, petitioned for an investigation of alleged carbon monoxide intrusion into a 1982 Mercury Lynx station wagon during various conditions of driving. The agency was able to procure the vehicle in question (no longer owned by Mr. Black) and subject it to testing with a Mine Safety Appliance Model 70 Carbon Monoxide Indicator. It found no indication of the condition complained of, except when the driver was smoking.

NHTSA also searched its computerized consumer complaint file to determine if other similar complaints had been made, and found none.

There being no reasonable possibility that an order of the nature requested would be issued at the conclusion of an investigation, the petition was denied on March 14, 1983.

(Secs. 124, 152 Pub. L. 93-492, 88 Stat. 1470 [15 U.S.C. 1410a, 1412]; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: April 11, 1983.

Lynn L. Bradford,

Associate Administrator for Enforcement.

[FR Doc. 83-10040 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-59-M

[Docket No. IP83-1; Notice 1]**BF Goodrich Co.; Receipt of Petition for determination of Inconsequential Noncompliance**

BF Goodrich Co. of Akron, Ohio, has petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) for a noncompliance with 49 CFR 571.109, *New Pneumatic Tires—Passenger Cars*. The basis of the petition is that the noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of a petition for a determination of inconsequentiality is published in accordance with section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Paragraph S4.3(e) of Standard No. 109 requires that the sidewall of each passenger car tire be labeled with the actual number of plies in the sidewall and the actual number of plies in the tread area, if different. Goodrich has produced an unknown number of P205/70R14 Advantage tires branded "2 plies rayon" under the tread on the white sidewall side. The correct labelling "6 plies rayon" appears on the serial side sidewall.

Goodrich argues that the noncompliance is inconsequential because the failure to label properly has no impact upon safety, and the tires otherwise comply with Standard No. 109. Branding is correct on one side of the tire, and the number of plies in the tread is described in point of purchase literature.

Interested persons are invited to submit written data, views and arguments on the petition of BF Goodrich Co. described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the *Federal Register* pursuant to the authority indicated below.

The engineer and attorney primarily responsible for this notice are Art Casanova and Taylor Vinson, respectively.

Comment closing date: May 18, 1983.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on April 11, 1983.

Courtney M. Price,

Associate Administrator for Rulemaking.

[FR Doc. 83-10237 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-59-M

[Docket No. IP83-2; Notice 1]**VEB Reifenkombinat Furstenwalde; Receipt of Petition for Determination of Inconsequential Noncompliance**

VEB Reifenkombinat Furstenwalde of East Germany has petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) for noncompliances with 49 CFR 571.109, *Motor Vehicle Safety Standard No. 109, New Pneumatic Tires—Passenger Cars*, and with 49 CFR 571.119, *Motor Vehicle Safety Standard No. 119, New Pneumatic Tires for Vehicles Other Than Passenger Cars*. The basis of the petition is that the noncompliances are inconsequential as they relate to motor vehicle safety.

This notice of receipt of a petition for a determination of inconsequentiality is published in accordance with section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417) and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Both Federal safety standards for vehicle tires require certain information to be permanently molded into each sidewall of the tire. Petitioner, whose tires bear the trade name "Pneumant," has failed to fulfill this requirement in certain respects. Specifically, it has failed to mark both sides of passenger car tires with the maximum permissible inflation pressure, the maximum load rating, the generic name of the cord material, and the actual number of plies. This information is required by Sections 4.3 (b), (c), (d), and (e), respectively, of Standard No. 109. As for truck tires, it has omitted on one sidewall to state the maximum load rating and corresponding inflation pressure, the actual number of plies and composition of ply cord, and the letter designating load range. This information is required by section 6.5 (d), (f), and (j), respectively, of Standard No. 119. From 1977 through 1982 petitioner has shipped to the United

States approximately 1,200,000 noncomplying passenger car tires, and 120,000 noncomplying truck tires.

In the view of the petitioner the noncompliances are inconsequential because:

"Since it is the usual practice for the vehicle manufacturer to specify the tire size, ply rating, and inflation pressures recommended for the particular vehicle, for the user's information, it is our belief that the technical data concerned in this petition would rarely involve the user, in addition, in case of need the information is available on all the tires produced by us, and is fully apparent at the time of fitting * * *"

Interested persons are invited to submit written data, views and arguments on the petition of VEB Reifenkombinat Furstenwalde described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the *Federal Register* pursuant to the authority indicated below.

The engineer and attorney primarily responsible for this notice are Art Casanova and Taylor Vinson, respectively.

Comment closing date: May 18, 1983.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on April 11, 1983.

Courtney M. Price,

Associate Administrator for Rulemaking.

[FR Doc. 83-10236 Filed 4-15-83; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF THE TREASURY**Customs Service****Receipt of Domestic Interested Party Petition Concerning Tariff Classification of Imidazolidinyl Urea**

AGENCY: Customs Service, Treasury.

ACTION: Notice of receipt of domestic interested party petition.

SUMMARY: Customs has received a petition from a domestic interested party requesting that a certain chemical compound, imidazolidinyl urea, be classified for tariff purposes under a provision of the Tariff Schedules of the United States which would result in a higher rate of duty than is presently applicable. This document invites comments with respect to the correctness of the current classification.

DATE: Comments must be received on or before June 17, 1983.

ADDRESS: Written comments (preferably in triplicate) should be addressed to the Commissioner of Customs, Attention: Regulations Control Branch, Room 2426, 1301 Constitution Avenue, NW., Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: John G. Hurley, Classification and Value Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-8181).

SUPPLEMENTARY INFORMATION:

Background

A petition has been filed under section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516), by an American manufacturer, requesting that the tariff classification of a chemical compound, imidazolidinyl urea, be changed. Imidazolidinyl urea is presently classified under the tariff provision for nitrogenous compounds, imides, in item 425.24, Tariff Schedules of the United States (TSUS; 19 U.S.C. 1202), at a rate of duty (Column 1) of 4.4 percent ad valorem. The petitioner contends that it is properly classifiable under the provision for nitrogenous compounds, other, in item 425.52, TSUS, at a rate of duty (Column 1) of 7.9 percent ad valorem.

The petitioner contends that: (1) Customs interpretation of Headnote 1, Part 2D, Schedule 4, TSUS, is erroneous;

and (2) the chemical compound at issue is not an imide, and therefore cannot be classified under item 425.24, TSUS.

Comments

Pursuant to § 175.21(a), Customs Regulations (19 CFR 175.21(a)), before making a determination on this matter, Customs invites written comments from interested parties on this classification issue.

The domestic interested party petition, as well as all comments received in response to this notice, will be available for public inspection in accordance with § 103.11(b), Customs Regulations (19 CFR 103.11(b)), between the hours of 9:00 a.m. and 4:30 p.m. on normal business days at the Regulations Control Branch, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW., Room 2426, Washington, D.C. 20229.

Authority: This notice is published in accordance with § 175.21(a), Customs Regulations (19 CFR 175.21(a)).

Drafting Information

The principal author of this document was Gerard J. O'Brien, Jr., Regulations Control Branch, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Dated: March 17, 1983.

John P. Simpson,

Director, Office of Regulations and Rulings.

[FR Doc. 83-10241 Filed 4-15-83; 8:45 am]

BILLING CODE 4820-02-M

[T.D. 83-86]

Recordation of Trade Name: COMBE INCORPORATED

AGENCY: Customs Service, Treasury.

ACTION: Notice of recordation.

SUMMARY: On November 23, 1982, a notice of application for the recordation

under section 42 of the Act of July 5, 1946, as amended (15 U.S.C. 1124), of the trade name "COMBE INCORPORATED" was published in the Federal Register (47 FR 52843). The notice advised that before final action on the application, consideration would be given to relevant data, views, or arguments submitted in opposition to the recordation and received not later than January 24, 1983. No responses were received in opposition to the application.

Accordingly, as provided in § 133.14, Customs Regulations (19 CFR 133.14), the name "COMBE INCORPORATED" is recorded as the trade name used by Combe Incorporated, a corporation organized under the laws of the State of Delaware, located at 1101 Westchester Avenue, White Plains, New York 10604. The trade name is used in connection with the following merchandise manufactured in several foreign countries: hair coloring; toiletries; cosmetics; odor-destroying insoles; odor-destroying hosiery; denture adhesives; pharmaceutical creams, ointments and lotions; veterinary medications and shampoos; and hair care products. Various foreign subsidiaries are authorized to use the trade name.

DATE: April 18, 1983.

FOR FURTHER INFORMATION CONTACT: Harriet Lane, Entry, Licensing and Restricted Merchandise Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5765).

Dated: April 11, 1983.

A. Piazza,

Acting Director, Entry Procedures and Penalties Division.

[FR Doc. 83-10172 Filed 4-15-83; 8:45 am]

BILLING CODE 4820-02-M

Sunshine Act Meetings

Federal Register

Vol. 48, No. 75

Monday, April 18, 1983

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).

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	Items
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1

CIVIL AERONAUTICS BOARD

[M-379, April 13, 1983]

TIME AND DATE: 9:30 a.m., April 20, 1983.

PLACE: Room 1027 (open), Room 1012 (closed), 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

SUBJECT:

1. Ratification of Items Adopted by Notation.
2. Docket 40772, 40336, 38621, ATA's Petition to Repeal Part 254 (Domestic Baggage Liability) prior to its effective date. (Memo 1780, OGC, BDA, OCCCA)
3. Docket 29044, Reexamination of the Board's smoking rule in light of the Court of Appeals decision in *ASH v. CAB*. (OGC)
4. Docket 41207, Report to Congress on Computer Reservations Systems. Request for Instructions. (OGC, BDA)
5. Docket 40534, Braniff-South American Route Transfer Case. (OGC)
6. Docket 40747, Emerald Air Fitness Investigation, Order on Reconsideration and Review of Emerald-Pan American "commuter agreement". (Memo 1708-A, 1708-B, OGC)
7. Docket 41040, Trans-Air-Lind Corporation Fitness Investigation. (Memo 1802, OGC)
8. Docket 40937, Tampa-London Service Proceeding: Opinion and Order on Review. (Memo 1796, OGC)
9. Docket EAS-791, Appeal of Moab, Utah for inclusion in the small communities program. (Memo 1611-B, BDA, OCCCA)
10. Docket 39244, Notice of Republic Airlines, Inc. to terminate service at Manistee/Ludington, Michigan. (BDA, OCCCA)
11. Dockets 40808, 40809, and 41079, Notice of Republic Airlines' intent to suspend service at Klamath Falls (D. 40808) and Bend/Redmond (D. 40809), Oregon; Notice of Horizon Airlines' intent to suspend service at Klamath Falls and Bend/Redmond (D. 41079). (Memo 1789, BDA, OCCCA)
12. Docket 41291, Renewal of the designation of Pioneer Airways to provide

essential air service at Hastings, Kearney and McCook, Nebraska. (BDA)

13. Dockets EAS-336, EAS-338 and 39374, Request of Golden Pacific Airlines for Review of the Essential Air Service Determinations for Kingman and Prescott, Arizona. (Memo 1792, BDA, OCCCA)

14. Docket 40142, Essential Air Service at Bakersfield, California. (BDA, OCCCA, OC)

15. Docket EAS-405, Tentative re-selection of Direct Air, Inc., to provide essential air service to Kokomo/Logansport/Peru, Indiana and establishment of a rate of compensation. (Memo 188-C, BDA, OCCCA, OC)

16. Commuter carrier fitness determination of Starflight International Airlines, Inc. d.b.a. Trans East International. (Memo 1795, BDA)

17. Application of Sedona Air Center for relief from the insurance requirements for commuter air carriers contained in Part 205. (Memo 1793, BDA, OGC)

18. Docket 40957, Agreement Among Members of the Air Traffic Conference of America Relating to Automated Ticketing Services, Agreement 26708-A6. Petition of the Association of Retail Travel Agents for reconsideration of Order 82-12-77. (BDA)

19. Employee Protection Program. Dockets 38885, 38418, 40201, 38570, 38978, 38720, 39700, 38586, 39783, 34562, 38883, 38184, and 38571. Request for Reconsideration. (BDA)

20. Annual Review of Outstanding Delegations to the Bureau of International Aviation. (BIA)

21. Docket 35723, In the Matter of the Petition of Kodiak-Western Alaska Airlines, Inc. to increase of service mail pay. (Memo 1684-A, BIA)

22. Docket 40960, Agreement CAB 28977, Intercarrier agreement revising Florida-U.K. fares. (Memo 1511-H, BIA)

23. Letter to the Secretary of Transportation proposing blanket, prospective concurrence for medical emergency cabotage. (BIA, OGC)

24. Docket 40913, Application of Windward Islands Airways International N.V., for an amended foreign air carrier permit to add the intermediate point of Tortola, British Virgin Islands to the existing authority between the Netherlands Antilles and St. Thomas, St. Croix and San Juan. (Memo 1790, BIA, OGC, BALJ)

25. Request of GRM International, Inc. for registration to operate as a foreign freight forwarder in foreign, overseas, and interstate air transportation. (Memo 1791, BIA, OGC)

26. Docket 41070, Application of Maersk Air, I/S to amend and reissue its foreign air carrier permit to engage in charter foreign air transportation of persons and accompanying baggage between Scandinavia and the United States. (Memo 1799, BIA, OGC, BALJ)

27. Report on Trinidad and Tobago. (BIA)

28. Report on Venezuela. (BIA)

STATUS: 1-26 open, 27-28 closed.

PERSON TO CONTACT FOR MORE INFORMATION: Phyllis T. Kaylor, the Secretary, (202) 673-5068.

[S-540-83 Filed 4-14-83; 12:03 pm]

BILLING CODE 6320-01-M

2

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

April 13, 1983.

TIME AND DATE: 10 a.m., Wednesday, April 20, 1983.

PLACE: Room 600, 1730 K Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. Sewell Coal Company, Docket No. WEVA 79-31; (Issues include whether the judge erred on raising and applying a defense of diminution of safety.)

2. Secretary of Labor ex rel. Chester Jenkins v. Hecla-Day Mines Corp., Docket No. WEST 81-323-DM; (Petition for Discretionary Review. Issues include whether the judge erred in concluding that the operator did not discriminate against the miner in violation of Section 105(c)(1) of the Mine Act.)

3. Southern Ohio Coal Company, Docket No. LAKE 80-142; (Petition for Discretionary Review. Issues include whether the judge erred on remand in applying *UMW v. FMSHRC (Helen Mining)*, 671 F.2d 615(D.C. Cir. 1982).)

CONTACT PERSON FOR MORE

INFORMATION: Jean Ellen (202) 653-5632.

[S-541-83 Filed 4-14-83; 12:02 pm]

BILLING CODE 6735-01-M

3

OVERSEAS PRIVATE INVESTMENT CORPORATION

Meeting of the Board of Directors

TIME AND DATE: 9 a.m. (closed portion). 10 a.m. (open portion), Tuesday, April 26, 1983.

PLACE: Offices of the Corporation, seventh floor board room, 1129 20th Street NW., Washington, D.C.

STATUS: The first part of the meeting from 9 a.m. to 10 a.m. will be closed to the public. The open portion of the meeting will start at 10 a.m.

MATTERS TO BE CONSIDERED: Closed to the public 9 a.m. to 10 a.m.:

1. Finance Project in Asia.
2. Insurance Project in South Asia.

3. Insurance Project in East Asia.
4. Claims Report.
5. Overview of OPIC's Operations, Objectives, Results, and Strategic Planning: Update.
6. Information Reports.
7. Review of OPIC/AID Caribbean Investment Opportunity Program.
8. China Projects Report.
9. Pending Legislation Affecting OPIC.

Further Matters to be Considered: Open to the public 10 a.m.:

1. Approval of the Minutes of the Previous Meeting.
2. Confirmation of Scheduled Board Meetings.
3. Personnel Actions.
4. Treasurer's Financial Statements.
5. Increase of DIF for FY 1983.
6. Information Reports.

CONTACT PERSON FOR INFORMATION:

Information with regard to this meeting may be obtained from the Secretary of the Corporation at (202) 653-2925.

April 14, 1983.

Elizabeth A. Burton,

Corporate Secretary.

[S-539-83 Filed 4-14-83; 12:02 pm]

BILLING CODE 3210-01-M

federal register

Monday
April 18, 1983

Part II

Department of Energy

**Standard Contract for Disposal of Spent
Nuclear Fuel and/or High-Level
Radioactive Waste**

DEPARTMENT OF ENERGY

10 CFR Part 961

Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste

AGENCY: Department of Energy.

ACTION: Final rule.

SUMMARY: This rule establishes a standard contract to be used by the Department of Energy (DOE) in furnishing disposal services to the owners or generators of spent nuclear fuel and/or high-level radioactive waste and procedures to implement the Nuclear Waste Policy Act of 1982. Section 302 of that Act requires DOE and the owners or generators of spent nuclear fuel and/or high level radioactive waste to execute, by June 30, 1983, a contract under which DOE will accept and dispose of such material. This rule sets forth the contractual terms and conditions under which DOE will make available the nuclear waste disposal services.

EFFECTIVE DATE: April 18, 1983.

FOR FURTHER INFORMATION CONTACT:

Robert Rosselli, Nuclear Waste Policy, Act Project Office, Department of Energy, Room 7B-084, Washington, D.C. 20585 (202) 252-6842;

James Cavanagh, Office of Policy, MA-421.1, Procurement and Assistance, Management Directorate, Department of Energy, Room 8H-057, Washington, D.C. 20585 (202) 252-8188;

Elliot Winnick, Office of General Counsel, Department of Energy, Room 6B-190, Washington, D.C. 20585 (202) 252-1526.

SUPPLEMENTARY INFORMATION:

- I. Legislative Background.
- II. Public Hearing.
- III. Written Comments.
- IV. Final Rule.
- V. Procedural Requirements.

I. Legislative Background

Under Section 644 of the Department of Energy Organization Act (Pub. L. 95-91, 91 Stat. 565, 42 U.S.C. 7254), the Secretary of the Department is authorized to prescribe such rules and regulations as he may deem necessary or appropriate to effectuate the functions vested in him.

The Nuclear Waste Policy Act of 1982, enacted on January 7, 1983, (hereinafter referred to as "the Act," Pub. L. 97-425, 96 Stat. 2201, 42 U.S.C. 10101 *et seq.*) provides a comprehensive framework for disposing of spent nuclear fuel (SNF) and high-level radioactive waste (HLW), of domestic origin, generated by civilian nuclear power reactors. Among other

things, the Act establishes procedures for selecting repository sites and developing repositories for SNF and HLW, authorizes the establishment of such repositories and provides a mechanism for financing the cost of disposal of such material.

On February 4, 1983, pursuant to Section 302(a) of the Act, DOE published its proposed rule (48 FR 5458) which set forth the proposed contract for disposal of spent nuclear fuel and/or high-level radioactive waste.

In the "Legislative Background" section of the proposed rule (48 FR 5458-5459) an interpretation was set forth that an affirmation by the Secretary, in writing, that an owner or generator of SNF or HLW is actively negotiating in good faith would defer the preclusion of disposal of SNF or HLW in the absence of a timely executed contract. This interpretation was reflected in the last sentence of § 961.2 of the proposed rule (48 FR 5461), which stated that "[t]hese deadlines may be waived if the Secretary of Energy affirms in writing, in accordance with section 302(b)(1)(A)(ii) of the Act, before the applicable deadline, that the owner or generator is actively and in good faith negotiating with the Secretary for a contract covered by this part." The interpretation has been reconsidered and the Department has concluded that the requirement that a contract be entered into not later than June 30, 1983 or the date on which an owner or generator commences generation of, or takes title to, SNF or HLW (whichever occurs later) cannot be deferred by a Secretarial affirmation. Accordingly, the above quoted last sentence of § 961.2 has been deleted.

II. Public Hearing

On March 3, 1983, pursuant to the notice contained in the aforesaid proposed rule, a public hearing was held before DOE in Washington, D.C. Oral presentations were made by representatives of two nuclear utilities, two nuclear fuel vendors and an engineering firm. A transcript of this hearing on the proposed rule was made and is available in the DOE Reading Room, Room 1E-190, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C.

III. Written Comments

In addition to comments received at the aforesaid public hearing, written comments on the proposed rule were received by March 7, 1983, from a total of 85 organizations representing electric power associations (whose members include nuclear power utilities), nuclear power companies, environmental

organizations and consumer protection associations, State and Federal agencies as well as individual members of the public. Copies of all comments received are available in the DOE Reading Room referenced in Section II above.

All comments received by DOE in response to its proposed rule of February 4, 1983, both at the public hearing and the written comments received thereafter, were carefully reviewed and fully considered in the formulation of this final rule. A summary of the substantive comments received by DOE is set forth below together with Department's action regarding those comments.

A. Areas of Primary Interest

Most of the public comments received on the proposed rule fall into six areas (discussed below in Section III.B.), as follows:

- (1) *Fees to be charged;*
(a) electricity generated on and after April 7, 1983 (1M/KWH); (b) one-time fee for discharged spent fuel; (c) one-time fee for in-core burned fuel. (see contract Article VIIIA. discussed in Section III.B. below)
- (2) *Payment Options* (see contract Article VIIB. in Section III.B. below)
- (3) *Priority Acceptance Ranking* (see contract Article VLB. in section III.B. below)
- (4) *Exchange Rights* (see contract Article V.E. in Section III.B. below)
- (5) *Audit Rights for Purchasers* (see contract Article IV.B.5(b) and discussion in Section III.C. below)
- (6) *Contract Appendices* (see Appendices A through F in Section III.B. below)

B. Sectional Analysis of Contract

The standard contract set forth in this final rule remains essentially the same as that described in the proposed rule published on February 4, 1983 (see 48 FR 5459-60). As described more fully below, various contractual provisions were revised, and others were deleted or added. In addition, six clauses that were previously contained in an Appendix of General Provisions in the proposed rule (Appendix H, 48 FR 5471) have been made part of the contract document itself and now appear as Articles XVI-XXI in the standard contract set out in this final rule.

Specific revisions in the proposed contract published previously, as they were made in the contract set out in this final rule, are as follows:

Recitals

In the first paragraph identifying the signatory parties, the parenthetical

phrase, "(hereinafter referred to as the 'Purchaser')." was moved for clarity directly after the Purchaser's name. Also, as suggested by several commenters and recognizing that the Purchaser could represent several corporate entities having ownership rights in a particular reactor facility, the words, "acting on behalf of itself and [others]," may be added, as applicable, after "Purchaser."

The first "Whereas" clause was slightly revised to conform with the wording used throughout the contract so that the words "spent nuclear fuel" precede the words "high-level radioactive waste."

A new second "Whereas" clause, relating to the responsibility of DOE to take title to SNF or HLW "as expeditiously as practicable," has been added to follow the language of the Act (§ 302(a)(5), 42 U.S.C. 10222(a)(5)).

In the fourth "Whereas" clause, the words "from any Purchaser" have been replaced with the words, "from owners and generators" to conform with the Act.

Article I—Definitions

Some commenters requested that the "assigned three-month period" (Article I.1) be made by mutual consent rather than unilaterally by DOE. This suggestion was partially adopted by modifying this definition.

Twelve commenters recommended that the definitions of "Commission" and "DOE" (Article I, paragraphs 4 and 10) be modified to include successor agencies. Such a modification is unnecessary for two reasons. First, the Purchaser is not contracting, as such, with DOE, but rather with "the United States of America . . . represented by the U.S. Department of Energy." Second, any new agency or Department established by a legislative reorganization would, we believe, succeed by operation of law to the functions and responsibilities previously vested in the abolished agency or department (see Energy Reorganization Act, of 1974, Pub. L. 93-438, section 301, 42 U.S.C. 5871; Department of Energy Organization Act, Pub. L. 95-91, § 301, 42 U.S.C. 7151). Accordingly, DOE has not adopted this suggested change.

Several commenters requested that the definition of SNF (Article I.18) be clarified to state that fuel temporarily removed from, and planned to be reinserted into, the reactor not be considered SNF. To address this aspect of temporarily removed fuel, DOE has revised the reporting requirements regarding discharged fuel (see Article V and Appendix B). However, the definition of SNF was not revised as it is

taken directly from the Act itself (42 U.S.C. 10101(23)).

The definition of "delivery commitment" which appeared in the proposed rule (48 FR 5462, Article I.7) has been deleted as this aspect is adequately covered in the contract itself (See Articles IV and V).

In the definition of "delivery" (Article I.7), the words "f.o.b. carriers" have been added to reflect the intent of the parties and to accord with the applicable contract provision (See Article VI. B. 1).

The definition of "DOE facility" (Article I.10) was expanded to expressly state, in accordance with the Act, that there may be an interim storage facility (or facilities) which DOE may utilize prior to emplacement in a repository.

The definition of "kilowatt hours generated" (Article I.14) is a substantive change from the definition of the term "Kilowatt Hours Generated and Sold" in the proposed rule. Some commenters noted that the former definition did not account for or adequately reflect the Congressional intent regarding the method of establishing waste disposal charges. The definition in the proposed rule was based upon the premise that the language in Section 302(a)(2) of the Act "for electricity generated by a civilian nuclear power reactor and sold on or after the date 90 days after the date of enactment of this act," meant to establish disposal charges on the basis of electricity "generated and sold," i.e., the "net" electricity. These commenters pointed out the Section 302(a)(2) of the Act should be read to require establishment of disposal charges based upon the "electricity generated by a civilian nuclear power reactor," i.e., the total or "gross" electricity generated. The Department now believes this to be the proper interpretation of Section 302(a)(2), for the contrary interpretation (i.e., "net" rather than the "gross") would unfairly subject future users of electricity (in the rate charges passed on by the Purchaser utility) to increased charges. The words "and sold on or after a date 90 days after enactment", in our view, should be read to establish a date certain for calculation of the Act's differing methods of establishing fees for disposal charges, (i.e., past 90 days after enactment and prior to 90 days after enactment). Accordingly, the contract has been modified to reflect this interpretation.

Other textual changes were made in the definitions numbered "11", "12", "16" and "18" in Article I.

Article II—Scope

This clause was amended to more closely reflect the statutory language

found in Section 302(a)(1) of the Act, as well as the fact that the services to be provided would occur in the future. The timing of the services was changed to be consistent with Section 302(a)(5) of the Act.

Article III—Term

To accord with the scope provision (Article II) and with the language of the Act (section 302(a)(1), 42 U.S.C. 1022(a)(1)), this clause was revised to read that the contract "term . . . shall be free from the date of execution until . . . DOE has accepted, transported . . . and disposed of all SNF and/or HLW . . ."

Article IV—Responsibilities of the Parties

Paragraph A of this clause, which was formerly Article V in the proposed rule, has been amended to clarify the Purchaser's responsibilities. Information required on actual and projected discharges, which is due beginning October 1, 1983, will be for planning purposes and does not represent a firm commitment regarding deliveries. A further provision states that failure by the Purchaser to comply with the annual requirement for such reports may result in rescheduling of any of the Purchaser's currently approved delivery commitment schedules.

Also, paragraph A.2.(c) was revised to show that the Purchaser is not responsible for routine maintenance on the Government-furnished shipping casks, but will be responsible for incidental maintenance and protection of such casks while they are in its possession and control.

Paragraph B was amended with respect to DOE's responsibilities. The review and approval procedure for delivery schedules was deleted as this is covered elsewhere in the contract (Article V.B. and C.). Language consistent with Section 302(a)(1) of the Act has been added, as well as a paragraph describing DOE's responsibilities regarding furnishing of shipping casks. DOE will provide such casks sufficiently far in advance of scheduled transportation, which will meet applicable regulatory requirements. It will also provide to the Purchaser such information, specifications and training which may be needed to facilitate safe handling and loading. DOE will also provide the Purchaser with specifications necessary to ensure that any Purchaser-furnished casks will be compatible with the Government-furnished casks.

In paragraph A.1.(a), a new sentence was added, to be consistent with the

express language of the referenced Appendix B (designated Appendix D in the proposed rule), that the information to be furnished by Purchaser is not to be considered a "firm commitment with respect to discharges or deliveries." Other clarifying editorial changes were also made in Article IV.A.

In Article IV.A.2(b), several commenters proposed that the term "delivery date" be used instead of the undefined term "scheduled transportation." This suggested change was not made as DOE considers the present wording sufficiently clear.

In Article IV.A., a number of commenters suggested that the Purchaser's liability under paragraph IV.A.2.(c) is too broad. That paragraph states that the Purchaser is responsible for any loss of or damage to DOE-furnished casks while in the possession and control of the Purchaser. Those commenters said that this provision would hold the Purchaser responsible if the damage was caused by a defect in DOE-furnished property. They also said that the phrase "expenses incidental to such loss or damage" was vague and could include consequential damages.

This recommended change was not adopted because DOE believes that the existing provision is appropriate. Since the casks are furnished by the Government, it is clear that defects in the cask, and any damages resulting therefrom, would be the responsibility of the Government. Also, the phrase "expenses incidental to such loss or damage" was intended to cover consequential damages and seems sufficiently clear.

Article IV.B.2., relating to DOE's duty to furnish casks to the Purchaser, was revised at the request of numerous commenters. As revised, the provision sets out with more specificity what DOE must furnish together with the casks (procedures, information, tools, etc. as may be needed) and clarifies that Purchaser is required to perform "incidental maintenance," as distinguished from more complete "routine maintenance" which will be performed by DOE.

In addition, at the request of a substantial number of commenters, a new provision has been added as subparagraph IV.B.5(b), which states that DOE will issue "an annual report for planning purposes . . . set[ting] forth the projected annual receiving capacity for the DOE facility."

In Article IV.B.4, one commenter indicated the following words should be added at the end of Article IV.B.4: "or subcontractors, acting solely under the supervision and control of DOE." This suggested revision was not made

because the Government would not have privity of contract with subcontractors, who would not be under its supervision and control. The responsibility for supervision and control of subcontractors would clearly be upon the prime contractor who, of course, will ultimately be responsible to the Government.

Article V—Delivery of SNF and/or HLW

This clause was formerly Article IV in the proposed rule. In paragraph A, editorial revisions have been made for purposes of clarification. The first sentence of paragraph B.2 was added to specify the procedure to be followed in the event revised delivery commitment schedules are required (with a similar change in Article V.C.). In the proposed rule, Article V.B. contained a final paragraph relating to changes by the Purchaser in "specific assemblies." This paragraph was deleted as it is now covered by the new provision on "Exchanges" contained in paragraph "E" of Article V, which was adopted at the recommendation of numerous commenters. This new provision allows Purchasers to exchange DOE-approved delivery commitments with one another, subject to DOE approval. While this procedure will allow the Purchaser greater flexibility in arranging its inventory of spent fuel and delivery thereof, all SNF and/or HLW to be delivered must comply with the requirements of the contract regarding acceptability.

Eleven commenters said they found confusing the wording in Article V.B, which provides that "after DOE has issued its proposed acceptance ranking. . . purchaser shall submit delivery commitment schedules 63 months before proposed delivery date." They suggested that DOE modify this language as follows: ". . . the purchaser shall submit, not later than 63 months prior to the start of any fiscal year, delivery commitment schedules specifying all deliveries that Purchaser wishes to make during that fiscal year." We have not accepted this suggestion. No delivery commitment schedules should be submitted prior to the initial acceptance ranking because DOE would have no basis at that time to approve or disapprove it. Moreover, there is very little chance that the repository will be ready earlier than the planned date of 1998.

Five commenters questioned the lack of a definition for "emergency deliveries," which are covered in Article V.D. We have intentionally not defined the term "emergency delivery" because it is not possible to describe the nature of all emergency situations at this time.

One situation which would receive consideration is one in which a delivery is needed to permit licensed reactor operations to continue.

Article VI—Criteria for Disposal

Although certain editorial and clarifying revisions were made in Article VI, it remains substantially the same as set forth in the proposed rule (48 FR 5463-64).

Article VI.A.4 establishes special procedures for "other than standard fuel," and ten commenters recommended that only two categories of SNF be used—fuel that has to be canned and fuel that does not. In their view, none of the other categories has any importance in the context of transportation and disposal, and they suggested that this provision be eliminated. We have not accepted this suggestion since there can be "nonstandard" fuel which does not need to be canned; it may just be the wrong size or age.

Article VI.B.2 provides that "improperly described" SNF/HLW will not be transferred by Purchaser to DOE "unless DOE agrees to accept such SNF and/or HLW under such other arrangements as may be agreed to, in writing, by the parties." Nine commenters said that this provision gave DOE unlimited discretion to impose any additional restrictions on such material, and suggested its deletion. We have not accepted this suggestion. In our view, the provision is necessary and appropriate because it provides DOE with a mechanism to protect against improperly described fuel.

Article VI.B.3 establishes two priorities for acceptance of SNF and/or HLW—one based on the age of the SNF/HLW and the second for SNF/HLW from permanently shutdown reactors. Nine commenters stated that no priority is given to utilities who may need to ship SNF to DOE in order to keep their facilities operating, nor is any consideration given to the size of a Purchaser's SNF inventory. They suggested that an allocation system be established whereby half of the receiving capacity to be allotted would be based on the age of SNF/HLW and the remaining half on Purchaser's share of the industrywide inventory. DOE has not adopted this recommendation because by the time the repository commences operation, utilities will have made adequate preparations to provide on-site storage in order to ensure continued plant operations. Any emergency situation can be handled by DOE under the emergency delivery

clause. Moreover, it is incorrect to say that DOE does not consider the Purchaser's inventory. By accepting the oldest fuel first, the Department will, in effect, be accepting fuel from utilities with large inventories because those are the utilities with the oldest fuel. A priority system based on the Purchaser's share would be extremely difficult to manage because each Purchaser's share changes continuously as fuel is added to or subtracted from the industry-wide inventory; and DOE would be required to accept fuel each year from the Purchaser until the last power reactor is shut down.

Article VLB.3.(b) gives priority to SNF/HLW from permanently shutdown reactors, and four commenters recommended that this provision be deleted. This type of priority is necessary to prevent reactors from waiting 20 or 30 years to be decommissioned after they finish generating electricity. Therefore, we have not accepted the recommendation.

Article VII—Title

This clause remains substantially the same as that shown in the proposed rule (48 FR 5464), except for deleting the words, "upon acceptance by DOE," as redundant in the first sentence; and changing the words, "upon assuming title," to "upon passage of title," in the second sentence to accord with common terminology.

Article VIII—Fees and Terms of Payment

Of those commenting on the one-time fee calculation methodologies covering spent fuel, over 80 percent favored the three (3) burnup range approach described in the proposed contract. This approach was endorsed by many utilities because it avoids extremely low and extremely high fees. It sustains the principle of equity and fairness by requiring all generators and owners of the spent nuclear fuel to bear a reasonable share of disposal costs. Further, it corresponds more closely to program costs. The four-tier approach finally adopted by DOE represents a refinement of the basic one endorsed by the majority of the commenters. This final four-tier approach, which introduces a new, lower burnup range (0–5,000 MWDT/MTU), is considered more appropriate and equitable as it is more representative of the actual industrywide distribution of spent nuclear fuel, encompassing low, average and high burnup fuel.

The first of the three alternatives for calculation of the one-time fee based on average burnup (48 FR 5459) was not adopted by DOE because it would

unduly benefit, in effect, those possessing high-burnup spent fuel while penalizing those with low-burnup fuel. Further, it would impose definitional problems with respect to the terms "average spent nuclear fuel burnup."

The second alternative for calculation of the one-time fee, which was based on an "individual assembly basis," was not adopted by DOE, although it was supported by several commenters who said it is a straightforward approach that recognizes differences in assembly burnup due to initial cycle discharges, type of reactor, and structurally damaged or deformed fuel assemblies. In DOE's view, this approach weakens the fairness principle by unduly benefiting owners of low-burnup fuel while penalizing those with high-burnup fuel. This approach also conflicts with the Congressional intent to have those responsible for generating nuclear waste and spent fuel bear a reasonable share of disposal costs.

Article VIII A.4 of the contract in this final rule uses a methodology for calculating the one-time fee for in-core fuel that retains the equivalency concept. Although the majority of commenters on the one-time fee for in-core fuel preferred an approach based upon a 1.0 mill/kwh charge because it is relatively simple and understandable, the Act precludes the Department from adopting this calculation methodology for nuclear fuel existing prior to April 7, 1983. The approach selected by DOE focuses on uranium loaded initially in a particular reactor core, and the total megawatt-days (thermal) generated by that core. This approach results in a fee that is defined in terms of dollars per kilogram, yet it is calculated to be equivalent to 1.0 mill/kwh. Several commenters suggested variations of this approach. In our judgment, this method represents a fair and verifiable way to calculate a one-time fee for in-core fuel, as of 12 A.M. April 7, 1983.

This methodology also avoids computational difficulties associated with an approach suggested by one commenter, which was to divide in-core fuel into equivalent fully burned assemblies and equivalent new assemblies.

Numerous comments were received on the fee provisions in Article VIII.A. Some commenters suggested that DOE's proposed provisions be more explicit and specifically state that the one-time fee for previously discharged SNF and in-core fuel will not be readjusted. To assure that the Nuclear Waste Fund would not lose money from a utility's decision to defer payment, they suggested that the one-time fee could escalate at the Government's cost of

money until payment is made. DOE agrees that a better reading of the Act would permit the establishment of a one-time non-adjustable fee for previously discharged SNF and in-core fuel and it has adopted this approach. Also, recognizing that payment of this fee will occur at some date or dates after April 7, 1983, DOE has incorporated provisions which allow a Purchaser to finance its contractual fee obligation until paid, under terms which recognize the time value of money.

It was also suggested that the one-time fee be escalated on the basis of the 13-week Treasury Bill rate as reported on the first business day of each calendar quarter, from July 1, 1983 until first payment is made. DOE has adopted this suggested change but, in order to eliminate the complexities associated with calculation when an assigned three-month period does not coincide with a calendar quarter, the rates will instead be linked to assigned three-month periods. Additionally, the financed obligation of Purchaser arises on April 7, 1983 and not July 1, 1983, and the commencement date should therefore be the former.

Other commenters suggested that Article VIII.A.3, concerning the adjustment of the fee, be revised to say "full cost recovery" rather than "that all costs to be incurred by the Government shall be recovered." This change was adopted as it is consistent with the revised definition of "full cost recovery" in Article I paragraph 11.

Several commenters recommended clarifying guidance in Article VIII.A.3, and suggested that the adequacy of the fees be determined on a discounted cash flow basis fully recovering costs over a reasonable period of time, but not less than thirty years. This suggested change has not been made because DOE deems the present provision sufficient and consistent with Act. Nevertheless, DOE does contemplate that, at least for the immediate future, it will utilize the recommended approach for the most part in determining the adequacy of the fees.

Several commenters requested that the payment options in VIII.B.2 be made applicable to in-core fuel as well as SNF. DOE has adopted this recommendation. In view of the fact that the fee for in-core fuel will be paid with the fees for permanently retired SNF, use of the same payment options as have been established for SNF will simplify payment procedures.

Several commenters suggested that the interest on the outstanding fee balance be included as part of the fee under Payment Option #1 in Article

III.B.2.(a), and that the interest be calculated on the outstanding balance at the date of "each payment," rather than at the date of the "first payment." The recommendation was adopted. Interest accruing on the SNF and in-core fuel fee obligation will be added to the Purchaser's financed obligation until the date of the first payment under the 40 quarters option, at which time it will be added to the SNF and in-core fuel fee obligation and financed at the 10-year Treasury note rate then in effect.

Numerous commenters recommended that the Purchaser be allowed to select a payment option within two years of the effective date of the contract rather than at the time of contract execution. This recommended change was adopted because payment of SNF fees will not begin for a number of years, and the two-year period to select a payment option will not work a disadvantage to the Government. In any event, interest will accrue on the financial obligation from April 7, 1983, until payment is received.

It was further recommended that Payment Option #1 be modified to allow a Purchaser electing this option under Article VIII.B.2.a. to make full or partial lump sum payments. This recommendation was adopted because DOE, in keeping with policies established by the Office of Management and Budget and sound business practice, encourages the payment of debts owed to the Federal Government at the earliest opportunity.

Based upon its review of the comments received on Article VIII, and the payment options in particular, the Department has decided to include a third payment option which now appears as subparagraph B.2.(e). Under this new provision, a Purchaser may elect to pay the fee due for SNF and in-core fuel burned prior to April 7, 1983, with such payment to be made on or before June 30, 1985, in which event no interest is payable for the period April 7, 1983 to date of full payment.

A request was made to allow fee payments by check as well as the wire transfer required under Article VIII.B.3.(a). No change was made in the contract provision. If a particular Purchaser can demonstrate that wire transfer is impractical or unduly burdensome, a deviation may be sought to permit payment by check. However, no change has been made in this provision in view of the Government's paramount interest in having funds available for its use as soon as possible.

One commenter recommended that the payment options in Article VIII.B.2 be eliminated in their entirety. DOE has determined that the use of payment

options is consistent with the Act and its legislative history, and serves to meet the interests of both the Government and the owners and generators who are required to bear the costs of the entire program.

One commenter questioned why interest payments applied to Payment Option #1, but not to Option #2. This has been interpreted by DOE as a suggestion that interest provisions be eliminated from Payment Option #1. Rather than eliminate interest provisions for Option #1, DOE has added interest provisions for Option #2. This modification recognizes the time value of the Purchaser's financial obligation after April 7, 1983.

A number of commenters said that the interest and penalty provisions of Article VIII are excessive, and recommended that 130% of the Quarterly Treasury Rate be used. DOE's proposed interest penalty provisions have a foundation in law and policy, and serve to preclude the possibility that the Government will be an involuntary lender to a Purchaser. For this reason, no changes have been made to this contractual provision.

Some commenters requested that the words "Amount Due to DOE" in the formula for calculating interest on late payments in Article VIII.C. be changed to read "Net Unpaid Balance Due to DOE". This recommendation was deemed a desirable clarification and it was substantially adopted, so that it now reads, "Unpaid Balance Due to DOE."

Commenters also suggested that DOE notify Purchasers of unpaid or underpaid amounts within three years from the date on which payments were due to avoid unnecessary interest penalty accumulations. DOE will make a good faith effort to notify Purchasers of unpaid or underpaid amounts as soon as possible. However, the suggested change would toll DOE's right to apply interest on debts owed to the Government after three years, and it would clearly not be in its best interests, particularly when a determination of unpaid or underpaid amounts could not be made within three years.

Article IX—Delays

This clause has been revised by expanding the list of events considered to be beyond the reasonable control of the parties.

Under paragraph B, it is provided that "the charges and schedules will be equitably adjusted to reflect any estimated additional costs incurred by the party not responsible for the delay" (*underscoring added*). Seven commenters suggested deletion of the

reference to "charges" as this seemed to them "not to make sense in the context of a full-cost recovery contract." It is precisely because DOE is required by the Act to assure full cost recovery that it deems the provision of Article IX.B. to be necessary and proper. To eliminate "charges" and limit the adjustment only to "schedules," as suggested, would leave DOE without any effective remedy and, in our view, be contrary to the letter and spirit of the Act. It would also subject all Purchasers, through increased fees that might be necessary without this provision, to be penalized for the inaction or careless action of one Purchaser, which would hardly be equitable. Accordingly, DOE has not modified this contract provision.

Similarly, DOE has also rejected an additional clause, suggested by three commenters, which would preclude "special, indirect or consequential damages . . . regardless of fault" because the net effect of such a clause would be to vitiate the remedy which both parties now have under Article IX.B.

One commenter suggested that this contract provision recognize that delays might arise out of "good faith" acts on the part of one party for which that party should not be held responsible. In our view, no revision relating to such "good faith" acts is necessary in this Article IX, since it clearly distinguishes between unavoidable delays (para. A) and avoidable delays (para. B), and, in our view, fairly protects the rights of both parties.

Article X—Suspension

Three substantive revisions to Article X were requested by about twelve commenters. One recommended change has been adopted; two have been rejected. At the end of paragraph A (formerly numbered paragraph "1"), a clarifying sentence has been added to state that any suspension imposed would be rescinded upon the completion of corrective action. On the other hand, DOE has not adopted a suggestion that any suspension should be restricted to the "affected portion" of the contract where several reactor units may be covered by one contract. DOE believes that such a compartmentalized type of remedy could result in a severe weakening of the Government's suspension remedy to the overall detriment of the program. However, DOE has modified Article X to provide that it has the discretion to suspend all or any portion of the contract.

Similarly, DOE has not adopted the suggestion that the second paragraph of Article X, relating to suspensions that

may be imposed in case of a national emergency, be deleted. Some commenters said that this paragraph may not be necessary in light of Article IX.A. (unavoidable delays). DOE believes that both provisions (Article IX.A. and X.B.) should be read together and that the express recognition of a national emergency which may require suspension and realignment of priorities is necessary and proper for inclusion in Article X.

One commenter suggested that Article X.B. (formerly numbered X.2.), which provides for an equitable refund in case of a national emergency suspension, should be modified or deleted as it might militate against an overall equitable settlement. DOE deems the present wording fair and equitable, and this recommendation has been rejected.

Article XI—Remedies

No significant comments were received on this clause and, accordingly, no change from the proposed rule has been made in Article XI.

Article XII—Notices

No significant comments were received on this provision and it remains the same as shown in the proposed rule.

Article XIII—Representation Concerning Nuclear Hazards Indemnity

A substantial number of commenters raised questions and suggested revisions in this article. One recommended change has been adopted by adding a new paragraph B to Article XIV, which expressly states that the indemnity protection provided to the Purchaser under any indemnity agreement given to a DOE facility contractor will survive the term of those contracts and inure thereafter to the benefit of the Purchaser.

It was also suggested that DOE should consider giving the Purchaser "equivalent protection" in the event the repository facility is operated directly by the Government in which case no indemnity could be given to a facility contractor with consequent coverage for the Purchaser. Since DOE intends to contract for its disposal operation services to the maximum practicable extent, DOE believes that a provision to furnish the Purchaser "equivalent protection" in any contrary event is unnecessary at this time and could, if the unlikely need arose, be covered by suitable contract amendment.

With respect to the current statutory authority under Section 170(d) of the Atomic Energy Act of 1954, as amended, which will expire on August 1, 1987, several commenters requested liability

protection in the event the indemnity system under Section 170(d) expires or is changed. At this time, DOE has no reason to believe that Section 170(d) will not be extended as it has been in the past. However, if that system expires or is changed, then DOE might seek to extend, by suitable contract modification, such liability protection as might be permitted by existing or new law; recognizing that an NRC-licensed Purchaser is protected against liability for nuclear incidents arising out of covered activities at its site under financial protection arrangements required by NRC.

The present article states that the indemnity to be provided by DOE applies, *inter alia*, "to covered nuclear incidents . . . at a contract location." The term "contract location" means the DOE (repository) facility to be established under the Act (see Atomic Energy Act of 1954, as amended, sections 11(x) and 11(w), 42 U.S.C. 2014 (x) and (w)).

The proposed rule referred to the inclusion of an indemnity in contracts for transportation as well as the facility operation. This has been revised since financial protection for nuclear incidents arising out of transportation to or from an indemnified facility is afforded by NRC-required financial protection and by the indemnity which will be in the contract for operation of the repository. The indemnity in the repository contract will apply to the extent the person indemnified is not compensated by financial protection permitted or required by NRC.

With respect to non-nuclear hazards and possible third-party claims arising out of DOE's performance of the contract, several commenters suggested the inclusion of an indemnity provision that would protect the Purchaser against all claims for personal injuries or damage to property, "whether based wholly or in part upon [the] negligence . . . of the Purchaser or its . . . agents." DOE has not adopted this suggestion which it deems unnecessary and inappropriate. Any claims for personal injuries and/or property damage at the site would be covered under general principles of applicable law; that is to say, DOE could be held responsible for such injuries as are determined to be caused by the negligence of its agents or contractors in any suit brought by an injured third party against DOE directly, or against the Purchaser who might then implead DOE; and the same would apply to the liability of the Purchaser, as to which its usual third-party liability insurance would afford protection. By the same token, once DOE has accepted delivery and title, it would be primarily

responsible for any non-nuclear accidents, and any impleading of the Purchaser in such claims would be covered under the Purchaser's regular insurance coverage.

The last sentence of (new) paragraph "A" in Article XIV refers to the "conditions stated in the indemnity agreement," as to which some commenters asked for a copy. Obviously, DOE cannot now provide copies of such an indemnity since there is, as yet, no DOE repository contract in existence. However, it is contemplated that such contractor(s), when selected, will be covered by including in the contract(s) for repository operation, the nuclear hazards indemnity clause set forth in the DOE Procurement Regulations at § 9-50.704-6.

Article XIV—Assignment

The only revision made in this clause, to be consistent with the Act, was to change the word "Party" to "Purchaser."

Article XV—Amendments

This clause was added to expressly recognize that DOE or the Purchaser may wish to amend the contract in the future to more accurately or equitably reflect their respective interests. The article requires that any such amendment be mutually agreeable and consistent with this final rule as it may from time to time be amended.

Article XVI—Disputes

This provision (set out in the proposed rule in Appendix H, clause 1) remains essentially unchanged in this final rule. Several commenters suggested that the contract should apply the provisions in the Contract Disputes Act of 1978 (Pub. L. 95-563). We have not accepted this suggestion for a number of reasons. Section 3 of Pub. L. 95-563 specifically lists the types of contracts to which that Act is to apply, namely, the procurement of property, services, construction, alteration, repair or maintenance and the disposal of personal property. The nuclear waste disposal contract, which involves not the Government procurement of services but rather its furnishing of such services, is clearly beyond the purview of Pub. L. 95-563, as shown by the language of that statute, as well as its legislative history. The Department has therefore not adopted this suggestion, but has utilized the DOE pre-Contracts Disputes Act process of dispute resolution with the addition of the requirement of certification of claims in excess of \$50,000.

Other commenters suggested that the certification of accuracy and completeness of any claim over \$50,000

be deleted; that arbitration of disputes be allowed, and that continuation of performance be restricted to those areas not in dispute.

We believe that the certification of accuracy and completeness of claims in excess of \$50,000 is reasonable and appropriate to protect both the Government and the Purchaser from frivolous or fraudulent claims. The suggestion to allow arbitration of all disputes was not adopted, since the Government is not to be bound by decisions of third parties; the contracting officer, as the first level deciding official on a claim under this clause, is required to exert all efforts to satisfactorily resolve issues at dispute; as such, arbitration would be likely to protract rather than accelerate the ultimate resolution.

The suggestion that continuation of performance of the contract be required only in those areas not in dispute was not accepted, as such a provision would be inconsistent with the fundamental purpose of the disputes resolution process—namely continuing performance of the contract during pendency of a dispute between the parties. To allow either party to suspend performance unilaterally based upon a dispute would effectively serve to negate the contract. If a party disputed the financial provisions, transportation scheduling, or environmental, safety and health requirements of packaging of nuclear fuel or waste, it could cease to perform in these areas. This we believe to be unworkable and inconsistent with the intent of Public Law 97-425. Accordingly, we have not accepted this suggestion.

At the suggestion of several commenters, a change was made to provide for ninety (90) days, instead of thirty (30) days, for Purchaser to appeal the decision of the Contracting Officer.

Article XVII—Officials Not To Benefit

No significant comments have been received on this clause (formerly Appendix H, clause 2), and, accordingly, no change has been made.

Article XVIII—Covenant Against Contingent Fees

Some commenters suggested this clause be deleted as it seemed to them to be unnecessary. The clause is required in Government contracts by Executive Order 9001 and 10 U.S.C. 2308(b); accordingly, we have not adopted this suggestion.

Article XIX—Examination of Records

Several commenters questioned the need to retain records for three (3) years after final payment under this contract.

This requirement stems from the statutory authority of the Comptroller General to conduct audits relating to the receipt and expenditure of public funds under the Budget and Accounting Act of 1921 (31 U.S.C. 53(a) and (b)). To effectively carry out these audit responsibilities, the Comptroller General is authorized for a period of three (3) years after final payment of a contract to examine any directly pertinent books or records relating to transactions under the contract (10 U.S.C. 2313(b)). In view of these statutory requirements, and recognizing that reactor facility operators are now required by law to maintain a variety of records during the entire life span of the facility, we have not adopted recommended changes to this contract provision.

Article XX—Permits

No change from clause set out in proposed rule (see Appendix H, clause 5) was made in this Article XV.

Article XXI—Rights in Technical Data

Several commenters requested that DOE not require Purchasers to submit any technical data called for by DOE under the contract where the Purchaser has an agreement with a third party restricting release of such data. DOE has not accepted this suggestion as the technical data required to be submitted under this contract has been determined to be necessary. However, DOE has added a new paragraph at the end of this clause (formerly in Appendix H, clause 6) to cover those cases where the Purchaser has received proprietary data from a third party who has previously imposed restrictions on its use or disclosure. The new provision requires the Purchaser to obtain the consent of such third party.

Article XXII—Entire Contract

This provision was revised, at the suggestion of several commenters, by the deletion of the second sentence which referred to "collateral contracts . . . [being] superseded." It was not and is not DOE's intent, by having executed this contract, to abrogate other contracts which a Purchaser may have. To make this intent clear, a new paragraph B has been added to this Article XXII.

Appendices

There were numerous comments on the contract appendices contained in the proposed rule published on February 4, 1983. We have carefully evaluated all the changes recommended by the commenters. Based upon our review, seven of the eight appendices in the proposed rule (Appendices A, B, C, D, E, F and G) have been revised; these now

appear in this final rule as Appendices A, C, D, B, E, F and G. Appendix H in the proposed rule contained six contract clauses which are now part of the contract itself (Articles XVI through XXI).

The referenced modifications were made because we believe they eliminate unnecessary paperwork and data gathering while still providing the Department with the information it requires to effectively administer the contract. This reduction of the data required is in the best interests of the Government because it reduces the paperwork and administrative demands on the Department. The referenced modifications also bring the appendices more in line with current utility industry practices on data collection and management. By requesting information in a manner which is easier for the utilities to provide, it reduces the likelihood of error, makes the auditing functions of the Department easier, and in general simplifies the operations of both the utilities and the Department. Specific comments on each appendix follow.

Appendix A (Nuclear Power Reactor(s) and Other Facilities Covered)

A number of commenters suggested a slightly modified approach to this appendix, including a description of the facility which was more informative than that contained in the proposed rule. This approach was adopted.

Appendix B (Discharge Information (Ten Year; Annual))

This appendix appeared as Appendix D in the proposed rule. A number of commenters requested that the "commitment year for delivery" be deleted and this was done because the information is provided in Appendix C. Likewise, several commenters felt that shipping information could be covered more appropriately in the appendix containing the delivery commitment schedule (Appendix C) and this suggestion was accepted. A tabular format for the ten-year discharge forecast was proposed and adopted. This format makes the data more accessible to and understandable by the Department.

Appendix C (Delivery Commitment Schedule)

This Appendix appeared as Appendix B in the proposed rule. Its format was modified and simplified in response to a number of recommendations, and it was made more consistent with Article V. A substantial number of commenters questioned the requirement for proof of

ownership of the SNF and/or HLW to be delivered to DOE. Since DOE will, upon delivery and acceptance of the SNF and/or HLW, be taking title to such material, it must assure itself that the Purchaser can legally convey clear title.

Appendix D (Final Delivery Schedule)

This appendix was formerly Appendix C in the proposed rule. A clearer format was proposed and accepted, but the data requested by this appendix remain essentially unchanged. The revised format recognizes that there could be a range of discharge dates, not just one, and provides space to accommodate this.

Appendix E (General Specifications)

A number of commenters stated that the radioactive release test was an unnecessary burden for both the utilities and DOE. This requirement has been deleted because the data are not essential and the test is time-consuming and expensive. Several commenters felt that the scope of nonfuel components was too limited, and should be expanded to include additional equipment and hardware. This recommendation was considered appropriate and was adopted. In addition, the need for maximum physical dimensions was questioned, and it was recommended that they be deleted. DOE did not adopt this recommendation because it must have some basic dimensions around which to design its handling and disposal facilities. Such information will serve to minimize construction and operating costs which is in the best interest of all parties. A number of commenters believed that the specification on cladding materials was not needed. This provision has been eliminated because DOE will accept all standard cladding materials.

The need for non-standard fuel definitions was questioned by some commenters. These definitions have not been changed because they relate to information considered necessary by DOE in order to establish its operating procedures and schedules.

One commenter requested that the Department provide the containers for failed fuel at no cost to the utilities. This was rejected because the furnishing of such containers is part of the normal utility cost for the operation of its spent fuel storage basin. Several commenters said that a separate classification for consolidated fuel rods was needed. This suggestion was accepted because none of the existing classifications was appropriate for assemblies which have been disassembled.

Appendix F (Detailed Description of Purchasers Fuel)

Appendix F was greatly simplified and made consistent with industry terminology and practice. A number of commenters stated that far too much detail was requested. A revised format proposed by one commenter was more understandable than that contained in its proposed rule, and was adopted. The requirement for drawings was made simpler and more manageable. Many non-standard terms for the industry were removed as requested by a number of commenters.

Appendix G (Standard Remittance Advice)

Appendix G remains substantially unchanged. Several commenters suggested deleting references to "meter" and "meter reading" as the information to be so provided may require calculations not merely referring to a "meter". DOE agrees and such references have been deleted, though the requirement for the information remains unchanged. Several commenters noted inconsistencies in references to "net" as well as "gross" electricity generated. As DOE now interprets the Act to require disposal charges based upon "gross" electricity generated by the Purchaser's civilian nuclear power reactors, references to "net" have been deleted. One commenter suggested that a reference be added to identify the "responsible DOE office"; however, since there are several offices involved in the processing of the payments to be made hereunder, DOE has not adopted this suggestion.

C. Additional Public Comments

In addition to the public comments keyed to the contract articles and discussed in Section III.B. above, DOE received other comments relating to the proposed rule of February 4, 1983. A summary of these comments and DOE's action taken with respect to each is set forth below.

Several commenters suggested that the proposed standard contract not be part of the rule itself. DOE has not adopted this suggestion because, as stated in the February 4 Federal Register notice (48 FR 5459), it continues to believe that the rulemaking process offers the best opportunity for interested persons to participate in DOE's nuclear waste disposal activities. This applies equally to the promulgation of this final rule regarding the standard contract and any later amendments to the rule that may be needed.

Some commenters requested that DOE issue separate contracts for each reactor or facility receiving DOE's disposal services. We believe this would be an unnecessary increase in paperwork and workload as the contract (see Appendix A) clearly provides for Purchasers to list any multiple reactors or facilities to be covered and requires separate scheduling information for each site to be serviced by DOE. Therefore, we have not adopted this suggestion.

Three commenters suggested that the deviation procedure set out in Section 961.4 of the rule could prove onerous or administratively burdensome and they suggested its deletion. DOE disagrees. As stated in the February 4 Federal Register notice (48 FR 5459), "DOE intends to use the rule and standard contract *unless* special circumstances are found and the . . . deviations procedures are followed." To achieve maximum uniformity in the type of standard contract to be used and, at the same time, to allow for necessary adjustments that may be needed to accommodate the special or unique circumstances of particular Purchasers, we view the deviation procedure of section 961.4 quite reasonable and proper. The recommended deletion has therefore not been adopted.

Two State agencies raised the question of advance notification to be given with respect to any planned transportation of the SNF and/or HLW through the State (by truck, rail or barge). As the standard contract provides, DOE will be responsible for the transportation of SNF and/or HLW from the Purchaser's site to the DOE facility. It is contemplated that DOE and its transportation contractors will, to the extent required by applicable law and regulations, provide such advance notification to the affected States.

Article VIII.E. of the contract in this final rule provides for audit rights on the part of DOE as well as the Comptroller General (see also Article XIX). Most of the utilities and industry organizations commenting on the proposed rule requested that similar audit rights be given to the Purchaser and/or State utility commissions. DOE has not accepted this recommended approach for several reasons. First and foremost, no such procedure is authorized, expressly or implicitly, by the Act itself. Secondly, we believe that the existing statutory scheme and the information to be provided by DOE under the contract will be sufficient for Purchasers, and indeed the general public, to assess the performance and progress of DOE in its nuclear waste disposal program. This dissemination of information will be

accomplished in a variety of ways, including: (1) A comprehensive mission plan; (2) an annual audit conducted by the Comptroller General; (3) an annual DOE report to Congress on activities and expenditures; (4) an annual Treasury Department report to Congress on the financial condition and operations of the Program; (5) a triennial budget to Congress; and (6) a possible audit of the program by a private firm of certified public accountants.

Similarly, seven commenters addressed the question of DOE performance standards and Purchaser remedies with respect to performance. In essence, these commenters pointed out that no date exists other than the January 31, 1998 date to evaluate DOE's program performance. If that date is not met, these commenters say, the contract provides no specific remedies against DOE for failing to meet the date. DOE has considered this comment and the suggestion that suitable language be included in the contract, but it has decided not to adopt the recommended modification. We recognize that these issues are of concern to the utilities. However, we believe that we should be consistent with the language of the Act. The 1998 date is called for in the Act, and we believe it to be a realistic date. Our performance will be judged by meeting this date. If the intent of the Act was to have intermediate performance standards or dates, they could have been specified in the Act.

A few commenters requested that the contract contain a severability provision which would, in effect, state that if a court of competent jurisdiction should rule that one or more of the contractual provisions were invalid, this would not affect the validity of other parts of the contract. Such a provision is not infrequently found in statutes (Federal and State), but its inclusion in contracts is not common. For this reason, and because we do not feel it proper to attempt to limit judicial review or remedies in an administrative rule, we have not adopted this suggested provision.

With respect to the schedule of fees to be levied by DOE, some commenters suggested that the disposal fees not be set out in the contract, but rather that they be set forth as a separate section in the final rule itself, which would allow the fees to be changed without modification of individual contracts. We believe the fee provisions are an integral part of the contract and that inclusion of these important provisions is necessary for the contract to be self-sufficient and complete upon execution. Should the Department determine in the future that

modification of the individual disposal contracts was an unnecessary workload burden, the Department would consider adopting the suggested procedure.

Most of the commenters believe that, in the event DOE subsequently chooses to use or process the SNF and/or HLW for purposes other than disposal, an appropriate credit should be provided.

At this time, the Department has chosen to defer a decision on providing credits, for whatever reason, to the utilities or to the Nuclear Waste Fund because we are uncertain as to the type and kinds of credits that could be applied to the utilities or to the Fund. We recognize the comments calling for credits for reprocessing SNF. We also recognize that other types of credits may become appropriate. We intend to reconsider this issue when and if reprocessing actually becomes a viable enterprise for the utilities, and when we also ascertain the other types of credits that may or may not be appropriate for the industry.

IV. Final Rule

The purpose of this new Part 961, as indicated in § 961.1, is to establish a standard contract that will be used to provide DOE's nuclear waste disposal services to a Purchaser. The term "Purchaser" is defined in section 961.3.

Section 961.2 relates to applicability and describes who is covered by the part. A critical feature of this section is that to have SNF and HLW disposed of in DOE's repository, an owner or generator of such nuclear fuel or waste must execute a contract with DOE by June 30, 1983, or by the date on which an owner or generator begins generating or takes title to such fuel or waste.

Section 961.3 sets forth pertinent definitions and incorporates the more extensive list of definitions contained in Article II of the contract which is found in § 961.11.

Section 961.4 provides for deviations from the rule as well as from the contract which is found at § 961.11. DOE has included this provision because special circumstances may exist or arise that would warrant a departure from the rule or standard contract. As mentioned above, however, DOE intends to use the rule and standard contract unless special circumstances are found and the proposed deviation procedures are followed.

Section 961.5 specifies that Federal agencies which require DOE's nuclear waste disposal services shall enter into an interagency agreement which commits those agencies to the terms and conditions, including the fee schedules, contained in the proposed standard contract.

Section 961.11 sets forth the standard contract that DOE and owners and generators of SNF and/or HLW will execute for the disposal of such fuel or waste, as described in Section III.C. above.

V. Procedural Requirements

A. *Executive Order No. 12291.* Under Executive Order 12291 agencies are required to determine whether proposed rules are major rules as defined in the Order. DOE has reviewed this final rule and, after consultation with the Office of Management and Budget, has determined that it is not a major rule because: it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises. While the money to be paid by members of the electric utility industry under the contracts that are subject of this rule will exceed \$100 million annually, and may even be considered a major cost to the industry, these costs would not be the result of this rule. The costs are the result of the need to dispose of spent nuclear fuel and/or high-level radioactive waste, a need recognized in the Nuclear Waste Policy Act of 1982. The particular provisions of this rule have little impact on the actual costs of disposal and certainly less than \$100 million annually.

B. *Regulatory Flexibility Act.* In accordance with section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, DOE finds that sections 603 and 604 of the said Act do not apply to this rule because it will not have a significant economic impact on a substantial number of small entities. This finding is based on the fact that the parties to the contract, who will be owners or generators of spent nuclear fuel or high-level radioactive waste, are not small entities.

C. *National Environmental Policy Act.* Execution of the standard contract contained in this rulemaking will not commit DOE to any specific activities not already prescribed by the Nuclear Waste Policy Act. Activities allowed under the Act will receive appropriate environmental review at the proper time, i.e., when such activities are proposed in accordance with the process established in the Act. Therefore, DOE has concluded that

neither this rulemaking nor the execution of the contracts gives rise to any action not already prescribed by the Act and, thus, is not a major Federal action significantly affecting the quality of the human environment. Accordingly, preparation of either an environmental assessment or an environmental impact statement is not required.

D. *Paperwork Reduction Act.* In accordance with Section 3504(h) of the Paperwork Reduction Act of 1980 (Pub. L. 96-511), this rule has been submitted to the Office of Management and Budget (OMB), which has approved the data collection requirements contained herein.

List of Subjects in 10 CFR Part 961

Government contracts, Nuclear materials, Nuclear power plants and reactors, Radiation protection, Waste treatment and disposal.

Section 553(d) of the Administrative Procedure Act generally requires that a substantive rule be published 30 days before its effective date. An exception to this requirement exists when an agency finds good cause for an earlier effective date. DOE has determined that good cause exists to make this rule effective immediately, because this will allow owners of civilian nuclear power reactors the maximum amount of time to consider the rule before the June 30, 1983, statutory deadline for their entering into a contract for the disposal of spent fuel.

For the reasons set out above, a new Part 961 of Chapter III of Title 10, Code of Federal Regulations, is to be established as set forth below.

Issued in Washington, D.C., April 11, 1983.
Hilary J. Rauch,

Director, Procurement & Assistance
Management Directorate,

Title 10, Chapter III of the Code of Federal Regulations is hereby amended by adding a new Part 961, to read as follows:

PART 961—STANDARD CONTRACT FOR DISPOSAL OF SPENT NUCLEAR FUEL AND/OR HIGH-LEVEL RADIOACTIVE WASTE

Subpart A—General

- Sec.
961.1 Purpose.
961.2 Applicability.
961.3 Definitions.
961.4 Deviations.
961.5 Federal Agencies.
961.6-961.10 [Reserved]

Subpart B—Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste

- 961.11 Text of the contract.

Authority: Sec. 644, Pub. L. 95-91, 91 Stat. 599 [42 U.S.C. 7254] and Sec. 302, Pub. L. 97-425, 96 Stat. 2257 [42 U.S.C. 10222].

Subpart A—General

§ 961.1 Purpose.

This part establishes the contractual terms and conditions under which the Department of Energy (DOE) will make available nuclear waste disposal services to the owners and generators of spent nuclear fuel (SNF) and high-level radioactive waste (HLW) as provided in Section 302 of the Nuclear Waste Policy Act of 1982 (Pub. L. 97-425). Under the contract set forth in § 961.11 of this Part, DOE will take title to, transport, and dispose of spent nuclear fuel and/or high-level radioactive waste delivered to DOE by those owners or generators of such fuel or waste who execute the contract. In addition, the contract will specify the fees owners and generators of SNF and/or HLW will pay for these services. All receipts, proceeds, and revenues realized by DOE under the contract will be deposited in the Nuclear Waste Fund, an account established by the Act in the U.S. Treasury. This fund will pay for DOE's radioactive waste disposal activities, the full costs of which will be borne by the owners and generators under contract with DOE for disposal services.

§ 961.2 Applicability.

This part applies to the Secretary of Energy or his designee and any person who owns or generates spent nuclear fuel or high-level radioactive waste, of domestic origin, generated in a civilian nuclear power reactor. If executed in a timely manner, the contract contained in this part will commit DOE to accept title to, transport, and dispose of such spent fuel and waste. In exchange for these services, the owners or generators of such fuel or waste shall pay fees specified in the contract which are intended to recover fully the costs of the disposal services to be furnished by DOE. The contract must be signed by June 30, 1983, or by the date on which such owner or generator commences generation of, or takes title to, such spent fuel or waste, whichever occurs later.

§ 961.3 Definitions.

For purposes of this part—
"Act" means the Nuclear Waste Policy Act of 1982, Pub. L. 97-425, 96 Stat. 2201 *et seq.*, 42 U.S.C. 10101 *et seq.*
"Contract" means the agreement set forth in § 961.11 of this part and any duly executed amendment or modification thereto.
"Generator" means any person who is licensed by the Nuclear Regulatory

Commission to use a utilization or production facility under the authority of section 103 or 104 of the Atomic Energy Act of 1954 (42 U.S.C. 2133, 2134).

"Owner" means any person who has title to spent nuclear fuel or high-level radioactive waste.

"Purchaser" means any person, other than a Federal agency, who is licensed by the Nuclear Regulatory Commission to use a utilization or production facility under the authority of sections 103 or 104 of the Atomic Energy Act of 1954 (42 U.S.C. 2133, 2134) or who has title to spent nuclear fuel or high level radioactive waste and who has executed a contract with DOE.

"Secretary" means the Secretary of Energy or his designee.

Other definitions relating to the subject matter of this rule are set forth in Article II of the contract which is contained in § 961.11, Text of the contract, below.

§ 961.4 Deviations.

Requests for authority to deviate from this part shall be submitted in writing to the Contracting Officer, who shall forward the request for approval to the Senior Procurement Official, Headquarters. Each request for deviation shall contain the following information:

- A statement of the deviation desired, including identification of the specific paragraph number(s) of the contract;
- A description of the intended effect of the deviation;
- The reason why the deviation is considered necessary or would be in the best interests of the Government;
- The name of the owner or generator seeking the deviation and nuclear power reactor(s) affected;
- A statement as to whether the deviation has been requested previously and, if so, circumstances of the previous request;
- A statement of the period of time for which the deviation is needed; and
- Any pertinent background information will contribute to a full understanding of the desired deviation.

§ 961.5 Federal agencies.

Federal agencies or departments requiring DOE's disposal services for SNF and/or HLW will be accommodated by a suitable interagency agreement reflecting, as appropriate, the terms and conditions set forth in the contract in § 961.11; provided, however, that the fees to be paid by Federal agencies will be equivalent to the fees that would be paid under the contract.

§§ 961.6-961.10 [Reserved]

Subpart B—Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste**§ 961.11 Text of the contract.**

The text of the standard contract for disposal of spent nuclear fuel and/or high-level radioactive waste follows:

U.S. Department of Energy Contract No.—***Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste***

THIS CONTRACT, entered into this — day of — 19—, by and between the UNITED STATES OF AMERICA (hereinafter referred to as the "Government"), represented by the UNITED STATES DEPARTMENT OF ENERGY (hereinafter referred to as "DOE") and — (hereinafter referred to as the "Purchaser"), a corporation organized and existing under the laws of the State of — [add as applicable: "acting on behalf of itself and —,"].

Witnesseth that:

Whereas, the DOE has the responsibility for the disposal of spent nuclear fuel and high-level radioactive waste of domestic origin from civilian nuclear power reactors in order to protect the public health and safety, and the environment; and

Whereas, the DOE has the responsibility, following commencement of operation of a repository, to take title to the spent nuclear fuel or high-level radioactive waste involved as expeditiously as practicable upon the request of the generator or owner of such waste or spent nuclear fuel; and

Whereas, all costs associated with the preparation, transportation, and the disposal of spent nuclear fuel and high-level radioactive waste from civilian nuclear power reactors shall be borne by the owners and generators of such fuel and waste; and

Whereas, the DOE is required to collect a full cost recovery fee from owners and generators delivering to the DOE such spent nuclear fuel and/or high level radioactive waste; and

Whereas, the DOE is authorized to enter into contracts for the permanent disposal of spent nuclear fuel and/or high-level radioactive waste of domestic origin in DOE facilities; and

Whereas, the Purchaser desires to obtain disposal services from DOE; and

Whereas, DOE is obligated and willing to provide such disposal services, under the terms and conditions hereinafter set forth; and

Whereas, this contract is made and entered into under the authority of the DOE Organization Act (Pub. L. 95-91, 42 U.S.C. 7101 *et seq.*) and the Nuclear Waste Policy Act of 1982 (Pub. L. 97-425, 42 U.S.C. 10101 *et seq.*)

Now, therefore, the parties hereto do hereby agree as follows:

Article I—Definitions

As used throughout this contract, the following terms shall have the meanings set forth below:

1. The term "assigned three-month period" means the period that each Purchaser will be

assigned by DOE, giving due consideration to the Purchaser's assignment preference, for purposes of reporting kilowatt hours generated by the Purchaser's nuclear power reactor and for establishing fees due and payable to DOE.

2. The term "cask" means a container for shipping spent nuclear fuel and/or high-level radioactive waste which meets all applicable regulatory requirements.

3. The term "civilian nuclear power reactor" means a civilian nuclear powerplant required to be licensed under Sections 103 or 104(b) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2133, 2134(b)).

4. The term "Commission" means the United States Nuclear Regulatory Commission.

5. The term "contract" means this agreement and any duly executed amendment or modification thereto.

6. The term "Contracting Officer" means the person executing this contract on behalf of the Government, and any other officer or civilian employee who is a properly designated Contracting Officer of the DOE; and the term includes, except as otherwise provided in this contract, the authorized representative of a Contracting Officer acting within the limits of his authority.

7. The term "delivery" means the transfer of custody, f.o.b. carrier, of spent nuclear fuel or high-level radioactive waste from Purchaser to DOE at the Purchaser's civilian nuclear power reactor or such other domestic site as may be designated by the Purchaser and approved by DOE.

8. The term "disposal" means the emplacement in a repository of high-level radioactive waste, spent nuclear fuel, or other highly radioactive waste with no foreseeable intent of recovery, whether or not such emplacement permits recovery of such waste.

9. The term "DOE" means the United States Department of Energy or any duly authorized representative thereof, including the Contracting Officer.

10. The term "DOE facility" means a facility operated by or on behalf of DOE for the purpose of disposing of spent nuclear fuel and/or high-level radioactive waste, or such other facility(ies) to which spent nuclear fuel and/or high-level radioactive waste may be shipped by DOE prior to its transportation to a disposal facility.

11. The term "full cost recovery" means the recoupment by DOE, through Purchaser fees and any interest earned, of all direct costs, indirect costs, and all allocable overhead, consistent with generally accepted accounting principles consistently applied, of providing disposal services and conducting activities authorized by the Nuclear Waste Policy Act of 1982 (Pub. L. 97-425). As used herein, the term "cost" includes the application of Nuclear Waste Fund moneys for those uses expressly set forth in section 302 (d) and (e) of the said Act and all other uses specified in the Act.

12. The term "high-level radioactive waste" (HLW) means—

(a) the highly radioactive material resulting from the reprocessing of spent nuclear fuel, including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations; and

(b) other highly radioactive material that the Commission, consistent with existing law, determines by rule requires permanent isolation.

13. The term "kilowatt hours generated" means electricity generated by nuclear fuel at a civilian nuclear power reactor specified in Appendix A hereto as measured at the output terminals of the turbine generator.

14. The term "metric tons uranium" means that measure of weight, equivalent to 2,204.6 pounds of uranium and other fissile and fertile material that are loaded into a reactor core as fresh fuel.

15. The term "Purchaser's site" means the location of Purchaser's civilian nuclear power reactor or such other location as the Purchaser may designate.

16. The term "quarterly Treasury rate" means the current value of funds rate as specified by the Treasury Fiscal Requirements Manual, Volume 1, Part 6, section 8020.20. This rate is published quarterly in the Federal Register prior to the beginning of the affected quarter.

17. The term "shipping lot" means a specified quantity of spent nuclear fuel or high-level radioactive waste designated by Purchaser for delivery to DOE beginning on a specified date.

18. The term "spent nuclear fuel" (SNF) means fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing.

19. The term "spent nuclear fuel and high-level radioactive waste of domestic origin" means irradiated fuel material used, and radioactive wastes resulting from such use, in nuclear power reactors located only in the United States.

20. The term "year" means the period which begins on October 1 and ends on September 30.

Article II—Scope

This contract applies to the delivery by Purchaser to DOE of SNF and/or HLW of domestic origin from civilian nuclear power reactors, acceptance of title by DOE to such SNF and/or HLW, subsequent transportation, and disposal of such SNF and/or HLW and, with respect to such material, establishes the fees to be paid by the Purchaser for the services to be rendered hereunder by DOE. The SNF and/or HLW shall be specified in a delivery commitment schedule as provided in Article V below. The services to be provided by DOE under this contract shall begin, after commencement of facility operations, not later than January 31, 1998 and shall continue until such time as all SNF and/or HLW from the civilian nuclear power reactors specified in Appendix A, annexed hereto and made a part hereof, has been disposed of.

Article III—Term

The term of this contract shall be from the date of execution until such time as DOE has accepted, transported from the Purchaser's site(s) and disposed of all SNF and/or HLW of domestic origin from the civilian nuclear power reactor(s) specified in Appendix A.

Article IV—Responsibilities of the Parties

A. Purchaser's Responsibilities

1. Discharge Information.

(a) On an annual basis, commencing October 1, 1983, the Purchaser shall provide DOE with information on actual discharges to date and projected discharges for the next discharges to date and projected discharges for the next ten (10) years in the form and content set forth in Appendix B, annexed hereto and made a part hereof. The information to be provided will include estimates and projections and will not be Purchaser's firm commitment with respect to discharges or deliveries.

(b) No later than October 1, 1983, the Purchaser shall provide DOE with specific information on:

(1) Total spent nuclear fuel inventory as of April 7, 1983;

(2) Total number of fuel assemblies removed from the particular reactor core prior to 12:00 a.m. April 7, 1983 for which there are plans for reinsertion in the core, indicating the current planned dates for reinsertion in the core. Estimates of the burned and unburned portion of each individual assembly are to be provided.

(c) In the event that the Purchaser fails to provide the annual forecast in the form and content required by DOE, DOE may, in its sole discretion, require a rescheduling of any delivery commitment schedule then in effect.

2. Preparation for Transportation.

(a) The Purchaser shall arrange for, and provide, all preparation, packaging, required inspections, and loading activities necessary for the transportation of SNF and/or HLW to the DOE facility. The Purchaser shall notify DOE of such activities sixty (60) days prior to the commencement of such activities. The preparatory activities by the Purchaser shall be made in accordance with all applicable laws and regulations relating to the Purchaser's responsibilities hereunder. DOE may designate a representative to observe the preparatory activities conducted by the Purchaser at the Purchaser's site, and the Purchaser shall afford access to such representative.

(b) Except as otherwise agreed to by DOE, the Purchaser shall advise DOE, in writing as specified in Appendix F, annexed hereto and made a part hereof, as to the description of the material in each shipping lot sixty (60) days prior to scheduled DOE transportation of that shipping lot.

(c) The Purchaser shall be responsible for incidental maintenance, protection and preservation of any and all shipping casks furnished to the Purchaser by DOE for the performance of this contract. The Purchaser shall be liable for any loss or damage to such DOE-furnished property, and for expenses incidental to such loss or damage while such casks are in the possession and control of the Purchaser except as otherwise provided for hereunder. Routine cask maintenance, such as scheduled overhauls, shall not be the responsibility of the Purchaser.

B. DOE Responsibilities

1. DOE shall accept title to all SNF and/or HLW, of domestic origin, generated by the

civilian nuclear power reactor(s) specified in Appendix A, provide subsequent transportation for such material to the DOE facility, and dispose of such material in accordance with the terms of this contract.

2. DOE shall arrange for, and provide, a cask(s) and all necessary transportation of the SNF and/or HLW from the Purchaser's site to the DOE facility. Such cask(s) shall be furnished sufficiently in advance to accommodate scheduled deliveries. Such cask(s) shall be suitable for use at the Purchaser's site, meet applicable regulatory requirements, and be accompanied by pertinent information including, but not limited to, the following:

(a) Written procedures for cask handling and loading, including specifications on Purchaser-furnished canisters for containment of failed fuel;

(b) Training for Purchaser's personnel in cask handling and loading, as may be necessary;

(c) Technical information, special tools, equipment, lifting trunnions, spare parts and consumables needed to use and perform incidental maintenance on the cask(s); and

(d) Sufficient documentation on the equipment supplied by DOE.

3. DOE may fulfill any of its obligations, or take any action, under this contract either directly or through contractors.

4. DOE shall annually provide to the Purchaser pertinent information on the waste disposal program including information on cost projections, project plans and progress reports.

5. (a) Beginning on April 1, 1981, DOE shall issue an annual acceptance priority ranking for receipt of SNF and/or HLW at the DOE repository. This priority ranking shall be based on the age of SNF and/or HLW as calculated from the date of discharge of such material from the civilian nuclear power reactor. The oldest fuel or waste will have the highest priority for acceptance, except as provided in paragraphs B and D of Article V and paragraph B.3 of Article VI hereof.

(b) Beginning not later than July 1, 1987, DOE shall issue an annual capacity report for planning purposes. This report shall set forth the projected annual receiving capacity for the DOE facility(ies) and the annual acceptance ranking relating to DOE contracts for the disposal of SNF and/or HLW including, to the extent available, capacity information for ten (10) years following the projected commencement of operation of the initial DOE facility.

Article V—Delivery of SNF and/or HLW

A. Description of SNF and HLW

The Purchaser shall deliver to DOE and DOE shall, as provided in this contract, accept the SNF and/or HLW which is described in accordance with Article VI.A. of this contract, for disposal thereof.

B. Delivery Commitment Schedule

1. Delivery commitment schedule(s), in the form set forth in Appendix C annexed hereto and made a part hereof, for delivery of SNF and/or HLW shall be furnished to DOE by Purchaser. After DOE has issued its proposed acceptance priority ranking, as described in paragraph B.5 of Article IV hereof, beginning

January 1, 1992 the Purchaser shall submit to DOE the delivery commitment schedule(s) which shall identify all SNF and/or HLW the Purchaser wishes to deliver to DOE beginning sixty-three (63) months thereafter. DOE shall approve or disapprove such schedules within three (3) months after receipt. In the event of disapproval, DOE shall advise the Purchaser in writing of the reasons for such disapproval and request a revised schedule from the Purchaser, to be submitted to DOE within thirty (30) days after receipt of DOE's notice of disapproval.

2. DOE shall approve or disapprove such revised schedule(s) within sixty (60) days after receipt. In the event of disapproval, DOE shall advise the Purchaser in writing of the reasons for such disapproval and shall submit its proposed schedule(s). If these are not acceptable to the Purchaser, the parties shall promptly seek to negotiate mutually acceptable schedule(s). Purchaser shall have the right to adjust the quantities of SNF and/or HLW plus or minus (\pm) twenty percent (20%), and the delivery schedule up to two (2) months, until the submission of the final delivery schedule.

C. Final Delivery Schedule

Final delivery schedule(s), in the form set forth in Appendix D, annexed hereto and made a part hereof, for delivery of SNF and/or HLW covered by an approved delivery commitment schedule(s) shall be furnished to DOE by Purchaser. The Purchaser shall submit to DOE final delivery schedules not less than twelve (12) months prior to the delivery date specified therein. DOE shall approve or disapprove a final delivery schedule within forty-five (45) days after receipt. In the event of disapproval, DOE shall advise the Purchaser in writing of the reasons for such disapproval and shall request a revised schedule from the Purchaser, to be submitted to DOE within thirty (30) days after receipt of DOE's notice of disapproval. DOE shall approve or disapprove such revised schedule(s) within sixty (60) days after receipt. In the event of disapproval, DOE shall advise the Purchaser in writing of the reasons for such disapproval and shall submit its proposed schedule(s). If these are not acceptable to the Purchaser, the parties shall promptly seek to negotiate mutually acceptable schedule(s).

D. Emergency Deliveries

Emergency deliveries of SNF and/or HLW may be accepted by DOE before the date provided in the delivery commitment schedule upon prior written approval by DOE.

E. Exchanges

Purchaser shall have the right to determine which SNF and/or HLW is delivered to DOE; provided, however, that Purchaser shall comply with the requirements of this contract. Purchaser shall have the right to exchange approved delivery commitment schedules with parties to other contracts with DOE for disposal of SNF and/or HLW; provided, however, that DOE shall, in advance, have the right to approve or disapprove, in its sole discretion, any such exchanges. Not less than six (6) months prior

to the delivery date specified in the Purchaser's approved delivery commitment schedule, the Purchaser shall submit to DOE an exchange request, which states the priority rankings of both the Purchaser hereunder and any other Purchaser with whom the exchange of approved delivery commitment schedules is proposed. DOE shall approve or disapprove the proposed exchange within thirty (30) days after receipt. In the event of disapproval, DOE shall advise the Purchaser in writing of the reasons for such disapproval.

Article VI—Criteria for Disposal

A. General Requirements

1. Criteria.

(a) Except as otherwise provided in this contract, DOE shall accept hereunder only such SNF and/or HLW which meets the General Specifications for such fuel and waste as set forth in Appendix E, annexed hereto and made a part hereof.

(b) Purchaser shall accurately classify SNF and/or HLW prior to delivery in accordance with paragraphs B and D of Appendix E.

2. Procedures.

(a) Purchaser shall provide to DOE a detailed description of the SNF and/or HLW to be delivered hereunder in the form and content as set forth in Appendix F, annexed hereto and made a part hereof. Purchaser shall promptly advise DOE of any changes in said SNF and/or HLW as soon as they become known to the purchaser.

(b) DOE's obligation for disposing of SNF under this contract also extends to other than standard fuel; however, for any SNF which has been designated by the Purchaser as other than standard fuel, as that term is defined in Appendix E, the Purchaser shall obtain delivery and procedure confirmation from DOE prior to delivery. DOE shall advise Purchaser within sixty (60) days after receipt of such confirmation request as to the technical feasibility of disposing of such fuel on the currently agreed to schedule and any schedule adjustment for such services.

B. Acceptance Procedures

1. Acceptance Priority Ranking.

Delivery commitment schedules for SNF and/or HLW may require the disposal or more material than the annual capacity of the DOE disposal facility (or facilities) can accommodate. The following acceptance priority ranking will be utilized:

(a) Except as may be provided for in subparagraph (b) below and Article V.D. of this contract, acceptance priority shall be based upon the age of the SNF and/or HLW as calculated from the date of discharge of such material from the civilian nuclear power reactor. DOE will first accept from Purchaser the oldest SNF and/or HLW for disposal in the DOE facility, except as otherwise provided for in paragraphs B and D of Article V.

(b) Notwithstanding the age of the SNF and/or HLW, priority may be accorded any SNF and/or HLW removed from a civilian nuclear power reactor that has reached the end of its useful life or has been shut down permanently for whatever reason.

2. Verification of SNF and/or HLW.

During cask loading and prior to acceptance by DOE for transportation to the

DOE facility, the SNF and/or HLW description of the shipping lot shall be subject to verification by DOE. To the extent the SNF and/or HLW is consistent with the description submitted and approved, in accordance with Appendices E and F, DOE agrees to accept such SNF and/or HLW for disposal when DOE has verified the SNF and/or HLW description, determined the material is properly loaded, packaged, marked, labeled and ready for transportation, and has taken custody, as evidenced in writing, of the material at the Purchaser's site, f.o.b. carrier. A properly executed off-site radioactive shipment record describing cask contents must be prepared by the Purchaser along with a signed certification which states: "This is to certify that the above-named materials are properly described, classified, packaged, marked and labeled and are in proper condition for transfer according to the applicable regulations of the U. S. Department of Transportation."

3. Improperly described SNF and/or HLW.

(a) Prior to Acceptance—If SNF and/or HLW is determined by DOE to be improperly described prior to acceptance by DOE at the Purchaser's site, DOE shall promptly notify the Purchaser in writing of such determination. DOE reserves the right, in its sole discretion, to refuse to accept such SNF and/or HLW until the SNF and/or HLW has been properly described. The Purchaser shall not transfer such SNF and/or HLW to DOE unless DOE agrees to accept such SNF and/or HLW under such other arrangements as may be agreed to, in writing, by the parties.

(b) After Acceptance—If subsequent to its acceptance DOE finds that such SNF and/or HLW is improperly described, DOE shall promptly notify the Purchaser, in writing, of such finding. In the event of such notification, Purchaser shall provide DOE with a proper designation within thirty (30) days. In the event of a failure by the Purchaser to provide such proper designation, DOE may hold in abeyance any and all deliveries scheduled hereunder.

Article VII—Title

Title to all SNF and/or HLW accepted by DOE for disposal shall pass to DOE at the Purchaser's site as provided for in Article VI hereof. DOE shall be solely responsible for control of all material upon passage of title. DOE shall have the right to dispose as it sees fit of any SNF and/or HLW to which it has taken title. The Purchaser shall have no claim against DOE or the Government with respect to such SNF or HLW nor shall DOE or the Government be obligated to compensate the Purchaser for such material.

Article VIII—Fees and Terms of Payment

A. Fees

1. Effective April 7, 1983 Purchaser shall be charged a fee in the amount of 1.0 mill per kilowatt-hour (1M/KWH) on electricity generated by Purchaser's nuclear power reactor(s). The said fee shall be paid as specified in paragraph B of this Article VIII.

2. For SNF, or solidified high-level radioactive waste derived from SNF, which fuel was used to generate electricity in a civilian nuclear power reactor prior to April

7, 1983, a one-time fee will be assessed by applying industry-wide average dollar per kilogram charges to four (4) distinct ranges of fuel burnup so that the integrated cost across all discharged (i.e. spent) fuel is equivalent to an industry-wide average charge of 1.0 mill per kilowatt-hour. For purposes of this contract, discharged nuclear fuel is that fuel removed from the reactor core with no plans for reinsertion. In the event that any such fuel withdrawn with plans for reinsertion is not reinserted, then the applicable fee for such fuel shall be calculated as set forth in this paragraph 2. The categories of spent nuclear fuel burnup and the fee schedule are listed below:

[In 1982 dollars]	
Nuclear spent fuel burnup range	Dollars per kilogram
0 to 5,000 MWD/MTU	\$80.00
5,000 to 10,000 MWD/MTU	142.00
10,000 to 20,000 MWD/MTU	162.00
Over 20,000 MWD/MTU	184.00

This fee shall not be subject to adjustment, and the payment thereof by the Purchaser shall be made to DOE as specified in paragraph B of this Article VIII.

3. For in-core fuel as of April 7, 1983, that portion of the fuel burned through April 6, 1983 shall be subject to the one-time fee as calculated in accordance with the following methodology: [a] determine the total weight in kilograms of uranium loaded initially in the particular core; [b] determine the total megawatt-days (thermal) which have been generated by all of the fuel assemblies in the said core as of 12:00 A.M. April 7, 1983; [c] divide the megawatt-days (thermal) generated in the said core by the total metric tons of initially loaded uranium in that core and multiply the quotient by the conversion factor 0.0078 to obtain a value in dollars per kilogram; and [d] multiply the dollars per kilogram value by the kilograms determined in [a] above to derive the dollar charge for the one-time fee to be paid for the specified in-core fuel as of 12:00 A.M. April 7, 1983. For purposes of this contract, in-core fuel is that fuel in the reactor core as of the date specified, plus any fuel removed from the reactor with plans for reinsertion. That portion of such fuel unburned as of 12:00 A.M. April 7, 1983 shall be subject to the 1.0 mill per kilowatt-hour charge.

4. DOE will annually review the adequacy of the fees and adjust the 1M/KWH fee, if necessary, in order to assure full cost recovery by the Government. Any proposed adjustment to the said fee will be transmitted to Congress and shall be effective after a period of ninety (90) days of continuous session has elapsed following receipt of such transmittal unless either House of Congress adopts a resolution disapproving the proposed adjustment. Any adjustment to the 1M/KWH fee under paragraph A.1. of this Article VIII shall be prospective.

B. Payment

1. For electricity generated by the Purchaser's civilian nuclear power reactor(s) on or after April 7, 1983, fees shall be paid quarterly by the Purchaser and must be received by DOE not later than the close of business on the last business day of the month following the end of each assigned three month period. The first payment shall be due on July 31, 1983, for the period April 7, 1983 to June 30, 1983. [add as applicable: A one time adjustment period payment shall be due on _____, for the period _____ to _____]. The assigned three month period, for purposes of payment and reporting of kilowatt hours, shall begin _____.

2. For SNF discharged prior to April 7, 1983, and for in-core burned fuel as of 12:00 A.M. April 7, 1983, the Purchaser shall, within two (2) years of contract execution, select one of the following fee payment options:

(a) *Option 1*—The Purchaser's financial obligation for said fuel shall be prorated evenly over forty (40) quarters and will consist of the fee plus interest on the outstanding fee balance. The interest from April 7, 1983, to date of the first payment is to be calculated based upon the 13-week Treasury bill rate, as reported on the first such issuance following April 7, 1983, and compounded quarterly thereafter by the 13-week Treasury bill rates as reported on the first such issuance of each succeeding assigned three-month period. Beginning with the first payment, interest is to be calculated on Purchaser's financial obligation plus accrued interest, at the ten-year Treasury note rate in effect on the date of the first payment. In no event shall the end of the forty (40) quarters extend beyond the first scheduled delivery date as reflected in the DOE-approved delivery commitment schedule. All payments shall be made concurrently with the assigned three month period payments. At any time prior to the end of the forty (40) quarters, Purchaser may, without penalty, make a full or partial lump sum payment at any of the assigned three month period payment dates. Subsequent quarterly payments will be appropriately reduced to reflect the reduction in the remaining balance in the fee due and payable. The remaining financial obligation, if any, will be subject to interest at the same ten-year Treasury note rate over the remainder of the ten year period.

(b) *Option 2*—The Purchaser's financial obligation shall be paid in the form of a single payment anytime prior to the first delivery, as reflected in the DOE approved delivery commitment schedule, and shall consist of the fee plus interest on the outstanding fee balance. Interest is to be calculated from April 7, 1983, to the date of the payment based upon the 13-week Treasury bill rate, as reported on the first such issuance following April 7, 1983, and compounded quarterly thereafter by the 13-week Treasury bill rates as reported on the first such issuance of each succeeding assigned three-month period until payment.

(c) *Option 3*—The Purchaser's financial obligation shall be paid prior to June 30, 1985, or prior to two (2) years after contract execution, whichever comes later, in the form of a single payment and shall consist of all

outstanding fees for SNF and in-core fuel burned prior to April 7, 1983. Under this option, no interest shall be due to DOE from April 7, 1983, to the date of full payment on the outstanding fee balance.

3. Method of Payment:

(a) Payments shall be made by wire transfer, in accordance with instructions specified by DOE in Appendix G, annexed hereto and made a part hereof, and must be received within the time periods specified in paragraph B.1. of this Article VIII.

(b) The Purchaser will complete a Standard Remittance Advice, as set forth in Appendix G, for each assigned three month period payment, and mail it postmarked no later than the last business day of the month following each assigned three month period to Department of Energy, Office of Controller, Cash Management Division, Box 500, Room D-208, Germantown, Maryland 20874.

4. Any fees not paid on a timely basis or underpaid because of miscalculation will be subject to interest as specified in paragraph C of this Article VIII.

C. Interest on Late Fees

1. DOE will notify the Purchaser of amounts due only when unpaid or underpaid by the dates specified in paragraph B above. Interest will be levied according to the following formula:

Interest = Unpaid balance due to DOE for assigned three month period \times Quarterly Treasury rate plus six percent (6%) \times Number of months late including month of payment (fractions rounded up to whole months) \div 12

2. Interest is payable at any time prior to the due date for the subsequent assigned three month period fee payment. Nonpayment by the end of the subsequent assigned three month period will result in compounding of interest due. Purchaser shall complete a Standard Remittance Advice of interest payments.

3. Following the assessment of a late fee by DOE, payments will be applied against accrued interest first and the principal thereafter.

D. Effect of Payment

Upon payment of all applicable fees, interest and penalties on unpaid or underpaid amounts, the Purchaser shall have no further financial obligation to DOE for the disposal of the accepted SNF and/or HLW.

E. Audit

1. The DOE or its representative shall have the right to perform any audits or inspections necessary to determine whether Purchaser is paying the correct amount under the fee schedule and interest provisions set forth in paragraphs A, B and C above.

2. Nothing in this contract shall be deemed to preclude an audit by the General Accounting Office of any transaction under this contract.

3. The Purchaser shall furnish DOE with such records, reports and data as may be necessary for the determination of quantities delivered hereunder and for final settlement of amounts due under this contract and shall retain and make available to DOE and its authorized representative examination at all

reasonable times such records, reports and data for a period of three (3) years from the completion of delivery of all material under this contract.

Article IX—Delays**A. Unavoidable Delays by Purchaser or DOE**

Neither the Government nor the Purchaser shall be liable under this contract for damages caused by failure to perform its obligations hereunder, if such failure arises out of causes beyond the control and without the fault or negligence of the party failing to perform. In the event circumstances beyond the reasonable control of the Purchaser or DOE—such as acts of God, or of the public enemy, acts of Government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes and unusually severe weather—cause delay in scheduled delivery, acceptance or transport of SNF and/or HLW, the party experiencing the delay will notify the other party as soon as possible after such delay is ascertained and the parties will readjust their schedules, as appropriate, to accommodate such delay.

B. Avoidable Delays by Purchaser or DOE

In the event of any delay in the delivery, acceptance or transport of SNF and/or HLW to or by DOE caused by circumstances within the reasonable control of either the Purchaser or DOE or their respective contractors or suppliers, the charges and schedules specified by this contract will be equitably adjusted to reflect any estimated additional costs incurred by the party not responsible for or contributing to the delay.

Article X—Suspension

A. In addition to any other rights DOE may have hereunder, DOE reserves the right, at no cost to the Government, to suspend this contract or any portion thereof upon written notice to the Purchaser within ninety (90) days of the Purchaser's failure to perform its obligations hereunder, and the Purchaser's failure to take corrective action within thirty (30) days after written notice of such failure to perform as provided above, unless such failure shall arise from causes beyond the control and without the fault or negligence of the Purchaser, its contractors or agents. However, the Purchaser's obligation to pay fees required hereunder shall continue unaffected by any suspension. Any such suspension shall be rescinded if and when DOE determines that Purchaser has completed corrective action.

B. The DOE reserves the right to suspend any scheduled deliveries in the event that a national emergency requires that priority be given to Government programs to the exclusion of the work under this contract. In the event of such a suspension by the Government, the DOE shall refund that portion of payments representing services not delivered as determined by the Contracting Officer to be an equitable adjustment. Any disagreement arising from the refund payment, if any, shall be resolved as provided in the clause of this contract, entitled "DISPUTES."

Article XI—Remedies

Nothing in this contract shall be construed to preclude either party from asserting its rights and remedies under the contract or at law.

Article XII—Notices

All notices and communications between the parties under this contract (except notices published in the Federal Register) shall be in writing and shall be sent to the following addressees:

To DOE: _____

To the Purchaser: _____

However, the parties may change the addresses or addressees for such notices or communications without formal modification to this contract; *provided, however*, that notice of such changes shall be given by registered mail.

Article XIII—Representation Concerning Nuclear Hazards Indemnity

A. DOE represents that it will include in its contract(s) for the operation of any DOE facility an indemnity agreement based upon Section 170(d) of the Atomic Energy Act of 1954, as amended, a copy of which agreement shall be furnished to the Purchaser; that under said agreement, DOE shall have agreed to indemnify the contractor and other persons indemnified against claims for public liability (as defined in said Act) arising out of or in connection with contractual activities; that the indemnity shall apply to covered nuclear incidents which (1) take place at a contract location; or (2) arise out of or in the course of transportation of source, special nuclear or by-product material to or from a contract location. The obligation of DOE to indemnify shall be subject to the conditions stated in the indemnity agreement.

B. The provisions of this Article XIII shall continue beyond the term of this contract.

Article XIV—Assignment

The rights and duties of the Purchaser may be assignable with transfer of title to the SNF and/or HLW involved; *provided, however*, that notice of any such transfer shall be made to DOE within ninety (90) days of transfer.

Article XV—Amendments

The provisions of this contract has been developed in the light of uncertainties necessarily attendant upon long-term contracts. Accordingly, at the request of either DOE or Purchaser, the parties will negotiate and, to the extent mutually agreed, amend this contract as the parties may deem to be necessary or proper to reflect their respective interests; *provided, however*, that any such amendment shall be consistent with the DOE final rule published in the Federal Register on April 18, 1983 entitled, "Standard Contract for Disposal of SNF and/or HLW", as the same may be amended from time to time.

Article XVI—Disputes

A. Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is

not disposed of by agreement shall be decided by the Contracting Officer, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Purchaser. The decision of the Contracting Officer shall be final and conclusive unless within ninety (90) days from the date of receipt of such copy, the Purchaser mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the DOE Board of Contract Appeals (Board). The decision of the Board shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or capricious, or arbitrary, or so grossly erroneous as necessarily to imply bad faith or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the Purchaser shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision.

B. For Purchaser claims of more than \$50,000, the Purchaser shall submit with the claim a certification that the claim is made in good faith; the supporting data are accurate and complete to the best of the Purchaser's knowledge and belief; and the amount requested accurately reflects the contract adjustment for which the Purchaser believes the Government is liable. The certification shall be executed by the Purchaser if an individual. When the Purchaser is not an individual, the certification shall be executed by a senior company official in charge at the Purchaser's plant or location involved, or by an officer or general partner of the Purchaser having overall responsibility for the conduct of the Purchaser's affairs.

C. For Purchaser claims of \$50,000 or less, the Contracting Officer must render a decision within sixty (60) days. For Purchaser claims in excess of \$50,000, the Contracting Officer must decide the claim within sixty (60) days or notify the Purchaser of the date when the decision will be made.

D. This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in paragraph A above; *provided, however*, that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

Article XVII—Officials Not To Benefit

No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

Article XVIII—Covenant Against Contingent Fees

The Purchaser warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Purchaser for the purpose of securing business. For breach or violation of this

warranty, the Government shall have the right to annul this contract without liability or in its discretion to increase the contract price or consideration, or otherwise recover, the full amount of such commission, brokerage, or contingent fee.

Article XIX—Examination of Records

The Purchaser agrees that the Comptroller General of the United States or any of his duly authorized representatives shall have access to and the right to examine any directly pertinent books, documents, papers and records of the Purchaser involving transactions related to this contract until the expiration of three years after final payment under this contract.

Article XX—Permits

The Government and the Purchaser shall procure all necessary permits or licenses (including any special nuclear material licenses) and comply with all applicable laws and regulations of the United States, States and municipalities necessary to execute their respective responsibilities and obligations under this contract.

Article XXI—Rights in Technical Data**A. Definitions.**

1. "Technical data" means recorded information regardless of form or characteristic, of a specific or technical nature. It may, for example, document research, experimental, developmental, or demonstration, or engineering work, or be usable or used to define a design or process, or to procure, produce, support, maintain or operate material. The data may be graphic or pictorial delineations in media such as drawings or photographs, text in specifications or related performance or design-type documents or computer software (including computer programs, computer software data bases, and computer software documentation). Examples of technical data include research and engineering data, engineering drawings and associated lists, specifications, standards, process sheets, manuals, technical reports, catalog item identification, and related information. Technical data as used herein do not include financial reports, cost analyses, and other information incidental to contract administration.

2. "Proprietary data" means technical data which embody trade secrets developed at private expense, such as design procedures or techniques, chemical composition of materials, or manufacturing methods, processes, or treatments, including minor modifications thereof, provided that such data:

- (a) Are not generally known or available from other sources without obligation concerning their confidentiality;
- (b) Have not been made available by the owner to others without obligation concerning its confidentiality; and
- (c) Are not already available to the Government without obligation concerning their confidentiality.

3. "Contract data" means technical data first produced in the performance of the contract, technical data which are specified

to be delivered under the contract, or technical data actually delivered in connection with the contract.

4. "Unlimited rights" means rights to use, duplicate, or disclose technical data, in whole or in part, in any manner and for any purpose whatsoever, and to permit others to do so.

B. Allocation of Rights.

1. The Government shall have:

(a) Unlimited rights in contract data except as otherwise provided below with respect to proprietary data properly marked as authorized by this clause;

(b) The right to remove, cancel, correct or ignore any marking not authorized by the terms of this contract on any technical data furnished hereunder, if in response to a written inquiry by DOE concerning the proprietary nature of the markings, the Purchaser fails to respond thereto within 60 days or fails to substantiate the proprietary nature of the markings. In either case, DOE will notify the Purchaser of the action taken;

(c) No rights under this contract in any technical data which are not contract data.

2. Subject to the foregoing provisions of this rights in technical data clause, the Purchaser shall have the right to mark proprietary data it furnishes under the contract with the following legend and no other, the terms of which shall be binding on the Government:

Limited Rights Legend

This "proprietary data," furnished under "Contract No. _____" with the U.S. Department of Energy may be duplicated and used by the Government with the express limitations that the "proprietary data" may not be disclosed outside the Government or be used for purposes of manufacture without prior permission of the Purchaser, except that further disclosure or use may be made solely for the following purposes:

(a) This "proprietary data" may be disclosed for evaluation purposes under the restriction that the "proprietary data" be retained in confidence and not be further disclosed;

(b) This "proprietary data" may be disclosed to contractors participating in the Government's program of which this contract is a part, for information or use in connection with the work performed under their contracts and under the restriction that the "proprietary data" be retained in confidence and not be further disclosed; or

(c) This "proprietary data" may be used by the Government or others on its behalf for emergency work under the restriction that the "proprietary data" be retained in confidence and not be further disclosed. This legend shall be marked on any reproduction of this data in whole or in part.

3. In the event that proprietary data of a third party, with respect to which the Purchaser is subject to restrictions on use or disclosure, is furnished with the Limited Rights Legend above, Purchaser shall secure the agreement of such third party to the rights of the Government as set forth in the Limited Rights Legend. DOE shall upon request furnish the names of those contractors to which proprietary data has been disclosed.

Article XXII—Entire Contract

A. This contract, which consists of Articles I through XXII and Appendices A through G, annexed hereto and made a part hereof, contains the entire agreement between the parties with respect to the subject matter hereof. Any representation, promise, or condition not incorporated in this contract shall not be binding on either party. No course of dealing or usage of trade or course of performance shall be relevant to explain or supplement any provision contained in this contract.

B. Nothing in this contract is intended to affect in any way the contractual obligation of any other persons with whom the Purchaser may have contracted with respect to assuming some or all disposal costs or to accept title to SNF and/or HLW.

C. Appendices

- A. Nuclear Power Reactor(s) or Other Facilities Covered
- B. Discharge Information (Ten Year; Annual)
- C. Delivery Commitment Schedule
- D. Final Delivery Schedule
- E. General Specifications
- F. Detailed Description of Purchaser's Fuel
- G. Standard Remittance Advice

In witness whereof, the parties hereto have executed this contract as of the day and year first above written.

United States of America
United States Department of Energy

By: _____
(Contracting Officer)

Witnesses as to Execution on Behalf of

Purchaser
(Name) _____
(Address) _____
(Name) _____
(Address) _____
(Purchaser's Company Name)
By: _____
Title: _____

I, (Name), certify that I am the (Title) of the corporation named as Purchaser herein; that (Name) who signed this document on behalf of the Purchaser was then (Title) of said corporation; that said document was duly

	1	2	3	4	5	6	7	8	9	10	10 yr total
Discharge date—mo/yr (or refueling shut down date)											
Metric tons:											
—Initial											
—Discharged											
Number of assemblies discharged (per cycle)											

By Purchaser:
Signature _____
Title _____
Date _____

Appendix B (Enclosure 1)

Actual Discharges

Purchaser _____
Contract Number/Date _____
Reactor/Facility Name _____
Location: _____
Street _____
City _____
County/State _____
Zip Code _____

signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

In Witness Whereof, I have hereunto affixed my hand and the seal of said corporation this _____ day of _____, 1983

(Corporate Seal)

(Signature) _____

Appendix A

Nuclear Power Reactor(s) or Other Facilities Covered

Purchaser _____
Contract Number/Date _____/_____
Reactor/Facility Name _____
Location: _____
Street _____
City _____
County/State _____/_____
Zip Code _____
Capacity (MWE)—Gross _____
Reactor Type: _____

BWR ☐
PWR ☐
Other (Identify) _____

Facility Description _____
Date of Commencement of Operation _____
(actual or estimated)

NRC License #: _____
By Purchaser:
Signature _____
Title _____
Date _____

Appendix B

Ten Year Discharge Forecast

To be used for DOE planning purposes only and does not represent a firm commitment by Purchaser.

Purchaser _____
Contract Number/Date _____/_____
Reactor/Facility Name _____
Location: _____
Street _____
City _____
County/State _____/_____
Zip Code _____
Type: BWR ☐
PWR ☐
Other (Identify) _____

Type: _____
BWR ☐
PWR ☐
Other (Identify) _____
Refueling Shutdown Date _____
Metric Tons Uranium (Initial/Discharged):
Initial _____
Discharged _____
Number of Assemblies Discharged: _____

Any false, fictitious or fraudulent statement may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001).

By Purchaser:
Signature _____
Title _____

Date _____

Appendix C**Delivery Commitment Schedule**

This delivery commitment schedule shall be submitted by Purchaser to DOE as specified in Article V.B. of this contract.

Purchaser _____

Contract Number/Date _____

Reactor/Facility Name _____

Location:

Street _____

City _____

County/State _____

Zip Code _____

Type Cask Required: _____

Shipping Lot Number _____

(Assigned by DOE)

Proposed Shipping Mode:

Truck ☐Rail ☐Barge ☐

DOE Assigned Delivery Commitment Date _____

Range of Discharge Date(s) (Earliest to

Latest)

Mo _____ Day _____ Yr _____ to Mo _____ Day _____

Yr _____

Metric Tons Uranium:

(Initial) _____

(Discharged) _____

Number of Assemblies:

BWR _____

PWR _____

Other _____

Unless otherwise agreed to in writing by DOE, the Purchaser shall furnish herewith to DOE suitable proof of ownership of the SNF and/or HLW to be delivered hereunder. The Purchaser shall notify DOE in writing at the earliest practicable date of any change in said ownership.

Any false, fictitious or fraudulent statement may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001).

By Purchaser:

Signature _____

Title _____

Date _____

Approved by DOE:

Technical Representative _____

Title _____

Date _____

Contracting Officer _____

Date _____

Appendix D

Final Delivery Schedule

(To be submitted to DOE by Purchaser for each designated Purchaser Delivery site not later than twelve (12) months prior to estimated date of first delivery)

Purchaser: _____

Contract Number/Date _____

Reactor/Facility Name _____

Location:

Street _____

City _____

County/State _____

Zip Code _____

Type(s) cask(s) required: _____

No. Assemblies per cask _____

Shipping Lot Number _____

Shipping Mode:

(Assigned by DOE)

Truck _____

Rail _____

Barge _____

Metric Tons Uranium:

(Initial) _____

(Discharged) _____

Range of Discharge Date(s) (Earliest to

Latest)

(From approved commitment schedule)

Mo _____ Day _____ Yr _____ to Mo _____ Day _____

Yr _____

Number of Assemblies:

BWR _____

PWR _____

Other _____

Purchaser's Delivery First Estimate

Mo _____ Day _____ Yr _____ last Mo _____ Day _____

Mo _____

Unless otherwise agreed to in writing by DOE, the Purchaser shall furnish herewith to DOE suitable proof of ownership of the SNF and/or HLW to be delivered hereunder. The Purchaser shall notify DOE in writing at the earliest practicable date of any change in said ownership.

To confirm acceptability of delivery

date(s):

Purchaser Contact _____

Phone _____

Title _____

DOE Contact _____

Phone _____

Title _____

Any false, fictitious or fraudulent statement may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001).

By Purchaser:

Signature _____

Title _____

Date _____

Approved by DOE:

Technical Representative _____

Title _____

Date _____

Contracting Officer _____

Date _____

Appendix E

General Specifications

A. Fuel Category Identification

1. Categories—Purchaser shall use reasonable efforts, utilizing technology equivalent to and consistent with the commercial practice, to properly classify Spent Nuclear Fuel (SNF) prior to delivery to DOE, as follows:

a. "Standard Fuel" means SNF that meets all the General Specifications therefor set forth in paragraph B below.

b. "Nonstandard Fuel" means SNF that does not meet one or more of the General Specifications set forth in subparagraphs 1 through 5 of paragraph B below, and which is classified as Nonstandard Fuel Classes NS-1 through NS-5, pursuant to paragraph B below.

c. "Failed Fuel" means SNF that meets the specifications set forth in subparagraphs 1 through 3 of paragraph B below, and which is classified as Failed Fuel Class F-1 through F-3 pursuant to subparagraph 6 of paragraph B below.

d. Fuel may have "Failed Fuel" and/or several "Nonstandard Fuel" classifications

B. Fuel Description and Subclassification—General Specifications

1. Maximum Nominal Physical Dimensions.

	Boiling water reactor (BWR)	Pressurized water reactor (PWR)
Overall Length.....	14 feet, 11 inches.....	14 feet, 10 inches.....
Active Fuel Length.....	12 feet, 6 inches.....	12 feet, 0 inches.....
Cross Section ¹	6 inches x 6 inches.....	9 inches x 9 inches.....

¹ The cross section of the fuel assembly shall not include the channel.

NOTE.—Fuel that does not meet these specifications shall be classified as Nonstandard Fuel—Class NS-4.

2. **Nonfuel Components.** Nonfuel components including, but not limited to, control spiders, burnable poison rod assemblies, control rod elements, thimble plugs, fission chambers, and primary and secondary neutron sources, that are contained within the fuel assembly, or BWR channels that are an integral part of the fuel assembly, which do not require special handling, may be included as part of the spent nuclear fuel delivered for disposal pursuant to this contract.

Note.—Fuel that does not meet these specifications shall be classified as Nonstandard Fuel—Class NS-2.

3. **Cooling.** The minimum cooling time for fuel is five (5) years.

Note.—Fuel that does not meet this specification shall be classified as Nonstandard Fuel—Class NS-3.

4. **Non-LWR Fuel.** Fuel from other than LWR power facilities shall be classified as Nonstandard Fuel—Class NS-4. Such fuel may be unique and require special handling, storage, and disposal facilities.

5. **Consolidated Fuel Rods.** Fuel which has been disassembled and stored with the fuel rods in a consolidated manner shall be classified as Nonstandard Fuel Class NS-5.

6. **Failed Fuel.**

a. **Visual Inspection.**

Assemblies shall be visually inspected for evidence of structural deformity or damage to cladding or spacers which may require special handling. Assemblies which [i] are structurally deformed or have damaged cladding to the extent that special handling may be required or [ii] for any reason cannot be handled with normal fuel handling equipment shall be classified as Failed Fuel—Class F-1.

b. **Previously Encapsulated Assemblies.**

Assemblies encapsulated by Purchaser prior to classification hereunder shall be classified as Failed Fuel—Class F-3. Purchaser shall advise DOE of the reason for the prior encapsulation of assemblies in sufficient detail so that DOE may plan for appropriate subsequent handling.

c. **Regulatory Requirements.**

Spent fuel assemblies shall be packaged and placed in casks so that all applicable regulatory requirements are met.

C. Summary of Fuel Classifications

1. **Standard Fuel:**
 - a. Class S-1: PWR
 - b. Class S-2: BWR
2. **Nonstandard Fuel:**
 - a. Class NS-1: Physical Dimensions
 - b. Class NS-2: Non Fuel Components
 - c. Class NS-3: Short Cooled
 - d. Class NS-4: Non-LWR
 - e. Class NS-5: Consolidated Fuel Rods.

3. Failed Fuel:

- a. Class F-1: Visual Failure or Damage
- b. Class F-2: Radioactive "Leakage"
- c. Class F-3: Encapsulated

D. High-Level Radioactive Waste

The DOE shall accept high-level radioactive waste. Detailed acceptance criteria and general specifications for such waste will be issued by the DOE no later than the date on which DOE submits its license application to the Nuclear Regulatory Commission for the first disposal facility.

Appendix F**Detailed Description of Purchaser's Fuel**

This information shall be provided by Purchaser for each distinct fuel type within a Shipping Lot not later than sixty (60) days prior to the schedule transportation date.

Purchaser _____
Contract Number/Date _____/_____
Reactor/Facility Name _____

I. Drawings included in generic dossier:

- 1. Fuel Assembly DWG# _____
- 2. Upper & Lower end fittings DWG# _____
- Dossier Number: _____
- DOE Shipping Lot #: _____
- # Assemblies Described: _____
- _____BWR
- _____PWR
- _____Other

II. Design Material Descriptions.**Fuel Element:**

- 1. Element type _____ (rod, plate, etc.)
- 2. Total length _____ (in.)
- 3. Active length _____ (in.)
- 4. Cladding material _____ (Zr, s.s., etc.)

Assembly Description:

- 1. Number of Elements _____
- 2. Overall dimensions (length _____ (cross section) _____ (in.))
- 3. Overall weight _____

III. Describe any distortions, cladding damage or other damage to the spent fuel, or nonfuel components within this Shipping Lot which will require special handling procedures. (Attach additional pages if needed.)

IV. Assembly Number _____
Shipping Lot # _____

	Irradiation history cycle No.				
	1	2	3	4	5
1. Startup date (mo/day/yr)					
2. Shutdown date (mo/day/yr)					
3. Cumulative fuel exposure (mwd/mtu)					
4. Avg. reactor power (mwt)					
5. Total heat output/assembly in watts, using an approved calculational method: _____ as of Date _____					

Any false, fictitious or fraudulent statement may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001).

By Purchaser:

Signature _____
Title _____

Date _____

Appendix G**Standard Remittance of Advice (RA) for Payment of Fees**

Assigned Three-Month Period Covered:

from _____ to _____

I. A. Purchaser (Utility name and address): _____

B. Contract Number _____

II. Payment for Spent Nuclear Fuel—\$ _____

A. Financial Obligation as of April 7, 1983 _____

B. Financial Obligation as of Date of First/Single Payment _____

C. Date of First/Single Payment _____

D. Unpaid Balance to Date _____

E. Date of This Payment _____

F. Ten Year Treasury Note Rate _____

III. Payment for M/KWH Fee—\$ _____

A. Total Nuclear KWH Generated During Assigned Three Month Period Covered _____

B. Date of This Payment _____

C. M/KWH Fee Schedule Rate _____

IV. Underpayment (as notified by DOE) _____

A. Date of Notification _____

B. DOE Invoice Number _____

C. Interest Paid _____

V. Late payments (as notified by DOE) _____

A. Date of Notification _____

B. DOE Invoice Number _____

C. Interest Paid _____

VI. Other Credits Claimed (Explain \$ () _____)

VII. Total Remittance \$ _____

Prepared by: _____

Title: _____

Phone Number: _____

Date: _____

Any false, fictitious or fraudulent statement may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001.)

By Purchaser: _____

Signature _____ Title _____ Date _____

FOR DOE USE ONLY THIS LINE

1. Deposit to Account 89-5227 _____

2. Receipt of Payment Verification _____

a. Date Payment Received _____

b. Verification Performed by _____

3. Posted to Cumulative Remitter Ledger: _____

a. Date Posted _____

b. Posted by _____

4. Late Payments: _____

a. Calculation of late charge (attach schedule) _____

b. Billing date _____

5. After processing RA furnish copy to OCRWM _____

Instructions for Completing DOE Remittance Advice

Upon completion, this form must be mailed on the last workday of the month following each assigned three-month period.

Section I:

Name & Address (self explanatory)

Contract Number will be the identification number assigned by DOE upon execution.

Section II:

Based upon permanently discharged inventory of spent fuel and HLW amassed

prior to April 7, 1983, and that portion of the in-core fuel burned through April 6, 1983. Under either payment option 1 or 2, interest will accrue and be compounded at 13-week Treasury bill rates until the first/single payment is made. If the 10 year option is selected, purchaser's financial obligation will be paid in level payment of principal and interest over the first payment. Payments will be made in quarterly installments concurrently with the normal three month assigned period. If option 2 is selected, purchaser will liquidate its total financial obligation, consisting of the fee plus accrued interest, in the form of a single payment. If option 3 is selected, no interest will accrue and lines A and E only must be filled out. This section of the Remittance Advice should be completed for each payment under the 10 year option and only once with either single payment option. (See Annex B, to be completed only once.)

- a. Self explanatory
- b. Fee obligation plus accrued interest
- c. Self explanatory
- d. Self explanatory
- f. Ten year Treasury Note rate in effect at first/single payment
- \$ Amount paid

Section III:

Based upon electricity generated on or after April 7, 1983, a schedule should be attached specifying the gross power generated by each plant during the assigned three-month period as measured at the output terminals of the turbine generator. (See Annex A, to be completed with each submission of the remittance advice.)

- a. Total of power generation from attached schedules
- b. Self explanatory
- c. Fee schedule rate in effect at time of payment

Sections IV & V:

(Same instructions as above) DOE will invoice purchasers when underpayments or late payments occur, reference a particular payment, and state the reason for the invoice.

- A. The date the purchaser received DOE invoice
- B. DOE's invoice #
- C. Interest paid
- \$ Consists of interest if late payment or fees plus interest if under payment

Section VI:

Explain on an attached sheet of paper, if necessary, why DOE has been overpaid and the proposed disposition of the payment, e.g., apply credit against this payment or send refund.

\$ If applied against this payment, this number is negative. If refund desired, leave blank and pay gross amount due from Sections II through V.

Section VII:

The sum of Sections II through VI.

Instruction Guide for Remittance of Nuclear Waste Disposal Fee to Department of Energy Via Wire Transfer

Payments made to the Department of Energy (DOE) for Nuclear Waste Disposal

Fees will be affected by the Purchaser's commercial bank via the Federal Reserve Communications System (also known as Fedwire) to the Department of Treasury. If the Purchaser's commercial bank is not a Federal Reserve member, then the Purchaser's bank will use a correspondent member bank to effect the transfer of funds.

Purchaser must provide specific information to its bank so that the transfer of funds can take place. Failure to correctly provide the information could result in delay crediting of the remittance to DOE and could subject the purchaser to late charges.

If additional information is required, contact DOE representatives, Mark Loop or Joe Startari, on (301) 353-4899 or 353-5857.

Annex A to Appendix G

Standard Remittance of Advice (RA) for Payment of Fees

This Annex should be completed to compute the MKWH fee for SNF burned on or after April 7, 1983.

I. Identification

- A. Purchaser: _____
B. Period Covered _____

	Last report	This report	Next report
1. Date submitted:			
2. Period covered: Start date:			
Finish date:			
3. Length of period covered (days):			

C. Unit Identification (Only one unit may be covered in each report.)

1. Reactor/Facility Name: _____
2. Location: _____
3. Type: _____
4. Capacity: _____
5. Date of Commencement of Operations: _____
6. NRC License No.: _____

II. Fee Calculation

	Prior period	This period
1. Gross Thermal Energy produced (MWH):		
2. Gross Electrical Energy produced (MWH):		
3. Gross Thermal Energy not used to generate electrical output (MWH):		
4. Gross electrical equivalent of thermal electricity (MWH):		
5. Net electrical energy produced (MWH):		
6. Electricity consumed/lost on site (MWH):		
7. Current fee rate: _____ mill/kWh:		
8. Current fee due: _____		

Prepared by: _____
Phone number: _____
Date: _____

1. burnup ¹ (MWDT/MTU):	0	5,000	10,000	20,000
2. initial loading (KgU) (with indicated burnup)	5,000	10,000	20,000	up
3. fee rate (\$/KgU)	80.00	142.00	162.00	184.00
4. fee (\$)				
5. total fee (4):				

B. Nuclear fuel in the reactor core as of midnight of 6/7 April 1983.

Assembly identification	Initial loading (KgU)	Burnup ¹ as of midnight 6/7 April 1983 (MWDT/MTU)	Fee
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			

Annex B to Appendix G

Standard Remittance of Advice (RA) for Payment of Fees

This Annex should be completed only for SNF burned before midnight between April 6/7, 1983.

I. Identification

A. Purchaser: _____

B. Unit Identification (Only one unit may be covered in each report.)

1. Reactor/Facility Name: _____
2. Location: _____
3. Type: _____
4. Capacity: _____
5. Date of Commencement of Operations: _____
6. NRC License No.: _____

II. Fee Calculation

A. Discharged nuclear fuel

Assembly identification	Initial loading (KgU)	Burnup ¹ as of midnight 6/7 April 1983 (MWDT/MTU)	Fee
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			
25.			

¹Please provide (as an attachment) a clear reference to the methodology used to derive the burnup figures (computer codes, etc.) and a clear reference to all data used in the derivation of those figures.

C. Total fee.

[FR Doc. 83-10076 Filed 4-13-83; 11:30 am]

BILLING CODE 6450-01-M

federal register

**Monday
April 18, 1983**

Part III

Department of Energy

Federal Energy Regulatory Commission

**Natural Gas Policy Act of 1978;
Jurisdictional Agency Determinations**

DEPARTMENT OF ENERGY

Federal Energy Regulatory
CommissionDeterminations by Jurisdictional
Agencies Under the Natural Gas Policy
Act of 1978

Issued: April 12, 1983.

The following notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are

available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register**.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd., Springfield, Va. 22161.

Categories within each NGPA section

are indicated by the following codes:

Section 102-1: New OCS lease
102-2: New well (2.5 Mile rule)
102-3: New well (1000 Ft rule)
102-4: New onshore reservoir
102-5: New reservoir on old OCS lease
Section 107-DP: 15,000 feet or deeper
107-GB: Geopressured brine
107-CS: Coal Seams
107-DV: Devonian Shale
107-PE: Production enhancement
107-TF: New tight formation
107-RT: Recompletion tight formation
Section 108: Stripper well
108-SA: Seasonally affected
108-ER: Enhanced recovery
108-PB: Pressure buildup

Kenneth F. Plumb,
Secretary.

BILLING CODE 6717-01-M

NOTICE OF DETERMINATIONS

VOLUME 867

Issued April 12, 1983

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
KANSAS CORPORATION COMMISSION								

-GETTY OIL COMPANY RECEIVED: 03/10/83 JA: KS								
8327509	K-82-0718	1511900000	108-PB		SUTTON A #1	MCKENNEY	0.0	CITIES SERVICE CO
MISSISSIPPI OIL & GAS BOARD								

-CALLON PETROLEUM COMPANY RECEIVED: 03/14/83 JA: MS								
8327591	117-82-486	2307720059	107-DP		CALLON PET - R L WILLIAMSON 26-16	WEST OAKVALE	0.0	SOUTHERN NATURAL
8327515	120-82-9	2306520208	103		MAGGIE BERRY WELL #1	WINNIEVILLE	500.0	SYSTEM FUELS INC
-CHARLES L CHERRY & ASSOCIATES RECEIVED: 03/14/83 JA: MS								
8327514	125-82-413	2308720049	102-4	103	G D HOLLIMAN 18-3 WELL #1	MAPLE BRANCH	12.0	TENNESSEE CAS PIP
-GULF OIL CORPORATION RECEIVED: 03/14/83 JA: MS								
8327511	32-82-11	2307320236	102-4		J M ANDREW #68	BAXTERVILLE	0.0	UNITED GAS PIPE L
-JOSEPH F FRITZ OPERATING CO RECEIVED: 03/14/83 JA: MS								
8327514	70-82-42	2310920040	102-4	103	L W WHITE #2	PISTOL RIDGE	11.0	UNITED GAS PIPE L
-MARION CORPORATION RECEIVED: 03/14/83 JA: MS								
8327587	127-82-440	2306520214	107-DP		SABINE-AMCO 32-5 #1	OAKVALE	4.9	TRANSCONTINENTAL
-PRUET PRODUCTION CO RECEIVED: 03/14/83 JA: MS								
8327586	130-82-147	2314720121	107-DP		GUY 18-7 WELL #1	KNOX	365.0	TRANSCONTINENTAL
-TOMLINSON INTERESTS INC RECEIVED: 03/14/82 JA: MS								
8327588	14-83-418	2309120186	107-DP		FRANK WILSON BUCKLEY 21-13 #1	GREENS CREEK	730.0	TRANSCONTINENTAL
-TOMLINSON INTERESTS INC RECEIVED: 03/14/83 JA: MS								
8327512	102-82-529	2312120109	107-DP		CALEY T JONES 33-10 #2	JOHNS	0.0	TRANSCONTINENTAL
8327589	15-83-529	2312120110	107-DP		E N ROSS JR ET AL 34-11 #1	JOHNS	567.5	TRANSCONTINENTAL
8327513	103-82-529	2312120093	107-DP		ST REGIS PAPER CO 3-6 #1	JOHNS	3000.0	TRANSCONTINENTAL
-TXO PRODUCTION CORP RECEIVED: 03/14/83 JA: MS								
8327590	82-82-92	2309520338	102-4		MURPHREE 29-9 #1	OKOLONA	100.0	TEXAS EASTERN TRA
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION								

-DORAN & ASSOCIATES INC RECEIVED: 03/11/83 JA: NY								
8327508	3273	3101316397	107-TF		R HORNER UNIT #1 KV-14	CARROLL	30.0	COLUMBIA GAS TRAN
OHIO DEPARTMENT OF NATURAL RESOURCES								

-ALTHEIRS OIL INC RECEIVED: 03/15/83 JA: OH								
8327592		3405320540	107-TF		R E GORDON #1	CHESHIRE TOWNSHIP	4.0	COLUMBIA GAS TRAN
-AMERICAN PETROEL INC RECEIVED: 03/15/83 JA: OH								
8327595		3416726885	107-DV		BLANEY LUMBER #1	GRANDVIEW	3650.0	
8327593		3416726846	107-DV		OSBORNE CAMPBELL #1	GRANDVIEW	3000.0	
8327594		3416726847	107-DV		OSBORNE CAMPBELL #2	GRANDVIEW	4000.0	
-APPALACHIAN EXPLORATION INC RECEIVED: 03/15/83 JA: OH								
8327596		3410323102	107-TF		M SCHMIDT #1	SHARON	27.4	YANKEE RESOURCES
8327700		3410323157	107-TF		SMITH UNIT #3	SHARON	11.0	YANKEE RESOURCES
-BIG INJUN OIL & GAS CO INC RECEIVED: 03/15/83 JA: OH								
8327597		3416727312	103		NORTHINGTON #1 87312	BARLOW	1.5	RIVER GAS CO
-BUCKHORN OIL COMPANY INC RECEIVED: 03/15/83 JA: OH								

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8327598		3403124547	103		GROSS #1	TIVERTON	10.0	OHIO CUMBERLAND G
-CALLANDER & KIMBREL INC		3411122851	107-DV		RECEIVED: 03/15/83 JA: OH KANRIG #1	MALAGA	21.0	
8327600		3411122873	107-DV		RECEIVED: 03/15/83 JA: OH LANDEFELD #1A	MILTONSBOUR	27.0	
-CLARENCE K TUSSEL JR		3400721894	103		RECEIVED: 03/15/83 JA: OH 107-TF R COURTY TR #1	MONROE	30.0	
-CLARENCE SHERMAN		3407523925	103		RECEIVED: 03/15/83 JA: OH 107-TF ROY & ALMA TROYER #1	CLARK	5.5	EAST OHIO GAS CO
-CLINTON OIL CO		3408924375	103		RECEIVED: 03/15/83 JA: OH GERALD WILDS #1-615	HOPEWELL	10.0	
8327674		3411926571	103		107-TF HANNA-FISHER #1-764	HIGHLAND	10.0	
8327678		3411926577	103		107-TF HANNA-FISHER #2-765	HIGHLAND	10.0	
8327680		3413323005	103		107-TF JOHN LALLATHIN #1-805	KOOTSTOWN	10.0	
8327681		3415723006	103		107-TF REBECCA JOHNS UNIT #1-753	MILL	10.0	
8327679		3413322987	103		107-TF SOLOM SAND & GRAVEL #1-798	MAINTUA	10.0	
-COASTAL PETROLEUM CORP					RECEIVED: 03/15/83 JA: OH			
8327693		3416923263	107-TF		BAUMAN #2	MILTON	9.0	COLUMBIA GAS TRAN
8327698		3410323146	107-TF		JUDITH-LYNN-BISE #1	SHARON	9.0	EAST OHIO GAS CO
8327602		3410323142	107-TF		MOTZ-KUNGL #1	SHARON	9.0	EAST OHIO GAS CO
-COLLINS-MCGREGOR OPERATING COMPANY					RECEIVED: 03/15/83 JA: OH			
8327694		3405523910	103		107-TF CLEMSON #1	HAMSDEN	8.0	EAST OHIO GAS CO
-DAVID SHAVER OIL PRODUCERS INC					RECEIVED: 03/15/83 JA: OH			
8327605		3415321302	103		STONER LAND CO UNIT #1	BATH	7.5	EAST OHIO GAS CO
-EDWARD E ATHA					RECEIVED: 03/15/83 JA: OH			
8327607		3400922570	107-TF		ALBERT HUTCHINS #1	ROME	140.0	
8327606		3400922470	107-TF		KENNETH R SIMPSON #3	ROME	1.0	
-ENTERPRISE ENERGY CORP					RECEIVED: 03/15/83 JA: OH			
8327608		3411523027	103		107-TF HARPER #2	MANCHESTER	18.2	TEXAS EASTERN TRA
-ENVIROGAS INC					RECEIVED: 03/15/83 JA: OH			
8327609		3400922693	103		107-TF DRYDOCK COAL #25TR	TRIMBLE	18.2	
-EVERFLOW EASTERN INC					RECEIVED: 03/15/83 JA: OH			
8327613		3415723777	103		107-TF JENKINSON-SNYDER #1	UNION	0.0	
8327697		3407237750	103		107-TF JENKINSON-SNYDER-REESE #1	UNION	0.0	
8327610		3409920732	108		MCPHIE #2	ELLSWORTH	4.0	
8327611		3409920755	108		STRUDTHOFF #2	GOOSHEN	0.0	
8327612		3409921493	103		107-TF THEOFLOS #2	ELLSWORTH	0.0	
-FREDERICK PETROLEUM CORP					RECEIVED: 03/15/83 JA: OH			
8327614		3411122889	103		FREDERICK PETROLEUM CORP #1A	BETHEL	10.0	
-GASEARCH INC					RECEIVED: 03/15/83 JA: OH			
8327615		3400721567	103		107-TF MOFFITT #1	CHERRY VALLEY	20.0	AMERICAN ENERGY S
-GATES LILLIAN V-EMERSON GATES					RECEIVED: 03/15/83 JA: OH			
8327632		3416722671	108		GATES-DRAIN #1		3.3	RIVER GAS CO
8327633		3416722821	108		GATES-ROSS #1		3.3	RIVER GAS CO
-GNC ENERGY CORP					RECEIVED: 03/15/83 JA: OH			
8327620		3411522496	107-TF		DALE & MARGARET WOODYARD #1	UNION	15.0	COLUMBIA GAS TRAN
8327619		3411522406	107-TF		KENNETH & MARTHA PINNELL #1	UNION	15.0	
8327621		3411522546	107-TF		WILLIAM & BARBARA GREVEY #1	PENN	15.0	COLUMBIA GAS TRAN
-GREENHOUSE ENERGY LTD #10					RECEIVED: 03/15/83 JA: OH			
8327616		3407523193	103		M MORRIS #1	RICHLAND	0.0	COLUMBIA GAS TRAN
-GREENLAND PARTNERSHIP-82-2					RECEIVED: 03/15/83 JA: OH			
8327617		3412725750	107-TF		CAMERON #1	MONDAY CREEK	20.0	COLUMBIA GAS TRAN
-GREENLAND PERRY-HOCKING PTNSP #1-1					RECEIVED: 03/15/83 JA: OH			
8327618		3407322660	103		NIXON #1	FALLS GORE	20.0	COLUMBIA GAS TRAN
-H & M ENERGY					RECEIVED: 03/15/83 JA: OH			
8327624		3409921281	107-TF		DIERKES #1	JACKSON	30.0	EAST OHIO GAS CO
8327623		3409921186	107-TF		J B KEELER #1	BERLIN	1.0	COLUMBIA GAS TRAN
-HOPEWELL OIL AND GAS DEVELOPMENT CO					RECEIVED: 03/15/83 JA: OH			
8327625		3411522894	107-TF		SCOTT FISHER #2	HOMER	10.0	KRACO GAS
-IRVIN PRODUCING COMPANY					RECEIVED: 03/15/83 JA: OH			
8327626		3412725721	103		107-TF COLUMBIA GAS #3	MONROE	10.0	COLUMBIA GAS TRAN
-JONSU OIL CORP					RECEIVED: 03/15/83 JA: OH			
8327627		3403124902	103		OGLE #1	CLARK	3.0	NATIONAL GAS & OI
-KEN-TRAK V					RECEIVED: 03/15/83 JA: OH			
8327628		3410522364	107-DV		MARK GREUSSER #1	2ND BEEBA (LOWER MISS	0.0	
-KEN-TRAK VI					RECEIVED: 03/15/83 JA: OH			
8327629		3410522328	107-DV		HARRY J DENISON #1	LOWER MISSISSIPPIAN	0.0	
-KEN-TRAK XI					RECEIVED: 03/15/83 JA: OH			
8327630		3410522296	107-TF		WILLIAM WILLIAMS #1	LOWER MISSISSIPPIAN	0.0	
-LANDPROVEST INC					RECEIVED: 03/15/83 JA: OH			
8327631		3405923344	107-TF		MARSH #1	INDIAN CAMP	25.0	
-LOMAK PETROLEUM INC					RECEIVED: 03/15/83 JA: OH			
8327634		3411522860	107-TF		SIGRIST-HIVNOR #8B	YORK	12.0	COLUMBIA GAS TRAN
-M B OPERATING CO INC					RECEIVED: 03/15/83 JA: OH			
8327635		3406720572	103		107-TF Y H C A #2	WASHINGTON	3.5	REPUBLIC STEEL CO
-MITCHELL ENERGY CORPORATION					RECEIVED: 03/15/83 JA: OH			
8327637		3400722342	103		107-TF SHARON SILICA #2 342	SOUTH ARABIA FIELD (C	41.1	
8327636		3400722340	103		107-TF SHARON SILICA #5 340	SOUTH ARABIA FIELD (C	41.1	
-MODREAL OIL INC					RECEIVED: 03/15/83 JA: OH			
8327638		3412725764	103		SHRIDER-WINEMAN #1	HOPEWELL	10.0	
-MORGAN-PENNINGTON INC					RECEIVED: 03/15/83 JA: OH			
8327639		3407523910	107-TF		DUNCAN #1	HARDY	15.0	COLUMBIA GAS TRAN
-NAT-MIC OIL & GAS					RECEIVED: 03/15/83 JA: OH			
8327640		3411101651	108		WALTERS ULRICH #1		0.0	COLUMBIA GAS TRAN
-NEW FRONTIER EXPLORATION INC					RECEIVED: 03/15/83 JA: OH			
8327643		3412122919	103		107-TF CLELA DELANCEY #1	SHARON	22.0	YANKEE RESOURCES
8327645		3415123000	103		107-TF DUDLEY UNIT #1	NIMISHILLEN	18.0	YANKEE RESOURCES
8327648		3415123815	103		107-TF FRANK GABRIC #3	WASHINGTON	18.0	YANKEE RESOURCES
8327642		3411926516	103		107-TF HARRY MASON #2	UNION	16.0	YANKEE RESOURCES
8327646		3415123301	103		107-TF HOWARD HONAKER #2	WASHINGTON	18.0	YANKEE RESOURCES
8327644		3412122923	103		107-TF JOSEPH CRICK #4	ENOCH	20.0	COLUMBIA GAS TRAN
8327641		3405923417	103		107-TF LOU BROTHERS #2	CAMBRIDGE	20.0	COLUMBIA GAS TRAN
8327647		3415123813	103		107-TF M JAY FREDERICK #2	WASHINGTON	18.0	YANKEE RESOURCES
-NOBLE OIL CORP					RECEIVED: 03/15/83 JA: OH			
8327651		3413322742	107-TF		BENNETT #1	PALMYRA	20.0	GENERAL ELECTRIC
8327654		3413322980	107-TF		CZERIONY #1	PALMYRA	20.0	GENERAL ELECTRIC
8327653		3413322961	107-TF		DIX UNIT #1	PALMYRA	20.0	GENERAL ELECTRIC
8327649		3411926512	107-TF		H MILLER #2	SALT CREEK	20.0	EAST OHIO GAS CO
8327652		3413322831	107-TF		HINES #1	DEERFIELD	20.0	GENERAL ELECTRIC
8327650		3411926513	107-TF		J MILLER #2	SALT CREEK	20.0	EAST OHIO GAS CO
-OHIO L & M CO INC					RECEIVED: 03/15/83 JA: OH			
8327658		3416923426	107-TF		BING/OSMUNDSEN #1	CLINTON	10.0	COLUMBIA GAS TRAN
8327656		3416923395	107-TF		D & N FLINNER #1	CLINTON	10.0	COLUMBIA GAS TRAN
8327655		3416923380	107-TF		WACHTEL UNIT #1	CLINTON	10.0	COLUMBIA GAS TRAN
8327657		3416923411	107-TF		WEAVER #1	FRANKLIN	10.0	POMINEX INC

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-ORION ENERGY CORP			RECEIVED:	03/15/83	JA: OH				
8327781		3415123726	107-TF	WEISGARBER UNIT #2		TUSCARAWAS	20.0	COLUMBIA GAS TRAN	
-OXFORD OIL CO			RECEIVED:	03/15/83	JA: OH				
8327682		3411926407	103	107-TF EUGENE BINKLEY #2		LICK	10.0		
8327683		3411926472	103	107-TF HORIZON COAL CORP #1		CLAY	10.0		
-R GENE BRASEL DBA BRASEL & BRASEL			RECEIVED:	03/15/83	JA: OH				
8327659		3405320218	103	SMITH ESTATE #1		ADDISON	2.0	COLUMBIA GAS TRAN	
8327660		3405320390	103	SMITH ESTATE #2		ADDISON	2.0	COLUMBIA GAS TRAN	
8327661		3405320393	103	SMITH ESTATE #3		ADDISON	2.0	COLUMBIA GAS TRAN	
-RESERVE ENERGY CORP			RECEIVED:	03/15/83	JA: OH				
8327662		3408924622	103	WHYDE #1		PERRY	2.0	NATIONAL GAS & OI	
-SANDHILL ENERGY INC (OH)			RECEIVED:	03/15/83	JA: OH				
8327665		3416727302	107-DV	CHARLES HALL #1		INDEPENDENCE	10.9		
8327664		3416726952	107-DV	FLAHERTY #2		GRANDVIEW	36.5		
8327663		3416726805	107-DV	MOTZ #1		GRANDVIEW	91.3		
-SANTA FE DRILLING CO INC			RECEIVED:	03/15/83	JA: OH				
8327668		3416726581	107-DV	BERNARD THOMPSON #3		FEARING	50.0		
8327670		3416726645	107-DV	ELMER BECK #2-A		FEARING	50.0		
8327666		3416726308	107-DV	JOHN SCHNEEBERGER #1		LAURENCE	50.0		
8327669		3416726612	107-DV	LOUISE ZITNER #2		FEARING	50.0		
8327667		3416726489	107-DV	TIMOTHY DAVIS #2		FEARING	50.0		
-SCOTCH INVESTMENTS INC			RECEIVED:	03/15/83	JA: OH				
8327671		3416923446	103	107-TF MORRISON FARMS #1		WAYNE	10.0	COLUMBIA GAS TRAN	
-SHONGUM OIL & GAS INC			RECEIVED:	03/15/83	JA: OH				
8327672		3416923406	107-TF	RUSSELL HOOVER #1		BAUGHMAN	12.0	EAST OHIO GAS CO	
-SOUTHERN TRIANGLE OIL CO INC			RECEIVED:	03/15/83	JA: OH				
8327673		3412723254	108	BRINDARONER #1		SOMERSET SOUTH	0.0	FORAKER GAS CO IN	
-STRATA CORP			RECEIVED:	03/15/83	JA: OH				
8327674		3400922497	107-TF	FERRELL #2		ROME	4.0		
-TEMPLE OIL & GAS CO			RECEIVED:	03/15/83	JA: OH				
8327675		3411522869	107-TF	ISSAC SMITH #14		YORK	8.0		
-THE GOODYEAR TIRE & RUBBER COMPANY			RECEIVED:	03/15/83	JA: OH				
8327622		3415320587	107-TF	GOODYEAR-STOW #6		STOW	35.0	EAST OHIO GAS CO	
-TOMNER PETROLEUM CO			RECEIVED:	03/15/83	JA: OH				
8327685		3405923391	103	107-TF BOND R #7		LONDONDERRY	27.0	TENNESSEE GAS PIP	
8327688		3406725900	103	107-TF CUNNINGHAM/CLAY #1		FREEPORT	27.0	TENNESSEE GAS PIP	
8327684		3405923382	103	107-TF FEDORKA #1		LONDONDERRY	27.0	TENNESSEE GAS PIP	
8327687		3405923460	103	107-TF GUNN R #3A		JEFFERSON	27.0	TENNESSEE GAS PIP	
8327693		3405923444	103	107-TF KUHN R #4		HADISON	27.0	TENNESSEE GAS PIP	
8327686		3405923408	103	107-TF KUNKLE/SHEPPARD/MALONE #1		LONDONDERRY	27.0	TENNESSEE GAS PIP	
-TUBER-KOSTOGLOU			RECEIVED:	03/15/83	JA: OH				
8327689		3413322188	103	107-TF FRONER-TUBER #1		STREETSBORO	24.0	YANKEE RESOURCES	
-UNITED PETROLEUM CORP			RECEIVED:	03/15/83	JA: OH				
8327690		3409920766	107-RT	DEMES #1		ELLSWORTH	28.0	YANKEE RESOURCES	
8327692		3409921035	107-RT	HUNTER #1		CANFIELD	28.0	YANKEE RESOURCES	
8327691		3409921034	107-RT	HUNTER UNIT #1		CANFIELD	28.0	YANKEE RESOURCES	
-W E SHRIDER CO			RECEIVED:	03/15/83	JA: OH				
8327694		3408924555	103	HOOF VENTURES #1		MARYANN	3.0	NATIONAL GAS & OI	
-W J LYDIC INC			RECEIVED:	03/15/83	JA: OH				
8327695		3411122232	107-DV	HAYS-LANCASTER #5		JACKSON	35.0	COLUMBIA GAS TRAN	
8327696		3411122548	107-DV	HENTHORN #1		JACKSON	35.0	COLUMBIA GAS TRAN	
-YOST & YOST INC			RECEIVED:	03/15/83	JA: OH				
8327702		3405320796	107-TF	ALLON SWISHER #1		ADDISON	22.0		

OKLAHOMA CORPORATION COMMISSION									

-TICKLE HUGH			RECEIVED:	03/11/83	JA: OK				
8327510 05683		3507136911 D 102-4		CIRCLE X		BLACKWELL	1725.0	ARKANSAS LOUISIAN	

WEST VIRGINIA DEPARTMENT OF MINES									

-ALLEGHENY LAND & MINERAL COMPANY			RECEIVED:	03/14/83	JA: WV				
8327548		4702103763	103	A-1802		GLENVILLE DISTRICT	0.0	CONSOLIDATED GAS	
8327545		4704103177	103	A-1892		FREEMAN'S CREEK DISTRI	0.0	CONSOLIDATED GAS	
8327547		4704103164	103	A-1108		FREEMAN'S CREEK DISTRI	0.0	CONSOLIDATED GAS	
8327546		4704103167	103	A-1109		FREEMAN'S CREEK	0.0	CONSOLIDATED GAS	
8327577		4704103175	103	A-1141		UNION DISTRICT	0.0	CONSOLIDATED GAS	
8327528		4703301943	108	A-772		SARDIS DISTRICT	0.0	CONSOLIDATED GAS	
8327561		4703302017	108	A-797		EAGLE DISTRICT	0.0	CONSOLIDATED GAS	
8327562		4703302091	108	A-822		FREEMAN CREEK DISTRICT	0.0	CONSOLIDATED GAS	
8327563		4704102961	108	A-964					
-BEREA OIL AND GAS CORPORATION			RECEIVED:	03/14/83	JA: WV				
8327525		4700121370	108	C HYNES #1		VALLEY	11.5	CONSOLIDATED GAS	
-CABOT OIL & GAS CORP			RECEIVED:	03/14/83	JA: WV				
8327564		4701501033	108	A HOBBS #1		PLEASANT	7.5	CABOT CORP	
8327565		4701501034	108	A HOBBS #2		PLEASANT	7.5	CABOT CORP	
8327566		4701501035	108	A HOBBS #3		PLEASANT	5.6	CABOT CORP	
8327567		4701501056	108	A HOBBS #5		PLEASANT	15.3	CABOT CORP	
8327568		4701501061	108	A HOBBS #6		PLEASANT	15.6	CABOT CORP	
8327570		4701501078	108	A HOBBS #7		PLEASANT	9.5	CABOT CORP	
8327571		4701501079	108	A HOBBS #8		PLEASANT	9.5	CABOT CORP	
8327574		4701501079	108	A HOBBS #9		PLEASANT	5.3	CABOT CORP	
8327569		4701501062	108	E R REED #1		PLEASANT	15.5	CABOT CORP	
8327572		4701501084	108	E R REED #2		PLEASANT	15.5	CABOT CORP	
8327573		4701501093	108	JAMES REED #1		PLEASANT DISTRICT	14.8	CABOT CORP	
8327517		4704700207	108	POCAHONTAS #7-1520		BIG CREEK	17.6	TENNESSEE GAS PIP	
8327575		4701501149	108	R E LESUEUR #1		PLEASANT DISTRICT	8.4	CABOT CORP	
-CHASE PETROLEUM			RECEIVED:	03/14/83	JA: WV				
8327584		4708505417	102-3	DANIEL HAYMOND #1		CLAY DISTRICT	18.0		
8327578		4708505251	102-3	HELEN MCCULLOUGH #1		CLAY DISTRICT	18.0		
-CONSOLIDATED GAS SUPPLY CORPORATION			RECEIVED:	03/14/83	JA: WV				
8327544		4703301231	108	A G SWIGER 12469		EAGLE DISTRICT	17.0	GENERAL SYSTEM PU	
8327542		4701702363	108	D C STEHART 12571		WEST UNION DISTRICT	16.0	GENERAL SYSTEM PU	
8327585		4709500700	102-2	H M GILLESPIE 12680		UNION	0.0	GENERAL SYSTEM PU	
8327541		4701302535	108	L S HITT #11958		WASHINGTON DISTRICT	20.0	GENERAL SYSTEM PU	
8327576		4703301931	108	LENDORA HARBERT #12567		EAGLE DISTRICT	19.0	GENERAL SYSTEM PU	
8327543		4703300971	108	LEWIS B HINKLE 12160		ELK DISTRICT	16.0	GENERAL SYSTEM PU	
-D C MALCOLM INC			RECEIVED:	03/14/83	JA: WV				
8327526		4701501695	108	HEROLD #1		SHANDALE-WIDEN	24.0	EQUITABLE GAS CO	
-ENERGY UNLIMITED INC			RECEIVED:	03/14/83	JA: WV				
8327532		4710721157	108	BAYLES-CORBIN #1-A		UNION DISTRICT	5.0	CONSOLIDATED GAS	
8327534		4710720954	108	DALE MORGAN #1		UNION DISTRICT	0.0	CONSOLIDATED GAS	
8327537		4710720801	108	INA TODD #1		UNION DISTRICT	9.0	CONSOLIDATED GAS	
8327533		4710721108	108	J WILCOXEN #2		UNION DISTRICT	0.0	CONSOLIDATED GAS	

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8327540		4707320710	108		PETTY #1	GRANT DISTRICT	5.0	CONSOLIDATED GAS
8327538		4707320974	108		R HARTLESEN #1	GRANT DISTRICT	5.0	CONSOLIDATED GAS
8327539		4707320831	108		ROBERT MATTINGLY #1	GRANT DISTRICT	2.0	CONSOLIDATED GAS
8327536		4710720809	108		THOMAS MULLOCHAN #1	UNION	0.0	CONSOLIDATED GAS
8327535		4710720876	108		TODD-MOORE UNIT #1	UNION DISTRICT	3.0	CONSOLIDATED GAS
-FIVE STAR GAS CO				RECEIVED:	03/14/83	JA: WV		
8327530		4708703389	108		J THOMASSON #1	COLT RIDGE GAS FIELD	0.0	COLUMBIA GAS TRAN
-HAYS & CO AGENT				RECEIVED:	03/14/83	JA: WV		
8327518		4707300562	108		GALE EVERETT #2	UNION	0.0	CONSOLIDATED GAS
-J C BAKER & SONS INC				RECEIVED:	03/14/83	JA: WV		
8327560		4700701682	103		BYRD & ROBINSON	SALT LICK DIST	15.0	CONSOLIDATED GAS
-JIM EMES PETROLEUM CO				RECEIVED:	03/14/83	JA: WV		
8327579		4709500954	108		KELLER #1	UNION	8.0	CONSOLIDATED GAS
8327583		4709500809	108		KENNETH FLETCHER #2	UNION	16.5	CONSOLIDATED GAS
8327581		4709500919	108		R HENDERSON #1	UNION	5.0	CONSOLIDATED GAS
8327580		4709500753	108		SANDS #1	UNION	8.0	CONSOLIDATED GAS
8327582		4709500879	108		WILLIAM K JOHNSON #2	UNION	0.0	CONSOLIDATED GAS
-K CRINFIELD & D MOORE				RECEIVED:	03/14/83	JA: WV		
8327558		4708502169	108		ZINN #1	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327559		4708503336	108		ZINN #10	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327557		4708502203	108		ZINN #2	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327556		4708502266	108		ZINN #3	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327554		4708502313	108		ZINN #4	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327555		4708502418	108		ZINN #5	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327553		4708502421	108		ZINN #6	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327552		4708502510	108		ZINN #7	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327551		4708502593	108		ZINN #8	SPRUCE CREEK	1.0	CARNEGIE NATURAL
8327550		4708503329	108		ZINN #9	SPRUCE CREEK	1.0	CARNEGIE NATURAL
-KEITH CRINFIELD				RECEIVED:	03/14/83	JA: WV		
8327549		4701303369	108		A D GROVES #1	ORMA	0.0	CADOT CORP
-MCINTOSH AND GRIMM				RECEIVED:	03/14/83	JA: WV		
8327527		4701303336	108		HAYS #5		18.0	CONSOLIDATED GAS
-MIDWAY CITY GAS CO				RECEIVED:	03/14/83	JA: WV		
8327531		4707902770	107-DV		MAUD EDWARDS	CURRY	20.0	COLUMBIA GAS TRAN
-PENNZOIL COMPANY				RECEIVED:	03/14/83	JA: WV		
8327522		4704301767	103		MORSE CREEK TRACT "C" #4	DUVAL	0.0	COLUMBIA GAS TRAN
-SPENCER ENERGY CO				RECEIVED:	03/14/83	JA: WV		
8327520		4708702021	108		FELIX NICHOLS #1	UNION	1.0	COLUMBIA GAS TRAN
8327519		4708702023	108		FELIX NICHOLS #2	UNION	1.0	COLUMBIA GAS TRAN
-STERLING DRILLING AND PROD CO INC				RECEIVED:	03/14/83	JA: WV		
8327529		4704103111	103		CREASEY #533	SKIN CREEK DISTRICT	20.0	BROOKLYN UNION GA
-W H MOSSOR				RECEIVED:	03/14/83	JA: WV		
8327521		4708524114	108		GIVENS #1	RUSSELL T GIVENS	1.7	CONSOLIDATED GAS
-MACO OIL AND GAS CO INC				RECEIVED:	03/14/83	JA: WV		
8327524		4702103891	107-DV		COLLINS #1A	COLLINS RUN	25.0	COLUMBIA GAS TRAN
8327523		4702103892	107-DV		COLLINS #2A	COLLINS RUN	50.0	COLUMBIA GAS TRAN

[FR Doc. 83-10232 Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: April 12, 1983.

The following notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are available for inspection except except to the extent such material is confidential under 18 CFR 275.206, at the

Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the Federal Register.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd, Springfield, Va 22161.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease
102-2: New well (2.5 Mile rule)
102-3: New well (1000 Ft rule)
102-4: New onshore reservoir
102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper
107-GB: Geopressured brine
107-CS: Coal Seams
107-DV: Devonian Shale
107-PE: Production enhancement
107-TF: New tight formation
107-RT: Recompletion tight formation

Section 108: Stripper well
108-SA: Seasonally affected
108-ER: Enhanced recovery
108-PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

BILLING CODE 6717-01-M

NOTICE OF DETERMINATIONS

VOLUME 868

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	Issued April 12, 1983	FIELD NAME	PROD	PURCHASER
***** LOUISIANA OFFICE OF CONSERVATION *****									
-AMERICAN QUASAR PETROLEUM CO	82-2079	1710121212	102-4	RECEIVED: 03/15/83	JA: LA		SEC 1 T185 R11E	0.0	
-BASS ENTERPRISES PRODUCTION CO	82-1340	1711123544	102-4	RECEIVED: 03/15/83	JA: LA		MIDDLEFORK	164.0	UNITED GAS PIPE L
-BRONCO ENERGY	82-1237	1709720665	102-4	RECEIVED: 03/15/83	JA: LA		SHUTESTON	606.0	LOUISIANA INTRAST
-CITIES SERVICE COMPANY	82-1099	1704720669	103	RECEIVED: 03/15/83	JA: LA		BAYOU HENRY	445.0	GAS GATHERING COR
-CONOCO INC	82-1096	1703920237	103	RECEIVED: 03/15/83	JA: LA		VILLE PLATTE	10.0	LOUISIANA INTRAST
-COTTON PETROLEUM CORPORATION	82-1339	1701521692	102-4	RECEIVED: 03/15/83	JA: LA		ARKANA	0.0	ARKANSAS LOUISIANA
-CRYSTAL OIL AND LAND COMPANY	82-2348	1701521716	107-TF	RECEIVED: 03/15/83	JA: LA		ARKANA	803.0	ARKANSAS LOUISIANA
-DARSEY OPERATING CORP	82-1131	1701521723	103	RECEIVED: 03/15/83	JA: LA		ARKANA	76.7	ARKANSAS LOUISIANA
-DORAL J ZADECK	82-1179	1701521622	103	RECEIVED: 03/15/83	JA: LA		PLAIN DEALING	14.6	ARKANSAS LOUISIANA
-ERGON INC	82-1073	1703121580	103	RECEIVED: 03/15/83	JA: LA		SOUTH BAYOU MALLETT	292.0	MARSHLAND ENERGY
-EXCALIBUR RESOURCES INC	82-1369	1711122706	103	RECEIVED: 03/15/83	JA: LA		CASPIANA	64.0	ARKANSAS LOUISIANA
-EXCHANGE OIL & GAS CORPORATION	82-1351	1703520215	103	RECEIVED: 03/15/83	JA: LA		MONROE	1.2	TEXAS GAS TRANSMI
-EXXON CORPORATION	82-1205	1710121181	103	RECEIVED: 03/15/83	JA: LA		MONROE	9.9	TEXAS GAS TRANSMI
-GALLERIA ENERGY CORP	82-1100	1704520697	103	RECEIVED: 03/15/83	JA: LA		MONROE	9.0	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1101	1709920594	103	RECEIVED: 03/15/83	JA: LA		MONROE	12.1	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	11.8	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	13.3	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	10.2	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	10.5	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	11.5	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	9.3	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	10.9	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	9.9	TEXAS GAS TRANSMI
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	136.9	SABINE-DESOTO PIP
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		RIDGE	915.0	LOUISIANA INTRAST
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		BAYOU SALE	110.0	TRUNKLINE GAS CO
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		AVERY ISLAND	100.0	COLUMBIA GAS TRAN
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		DUCK LAKE	25.0	UNITED GAS PIPE L
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		DUCK LAKE	100.0	UNITED GAS PIPE L
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	13.0	WEST MONROE GAS G
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	13.0	WEST MONROE GAS G
-HALLERDALE ENERGY CORP	82-1097	1709920554	103	RECEIVED: 03/15/83	JA: LA		MONROE	13.0	WEST MONROE GAS G

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-GAS RESOURCES INC			RECEIVED:	03/15/83	JA: LA			
8327739	82-1232	1711122848	108		EXXON #21	MONROE GAS	28.0	IMC EXPLORATION C
8327720	82-1193	1711123228	103	108	EXXON #31	MONROE GAS	24.0	IMC PIPELINE CO I
-GATOR HAWK GAS CO			RECEIVED:	03/15/83	JA: LA			
8327869	82-1150	1707321816	108		MYHRE #4	MONROE	11.3	UNITED GAS PIPELI
-GEORGE R SCHURMAN			RECEIVED:	03/15/83	JA: LA			
8327826	82-1310	1708120459	103		LAMY-LELONG #5	RED RIVER BULL BAYOU	160.0	
8327856	82-2010	1708120455	103		LAMY-LELONG #6	RED RIVER BULL BAYOU	150.0	LOUISIANA INTRAST
-GEITY OIL COMPANY			RECEIVED:	03/15/83	JA: LA			
8327713	82-1120	1712720691	103		BODCAM 5-29 #1 CV RA SUV	CALVIN	18.0	LOUISIANA INTERST
8327831	82-1277	1707322907	103		MANHATTAN LAND & FRUIT CO "C" #8	VENICE	923.0	UNITED GAS PIPELI
-GLENDA PETROLEUM CORP			RECEIVED:	03/15/83	JA: LA			
8327728	82-1042	1707321746	103		MCKNIGHT #9 S/N 178849	MONROE	15.0	UNITED GAS PIPELI
8327777	82-2209	1707321578	108		PENNZOIL 20 #4 S/N 171091	MONROE	15.0	UNITED GAS PIPELI
8327776	82-2210	1707321579	108		PENNZOIL 20 #5 S/N 171092	MONROE	12.0	UNITED GAS PIPELI
8327775	82-2211	1707321580	108		PENNZOIL 20 #6 S/N 171093	MONROE	12.0	UNITED GAS PIPELI
8327774	82-2212	1707321581	108		PENNZOIL 20 #7 S/N 171094	MONROE	12.0	UNITED GAS PIPELI
8327777	82-2213	1707321582	108		PENNZOIL 20 #8 S/N 171095	MONROE	12.0	UNITED GAS PIPELI
8327852	82-3204	1707321583	108		PENNZOIL 29 #14 S/N 171098	MONROE	11.0	UNITED GAS PIPELI
8327851	82-3205	1707321587	108		PENNZOIL 29 #16 S/N 177320	MONROE	11.0	UNITED GAS PIPELI
8327850	82-3206	1707321588	108		PENNZOIL 29 #17 S/N 171101	MONROE	10.0	UNITED GAS PIPELI
8327849	82-3207	1707321589	108		PENNZOIL 29 #18 S/N 171102	MONROE	10.0	UNITED GAS PIPELI
8327848	82-3208	1707321590	108		PENNZOIL 29 #19 S/N 171103	MONROE	10.0	UNITED GAS PIPELI
8327847	82-3209	1707321592	108		PENNZOIL 29 #21 S/N 177243	MONROE	10.0	UNITED GAS PIPELI
8327727	82-1043	1707321750	103		SHAWER A #5 S/N 175148	MONROE	11.0	UNITED GAS PIPELI
8327726	82-1044	1707321759	103		SHAWER A #6 S/N 175149	MONROE	15.0	UNITED GAS PIPELI
8327736	82-1045	1711122628	103		SMITH 15 #1 S/N 169873	MONROE	10.0	MID-LOUISIANA GAS
8327735	82-1046	1711122629	103		SMITH 15 #2 S/N 169874	MONROE	11.0	MID-LOUISIANA GAS
8327734	82-1047	1711122630	103		SMITH 15 #3 S/N 169875	MONROE	11.0	MID-LOUISIANA GAS
8327733	82-1048	1711122631	103		SMITH 15 #4 S/N 169876	MONROE	10.0	MID-LOUISIANA GAS
-GOLDKING PRODUCTION COMPANY			RECEIVED:	03/15/83	JA: LA			
8327756	82-2409	1700520153	102-4		CASHIO #1	WILDCAT	811.0	
8327827	82-1257	1700121045	103		L B & J W LANSON #1	ELLIS	328.0	LOUISIANA INTRAST
-GRACE PETROLEUM CORPORATION			RECEIVED:	03/15/83	JA: LA			
8327800	82-1360	1701724003	103		CUSHMAN #1	LONGWOOD	0.0	ARKANSAS LOUISIAN
-GUERNSEY PETROLEUM CORPORATION			RECEIVED:	03/15/83	JA: LA			
8327710	82-1058	1703121473	103		BODCAM #1	WILDCAT	14.0	LOUISIANA INTRAST
8327703	82-1066	1703121612	103		DRYSON #1	BENSON	72.0	LOUISIANA INTRAST
8327725	82-1067	1703121527	103		E A LAFITTE "B" -1	RED RIVER-BULL BAYOU	54.0	TEXAS EASTERN TRA
8327715	82-1068	1703121628	103		FRED ROTHELL #1	RED RIVER-BULL BAYOU	18.0	TEXAS EASTERN TRA
8327829	82-1273	1703121495	103		MARSHALL A CALHOUN #1	RED RIVER-BULL BAYOU	144.0	TEXAS EASTERN TRA
8327830	82-1274	1703126196	103		SAVELL #1	RED RIVER-BULL BAYOU	72.0	TEXAS EASTERN TRA
-GULF OIL CORPORATION			RECEIVED:	03/15/83	JA: LA			
8327807	82-2026	1707572188	103		D S C I #135	BULLY CAMP	668.3	TENNESSEE GAS PIP
8327867	82-2231	1701920939	103		FONTENOT #1 CIB RB SUA	SOUTH BELL CITY	508.0	TEXAS GAS TRANSMI
8327839	82-1343	1705721630	103		S L "PPP" 192 #281	TINDALIER BAY	90.0	TENNESSEE GAS PIP
-HADDOX PETROLEUM CORP			RECEIVED:	03/15/83	JA: LA			
8327793	82-3023	1711123045	108		MOBIL-IP #5	MONROE	25.1	MID-LOUISIANA GAS
8327792	82-3024	1711123046	108		MOBIL-IP #6	MONROE	26.9	MID-LOUISIANA GAS
8327791	82-3025	1711123047	108		MOBIL-IP #7	MONROE	26.9	MID-LOUISIANA GAS
-HARVEY BROYLES			RECEIVED:	03/15/83	JA: LA			
8327871	82-1144	1701320550	103		CUNNINGHAM #1 HOSS B SUC	BEAR CREEK	275.0	SOUTHERN NATURAL
-HENRY GOODRICH D/B/A GOODRICH OIL			RECEIVED:	03/15/83	JA: LA			
8327712	82-1130	1704920184	103		ALEXANDER #1 JAMES LIME RA SUD	HODGE	365.0	ARKANSAS LOUISIAN
-IMC EXPLORATION COMPANY			RECEIVED:	03/15/83	JA: LA			
8327759	82-3185	1711123455	108		FROST #83	MONROE	14.0	IMC PIPELINE CO I
8327758	82-3186	1707321803	108		MYHRE #3	MONROE	16.0	UNITED GAS PIPELI
8327757	82-3187	1707321804	108		MYHRE #4	MONROE	16.0	UNITED GAS PIPELI
8327765	82-3188	1707321855	108		MYHRE #5	MONROE	16.0	UNITED GAS PIPELI
8327844	82-3189	1707321856	108		MYHRE #6	MONROE	16.0	UNITED GAS PIPELI
-J M X PETROLEUM INC			RECEIVED:	03/15/83	JA: LA			
8327820	82-2333	1705320765	102-4		RACCA #1	WOODLAWN	156.7	TEXAS GAS TRANSMI
-JEEMS BAYOU PRODUCTION CORP			RECEIVED:	03/15/83	JA: LA			
8327861	82-1376	1703121493	103		LA POINTE #1	AJAX	54.7	TENNESSEE GAS PIP
8327773	82-2023	1703120922	103		NEAL #1	AJAX	45.6	TENNESSEE GAS PIP
-JOHN O CLAY EXPLORATION INC			RECEIVED:	03/15/83	JA: LA			
8327881	82-1383	1702120608	102-4		PERKINS #4 WILCOX RA SUE	WEST CLARKS	54.0	LOUISIANA INTRAST
-KAISER OIL (US) LTD			RECEIVED:	03/15/83	JA: LA			
8327784	82-2085	1711122863	103		ROYE #1-171774	WILDCAT	170.0	
-LEA EXPLORATION INC			RECEIVED:	03/15/83	JA: LA			
8327755	82-2464	1705520208	107-DP		LAURA B DUHON #1	NORTH MAURICE	750.0	TENNESSEE GAS PIP
-LINSICO EXPLORATION CO			RECEIVED:	03/15/83	JA: LA			
8327766	82-2283	1710922488	102-4		HENICAN #1	DEER ISLAND	157.0	LOUISIANA INTRAST
-LUFFEY GAS CORP			RECEIVED:	03/15/83	JA: LA			
8327732	82-1049	1711123523	103		107-TF DEAN A 1	MONROE	9.3	WEST MONROE GAS G
8327719	82-1051	1711123525	103		107-TF EXXON A 2	MONROE	9.3	WEST MONROE GAS G
8327731	82-1050	1711123524	103		107-TF EXXON A 1	MONROE	9.3	WEST MONROE GAS G
-MALLARD DRILLING CORP			RECEIVED:	03/15/83	JA: LA			
8327825	82-1420	1703121588	103		CHAFFIN #2	GRAND CANE	0.0	SOUTHERN NATURAL
-MARATHON OIL COMPANY			RECEIVED:	03/15/83	JA: LA			
8327740	82-1098	1711321159	103		M V DURKE #2 TH S1PH DAV 3 SU	THEALL	547.5	UNITED GAS PIPE L
-MARSHALL EXPLORATION INC			RECEIVED:	03/15/83	JA: LA			
8327801	82-2966	1703121494	108		AVERTT #6 FBO RA SU184	LOGANSPO	5.0	SOUTHERN NATURAL
8327748	82-1178	1703121642	103		BOISE SOUTHERN #1	GRAND CANE	140.0	SOUTHERN NATURAL
8327857	82-2009	1703121246	108		BROWN #1 ROD RA SUX	BETHANY-LONGSTREET	21.0	ARKANSAS LOUISIAN
8327834	82-3058	1703120506	108		COVINGTON #1 WAL PXY SUM	LOGANSPO	15.0	TENNESSEE GAS PIP
8327824	82-1325	1703100705	108-ER		FBO RA SM34 RAMSEY ETAL #4	LOGANSPO	0.0	TENNESSEE GAS PIP
8327879	82-1393	1708120439	103		FOULER #1	WILDCAT	200.0	
8327716	82-1055	1703121686	103		FRANK MATTHEWS "A" #3	CONVERSE	110.0	SABINE-DESOTO PIP
8327760	82-3179	1703121232	108		GAMBLE #3 FBO RA SU69	LOGANSPO	4.0	TENNESSEE GAS PIP
8327846	82-3214	1703121810	103		HERVEY-ODEN #1	LOGANSPO	180.0	TENNESSEE GAS PIP
8327880	82-1392	1703121533	103		HILL #1	BENSON	360.0	SABINE-DESOTO PIP
8327706	82-1063	1703121491	108		HORN #6 U HOSS RA SUM	BELLE BOWER	10.0	TENNESSEE GAS PIP
8327874	82-1132	1703121354	108		HORN #7ALT WAL PXY SUA	LOGANSPO	14.0	SOUTHERN NATURAL
8327873	82-1133	1703121635	103		HUMPHRIES #1 VUA	BELLE BOWER	360.0	TENNESSEE GAS PIP
8327836	82-1357	1703121683	103		HUTCHINS #1	GRAND CANE	180.0	SOUTHERN NATURAL
8327783	82-2086	1703120419	108-ER		LEVI-BURKETT #1 HOSS SUZ	LOGANSPO	0.0	SOUTHERN NATURAL
8327717	82-1034	1703121602	103		LOUREY #1	CANADIAN BAYOU	140.0	PRODUCER'S GAS CO
8327707	82-1062	1703121372	103		MONTGOMERY #1	BENSON	19.0	TENNESSEE GAS PIP
8327787	82-2043	1703120811	108		PAGE #1 FBO RA SU 40	LOGANSPO	60.0	ARKANSAS-LOUISIAN
8327705	82-1064	1703121444	103		PANKEY #3	BETHANY - LONGSTREET	14.0	ARKANSAS LOUISIAN
8327860	82-1589	1703121449	108		PANKEY #4	BETHANY - LONGSTREET	140.0	ARKANSAS LOUISIAN
8327704	82-1065	1703121449	103		PANKEY #4	BETHANY - LONGSTREET	140.0	ARKANSAS LOUISIAN
8327767	82-3087	1703121485	108		PETERS #1 WAL PXY SUP	LOGANSPO	19.0	SOUTHERN NATURAL

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8327883	82-1380	1703100845	108		ROBERT SMART #1 FBO RA SU135	LOGANSPOUT	7.0	TENNESSEE GAS PIP
8327789	82-1059	1703121566	103		VIGEN #1 H055 RA SU 2	HOLLY	148.0	UNITED GAS PIPELI
8327833	82-3089	1703121571	108		WAGNER #1	GRAND CANE	21.0	SOUTHERN NATURAL
8327708	82-1060	1703121571	103		WAGNER #1	GRAND CANE	120.0	SOUTHERN NATURAL
8327799	82-1366	1703100000	103		WINEGEART #1 FBO RA SU 23	LOGANSPOUT	10.0	TENNESSEE GAS PIP
8327870	82-1145	1733121426	108		WOODROW HORN #2 VUA	LOGANSPOUT	55.0	SOUTHERN NATURAL
MAY PETROLEUM INC					RECEIVED: 03/15/83	JA: LA		
8327779	82-2197	1703120890	103	108	JACKSON B DAVIS #6 (161715) PET RAH	CASPIANA	0.0	ARKANSAS LOUISIAN
MCCONATHY & ASSOCIATES					RECEIVED: 03/15/83	JA: LA		
8327854	82-3191	1706120303	103		GREEN #1 FEAZEL RA SUC	RUSTON	300.0	ARKANSAS LOUISIAN
MICH-LA OIL & GAS EXPLORATION					RECEIVED: 03/15/83	JA: LA		
8327835	82-1358	1703100000	102-2		J T RAMSEY #1	GROGAN	1022.0	TENNESSEE GAS PIP
8327796	82-1359	1703100000	103		W G LORD #3	GROGAN	292.0	TENNESSEE GAS PIP
MID LOUISIANA GAS COMPANY					RECEIVED: 03/15/83	JA: LA		
8327754	82-2789	1711123664	103		MLGC FEE GAS #1131	MONROE GAS FIELD	24.5	MID-LOUISIANA GAS
8327753	82-2790	1711123679	103		MLGC FEE GAS #1135	MONROE GAS FIELD	25.6	MID-LOUISIANA GAS
8327818	82-2791	1711123776	103		MLGC FEE GAS #1158	MONROE GAS FIELD	26.3	MID-LOUISIANA GAS
8327910	82-2304	1711123781	103		MLGC FEE GAS #1168	MONROE GAS FIELD	26.6	MID-LOUISIANA GAS
8327817	82-2792	1711123843	103		MLGC FEE GAS #1190	MONROE GAS FIELD	26.8	MID-LOUISIANA GAS
8327816	82-2793	1711123844	103		MLGC FEE GAS #1191	MONROE GAS FIELD	27.4	MID-LOUISIANA GAS
8327815	82-2794	1711123845	103		MLGC FEE GAS #1192	MONROE GAS FIELD	26.3	MID-LOUISIANA GAS
8327814	82-2795	1711123863	103		MLGC FEE GAS #1199	MONROE GAS FIELD	25.2	MID-LOUISIANA GAS
8327809	82-2805	1711123884	103		MLGC FEE GAS #1207	MONROE GAS FIELD	25.9	MID-LOUISIANA GAS
8327808	82-2806	1711123885	103		MLGC FEE GAS #1208	MONROE GAS FIELD	25.5	MID-LOUISIANA GAS
8327780	82-2180	1711121833	108		MLGC FEE GAS #771	MONROE GAS FIELD	19.7	MID-LOUISIANA GAS
MIDROC OPERATING CO					RECEIVED: 03/15/83	JA: LA		
8327790	82-2024	1711122947	102-2		CARSON #1 CV DAVIS RA SU XX	STONE CREEK	180.0	LOUISIANA GAS INT
8327855	82-3198	1707321137	102-2		WILKINSON 11-14 ROD RA SU I #1	MILLHAVEN	144.0	TEXAS GAS TRANSMI
PENNZOIL PRODUCING COMPANY					RECEIVED: 03/15/83	JA: LA		
8327806	82-2827	1710921915	103		CLIF A-19 ALT UK RB SUA	KENT BAYOU	212.0	UNITED GAS PIPELI
PETRO-LEWIS CORPORATION					RECEIVED: 03/15/83	JA: LA		
8327877	82-1607	1705120593	103		JOHN WATT #3	MANILLA VILLAGE	7.3	SOUTHERN NATURAL
8327840	82-1542	1705120593	103		JOHN WATT #3D	MANILLA VILLAGE	558.0	SOUTHERN NATURAL
PRIMOS PRODUCTION CO					RECEIVED: 03/15/83	JA: LA		
8327778	82-2208	1707321875	103		PARSONS #1	MONROE	11.3	MID-LOUISIANA GAS
RELANCE TR-JV					RECEIVED: 03/15/83	JA: LA		
8327738	82-1052	1711123549	103	107-TF	WHEELER #4	MONROE	13.0	TEXAS GAS TRANSMI
RELANCE TRUSTS					RECEIVED: 03/15/83	JA: LA		
8327780	82-2035	1711123597	103	107-TF	E A MASHAW #2	MONROE	0.0	TEXAS GAS TRANSMI
8327762	82-3111	1711236290	103	107-TF	J M MUCKLERDY #1	MONROE	13.0	TEXAS GAS TRANSMI
8327736	82-1218	1711123551	103	107-TF	MANVILLE #12	MONROE	0.0	TEXAS GAS TRANSMI
8327789	82-2034	1711123552	103	107-TF	MANVILLE #13 (SH 179233)	MONROE	13.0	TEXAS GAS TRANSMI
8327737	82-1219	1711123553	103	107-TF	MANVILLE #14	MONROE	13.0	TEXAS GAS TRANSMI
SANTA FE ENERGY PRODUCTS CO					RECEIVED: 03/15/83	JA: LA		
8327781	82-2149	1700320197	102-2		J A BEL #3	BARNES CREEK/0278	188.0	
SHADRACK PRODUCTION CO					RECEIVED: 03/15/83	JA: LA		
8327802	82-2892	1711123632	103	107-TF	G C ALLUMS #1	MONROE	13.0	WEST MONROE GAS O
SHELL OIL CO					RECEIVED: 03/15/83	JA: LA		
8327872	82-1135	1704520631	103		LANDRY #11 KK RB SU B	BAYOU PIGEON	350.0	TEXAS GAS TRANSMI
SOURCE PETROLEUM INC					RECEIVED: 03/15/83	JA: LA		
8327866	82-2247	1705320736	103		CHARLES H TUPPER A #1	SOUTH ELTON	0.0	LOUISIANA GAS SYS
STONE PETROLEUM CORP					RECEIVED: 03/15/83	JA: LA		
8327772	82-2406	1709120019	102-4		RITA R STEPHENS #1	GREENSBURG	42.0	
SUN EXPLORATION & PRODUCTION CO					RECEIVED: 03/15/83	JA: LA		
8327865	82-2270	1710100000	108		BI H VUA #1-36	BELLE ISLE	1.0	UNITED GAS PIPE L
8327842	82-2022	1701724272	103		CLEMENTS #1	N MISSIONARY LAKE	189.0	CRYSTAL OIL CO
8327805	82-2832	1705721922	103		DIBERT STARK & BROWN #103	CHACHOULA	237.0	LOUISIANA INTRAST
8327730	82-2275	1700100000	108		FRED LOEWER #1 HMB SU	BRANCH NORTHWEST	14.0	LOUISIANA GAS SYS
8327825	82-1311	1703121522	103		INTERNATIONAL PAPER CO "H" #1	TRENTON EAST	33.0	
SUN OIL CO					RECEIVED: 03/15/83	JA: LA		
8327853	82-3203	1701120130	108		POWELL LBR CO #2 WK ARA SUA	BEAR	0.0	
TEMPLETON ENERGY INC					RECEIVED: 03/15/83	JA: LA		
8327858	82-2002	1710720416	103		MORAN #1	AUBREY	130.0	LOCUST RIDGE GAS
TEXACO INC					RECEIVED: 03/15/83	JA: LA		
8327761	82-3146	1705120606	102-4	103	MADISON REALTY CO INC C #39	LAFITTE	49.0	KAISER ALUMINUM &
8327876	82-1408	1705120607	103		RIOGLET'S COOPERATIVE FUR CO #164	LAFITTE	21.0	KAISER ALUMINUM &
8327786	82-2831	1705120644	103		SL 2084 #10	QUEEN BESS ISLAND	92.0	KAISER ALUMINUM &
8327721	82-1102	1770720106	103		SL 340 MOUND POINT #6	MOUND POINT	297.0	KAISER ALUMINUM &
8327745	82-1207	1770720099	103		SL 340 MOUND POINT WELL #77	MOUND POINT	2066.0	KAISER ALUMINUM &
TEXAS OIL & GAS CORP					RECEIVED: 03/15/83	JA: LA		
8327729	82-258	1703121619	103		CROMWELL #1 H055 RA SUI	GRAND CANE	273.8	DELHI GAS PIPELIN
THOMAS W ROGERS & ASSOCIATES					RECEIVED: 03/15/83	JA: LA		
8327763	82-3110	1711123660	103	107-TF	M PARKER #1	MONROE	13.0	WEST MONROE GAS G
THUNDER OIL CORP					RECEIVED: 03/15/83	JA: LA		
8327746	82-1204	1711123565	103	107-TF	STROTHER #1	MONROE	13.0	WEST MONROE GAS G
TWIN CITY GAS					RECEIVED: 03/15/83	JA: LA		
8327859	82-1996	1707321850	103	108	CASE #3	MONROE	14.0	IMC PIPELINE CO I
TXO PRODUCTION CORP					RECEIVED: 03/15/83	JA: LA		
8327845	82-3215	1706120321	103		AMBROSE #1 D-SUO	RUSTON	139.1	DELHI GAS PIPELIN
8327828	82-1259	1706120300	103		BAKER "E" #1	CHOUFRANT	91.3	DELHI GAS PIPELIN
UNION OIL COMPANY OF CALIF					RECEIVED: 03/15/83	JA: LA		
8327743	82-1210	1711321155	103		E DUGAS #9	TIGRE LAGOON	890.0	TRANSCONTINENTAL
UNION TEXAS PETROLEUM					RECEIVED: 03/15/83	JA: LA		
8327782	82-2089	1706120217	107-TF		G L HOOD 2791 GRAY RA SUE	TERRYVILLE	109.5	SUGAR BOWL GAS CO
VIKING RESOURCES (LA)					RECEIVED: 03/15/83	JA: LA		
8327878	82-1606	1711123563	103	107-TF	A J JONES #4 SN 179506	MONROE	0.0	WEST MONROE GAS C
8327750	82-1175	1711123564	103	107-TF	BERTRAND DEAN #4 SN 179587	MONROE	0.0	WEST MONROE GAS G
W M INABNET AGENT					RECEIVED: 03/15/83	JA: LA		
8327811	82-2799	1707321890	103	108	INABNET ESTATE #10	MONROE GAS	18.0	MIDWAY PRODUCTION
8327813	82-2796	1707321884	103	108	INABNET ESTATE #5	MONROE GAS	5.0	MIDWAY PRODUCTION
8327812	82-2797	1707321885	103	108	INABNET ESTATE #6	MONROE GAS	11.0	MIDWAY PRODUCTION
8327843	82-2798	1707321889	103	108	INABNET ESTATE #9	MONROE	5.0	MIDWAY PRODUCTION
WAINOCO OIL & GAS CO					RECEIVED: 03/15/83	JA: LA		
8327798	82-2228	1701920978	102-4		E J REEVES #1	GILLIS-ENGLISH BAYOU	1000.0	UNITED GAS PIPELI
WELLS-BATTELSTEIN OIL & GAS INC					RECEIVED: 03/15/83	JA: LA		
8327803	82-2869	1711123620	103	107-TF	D L RHODES #1	MONROE	25.0	LOUISIANA POWER &
WHELESS INDUSTRIES INC					RECEIVED: 03/15/83	JA: LA		
8327771	82-3056	1702721020	102-4	107-TF	POWELL #1 WHELESS-PELTO SMK C RA SM	EAST DYKESVILLE	365.0	UNITED GAS PIPE L
8327768	82-3029	1702720989	107-TF		PRATHER EST #1 WHELESS-PELTO VUA	EAST DYKESVILLE	365.0	UNITED GAS PIPE L
OKLAHOMA CORPORATION COMMISSION					RECEIVED: 03/16/83	JA: OK		
AMAREX INC					RECEIVED: 03/16/83	JA: OK		
8327924	23603	3512920682	107-DP		WALKER #1-12	DEMSEY	913.0	

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-ANDOVER OIL COMPANY			RECEIVED:	03/17/83	JA: OK			
8328006 19379		3501722141	102-2	ADAMS PARK #7-3			54.0	DELHI GAS PIPELIN
-APEX ENERGY INC			RECEIVED:	03/16/83	JA: OK			
8327909 20596		3511921505	103	FLYNN #21-1			0.0	SUN GAS TRANSMISS
-ARCO OIL AND GAS COMPANY			RECEIVED:	03/16/83	JA: OK			
8327916 20581		3504721861	108	CHARLES M KRIPPES #1	SOUTH DOUGLAS		7.3	ARCO OIL & GAS CO
8327917 20582		3504722016	108	GERTRUDE M GILBERT NO 1	SOUTH DOUGLAS		10.9	ARCO OIL & GAS CO
8327915 20580		3504722217	108	MARVIN LE GRAND #1	SOUTH DOUGLAS		7.5	ARCO OIL & GAS CO
-BOBBY J DARNELL			RECEIVED:	03/16/83	JA: OK			
8327896 20397		3508122130	103	BIRCKET #2	SOUTHEAST ORLANDO		24.0	EASON OIL CO
8327898 20398		3508321948	103	BRANSON #2	S E LOVELL		24.0	EASON OIL CO
8327895 20396		3508322099	103	CHANDERS #1-16	EAST CRESCENT		8.0	EASON OIL CO
8327894 20395		3508322051	103	GRAY #2	WEST PRAIRIE VIEW		18.0	EASON OIL CO
8327899 20401		3508322054	103	JAMES MORRIS #2	SOUTH ORLANDO		12.0	EASON OIL CO
8327897 20399		3508322128	103	SCHMIDT #2	NORTHWEST RUSSELL		18.0	EASON OIL CO
-C E DINSMORE			RECEIVED:	03/16/83	JA: OK			
8327934 20469		3500320544	108	MIRNICK #1	RINGWOOD		3.2	AMINOIL USA INC
-COTTON PETROLEUM CORPORATION			RECEIVED:	03/16/83	JA: OK			
8327893 19609		3501521322	102-2	DORSEY "A" #1	W HINTON		0.0	TRANSOK PIPELINE
-EASTOK PETROLEUM CORP			RECEIVED:	03/16/83	JA: OK			
8327932 20450		3509120518	103	EASTOK #2	COATON-TIGER MOUNTAIN		100.0	CARR GAS CO
-GLENCO PETROLEUM CORP			RECEIVED:	03/16/83	JA: OK			
8327933 20459		3506321495	103	A ALLEN #7			36.5	GLENCO PIPELINE C
8327908 20595		3506321669	103	B BEAR #1			516.9	GLENCO PIPELINE C
-GULF OIL CORPORATION			RECEIVED:	03/16/83	JA: OK			
8327889 19465		3501121674	102-2	YOST ERVAN #2-24	SOUTH OMEGA		72.0	
-GULF OIL CORPORATION			RECEIVED:	03/17/83	JA: OK			
8328011 19941		3507322527	103	KRITTENDRINK #1-21	OKARCHE NW		105.0	
-H & L OPERATING COMPANY			RECEIVED:	03/16/83	JA: OK			
8327925 20636		3502520539	103	CRYER #1A DIC NUMBER UNAVAILABLE	NE SAMPSEL		100.0	PANHANDLE EASTERN
-H YOUNG INC			RECEIVED:	03/16/83	JA: OK			
8327900 20442		3513921637	103	MEAD #2	RICE		0.0	PHILLIPS PETROLEU
-HARPER OIL COMPANY			RECEIVED:	03/16/83	JA: OK			
8327940 20575		3507300000	108	HUFF #1	SOONER TREND		15.0	PHILLIPS PETROLEU
-HPC INC			RECEIVED:	03/16/83	JA: OK			
8327941 20533		3501722379	103	BURKHEAD #2-6	NORTH CALUMET		0.0	PHILLIPS PETROLEU
8327939 20534		3501722380	103	BURKHEAD #3-6	NORTH CALUMET		0.0	PHILLIPS PETROLEU
8327935 20513		3504521064	103	SCHIFFIELD #28-1			10.0	PHILLIPS PETROLEU
-INEXCO OIL COMPANY			RECEIVED:	03/17/83	JA: OK			
8328007 19380		3503920739	102-2	LONG #1-2	EAST HAMMON		292.0	EL PASO NATURAL G
-JET OIL COMPANY			RECEIVED:	03/16/83	JA: OK			
8327905 20521		3508322057	103	H BLAKE #1	MULHALL		22.0	EASON OIL CO
8327904 20520		3507323592	103	WALKER #1	LACEY		23.0	PHILLIPS PETROLEU
-JUNIAS OIL PART CORP			RECEIVED:	03/16/83	JA: OK			
8327936 20532		3510720346	108	HAMMER #1	DUTCHER & BOOCH		12.9	PHILLIPS PETROLEU
-KIRKPATRICK OIL CO			RECEIVED:	03/17/83	JA: OK			
8328019 18009		3507323478	103	MCHULTY "B"-3	SOONER TREND		0.0	EXXON CORP
-LEAR PETROLEUM EXPLORATION INC			RECEIVED:	03/16/83	JA: OK			
8327927 23601		3501521467	107-DP	PATTON #1-15	NORTH EAKLEY		2.2	
-LOUISIANA LAND & EXPLORATION CO			RECEIVED:	03/16/83	JA: OK			
8327885 17729		3503734389	103	CASEY #5	CUSHING		0.0	ARCO OIL & GAS CO
8327884 17728		3503722445	103	CASEY 5	CUSHING		0.0	ARCO OIL & GAS CO
8327886 17732		3503722650	103	FIXICO #2	CUSHING		0.0	ARCO OIL & GAS CO
8327887 17734		3503708000	103	K WASHINGTON #4	CUSHING		0.0	ARCO OIL & GAS CO
8327888 17735		3503722855	103	K WASHINGTON #5	CUSHING		0.0	ARCO OIL & GAS CO
-MOBIL OIL CORP			RECEIVED:	03/16/83	JA: OK			
8327928 20177		3501570000	108	GRAHAM DEESE UT #18-14 C SMITH #14	SHO VEL TUM		0.0	LONE STAR GAS CO
8327929 20178		3501900000	108	GRAHAM DEESE UT #20-5 HOLMAN #5	SHO VEL TUM		0.2	LONE STAR GAS CO
8327930 20179		3501900000	108	GRAHAM DEESE UT #28-1 IRALSON #1	SHO VEL TUM		0.0	LONE STAR GAS CO
8327926 20636		3501900000	108	GRAHAM DEESE #6-1A C WILLIAMS #1-A	SHO VEL TUM		0.0	LONE STAR GAS CO
8327931 20182		3501900000	108	GRAHAM DEESE UT #79 C D WILLIAMS #9	SHO VEL TUM		0.0	LONE STAR GAS CO
-MOBIL OIL CORP			RECEIVED:	03/17/83	JA: OK			
8328012 20171		3501900000	108	GRAHAM DEESE UT #5-4 C D WILLIAMS	SHO VEL TUM		0.1	LONE STAR GAS CO
8328013 20172		3501900000	108	GRAHAM DEESE #7-3 C D WILLIAMS #3D	SHO VEL TUM		0.1	LONE STAR GAS CO
8328014 20176		3501900000	108	GRAHAM DEESE UNIT #9-5 (A DAVIS #5)	SHO VEL TUM		0.0	LONE STAR GAS CO
-NOVA ENERGY CORPORATION			RECEIVED:	03/16/83	JA: OK			
8327902 20494		3501521152	103	FANNIE BROWN #1-11			0.0	PHILLIPS PETROLEU
8327903 20495		3501521348	103	FANNIE BROWN #2-11			0.0	PHILLIPS PETROLEU
-PETRO-LEWIS CORPORATION			RECEIVED:	03/16/83	JA: OK			
8327911 20576		3507300000	108	ERMA 13-1	SOONER TREND		18.0	PARTNERSHIP PROPE
8327937 20567		3507300000	108	HUBBARD 17-1	SOONER TREND		38.0	PARTNERSHIP PROPE
8327914 20579		3507300000	108	HUGHES 13-1	SOONER TREND		9.8	PARTNERSHIP PROPE
8327912 20577		3507300000	108	LESLEY 17-1	SOONER TREND		7.3	PARTNERSHIP PROPE
8327913 20578		3507300000	108	WEIR 35-1	SOONER TREND		15.0	PARTNERSHIP PROPE
-PETRO-LEWIS CORPORATION			RECEIVED:	03/17/83	JA: OK			
8328021 18969		3507300000	108	MYERS 19-1	LOYAL EAST (SOONER TR		11.3	PARTNERSHIP PROPE
-PHILLIPS PETROLEUM COMPANY			RECEIVED:	03/16/83	JA: OK			
8327919 20590		3513900000	108	CARB #1	OKLAHOMA HUGOTON - DO		0.0	PANHANDLE EASTERN
8327938 20535		3500700000	108	LOESCH A #5	CONO SE - TOXALIA CON		0.0	EL PASO NATURAL G
8327921 20592		3513900000	108	MUTUAL #1	OKLA HUGOTON - DOLOMI		0.0	PANHANDLE EASTERN
8327920 20591		3513900000	108	RHOAD #1	OKLAHOMA HUGOTON - DO		0.0	PANHANDLE EASTERN
-PHILLIPS PETROLEUM COMPANY			RECEIVED:	03/17/83	JA: OK			
8328020 18158		3513900000	108	GATER #1			0.0	PANHANDLE EASTERN
-REX R MOORE JR			RECEIVED:	03/17/83	JA: OK			
8328010 19487		3508322091	103	CONELL #1	W WELLSTON		1.0	
-RICHARDS JACK H			RECEIVED:	03/16/83	JA: OK			
8327922 20600		3504900000	108	JASON #1	ANTIOC		15.0	WARREN PETROLEUM
8327923 20601		3504900000	108	JASON #2	ANTIOC		15.0	WARREN PETROLEUM
-RICKS EXPLORATION CO			RECEIVED:	03/17/83	JA: OK			
8328005 19376		3503920752	103	SAUER #23-A	S W WEATHERFORD		810.0	EL PASO NATURAL G
-SABINE PRODUCTION COMPANY			RECEIVED:	03/17/83	JA: OK			
8328009 19451		3509322482	102-2 103	HUGGLARD #1			1752.0	TRANSOK PIPE LINE
-SAMSUN RESOURCES COMPANY			RECEIVED:	03/16/83	JA: OK			
8327918 20588		3504320042	108	M F CLARK NO 1			10.2	PANHANDLE EASTERN
-SENECA OIL COMPANY			RECEIVED:	03/17/83	JA: OK			
8328008 19381		3513921591	102-2	MIDES #1-30			573.1	PANHANDLE EASTERN
-STEVE JERNIGAN INC			RECEIVED:	03/16/83	JA: OK			
8327899 19557		3501722247	102-2	ROYCE BROTHERS #3			0.0	PHILLIPS PETROLEU
-STEVE JERNIGAN INC			RECEIVED:	03/17/83	JA: OK			
8328022 19362		3501722346	102-2	ROYCE BROTHERS #2			0.0	
-UNIT DRILLING & EXPLORATION CO			RECEIVED:	03/16/83	JA: OK			
8327907 20546		3506120508	103	HARP #1	KEOTA		135.0	ARKANSAS LOUISIAN
8327906 20545		3506120491	103	SOLESBEE #1	KEOTA		135.0	ARKANSAS LOUISIAN
-VIERSEN & COCHRAN			RECEIVED:	03/16/83	JA: OK			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8327981	20473	3504721453	103		EGGERS-BARBER UNIT #3	SOONER TREND	15.0	CHAMPLIN PETROLEU
8327980	20599	3504321562	103		PADBERG 1-35	WATONGA TREND	90.0	
-VULCAN OIL & GAS CORP								
8328017	17773	3511721447	103	RECEIVED:	03/17/83 JA: OK	TERLTON NORTH	36.5	H J D CATTLE CO
8328016	17772	3511721368	103		PEACOCK #10	TERLTON NORTH	36.5	H J D CATTLE CO
8328015	17771	3511721292	103		PEACOCK #14	TERLTON NORTH	36.5	H J D CATTLE CO
8328018	17774	3511721304	103		PEACOCK #2	TERLTON NORTH	36.5	H J D CATTLE CO
-WOODS PETROLEUM CORPORATION								
8327981	19546	3503920620	102-2	RECEIVED:	03/16/83 JA: OK	WEST BUTLER	468.0	EL PASO NATURAL G
8327982	19547	3503920617	102-2		ANNIE HARDIN #31-1	N CLINTON	1095.0	
-STRATTON FARMS #3-1								
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES								
-ADDOE OIL & GAS CORPORATION								
8327942	19378	3702120195	102-2	RECEIVED:	03/17/83 JA: PA	HASTINGS	26.0	CONSOLIDATED GAS
8327942	19378	3702120195	102-2		ALLAN VARNER #2			
-ANGERMAN ASSOCIATES INC								
8327945	19159	3712900000	103	RECEIVED:	03/17/83 JA: PA	W PENNA - UPPER DEVON	20.0	PEOPLES NATURAL G
-ASHTOLA PRODUCTION CO								
8327944	18467	3712921758	103	RECEIVED:	03/17/83 JA: PA	HANKEYE POOL	0.0	TEXAS EASTERN GAS
-ATLAS RESOURCES INC								
8327945	19135	3706327995	102-4	RECEIVED:	03/17/83 JA: PA	CHERRYHILL	78.0	COLUMBIA GAS TRAN
-DGC-NCC SERVICE CO								
8327947	19373	3712921778	103	RECEIVED:	03/17/83 JA: PA	EAST HUNTINGDON	9.0	TEXAS EASTERN TRA
8327948	19742	3712921763	103		D S BRILHART 1462-1	EAST HUNTINGDON	13.7	TEXAS EASTERN TRA
8328003	19750	3712921904	103		J B SUTER 901-2	EAST HUNTINGDON	18.7	TEXAS EASTERN TRA
-E & M DEVELOPMENT CO								
8327949	18902	3700522722	103	RECEIVED:	03/17/83 JA: PA	PLUMVILLE	18.0	PEOPLES NATURAL G
-EASTERN STATES EXPLORATION CO								
8327955	19320	3706522677	103	RECEIVED:	03/17/83 JA: PA	MARSAN	25.0	NATIONAL FUEL GAS
8327955	19300	3706522686	103		C MARUCA #2	FROSTBURG	25.0	CONSOLIDATED GAS
8327950	19319	3702720021	102-2		COMMONWEALTH OF PA TR-231 #2	BOGGS	15.0	TEXAS EASTERN TRA
8327953	19310	3706522659	103		MICHAEL J MAXIN #1	RATHIEL	30.0	NATIONAL FUEL GAS
8327952	19309	3706522682	103		ROBERT ELLENBERGER #1	810 RUN	30.0	NATIONAL FUEL GAS
8327954	19311	3706522678	103		SUGARHILL LIMESTONE CO #1	RATHIEL	30.0	NATIONAL FUEL GAS
-G E BURGLEY								
8327946	19178	3712922083	103	RECEIVED:	03/17/83 JA: PA	BRAEBURN	16.0	PEOPLES NATURAL G
-J & J ENTERPRISES INC								
8327958	19247	3706522592	103	RECEIVED:	03/17/83 JA: PA	WINSLOW	0.0	COLUMBIA GAS TRAN
8327957	19246	3706522602	103		R & P COAL CO #42	WINSLOW	0.0	COLUMBIA GAS TRAN
8327956	19245	3706522605	103		R & P COAL CO #45 (595A)	WINSLOW	0.0	COLUMBIA GAS TRAN
8327956	19245	3706522605	103		R & P COAL CO #46 (595A)	WINSLOW	0.0	COLUMBIA GAS TRAN
-KRIEDEL WELLS #2								
8327959	19131	3706327282	103	RECEIVED:	03/17/83 JA: PA	JOHNSONBURG	20.0	
-MERIDIAN EXPLORATION CORP								
8327966	19323	3703921641	107-TF	RECEIVED:	03/17/83 JA: PA	ROCKDALE	30.0	COLUMBIA GAS TRAN
8327963	19324	3703921641	102-2		D BROWN #622-1	ROCKDALE	30.0	COLUMBIA GAS TRAN
8327961	19315	3703921816	102-2		FINCK #642-1	ROCKDALE	30.0	COLUMBIA GAS TRAN
8327960	19312	3703921815	102-2		FINCK #643-1	ROCKDALE	30.0	COLUMBIA GAS TRAN
8327967	19325	3704921718	107-TF		G BROWN #619-1	EDINBORG NORTH	30.0	COLUMBIA GAS TRAN
8327964	19326	3704921718	102-2		G BROWN #619-1	EDINBORG NORTH	30.0	COLUMBIA GAS TRAN
8327965	19321	3704922345	107-TF		MOREHOUSE #663-1	EDINBORG NORTH	30.0	COLUMBIA GAS TRAN
8327962	19322	3704922345	102-2		MOREHOUSE #663-1	EDINBORG NORTH	30.0	COLUMBIA GAS TRAN
-MID-PENNA ENERGY CORP								
8328004	19219	3703321495	103	RECEIVED:	03/17/83 JA: PA	GRAMPIAN	40.0	CONSOLIDATED GAS
-NORTHWEST NATURAL GAS CO								
8327969	18856	3703921856	107-TF	RECEIVED:	03/17/83 JA: PA	BEAVER CENTER	0.0	NATIONAL FUEL GAS
8327968	18857	3703921856	103		EDWARD & ARLO POTTER #1	BEAVER CENTER	0.0	NATIONAL FUEL GAS
-PHILLIPS PRODUCTION CO								
8327970	19345	3703321215	102-2	RECEIVED:	03/17/83 JA: PA	CHEST	25.0	
-QUESTA PETROLEUM CO								
8327994	19299	3712922138	103	RECEIVED:	03/17/83 JA: PA	HEMPFIELD	25.0	
8327995	19372	3712922107	103		C H TARR #3	NEW STANTON	25.0	
-R & L DEVELOPMENT CO								
8327996	19267	3712900000	103	RECEIVED:	03/17/83 JA: PA	SALTSBURG	20.0	T W PHILLIPS GAS
-SNYDER BROTHERS INC								
8327997	19348	3700522774	103	RECEIVED:	03/17/83 JA: PA	COWANSHANNOCK TWP	10.0	T W PHILLIPS GAS
-T W PHILLIPS GAS & OIL CO								
8327984	19392	3700500000	103		ADALINE BURK #1	WEST FRANKLIN	1.9	T W PHILLIPS GAS
8327976	19384	3700500000	103		ARMSTRONG COUNTY TRUST CO #1	REDBANK	1.7	T W PHILLIPS GAS
8327975	19383	3700500000	103		C F WOLFONG #2	REDBANK	1.5	T W PHILLIPS GAS
8327989	19397	3700500000	103		C G GAISER #2	WEST FRANKLIN	1.9	T W PHILLIPS GAS
8327990	19398	3700500000	103		F D GAISER #1	WEST FRANKLIN	1.1	T W PHILLIPS GAS
8327991	19399	3700500000	103		F D GAISER #2	WEST FRANKLIN	1.2	T W PHILLIPS GAS
8327992	19400	3700500000	103		F D GAISER #3	WEST FRANKLIN	2.2	T W PHILLIPS GAS
8327988	19396	3700500000	103		G C GAISER #1	WEST FRANKLIN	0.6	T W PHILLIPS GAS
8327978	19386	3700500000	103		H E MARKLE #2	REDBANK	1.0	T W PHILLIPS GAS
8327980	19388	3700500000	103		IDA MCGREGOR #1	REDBANK	1.5	T W PHILLIPS GAS
8327979	19387	3700500000	103		IDA MCGREGOR #2	REDBANK	2.9	T W PHILLIPS GAS
8327983	19391	3700500000	103		JAMES S TROUP #1	REDBANK	1.7	T W PHILLIPS GAS
8327971	19379	3700500000	103		JAMES S TROUP #3	REDBANK	3.2	T W PHILLIPS GAS
8327974	19382	3700500000	103		JOHN M YOUNT #1	REDBANK	1.1	T W PHILLIPS GAS
8327973	19381	3700500000	103		JOHN WHEATCROFT #1	REDBANK	1.9	T W PHILLIPS GAS
8327972	19380	3700500000	103		JOHN WHEATCROFT #2	REDBANK	1.5	T W PHILLIPS GAS
8327993	19401	3700500000	103		JOSEPH BRANAN HEIRS #2	WEST FRANKLIN	1.4	T W PHILLIPS GAS
8327986	19394	3700500000	103		M & J CALLAHAN #1	WEST FRANKLIN	1.4	T W PHILLIPS GAS
8327981	19389	3700500000	103		MILD N SLICKER #1	REDBANK	2.9	T W PHILLIPS GAS
8327977	19385	3700500000	103		R L BARRETT #1	REDBANK	2.8	T W PHILLIPS GAS
8327982	19390	3700500000	103		W R FRES #1	REDBANK	1.2	T W PHILLIPS GAS
8327987	19395	3700500000	103		W T COLLAR #1	WEST FRANKLIN	2.0	T W PHILLIPS GAS
8327985	19393	3700500000	103		WARD C CLAYPOOL #2	WEST FRANKLIN	1.5	T W PHILLIPS GAS
-TURN OIL INC								
8327999	19340	3700522785	103	RECEIVED:	03/17/83 JA: PA	NUMINE	36.0	PEOPLES NATURAL G
8327998	19339	3700522789	103		ALPHA BLAIR & ALICE LIAS #2	NUMINE	40.0	PEOPLES NATURAL G
-UNION DRILLING INC								
8328000	19188	3706326944	102-2	RECEIVED:	03/17/83 JA: PA	CHERRYHILL TOWNSHIP	0.0	COLUMBIA GAS TRAN
8328001	19282	3706326195	102-2		JAMES C DECKER #1 0741	CHERRYHILL	0.0	COLUMBIA GAS TRAN
-WAINCO OIL & GAS CO								
8328002	19334	3703921658	103	RECEIVED:	03/17/83 JA: PA	CAMBRIDGE SPRINGS	35.4	NATIONAL FUEL GAS
-ELEANOR G PUSZ #1 (CS-9A) WELL								

[PR Doc. 83-10233 Filed 4-15-83 8:45 am]

BILLING CODE 6717-01-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: April 12, 1983.

The following notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the

Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the Federal Register.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd., Springfield, Va. 22161.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease
102-2: New well (2.5 Mile rule)
102-3: New well (1000 Ft. rule)
102-4: New onshore reservoir
102-5: New reservoir on old OCS lease

Section 107-DP: 15,000 feet or deeper
107-CB: Geopressured brine
107-CS: Coal Seams
107-DV: Devonian Shale
107-PE: Production enhancement
107-TF: New tight formation
107-RT: Recompletion tight formation

Section 108: Stripper well
108-SA: Seasonally affected
108-ER: Enhanced recovery
108-PB: Pressure buildup

Kenneth F. Plumb,
Secretary.

BILLING CODE 6717-01-M

NOTICE OF DETERMINATIONS

VOLUME 869

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	Issued April 12, 1983	FIELD NAME	PROD	PURCHASER

COLORADO OIL & GAS COMMISSION									

AMERADA HESS CORPORATION									
8322134	82-1063	0506705746	108		RECEIVED: 03/18/83 JA: CO				
8323085	82-226	0504506336	103		FORD OLSON UNIT "A" #1	IGNACIO	11.4	EL PASO NATURAL G	
8323086	82-225	0504506011	103		RECEIVED: 03/18/83 JA: CO				
AMOCO PRODUCTION CO									
8323060	82-724	0500107629	103		C C 23-1A (CALF CANYON)	943' FNL 831' FNL SEC	104.7	NORTHWEST PIPELIN	
8323061	82-723	0500107915	103		IVAL YOUNG #C C 14-1	660' FNL 1680' FNL	111.6	NORTHWEST PIPELIN	
8323062	82-722	0500107914	103		RECEIVED: 03/18/83 JA: CO				
8323063	82-725	0500107831	103		CHAMPLIN 100 AMOCO "A" #1	ARROYO	5.0	AMOCO PRODUCTION	
8323064	82-709	0500107756	103		CHAMPLIN 100 AMOCO "A" #3	ARROYO	50.0	AMOCO PRODUCTION	
8323065	82-728	0500107222	103		CHAMPLIN 100 AMOCO "A" #4	ARROYO	30.0	AMOCO PRODUCTION	
8323066	82-730	0500107634	103		CHAMPLIN 100 AMOCO "B" #1	ARROYO	91.0	AMOCO PRODUCTION	
8323067	82-732	0500107938	103		CHAMPLIN 248 AMOCO "A" #4	RADAR	40.0	PANHANDLE EASTERN	
8323068	82-727	0500108053	103		CHAMPLIN 248 AMOCO "B" #1	BEAR GULCH	30.0	PANHANDLE EASTERN	
8323069	82-726	0512310186	103		CHAMPLIN 248 AMOCO "C" #3	RADAR	456.0	PANHANDLE EASTERN	
8323070	82-729	0512310071	103		CHAMPLIN 248 AMOCO "C" #4	RADAR	239.0	PANHANDLE EASTERN	
ARCO OIL AND GAS COMPANY									
8323088	82-935	0506706475	107-TF		PAUL SCHMIDT GAS UNIT "B" #2	WATTENBERG	472.0	PANHANDLE EASTERN	
8323087	82-604	0506706367	107-TF		UPR 43 PAN AM "W" #1	WATTENBERG	130.0	PANHANDLE EASTERN	
BASIN-WARREN JOINT VENTURE									
8323089	82-693	0512310622	107-TF		RECEIVED: 03/18/83 JA: CO				
8323071	82-692	0512310622	103		SOUTHERN UTE 17-4 32-11	IGNACIO BLANCO	219.0	WESTERN SLOPE GAS	
CABOT PETROLEUM CORP									
8323090	82-662	0512506725	107-TF		SOUTHERN UTE 4-1 32-10	IGNACIO BLANCO	355.0	WESTERN SLOPE GAS	
8323091	82-666	0512506658	107-TF		RECEIVED: 03/18/83 JA: CO				
8323092	82-668	0512506702	107-TF		BETZ #1	WILDCAT	146.0	PANHANDLE EASTERN	
8323093	82-909	0512506711	107-TF		BETZ #1	WILDCAT	146.0	PANHANDLE EASTERN	
8323095	82-665	0512506701	107-TF		RECEIVED: 03/18/83 JA: CO				
8323094	82-618	0512506590	107-TF		BODEN #16-14	BONNY	54.0	CITIES SERVICE GA	
8323096	82-667	0512506697	107-TF		FLEER #16-11	BONNY	5.0	CITIES SERVICE GA	
8323097	82-616	0512506593	107-TF		HELLING #8-13	BONNY	45.0	CITIES SERVICE GA	
8323098	82-619	0512506594	107-TF		KHAPP #5-25	BONNY	6.0	CITIES SERVICE GA	
8323102	82-910	0512506763	107-TF		LENCEL #15-23	BONNY	9.0	CITIES SERVICE GA	
8323104	82-663	0512506705	107-TF		LENCEL #13-24	BONNY	54.0	CITIES SERVICE GA	
8323103	82-911	0512506741	107-TF		MCKEE #16-2	BONNY	30.0	CITIES SERVICE GA	
8323100	82-661	0512506706	107-TF		OSIUS C4-24	BONNY	0.0	CITIES SERVICE GA	
8323101	82-664	0512506704	107-TF		STATE #16-16	BONNY	52.0	CITIES SERVICE GA	
8323099	82-617	0512506595	107-TF		MEYERMAN #14-12	BONNY	7.0	CITIES SERVICE GA	
CALVIN PETROLEUM CORPORATION									
8323105	81-792	0502310142	107-TF		MEYERMAN #16-12	ECNNY	12.0	CITIES SERVICE GA	
CHAMPLIN PETROLEUM COMPANY									
8323047	82-736	0500107883	102-2		MEYERMAN #16-7	BONNY	35.0	CITIES SERVICE GA	
8323048	82-930	0500108062	102-2		MEYERMAN #5-18	BONNY	54.0	CITIES SERVICE GA	
8323049	82-755	0500108063	102-2		MEYERMAN #3-13	BONNY	38.0	CITIES SERVICE GA	
COORS ENERGY CO									
					RECEIVED: 03/18/83 JA: CO				
					MCGUCKIN W1/2 SECTION 32 T3N-R65M	WATTENBERG SECTION 32	36.5	PANHANDLE EASTERN	
					CAVENDER 31-11 #3	KRAUTHHEAD/BASELINE	31.0	COLORADO INTERSTA	
					NORTH 32-15 #2	KRAUTHHEAD	2.5	COLORADO INTERSTA	
					NORTH 41-15 #1	KRAUTHHEAD	45.0	COLORADO INTERSTA	

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328106	82-610	0504506305	107-TF		COMPERTHUAITE 2-6 LW	LOGAN WASH FEDERAL UN	242.0	NORTHERN NATURAL
8328107	82-611	0504506311	107-TF		GETTY 1-7 LW	LOGAN WASH FEDERAL UN	73.0	NORTHERN NATURAL
-E LYLE JOHNSON INC			RECEIVED:	03/18/83	JA: CO			
8328027	82-604	0511506038	102-4		DONALDSON #26-1	MARKS BUTTE	75.0	KANSAS-NEBRASKA N
-ENERGY MINERALS CORP			RECEIVED:	03/18/83	JA: CO			
8328128	82-1057	0512308206	108		STANLEY #3	SPINDLE	6.0	PANHANDLE EASTERN
-ENERGY MINERALS CORPORATION			RECEIVED:	03/18/83	JA: CO			
8328127	82-1055	0512309894	108		COLLINS #1	WAITE LAKE	18.0	PANHANDLE ENERGY CO
8328129	82-1056	0512309001	108		STANLEY #6	SPINDLE	6.0	PANHANDLE EASTERN
8328023	82-624	0512308135	102-4		WARREN #12-30	SLOAN	19.0	PHILLIPS PETROLEU
-ENERGY OIL INC			RECEIVED:	03/18/83	JA: CO			
8328072	82-678	0512309294	103		ALEXANDER #1	WATTENBURG	235.0	PANHANDLE EASTERN
8328024	80-615	0512310005	102-4		BOULTER #1	WILDCAT	0.0	PANHANDLE EASTERN
8328074	82-853	0512310671	103		BOULTER #2	WATTENBURG	229.0	PANHANDLE EASTERN
8328075	82-649	0512310553	103		EASTON #1	WATTENBURG	250.0	PANHANDLE EASTERN
8328073	82-651	0512310552	103		FRED ARENS #1	WATTENBURG (CODELL)	250.0	PANHANDLE EASTERN
8328076	82-855	0512310668	103		KRAUSE #3	WATTENBURG	235.0	PANHANDLE EASTERN
-ESTATE OF ROY L COOK			RECEIVED:	03/18/83	JA: CO			
8328130	82-995	0506700000	108		TUBBS #1	IGNACIO BLANCO	14.4	EL PASO NATURAL G
-EVERTSON WELL SERVICE-GREHLIN OIL C			RECEIVED:	03/18/83	JA: CO			
8328025	81-774	0512307013	102-4		RODMAN #32-17	RATTLESNAKE	15.0	CITIES SERVICE CO
-FAMCO OIL INC			RECEIVED:	03/18/83	JA: CO			
8328108	82-748	0506706311	107-TF		GAINES UTE #4	IGNACIO BLANCO DAKOTA	40.0	NORTHWEST PIPELIN
-FRANK H WALSH			RECEIVED:	03/18/83	JA: CO			
8328043	81-240	0508700000	102-4		CHRISTENSEN BROS		40.0	KANSAS-NEBRASKA N
-FUEL RESOURCES DEVELOPMENT CO			RECEIVED:	03/18/83	JA: CO			
8328109	82-638	0507708462	107-TF		COLORADO LAND #3	PLATEAU	31.0	NORTHWEST PIPELIN
-GREMLIN OIL CO			RECEIVED:	03/18/83	JA: CO			
8328026	82-603	0507507018	102-4		ASHDAUGH #13-20	WILDCAT	15.0	CITIES SERVICE CO
-H & C COLTON CO			RECEIVED:	03/18/83	JA: CO			
8328110	82-742	0512300000	107-TF		SUPREME CAMP-CAMENISCH #1	UNNAMED	40.0	PANHANDLE EASTERN
-H L WILLETT			RECEIVED:	03/18/83	JA: CO			
8328126	81-184	0512309790	107-TF		EDITH M WHITESIDE #1	WATTENBURG	60.0	PANHANDLE EASTERN
-J-M OPERATING COMPANY			RECEIVED:	03/18/83	JA: CO			
8328050	82-693	0512506676	102-2		J BROPHY #7-29	WAVERLY	68.9	KANSAS-NEBRASKA N
8328053	82-572	0512506627	102-2		LENGEL #1-18	WILDCAT	218.0	CITIES SERVICE GA
8328054	82-597	0512506678	102-2		STATE #24-14	WAVERLY	157.0	KANSAS-NEBRASKA N
8328111	82-599	0512506334	107-TF		T BROPHY #27-14	OLD BALDY	173.0	KANSAS-NEBRASKA N
8328051	82-598	0512506334	102-2		T BROPHY #27-14	OLD BALDY	173.0	KANSAS-NEBRASKA N
8328052	82-600	0512506675	102-2		T BROPHY #28-33	UNNAMED	111.9	KANSAS-NEBRASKA N
8328131	82-437	0512506302	108		V HARDING #1	WAGES	17.7	KANSAS-NEBRASKA N
-JEROME P MCHUGH			RECEIVED:	03/18/83	JA: CO			
8328113	82-608	0506706515	107-TF		PIKE'S PEAK #1	IGNACIO BLANCO MESAVE	800.0	EL PASO NATURAL G
-JOHN P LOCKRIDGE			RECEIVED:	03/18/83	JA: CO			
8328055	82-659	0512506285	102-2		DICKSON 1-22	BONNY FIELD	18.0	CITIES SERVICE GA
8328056	82-717	0512506287	102-2		GROSECLOSE 1-29	BONNY FIELD	9.0	CITIES SERVICE GA
-L & B OIL CO INC			RECEIVED:	03/18/83	JA: CO			
8328112	82-559	0512310169	107-TF		STATE OF COLORADO #3-36 CO	SPACE CITY	1400.0	PANHANDLE EASTERN
-MACHII-ROSS PETROLEUM CO			RECEIVED:	03/18/83	JA: CO			
8328077	82-698	0512309329	103		ARISTOCRAT-ANGUS 12-3	ARISTOCRAT-ANGUS	180.0	COLORADO INTERSTA
8328078	82-699	0512310502	103		HALEY-GUMESON #2	WATTENBURG	100.0	COLORADO INTERSTA
-MADERA ROYALTY & ENERGY INC			RECEIVED:	03/18/83	JA: CO			
8328079	82-660	0500107870	103		AMOCO-TUPPS #1-19	WATKINS	73.0	PANHANDLE EASTERN
-MOF OIL CORP			RECEIVED:	03/18/83	JA: CO			
8328028	81-343	0512310190	102-4		BETTY STATE #34-36	HORSE CREEK	54.8	DAMSON GAS PROCES
8328029	82-719	0512308904	102-4		DELLA 34-8	SCADDARD	27.0	PHILLIPS PETROLEU
8328030	81-541	0512310320	102-4		DONNA STATE #42-36	HORSE CREEK	188.0	DAMSON GAS PROCES
8328031	82-831	0500107973	102-4		DOROTHY #44-24	FENCE POST	18.0	DAMSON OIL CORP
8328032	82-832	0512310556	102-4		DOITIE #11-34	BANNER LAKES	23.4	DAMSON OIL CORP
8328033	82-828	0500108046	102-4		ELAINE #41-18	BANNER LAKES	72.0	DAMSON OIL CORP
8328034	82-833	0512310191	102-4		ELSIE #44-34	WILDCAT	14.4	DAMSON OIL CORP
8328035	81-189	0500106160	102-4		FRED JR #1 (41-22)	BROCKLEY	54.0	DAMSON OIL CORP
8328036	81-623	0512310338	102-4		GIGI STATE #44-36	HORSE CREEK	36.0	DAMSON GAS PROCES
8328037	82-825	0512310597	102-4		GLORIA #24-28	BANNER LAKES	46.8	DAMSON OIL CORP
8328038	82-830	0512310603	102-4		JODI #31-28	BANNER LAKES	18.0	DAMSON OIL CORP
8328039	81-314	0512310879	102-4		JOHNNY STATE #14-36	HORSE CREEK	7.2	DAMSON GAS PROCES
8328040	81-576	0500107874	102-4		JUDY #22-6	BASLINE	36.0	DAMSON GAS PROCES
8328041	82-826	0512310601	102-4		PAM #1-28	BANNER LAKES	0.0	DAMSON OIL CORP
-MIDLANDS GAS CORPORATION			RECEIVED:	03/18/83	JA: CO			
8328132	81-805	0512506430	108		STALLINGS 3-12	SCHRAMM	21.0	KANSAS-NEBRASKA N
8328133	82-209	0512506429	108		STULP 1-11	SCHRAMM	21.0	KANSAS-NEBRASKA N
-MOUNTAIN PETROLEUM CORPORATION			RECEIVED:	03/18/83	JA: CO			
8328135	80-59217	0512506103	108-PB		ALLISON #1-32	VERNON	0.0	KANSAS NEBRASKA N
-NATOHAS NORTH AMERICA INC			RECEIVED:	03/18/83	JA: CO			
8328114	82-642	0506706568	107-TF		BAIRD #1-25 WELL	IGNACIO BLANCO	0.0	NORTHWEST PIPE LI
8328115	82-591	0506706235	107-TF		STATE #1-36	IGNACIO BLANCO	212.0	NORTHWEST PIPE LI
8328116	82-641	0506706571	107-TF		STATE-CHASTAIN #1-31	IGNACIO BLANCO	0.0	NORTHWEST PIPE LI
-NIELSON ENTERPRISES INC			RECEIVED:	03/18/83	JA: CO			
8328117	81-649	0512310123	107-TF		STATE-OLIN #3	WATTENBURG	200.0	COLORADO INTERSTA
8328118	81-647	0512310137	107-TF		STATE-OLIN #4	WATTENBURG	200.0	COLORADO INTERSTA
-PETROQUEST INC			RECEIVED:	03/18/83	JA: CO			
8328119	82-639	0512310493	107-TF		BRNAK #77-28	WATTENBURG	100.0	PANHANDLE EASTERN
-PROCOIL INC			RECEIVED:	03/18/83	JA: CO			
8328042	82-53	0508707544	102-4		BARER-ROCCIO #1	ORCHARD	260.0	PANHANDLE ENERGY CO
-REGAL PETROLEUM LTD			RECEIVED:	03/18/83	JA: CO			
8328058	82-675	0508707609	102-2		REGAL STATE 3X	WILDCAT CREEK	40.0	PANHANDLE ENERGY CO
8328057	82-570	0508707611	102-2		WILDCAT RANCHES #1	WILDCAT CREEK	10.0	PANHANDLE ENERGY CO
8328059	82-669	0508707663	102-2		WILDCAT RANCHES #1B	WILDCAT CREEK	100.0	PANHANDLE ENERGY CO
-SIERRA GROUP			RECEIVED:	03/18/83	JA: CO			
8328120	82-942	0512310509	107-TF		FRANK #1	WATTENBURG	25.0	PANHANDLE EASTERN
8328080	82-941	0512310509	103		FRANK #1	WATTENBURG	25.0	PANHANDLE EASTERN
8328121	82-955	0512310559	107-TF		GRAY #1	WATTENBURG	25.0	PANHANDLE EASTERN
8328081	82-954	0512310559	103		GRAY #1	WATTENBURG	25.0	PANHANDLE EASTERN
8328122	82-760	0512310510	107-TF		SPAUR #1	WATTENBURG	25.0	PANHANDLE EASTERN
8328082	82-759	0512310510	103		SPAUR #1	WATTENBURG	0.0	PANHANDLE EASTERN
-ST MICHAEL EXPLORATION CO			RECEIVED:	03/18/83	JA: CO			
8328123	82-690	0512310534	107-TF		WATSON #28-1	GREELEY	173.7	NORTHERN NATURAL
-UNITOIL			RECEIVED:	03/18/83	JA: CO			
8328124	82-908	0512310634	107-TF		GREAT WESTERN SUGAR CO #2	WATTENBURG	36.0	PANHANDLE EASTERN
8328125	82-907	0512310635	107-TF		GREAT WESTERN SUGAR CO #3	WATTENBURG	40.0	PANHANDLE EASTERN
-VESSELS OIL & GAS COMPANY			RECEIVED:	03/18/83	JA: CO			
8328083	82-770	0512310492	103		GREENEYER-WAGNER "C" UNIT #1	WATTENBURG	766.0	PANHANDLE EASTERN
8328084	82-861	0512310490	103		SELTZER "E" UNIT #1	WATTENBURG	730.0	PANHANDLE EASTERN
-WONDERLY CORP			RECEIVED:	03/18/83	JA: CO			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328044	82-721	0500108132	102-4		ADDOTT LAND 32-18	BASLINE CSMNE SEC 18	36.5	COLORADO INTERSTA
8328045	82-575	0500108036	102-4		HERBERT 34-18	BASE LINE (CSMSE 18-1	20.0	COLORADO INTERSTA
8328046	82-704	0500108074	102-4		UPPER-WAGNER 14-9	BASE LINE C SW SW SEC	36.5	COLORADO INTERSTA
LOUISIANA OFFICE OF CONSERVATION								

-A & G SCRATCHERS & CENTRALIZERS			RECEIVED:	03/17/83	JAI LA			
8328174	82-3677	1711121962	100		BIRD #1	MONROE	4.0	IMC PIPELINE CO I
8328268	82-3274	1707321866	103	108	J A SMITH #2	MONROE	15.0	PEIRO LEWIS CORP
-AMOCO PRODUCTION CO			RECEIVED:	03/17/83	JAI LA			
8328204	82-3278	1701702189	108		ADNEY BRYSON #1 TFSUA	GREENWOOD-WASKOM	21.0	ARKANSAS-LOUISIAN
8328291	82-2612	1709920729	102-4		P H MARAIST "C" #1	SECTION 28 DOME	559.0	GAS GATHERING COR
-BARNHILL DONNY JOE			RECEIVED:	03/17/83	JAI LA			
8328207	82-3275	1711123546	103	108	UNION POWER CO #2	MONROE	11.0	PETRO LEWIS CORP
-BETHLHAM PRODUCTION CORP			RECEIVED:	03/17/83	JAI LA			
8328195	82-3244	1707321769	108		MOBILE #2	MONROE GAS FIELD	14.6	MID-LOUISIANA GAS
8328194	82-3247	1707321776	108		MOBILE #5	MONROE GAS FIELD	14.6	MID-LOUISIANA GAS
-BIDENHARN			RECEIVED:	03/17/83	JAI LA			
8328169	82-3512	1707321957	103		GEORGE SMELSER #2	MONROE	14.5	ZMC PIPELINE CO I
-CENTENNIAL EXPLORATION INC			RECEIVED:	03/17/83	JAI LA			
8328231	82-3355	1703121761	102-2	103	H055 5042 KALMBACH #1	BETHANY LONGSTREET	25.0	UNITED GAS PIPELI
8328232	82-3354	1703121761	102-2	103	KALMBACH NO 10	BETHANY LONGSTREET	250.0	UNITED GAS PIPELI
-DITTA EXPLORATION CO			RECEIVED:	03/17/83	JAI LA			
8328175	82-3676	1707321867	103		W J DITTA #1 179017	MONROE GAS FIELD	0.0	IMC EXPLORATION C
-ENERGY SOURCES INC			RECEIVED:	03/17/83	JAI LA			
8328209	82-3271	1710922570	103		CHARLES B GAIN #1	HOUMA	0.0	UNITED GAS PIPELI
-ERGOH INC			RECEIVED:	03/17/83	JAI LA			
8328206	82-3276	1711123614	103	107-TF	A MCGRAY #1 VUIII	MONROE	11.2	TEXAS GAS TRANSMI
8328213	82-3296	1711123650	103	107-TF	BESSIE W TAYLOR #2	MONROE	9.0	TEXAS GAS TRANSMI
8328200	82-3453	1711123641	103	107-TF	DIFFEY #1 WUKK	MONROE	8.4	TEXAS GAS TRANSMI
8328192	82-3251	1711123621	103	107-TF	E E KELLY #1	MONROE	11.5	TEXAS GAS TRANSMI
8328229	82-3368	1711123639	103	107-TF	EDDIE J JOHNSTON #2	MONROE	10.5	TEXAS GAS TRANSMI
8328203	82-3277	1711123615	107-TF		FRANCIS REEVES #1 VUJJ	MONROE	10.2	TEXAS GAS TRANSMI
8328230	82-3367	1711123602	103	107-TF	J E HAYE #1	MONROE	9.9	TEXAS GAS TRANSMI
8328201	82-3452	1711123625	103	107-TF	J D HISECARVER #2	MONROE	9.0	TEXAS GAS TRANSMI
8328219	82-3295	1711123575	103	107-TF	MURPHY ALBERTON #1	MONROE	8.4	TEXAS GAS TRANSMI
8328193		1711123612	103	107-TF	RICHARD EST #1 VUFF	MONROE	10.9	TEXAS GAS TRANSMI
-EXXON CORPORATION			RECEIVED:	03/17/83	JAI LA			
8328243	82-3233	1710121261	103		MIAMI CORP W #3	BAYOU CARLIN	50.0	TRUNKLINE GAS CO
-FOREST OIL CORPORATION			RECEIVED:	03/17/83	JAI LA			
8328222	82-3723	1705721862	102-4		J B LEVERT LAND COMPANY #1	THIBODAUX	3643.0	TRANSCONTINENTAL
-FORMAN EXPLORATION COMPANY			RECEIVED:	03/17/83	JAI LA			
8328196	82-3468	1709920902	103		S L 2010 #1	SIMON PASS FIELD	400.0	TEXAS GAS TRANSMI
-FRANKS PETROLEUM INC ETAL			RECEIVED:	03/17/83	JAI LA			
8328184	82-3260	1706920145	103		M H KILPATRICK #1	ASHLAND	50.0	UNITED GAS PIPELI
-GAS RESOURCES INC			RECEIVED:	03/17/83	JAI LA			
8328189	82-3254	1711121891	108		MEDLIN #1	MONROE GAS	5.3	IMC PIPELINE CO I
-GEORGE R SCHURMAN			RECEIVED:	03/17/83	JAI LA			
8328211	82-3261	1703121863	103		U S A #3	RED RIVER BULL BAYOU	0.0	LOUISIANA INTRAST
-GUERNSEY PETROLEUM CORPORATION			RECEIVED:	03/17/83	JAI LA			
8328246	82-3221	1708520849	103		C H BOWDEN #1	WILDCAT	144.0	TENNESSEE GAS PIP
8328245	82-3223	1708520801	103		MARONEY #1	WILDCAT	130.0	TENNESSEE GAS PIP
-HENRY GOODRICH D/B/A GOODRICH OIL			RECEIVED:	03/17/83	JAI LA			
8328216	82-273	1706120287	103		DYE #1 UCV RA SUI	TERRYVILLE	730.0	TEXAS GAS TRANSMI
-HICKS PRODUCTION CO			RECEIVED:	03/17/83	JAI LA			
8328212	82-2485	1709500118	107-TF		LUTCHER & MOORE CYPRESS LBR #1	LAKE MAUREPAS SOUTH	170.0	UNITED GAS PIPELI
8328238	82-2464	1709200240	107-TF		LUTCHER & MOORE CYPRESS LBR CO #4	FREMIER	180.0	UNITED GAS PIPELI
-INC EXPLORATION COMPANY			RECEIVED:	03/17/83	JAI LA			
8328220	82-3496	1711123689	108		BENNETT #F-342	MONROE	5.0	IMC PIPELINE CO I
8328163	82-3667	1711123710	108		LOVE #18	MONROE	7.0	IMC PIPELINE CO I
8328163	82-3668	1711123734	108		MONTGOMERY #F-354	MONROE	5.0	IMC PIPELINE CO I
8328171	82-3665	1711123690	108		OH8 #F-348	MONROE	4.0	IMC PIPELINE CO I
8328242	82-3241	1711123655	103		UNION PRODUCING CO #N-277	MONROE	14.0	IMC PIPELINE CO I
8328241	82-3697	1711123655	108		UNION PRODUCING CO #N-277	MONROE	5.8	IMC PIPELINE CO I
8328170	82-3664	1711123691	103		UNION PRODUCING CO #N-273	MONROE	6.0	IMC PIPELINE CO I
8328241	82-3242	1711123691	103		UNION PRODUCING CO #N-276	MONROE	20.0	IMC PIPELINE CO I
-K-B EXPLORATION CO			RECEIVED:	03/17/83	JAI LA			
8328215	82-0461	1710922324	102-4		CYPRIAN VOISIN #1	BAYOU DULARGE 0707	550.0	LOUISIANA INTERST
-MARSHALL EXPLORATION INC			RECEIVED:	03/17/83	JAI LA			
8328185	82-3259	1703120839	108		COVINGTON FS FCG RA SU 118	LOGANSPOIT	6.0	TENNESSEE GAS PIP
8328244	82-3225	1703121533	103	107-TF	HILL #1	BENSON	85.0	SABINE DSSOTO PIP
8328186	82-3258	1703121426	103		WOODROW HORN #2 VUA	LOGANSPOIT	12.0	SOUTHERN NATURAL
-MAY PETROLEUM INC			RECEIVED:	03/17/83	JAI LA			
8328218	82-2534	1705520235	102-4		AMELIA CREDEUR #1 (180645)	WILDCAT	1095.0	MONTEREY PIPELINE
-MID LOUISIANA GAS COMPANY			RECEIVED:	03/17/83	JAI LA			
8328249	82-2706	1711123085	108		MIGC FEE GAS #1031	MONROE GAS FIELD	18.4	MID-LOUISIANA GAS
8328250	82-2680	1711123145	108		MIGC FEE GAS #1044	MONROE GAS FIELD	17.8	MID-LOUISIANA GAS
8328227	82-3681	1711123169	108		MIGC FEE GAS #1057	MONROE GAS FIELD	18.2	MID-LOUISIANA GAS
8328226	82-3682	1711123503	103		MIGC FEE GAS #1109	MONROE GAS FIELD	8.4	MID-LOUISIANA GAS
8328225	82-3638	1711123586	108		MIGC FEE GAS #1110	MONROE GAS FIELD	9.5	MID-LOUISIANA GAS
8328224	82-3684	1711123590	108		MIGC FEE GAS #1134	MONROE GAS FIELD	8.0	MID-LOUISIANA GAS
8328191	82-3252	1711123659	103		MIGC FEE GAS #1150	MONROE GAS FIELD	25.5	MID-LOUISIANA GAS
8328182	82-3659	1711101744	108		MIGC FEE GAS #52	MONROE GAS FIELD	2.7	MID-LOUISIANA GAS
8328181	82-3670	1711101743	108		MIGC FEE GAS #54	MONROE GAS FIELD	4.2	MID-LOUISIANA GAS
8328180	82-3671	1711121593	108		MIGC FEE GAS #600	MONROE GAS FIELD	19.6	MID-LOUISIANA GAS
8328179	82-3672	1711121407	108		MIGC FEE GAS #599	MONROE GAS FIELD	21.2	MID-LOUISIANA GAS
8328178	82-3673	1711121651	103		MIGC FEE GAS #750	MONROE GAS FIELD	19.8	MID-LOUISIANA GAS
8328177	82-3674	1711121836	108		MIGC FEE GAS #774	MONROE GAS FIELD	17.0	MID-LOUISIANA GAS
8328176	82-3675	1711122679	108		MIGC FEE GAS #956	MONROE GAS FIELD	19.7	MID-LOUISIANA GAS
8328173	82-3676	1711122681	108		MIGC FEE GAS #958	MONROE GAS FIELD	20.4	MID-LOUISIANA GAS
8328172	82-3679	1711122682	108		MIGC FEE GAS #959	MONROE GAS FIELD	19.1	MID-LOUISIANA GAS
8328278	82-3680	1711122689	108		MIGC FEE GAS #966	MONROE GAS FIELD	20.8	MID-LOUISIANA GAS
-MOORE MCCORMACK OIL & GAS CORP			RECEIVED:	03/17/83	JAI LA			
8328247	82-3220	1708120960	103		CLANNIE YOUNG #2	EAST RICHIE	0.0	TRANSCONTINENTAL
-OLIDITT CORP			RECEIVED:	03/17/83	JAI LA			
8328165	82-3509	1706721577	108		OLIDITT PRODUCING #1	MONROE	14.0	IMC PIPELINE CO I
8328167	82-3510	1706721578	108		OLIDITT PRODUCING #2	MONROE	14.0	IMC PIPELINE CO I
8328166	82-3511	1706721614	108		OLIDITT PRODUCING #4	MONROE	14.0	IMC PIPELINE CO I
8328168	82-3513	1706721618	108		OLIDITT PRODUCING #5	MONROE	14.0	IMC PIPELINE CO I
-PEL-TEX OIL COMPANY INC			RECEIVED:	03/17/83	JAI LA			
8328164	82-3500	1702321650	102-4		HERICENTAU MINERAL LAND CO A #1	LITTLE CHENIERE	2703.0	LOUISIANA INTRAST
-RELINANCE TRUSTS			RECEIVED:	03/17/83	JAI LA			
8328197	82-3458	1711123755	103	107-TF	A L HAM #2	MONROE	0.0	TEXAS GAS TRANSMI
8328234	82-3326	1711123637	103	107-TF	E H HEACHER #1	MONROE	13.0	TEXAS GAS TRANSMI

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328187	82-3256	1711123636	103	107-TF L C JOHNSON #1	MONROE	13.0	TEXAS GAS TRANSMI	
8328233	82-3327	1711236060	103	107-TF W E COLE #2	MONROE	0.0	TEXAS GAS TRANSMI	
8328188	82-3255	1711123634	103	107-TF Z S COLE #1	MONROE	13.0	TEXAS GAS TRANSMI	
-SHADRACK PRODUCTION CO						RECEIVED: 03/17/83	JA: LA	
8328236	82-3324	1711123673	103	107-TF C L FARRIS #1	MONROE	0.0	WEST MONROE GAS G	
8328203	82-3459	1711123749	103	107-TF G C ALLUMS #2	MONROE	13.0	WEST MONROE GAS G	
8328235	82-3225	1711123674	103	107-TF L RAUSEY #1	MONROE	0.0	WEST MONROE GAS G	
-SPENCER & SPENCER						RECEIVED: 03/17/83	JA: LA	
8328190	82-3253	1711123447	103	108 SPENCER #1	MONROE GAS FIELD	9.8	MID LOUISIANA GAS	
-SPOONER PETROLEUM COMPANY						RECEIVED: 03/17/83	JA: LA	
8328214	82-0723	1702120773	102-4	R L THURMAN #1	WELCOME HOME FIELD	50.0	LOUISIANA INTRAST	
-SUN EXPL. & PROD. CO. - HOUSTON						RECEIVED: 03/17/83	JA: LA	
8328217	82-0205	1710922431	102-4	SL 649 NELSON LLA# #6 VUA	POINT AU FER 7429	0.0	TRANSCONTINENTAL	
-TEXACO INC						RECEIVED: 03/17/83	JA: LA	
8328240	82-785	1710121263	103	BAL SU SL 341 #13	BATEMAN LAKE	1.3	CITY OF MORGAN CI	
8328237	82-3523	1710921937	107-DP	SL 301 TERREBONNE DAY #344	CAILLOU ISLAND	179.0		
8328202	82-3429	1710922110	102-2	103 VUL LP U12 #55	LAKE PELTO	481.0	KAISER ALUMINUM I	
-TEXAS GAS EXPLORATION CORP						RECEIVED: 03/17/83	JA: LA	
8328210	82-3270	1704720667	103	GAY UNION #52	BAYOU CHOCTAW	16.0	MONTEREY PIPELINE	
-THUNDER OIL CORP						RECEIVED: 03/17/83	JA: LA	
8328199	82-3455	1711123692	103	107-TF M J & G SAVAGE #1 (SN 181303)	MONROE GAS	0.0	WEST MONROE GAS G	
8328198	82-3456	1711123693	103	107-TF M J & G SAVAGE #2 (SN 181304)	MONROE GAS	0.0	WEST MONROE GAS G	
-TXO PRODUCTION CORP						RECEIVED: 03/17/83	JA: LA	
8328248	82-3216	1703121065	102-4	HOSS RA SUC SHINDLE HEIRS #1	GRAND CANE	618.7	DELHI GAS PIPELIN	
-WESTLAND OIL DEVELOPMENT CORP						RECEIVED: 03/17/83	JA: LA	
8328239	82-2098	1703920234	102-4	EUNICE CANAL #2	DURALDE	146.0	LOUISIANA GAS SYS	
-WRIGHT PAT						RECEIVED: 03/17/83	JA: LA	
8328223	82-3685	1711123791	103	108 PENDER #1	MONROE	8.0	IMC PIPELINE CO I	
***** MICHIGAN DEPARTMENT OF NATURAL RESOURCES *****								
-SCHWIDE & PANGORN ASSOCIATES						RECEIVED: 03/17/83	JA: MI	
8328281		2114700000	102-4	PLONKA 1-35	COLUMBUS 35	750.0	MICHIGAN CONSOLID	
***** MISSISSIPPI OIL & GAS BOARD *****								
-BROOKING & WELCH						RECEIVED: 03/17/83	JA: MS	
8328278	133-82-360	2309520297	102-4	FEDERAL LAND BANK #1	STRONG	525.0	TEXAS EASTERN TRA	
-CHARLES L CHERRY & ASSOCIATES						RECEIVED: 03/17/83	JA: MS	
8328276	126-82-413	2308720052	102-4	103 G D HOLLIMAN 7-11 WELL #1	MAPLE BRANCH	100.0	TENNESSEE GAS PIP	
-FRASCOGNA X M						RECEIVED: 03/17/83	JA: MS	
8328280	128-82-334	2312920114	102-4	BD OF SUPERVISORS 16-10 WELL #1	BOYKIN CHURCH FIELD	365.0	SYSTEM FUELS INC	
-SHELL OIL CO						RECEIVED: 03/17/83	JA: MS	
8328279	135-82-522	2302120020	102-4	WILSON UNIT #1	ALCORN	400.0		
-SUN EXPLORATION & PRODUCTION CO						RECEIVED: 03/17/83	JA: MS	
8328275	129-82-11	2307320157	103	F M SHOWNEN #20	BAXTERVILLE	8.0	UNITED GAS PIPELI	
-TESORO PETROLEUM CORP						RECEIVED: 03/17/83	JA: MS	
8328277	9-83-27	2309120189	102-4	103 TESORO SANDY HOOK GAS UNIT 35 #1	SANDY HOOK	1260.0	SOUTHERN NATURAL	
8328277	9-83-27	2309120189	107-DP	TESORO SANDY HOOK GAS UNIT 35 #1	SANDY HOOK	1260.0	SOUTHERN NATURAL	
-TEXACO INC						RECEIVED: 03/17/83	JA: MS	
8328274	131-82-147	2309120076	103	H L RANKIN #1	KHOXO	124.0	CROWN ZELLERSBACH	
-TRANSCONTINENTAL OIL CORP						RECEIVED: 03/17/83	JA: MS	
8328273	132-82-143	2312120080	102-4	103 PUCKETT GAS UNIT #5 - WELL #4	PUCKETT	0.0	UNITED GAS PIPELI	
***** OKLAHOMA CORPORATION COMMISSION *****								
-AMAREX INC						RECEIVED: 03/17/83	JA: OK	
8328159	23604	3512920805	107-DP	AYERS OLSEN #1-29	E GRIMES	1095.0		
8328160	23605	3512920717	107-DP	BALLOU #1-30	BERLIN	1095.0		
8328162	23607	3512920765	107-DP	MIKLES #1-10		365.0		
8328161	23606	3512920842	107-DP	WINBURN #1-34	WILDCAT	54.8		
-AMSTAR OIL INC						RECEIVED: 03/17/83	JA: OK	
8328155	18001	3510920509	102-2	KUSEX #3		150.0	WESTWIND GAS CO	
-AMADARKO PRODUCTION COMPANY						RECEIVED: 03/17/83	JA: OK	
8328140	20648	3500700000	103	BERGEN A #1	BOYD SE	8.0	NATURAL GAS PIPEL	
-ANDOVER OIL COMPANY						RECEIVED: 03/17/83	JA: OK	
8328137	20616	3510720957	103	RUBY JOHNSON #10-1		32.0	TRANSOK PIPE LINE	
8328136	20615	3510721037	103	RUBY JOHNSON #10-3		16.3	TRANSOK PIPE LINE	
-ARCO OIL AND GAS COMPANY						RECEIVED: 03/17/83	JA: OK	
8328152		3504321406	102-4	ANTON M KUNC UNIT #2	PUTNAM	146.0	MOBIL OIL CORP	
8328139	20647	3500700000	103	STATE GAS UNIT "A" #1	CAIRICK GAS AREA	16.4	NATURAL GAS PIPEL	
-ENSERCH EXPLORATION INC						RECEIVED: 03/17/83	JA: OK	
8328149	19528	3514920302	103	P JOE WALTERS #1-28	BURNS FLAT	600.0	NATURAL GAS PIPEL	
-GETTY OIL COMPANY						RECEIVED: 03/17/83	JA: OK	
8328143	20308	3507720240	103	WHITE "H" #2	KINTA	256.0	ARKANSAS LOUISIAN	
-MOBIL OIL CORP						RECEIVED: 03/17/83	JA: OK	
8328148	20175	3501900000	103	GRAHAM DEESE #1-75 SUSAN LAHM #7	SHO VEL TUM	0.0	LONE STAR GAS CO	
8328146	20181	3501900000	103	GRAHAM DEESE #11-1 SMITH-DAVIS #1	SHO VEL TUM	0.0	LONE STAR GAS CO	
8328145	20183	3501900000	103	GRAHAM DEESE #143 WALKER VOORHEES #3	SHO VEL TUM	0.1	LONE STAR GAS CO	
8328138	20645	3501900000	103	GRAHAM DEESE #58-3 SPARKS A #3	SHO VEL TUM	0.1	LONE STAR GAS CO	
8328147	20180	3501900000	103	GRAHAM DEESE #7-4 C D WILLIAMS #4	SHO VEL TUM	0.0	LONE STAR GAS CO	
-MOORE W T						RECEIVED: 03/17/83	JA: OK	
8328154	18014	3503723685	103	SINGLETON #2		182.5	GOLDEN ARROW GAS	
-OKLAND OIL CO						RECEIVED: 03/17/83	JA: OK	
8328141	20650	3504723128	103	ENID TOWNSITE #1-13	SOONER TREND	0.0	UNION TEXAS PETRO	
-SADINE CORP						RECEIVED: 03/17/83	JA: OK	
8328142	20458	3509300000	103	KUSCH #3-2		0.0	PHILLIPS PETROLEL	
-SHAR-ALAM OIL CO						RECEIVED: 03/17/83	JA: OK	
8328157	22712	3515321401	103	HINDERLITE 1-A	CEDARDALE N E	0.0	NORTHERN NATURAL	
8328158	23152	3515300000	103	HUFF 1-A	CEDARDALE NE	0.0	MICHIGAN WISCONS	
8328156	21114	3515321377	103	REISDORPH #2-4	CEDARDALE NORTHEAST	0.0	MICHIGAN WISCONS	
-TENNECO OIL COMPANY						RECEIVED: 03/17/83	JA: OK	
8328144	20304	3509322578	103	EMING 1-16	N H OKEENE	735.0	OKLAHOMA NATURAL	
8328151	19668	3515335217	103	GLENN WYCOFF UNIT 1-3	CHESTER WEST	4.0	NATURAL GAS PIPEL	
-THE WIL-MC OIL CORP						RECEIVED: 03/17/83	JA: OK	
8328153	18121	3510720747	102-2	DELMAR ALLEN #1	EAST WHITE ROSE	252.0	GOLDEN ARROW GAS	
-TXO PRODUCTION CORP						RECEIVED: 03/17/83	JA: OK	
8328150	19356	3508322061	102-4	BECKMAN #1	SOONER TREND	238.0		
***** WEST VIRGINIA DEPARTMENT OF MINES *****								
-CABOT OIL & GAS CORP						RECEIVED: 03/18/83	JA: WV	
8328262		4701900365	103	H R DEITZ #1	MT COVE	7.2	EQUITABLE GAS CO	
8328265		4701900436	103	J E SCARSDO #1	MT COVE	2.0	EQUITABLE GAS CO	

JD NO	JA DKT	API NO	D SEC(1) SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328263		4701900374	108	J F BOWLING #1	MT COVE	9.0	EQUITABLE GAS CO
8328264		4701900403	108	L MINTER #2	MT COVE	11.0	EQUITABLE GAS CO
8328266		4706700513	108	P CAUDILL #1	GRANT	2.0	EQUITABLE GAS CO
-CARSON PETROLEUM CORP			RECEIVED:	03/18/83	JA: WV		
8328270		4704103021	108	BLAND #1	INDIAN FORK	18.0	CONSOLIDATED GAS
8328253		4704102963	108	G BUTLER #1	LITTLE COVE	20.0	CONSOLIDATED GAS
8328254		4702103795	108	G BUTLER #3	LITTLE COVE	6.0	CONSOLIDATED GAS
8328257		4702103400	108	NELLIE BARBAROW #5	LITTLE COVE	20.0	CONSOLIDATED GAS
8328268		4702103606	108	PACKERSBURG NATIONAL BANK #1	INDIAN FORK	21.0	CONSOLIDATED GAS
8328272		4702103603	108	RADCLIFF #2	LICK RUN	19.0	CARNEGIE NATURAL
8328255		4701702561	108	RATTLE #1	ST CLAIR	14.0	CONSOLIDATED GAS
8328255		4701722864	108	SHAVER #1	ST CLAIR	55.0	CONSOLIDATED GAS
8328252		4704103019	108	TUNING #1	INDIAN FORK	13.0	CONSOLIDATED GAS
8328271		4704103023	108	TUNING #2	INDIAN FORK	12.0	CONSOLIDATED GAS
8328269		4704102965	108	VALENTINE #1	LITTLE COVE	13.0	CONSOLIDATED GAS
-HUGHES GAS CO			RECEIVED:	03/18/83	JA: WV		
8328258		4708300000	108	MICHAELS #1	PUMPKINTOWN	2.0	COLUMBIA GAS TRAN
-JAMES F SCOTT			RECEIVED:	03/18/83	JA: WV		
8328257		4705302332	108	ELIZA ROBINSON S-290	EAGLE DISTRICT	26.0	CONSOLIDATED GAS
-ROBERT L WHARTON			RECEIVED:	03/18/83	JA: WV		
8328261		4708300000	108	HOUSH #1	CASSITY	4.1	COLUMBIA GAS TRAN
-ROSS-WHARTON GAS CO			RECEIVED:	03/18/83	JA: WV		
8328259		4708300000	108	SHOCKEY #2	CASSITY	2.0	COLUMBIA GAS TRAN
-WASHINGTON NATURAL GAS CO			RECEIVED:	03/18/83	JA: WV		
8328260		4708300000	108	NEXTON #2	CASSITY	6.5	COLUMBIA GAS TRAN

[FR Doc. 10234-Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: April 12, 1983.

The following notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the National Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF).

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the

Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the Federal Register.

Source data from the Form 121 for this and all previous notices is available on magnetic tape from the National Technical Information Service (NTIS). For information, contact Stuart Weisman (NTIS) at (703) 487-4808, 5285 Port Royal Rd., Springfield, Va. 22161.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OCS lease

102-2: New well (2.5 Mile run)
102-3: New well (1000 Ft. rule)
102-4: New onshore reservoir
102-5: New reservoir on old OCS lease
Section 107-DP: 15,000 feet or deeper
107-GB: Geopressured brine
107-CS: Coal Seams
107-DV: Devonian Shale
107-PE: Production enhancement
107-TF: New tight formation
107-RT: Recompletion tight formation

Section 108: Stripper well
108-SA: Seasonally affected
108-ER: Enhanced recovery
108-PB: Pressure buildup

Kenneth F. Plumb,
Secretary.

BILLING CODE 6717-01-M

NOTICE OF DETERMINATIONS

Issued April 12, 1983

VOLUME 870

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
ALABAMA OIL & GAS BOARD									
ANDERMAN OPERATING COMPANY									
8328458	3-10-831PD	0107520451	102-4	RECEIVED:	03/17/83	JA: AL COATS 4-9 #1	BLOWHORN CREEK GAS	164.0	
8328462	3-10-835PD	0100320108	102-2	RECEIVED:	03/17/83	JA: AL PAUL KATSER 6-13 #1	SOUTH FOLEY	0.0	AMOCO PRODUCTION
8328461	3-10-834PD	0100320118	102-2	RECEIVED:	03/17/83	JA: AL SARAH BEECH 7-7 #1	SOUTH FOLEY	0.0	AMOCO PRODUCTION
GRACE PETROLEUM CORPORATION									
8328460	3-10-833PD	0105720292	102-2	RECEIVED:	03/17/83	JA: AL DOBBS ESTATE 12-11	DAVIS CHAPEL	0.0	TENNESSEE GAS PIP
MOON-HINES-TIGRETT OPERATING CO INC									
8328459	3-10-832PD	0100320111	102-2	RECEIVED:	03/17/83	JA: AL THOMPSON 30-13 #1	WEST FOLEY	360.0	AMOCO PRODUCTION
SWIFT ENERGY CO									
8328463	3-10-836PD	0105720307	102-4	RECEIVED:	03/17/83	JA: AL SAWYER 1-14 #1	BANKSTON	25.0	
ILLINOIS DEPARTMENT OF MINES & MINERALS									
BI-PETRO INC									
8328483	1204900000	102-4	RECEIVED:	03/21/83	JA: IL CLAGGETT-DIAL COMM #1	LOUDON	0.0	NATURAL GAS PIPEL	
8328484	1204900000	102-4	RECEIVED:	03/21/83	JA: IL SUN OIL CO #1 SEC 30-9N-4E	LOUDON	0.0	NATURAL GAS PIPEL	
8328485	1205100000	102-4	RECEIVED:	03/21/83	JA: IL YANTIS #1	LOUDON	0.0	NATURAL GAS PIPEL	
KANSAS CORPORATION COMMISSION									
AMERICAN CONTINENTAL ENERGY INC									
8328487	K-82-1116	1509220769	103	RECEIVED:	03/21/83	JA: KS FINN 2-H	HUGOTON	75.0	NORTHERN NATURAL
DONALD C SLAMSON									
8328500	K82-1445	1509720894	102-4	RECEIVED:	03/21/83	JA: KS CHANCE "A" #1	WILDCAT	100.0	
GEOSON OIL CO INC									
8328498	K-82-1224	1507720758	103	RECEIVED:	03/21/83	JA: KS SANDERS #1	SPIVEY GRABBS	0.0	PEOPLES NATURAL G
GETTY OIL COMPANY									
8328486	K82-0718	1500730054	108-PB	RECEIVED:	03/21/83	JA: KS SUTTON A #1	MCKINNEY	0.0	CITIES SERVICE CO
GRAHAM-MICHAELIS CORP									
8328488	K80-1035	1511900000	108-ER	RECEIVED:	03/21/83	JA: KS ADAMS A #1		0.0	COLORADO INTERSTA
GRAVES DRILLING CO INC									
8328497	K-82-1366	1500700000	103	RECEIVED:	03/21/83	JA: KS BARTLETT #1	BLOOM NORTH	18.2	KANSAS POWER & LI
IREX CORP									
8328499	K-82-1412	1517520522	102-4	RECEIVED:	03/21/83	JA: KS NASH #1-21	BORCHERS	219.0	
SALEM GAS PIPELINE									
8328490	K-82-1306	1512525169	103	RECEIVED:	03/21/83	JA: KS WILLIAMS #11	WILLIAMS	47.5	CITIES SERVICES G
8328496	K-82-1313	1512525126	102-2	RECEIVED:	03/21/83	JA: KS WILLIAMS #10	WILLIAMS	47.5	CITIES SERVICES G
8328489	K-82-1304	1512525126	103	RECEIVED:	03/21/83	JA: KS WILLIAMS #10	WILLIAMS	47.5	CITIES SERVICES G
8328495	K-82-1312	1512525169	102-2	RECEIVED:	03/21/83	JA: KS WILLIAMS #11	WILLIAMS	47.5	CITIES SERVICES G
8328493	K-82-1311	1512524838	102-2	RECEIVED:	03/21/83	JA: KS WILLIAMS #7	WILLIAMS	73.0	CITIES SERVICES G
8328492	K-82-1307	1512524838	103	RECEIVED:	03/21/83	JA: KS WILLIAMS #7	WILLIAMS	73.0	CITIES SERVICES G
8328494	K-82-1314	1512524966	102-2	RECEIVED:	03/21/83	JA: KS WILLIAMS #9	WILLIAMS	51.1	CITIES SERVICES G
8328491	K-82-1305	1512524966	103	RECEIVED:	03/21/83	JA: KS WILLIAMS #9	WILLIAMS	51.1	CITIES SERVICES G
MICHIGAN DEPARTMENT OF NATURAL RESOURCES									
WEST BAY EXPLORATION CO									
				RECEIVED:	03/21/83	JA: MI			

JD NO	JA DKT	API NO	D SEC(1) SEC(2) WELL NAME	FIELD NAME	PROD	PURCHASER
8328479		2105500000	102-4 ARBUTUS LAKE #1-9	NIAGARAN REEF	36.5	CONSUMERS POWER C
MISSISSIPPI OIL & GAS BOARD						
-GRACE PETROLEUM CORPORATION RECEIVED: 03/18/83 JA: MS						
8328465	141-82-351	2309520053	108-ER T A RICHARDSON #1	CORINNE	0.0	SOUTHERN NATURAL
-MISSISSIPPI OIL PRODUCERS INC RECEIVED: 03/18/83 JA: MS						
8328464	142-82-455	2308124409	102-4 ARISTARQUE OAKLAND "A" #3	NORTH CRAWFIELD	183.0	SOUTHERN NATURAL
-PLACID OIL COMPANY RECEIVED: 03/18/83 JA: MS						
8328466	140-82-540	2314920019	107-OP UNIT 7-9 #1	BOVINA	436.0	
-SHELL OIL CO RECEIVED: 03/18/83 JA: MS						
8328467	138-82-533	2311320140	102-4 COTTON UNIT #1	OLIVE	40.0	TRANSCONTINENTAL
MONTANA BOARD OF OIL & GAS CONSERVATION						
-MIDLANDS GAS CORPORATION RECEIVED: 03/21/83 JA: MT						
8328480	2507121326	108-ER 1661-1 STATE		BOWDOIN	0.0	MONTANA DAKOTA UT
NEW MEXICO DEPARTMENT OF ENERGY & MINERALS						
-AMOCO PRODUCTION CO RECEIVED: 03/21/83 JA: NM						
8328446	3004523724	108	CHAVEZ GAS COM "D" #1E	BASIN DAKOTA	14.0	EL PASO NATURAL G
8328457	3004509476	108	STATE GAS COM "BE" #1	BASIN DAKOTA	19.0	EL PASO NATURAL G
8328444	3004522765	108	STATE GAS COM "TH" #1A	BLANCO MESAVERDE	15.0	EL PASO NATURAL G
8328445	3004507649	108	STATE OF NEW MEXICO GAS COM "V" #1	BLANCO PICTURED CLIFF	15.0	EL PASO NATURAL G
-ARCO OIL AND GAS COMPANY RECEIVED: 03/18/83 JA: NM						
8328400	3002527513	102-4	STATE 19 #1	UNDESIGNATED KEMNITZ	1825.0	NORTHERN NATURAL
-ARCO OIL AND GAS COMPANY RECEIVED: 03/21/83 JA: NM						
8328433	3002527367	103	W H HARRISON "D" WN #7	JALMAT	146.0	EL PASO NATURAL G
-BASS ENTERPRISES PRODUCTION CO RECEIVED: 03/18/83 JA: NM						
8328397	3002527803	103	BASS 32 STATE #1	QUAIL RIDGE	400.0	PHILLIPS PETROLEU
-CITIES SERVICE COMPANY RECEIVED: 03/21/83 JA: NM						
8328449	3002527893	103	STATE "DV" #1	CAPROCK PENN EAST	35.0	
-DOYLE HARTMAN OIL OPERATOR RECEIVED: 03/21/83 JA: NM						
8328448	3002528067	103	LANGLIE "A" STATE #3	JALMAT (GAS)	60.0	EL PASO NATURAL G
-EL PASO NATURAL GAS COMPANY RECEIVED: 03/21/83 JA: NM						
8328452	3003900000	108-PB	LINDRITH UNIT #4	SOUTH BLANCO PICTURED	0.0	EL PASO NATURAL G
-EL RAM INC RECEIVED: 03/21/83 JA: NM						
8328447	3000500000	103	PENNZOIL STATE #1	WILDCAT ABO	14.4	TRANSWESTERN PIPE
-GETTY OIL COMPANY RECEIVED: 03/21/83 JA: NM						
8328450	3002524909	108-PB	A L CHRISTIAN #2	JALMAT (GAS)	21.9	EL PASO NATURAL G
-MESA PETROLEUM CO RECEIVED: 03/18/83 JA: NM						
8328402	3000561274	102-2	BERREND #1	WILDCAT ABO	36.0	
-NORTHWEST PIPELINE CORPORATION RECEIVED: 03/21/83 JA: NM						
8328453	3003900000	108-PB	SAN JUAN 22-5 #38	BLANCO-MESAVERDE	0.0	NORTHWEST PIPELIN
8328455	3003900000	108-PB	SAN JUAN 31-6 #10	BLANCO MESAVERDE	0.0	NORTHWEST PIPELIN
8328454	3003900000	108-PB	SAN JUAN 31-6 #19	BLANCO MESAVERDE	0.0	NORTHWEST PIPELIN
8328456	3004522165	108	SAN JUAN 32-7 UNIT COM 24	BLANCO MESAVERDE	24.4	NORTHWEST PIPELIN
-SHELL OIL CO RECEIVED: 03/21/83 JA: NM						
8328436	3002500000	108	CHESHER #2	BLINERY OIL & GAS	14.4	GETTY OIL CO
8328434	3002500000	108	N HOBBS (G-SA) UNIT SEC 17 #121	HOBBS (G-SA)	3.8	PHILLIPS PETROLEU
8328442	3002500000	108	STATE H #7	EUMONT YATES SEVEN RI	13.7	PHILLIPS PETROLEU
8328443	3002500000	108	STATE H #8	EUMONT YATES SEVEN RI	11.4	PHILLIPS PETROLEU
8328435	3002500000	108	STATE L #4	EUMONT YATES SEVEN RI	16.7	PHILLIPS PETROLEU
-SOUTHLAND ROYALTY CO RECEIVED: 03/21/83 JA: NM						
8328451	3004500000	108-PB	ALBINO CANYON #1 (MV)	BLANCO MESAVERDE	0.0	EL PASO NATURAL G
8328437	3004512028	108	CHAMBERLAIN #1	BLANCO	20.0	SOUTHERN UNION GA
8328438	3004500712	108	MCGRATH A #1	BASIN	16.0	SOUTHERN UNION GA
-SUN EXPLORATION & PRODUCTION CO RECEIVED: 03/21/83 JA: NM						
8328441	3002500000	108	S W EATON #4	LANGLIE MATTIX 7 RVRS	10.0	EL PASO NATURAL G
8328439	3002500000	108	STATE "A" A/C 2 #57	EUNICE 7 RVRS ON 30	12.0	PHILLIPS PETROLEU
8328440	3002500000	108	STATE A/C 1 #52	LANGLIE MATTIX 7 RVRS	17.0	EL PASO NATURAL G
-SUPERIOR OIL CO RECEIVED: 03/18/83 JA: NM						
8328398	3002527573	103	SAN SIMON STATE COM #1	WILDCAT	0.0	
-YATES PETROLEUM CORPORATION RECEIVED: 03/18/83 JA: NM						
8328403	3000561328	102-2	BROWNSON "SH" COM #1	UND PECOS SLOPE ABO	0.0	TRANSWESTERN PIPE
8328401	3000561863	102-3	CAUDILL "R2" #3	PECOS SLOPE ABO	0.0	TRANSWESTERN PIPE
8328399	3002528010	103	SUPERIOR "HAM" ST #1	LAY J PENN	0.0	
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION						
-CONSOLIDATED EXPLORATION & GATHERIN RECEIVED: 03/18/83 JA: NY						
8328395	2624	3102916373	107-TF BLEY UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8328370	2630	3102916211	107-TF BRZEZICKI UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8328374	2629	3102916212	107-TF DISTEFANO UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8328384	4962	3102917937	103 ECKHARDT-AGLE #1	EDEN - EVANS	18.3	SCG GAS QUEST INC
8328385	4963	3102917938	103 ECKHARDT-AGLE #2	EDEN-EVANS	18.3	SCG GAS QUEST INC
8328386	4964	3102917939	103 ECKHARDT-AGLE #3	EDEN-EVANS	18.3	SCG GAS QUEST INC
8328371	2626	3102916301	107-TF LINDSAY UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8328372	2625	3102916291	107-TF RIEPLER UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8328373	2627	3102916309	107-TF RIZZO UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
8328378	2628	3102916292	107-TF VACCO UNIT #1	EDEN - EVANS	15.0	SCG GAS QUEST INC
-CONSOLIDATED GAS SUPPLY CORPORATION RECEIVED: 03/18/83 JA: NY						
8328352	3568	3102911997	108 ALVIN C PEARNER WN 1498	CONCORD	2.0	GENERAL SYSTEM PU
8328360	4945	3102912745	108 CLARENCE HEARY N-1617	CONCORD	12.0	GENERAL SYSTEM PU
8328351	3567	3102911692	108 CLARENCE HEARY WN 1462	CONCORD	1.0	GENERAL SYSTEM PU
8328353	3569	3102912745	108 CLARENCE HEARY WN-1617	CONCORD	1.0	GENERAL SYSTEM PU
8328359	4943	3102908439	108 EDWIN P HEARY N-1621	SPRINGVILLE	18.0	GENERAL SYSTEM PU
8328361	3771	3102911510	108 HAROLD POTTER WN-1428	TOWN OF CONCORD (SPRI	3.0	GENERAL SYSTEM PU
8328363	3773	3102911951	108 HOWARD EMERLING WN-1500	TOWN OF CONCORD	8.0	GENERAL SYSTEM PU
8328362	3772	3102911975	108 MYRTLE N CLARK WN-1499	TOWN OF CONCORD	2.0	GENERAL SYSTEM PU
-GYPSUM ENERGY MANAGEMENT CO RECEIVED: 03/18/83 JA: NY						
8328390	4982	3103717362	103 BOXER #1	HURON CREEK	12.0	U S GYPSUM CO
8328389	4981	3103717360	103 GREEN #1	INDIAN FALLS	9.6	U S GYPSUM CO
-HAROLD FREY RECEIVED: 03/18/83 JA: NY						
8328388	4975	3102913316	108 SHYDER #1 31-020-13316	WILDCAT-1	7.5	NATIONAL FUEL GAS
8328387	4976	3102913541	108 STADEL #1 31-029-13541	WILDCAT	7.5	NATIONAL FUEL GAS
-HORD/MONTANA PETROLEUM CO RECEIVED: 03/18/83 JA: NY						
8328367	2580	3112114803	107-TF HAYES UNIT #1	JAVA	25.0	COLUMBIA GAS TRAN
8328365	2586	3112114801	107-TF KEEN UNIT #2	JAVA	25.0	COLUMBIA GAS TRAN
8328375	2578	3112116299	107-TF LINDBURG UNIT #1	JAVA	15.0	COLUMBIA GAS TRAN
8328366	2585	3112114804	107-TF LUDWIG UNIT #	JAVA	25.0	COLUMBIA GAS TRAN
8328377	2577	3112114534	107-TF MURCIN UNIT #2	JAVA	25.0	COLUMBIA GAS TRAN
8328364	2587	3112115018	107-TF N REISDORF #1	JAVA	15.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328376	2579	3112116330	107-TF		REISDORF UNIT #1	JAVA	15.0	COLUMBIA GAS TRAN
8328368	2585	3112115312	107-TF		RING UNIT #2	JAVA	25.0	COLUMBIA GAS TRAN
8328369	2584	3112114444	107-TF		SICLARI UNIT #2	JAVA	50.0	COLUMBIA GAS TRAN
8328396	2583	3112114443	107-TF		THOMPSON UNIT #1	JAVA	25.0	COLUMBIA GAS TRAN
-RUEL ENERGY INC								
8328381	4950	3112117920	103		DONALD MCCORMICK #1		20.0	COLUMBIA GAS TRAN
8328382	4951	3112117975	103		DONALD MCCORMICK #2		20.0	COLUMBIA GAS TRAN
8328383	4952	3112117976	103		DONALD MCCORMICK #3		20.0	COLUMBIA GAS TRAN
8328379	4948	3112117857	103		ROBERT MCCORMICK #1		20.0	COLUMBIA GAS TRAN
8328380	4949	3112117967	103		ROBERT MCCORMICK #2		20.0	COLUMBIA GAS TRAN
-SUBSEA OIL & GAS INC								
8328359	1541	3102915425	107-TF		BAUDER #1	BUFFALO CREEK	13.0	TENNESSEE GAS PIP
8328358	1535	3102915591	107-TF		BAUDER #2	BUFFALO CREEK	13.0	TENNESSEE GAS PIP
8328354	1537	3102915701	107-TF		ELDRIDGE #1	BUFFALO CREEK	13.0	TENNESSEE GAS PIP
8328356	1539	3102915021	107-TF		GRACE HANDY #1	BUFFALO CREEK	13.0	TENNESSEE GAS PIP
8328357	1530	3102915580	107-TF		LUCAS #1	BUFFALO CREEK	13.0	TENNESSEE GAS PIP
-TIMBERLAY PETROLEUM CO								
8328392	2554	3102916098	107-TF		COOK #1	ALDEN-LANCASTER	36.0	TENNESSEE GAS PIP
8328394	2552	3102916099	107-TF		DANYDKO #1	ALDEN-LANCASTER	18.0	TENNESSEE GAS PIP
8328393	2553	3102916200	107-TF		DANYDKO #2	ALDEN-LANCASTER	36.0	TENNESSEE GAS PIP
8328391	2555	3102916316	107-TF		NORMAN STOLL #1	ALDEN-LANCASTER	36.0	TENNESSEE GAS PIP

WEST VIRGINIA DEPARTMENT OF MINES								

-ALPHA DRILLING FUND 1979 LTD								
8328418		4708504489	108		RECEIVED: 03/21/83 JAI WV	ELNWOOD	20.0	CONSOLIDATED GAS
8328426		4708504490	108		RECEIVED: 03/21/83 JAI WV	ELNWOOD	20.0	CONSOLIDATED GAS
-BEREA OIL AND GAS CORPORATION								
8328427		4700121211	108		RECEIVED: 03/21/83 JAI WV	VALLEY	34.0	CONSOLIDATED GAS
-NAUGHT INC								
8328409		4707301118	107-DV		RECEIVED: 03/21/83 JAI WV	JEFFERSON DISTRICT	15.0	CONSOLIDATED GAS
8328411		4708504966	107-DV		ANDERZINE JAMES HRS H-1212	GRANT DISTRICT	15.0	CONSOLIDATED GAS
8328407		4707301038	107-DV		CLIFTON VALENTINE H-1126	WASHINGTON DISTRICT	15.0	COLUMBIA GAS TRAN
8328408		4707301054	107-DV		CUMMINGHAM & WILSON H-1141	UNION DISTRICT	15.0	COLUMBIA GAS TRAN
8328405		4709500728	107-DV		D J & HELEN WAGNER H-1139	CENTERVILLE DISTRICT	15.0	CARNEGIE NATURAL
8328425		4708505085	108		DENSIL FERRELL H-825	MURPHY DISTRICT	15.0	CONSOLIDATED GAS
8328413		4708505028	107-DV		G W HARTZLER H-1213	GRANT DISTRICT	15.0	CONSOLIDATED GAS
8328428		4700701494	103		H L WILSON H-1165	BIRCH DISTRICT	4.0	COLUMBIA GAS TRAN
8328429		4700701495	103		HENRY J WYNKOOP H-931	BIRCH DISTRICT	4.0	COLUMBIA GAS TRAN
8328432		4700701496	103		HENRY J WYNKOOP H-932	BIRCH DISTRICT	4.0	COLUMBIA GAS TRAN
8328431		4700701517	103		HENRY J WYNKOOP H-933	BIRCH DISTRICT	4.0	COLUMBIA GAS TRAN
8328430		4700701518	103		HENRY J WYNKOOP H-990	BIRCH DISTRICT	4.0	COLUMBIA GAS TRAN
8328424		4701702818	108		HENRY J WYNKOOP H-991	WEST UNION DISTRICT	24.0	COLUMBIA GAS TRAN
8328406		4707300939	107-DV		J N HARVEY #5	UNION DISTRICT	15.0	COLUMBIA GAS TRAN
8328414		4708504483	107-DV		JIMMIE BRANTIER H-1057	GRANT DISTRICT	20.0	ROARING FORK GAS
8328415		4708504484	107-DV		THOMAS R DAVIS H-854	GRANT DISTRICT	20.0	ROARING FORK GAS
8328412		4708504490	107-DV		THOMAS R DAVIS H-855	GRANT DISTRICT	20.0	ROARING FORK GAS
8328410		4710701190	107-DV		W H SHIELDS HEIRS H-1137	GRANT DISTRICT	0.0	CONSOLIDATED GAS
-KAISER ENERGY INC								
8328469		4705300299	107-DV		W VA INVESTMENT CORP H-1030	WALKER DISTRICT	15.0	CONSOLIDATED GAS
8328472		4705300292	107-DV		RECEIVED: 03/21/83 JAI WV	ELNWOOD	18.2	ROARING FORK GAS
8328476		4705301706	107-DV		BARRY JOE BARNETTE KEM #177	ELNWOOD	18.2	ROARING FORK GAS
8328478		4705300299	107-DV		CHARLIE PICKENS KEM #175	ELK/POCA	18.2	ROARING FORK GAS
8328473		4705301677	107-DV		FRANK CRANFIELD KEM #174	ELNWOOD	18.2	ROARING FORK GAS
8328474		4705301670	107-DV		JAMES BARNETTE KEM #181	ELK/POCA	18.2	ROARING FORK GAS
8328475		4705301670	107-DV		JAMES SEXTON KEM #197	ELK/POCA	18.2	ROARING FORK GAS
8328476		4705301670	107-DV		K H ARICENTROUT KEM #154	ELNWOOD	18.2	ROARING FORK GAS
8328477		4705300239	107-DV		MALCOLM O'BRIEN KEM #183	ELNWOOD	18.2	ROARING FORK GAS
8328478		4705300293	107-DV		MARY SAYRE KEM #179	ELNWOOD	18.2	ROARING FORK GAS
8328479		4705301651	107-DV		MT AUTO PARTS KEM #152	ELK/POCA	18.2	ROARING FORK GAS
8328480		4705301652	107-DV		MT AUTO PARTS KEM #153	ELK/POCA	18.2	ROARING FORK GAS
8328481		4705301690	107-DV		STEVEN HYRE KEM #168	ELK/POCA	18.2	ROARING FORK GAS
-MEGA DRILLING FUND 79-2 LTD								
8328421		4701302980	108		RECEIVED: 03/21/83 JAI WV	SHERIDAN DISTRICT	15.0	CONSOLIDATED GAS
8328420		4708504455	108		EVERETT DYE H-790	UNION DISTRICT	15.0	CONSOLIDATED GAS
8328422		4708504459	108		HAROLD GOFF H-858	UNION DISTRICT	15.0	CONSOLIDATED GAS
8328417		4708504458	108		HAROLD GOFF H-859	UNION DISTRICT	15.0	CONSOLIDATED GAS
8328419		4708504522	108		STEPHEN DOUGLAS H-946	MURPHY DISTRICT	20.0	CONSOLIDATED GAS
8328416		4708504523	108		STEPHEN DOUGLAS H-950	MURPHY DISTRICT	20.0	CONSOLIDATED GAS
-PEHNZOIL COMPANY								
8328404		4708504080	108		RECEIVED: 03/21/83 JAI WV	UNION	0.2	CONSOLIDATED GAS
-V-H JOINT VENTURE								
8328425		4701702823	108		RECEIVED: 03/21/83 JAI WV	CENTRAL DISTRICT	24.0	COLUMBIA GAS TRAN

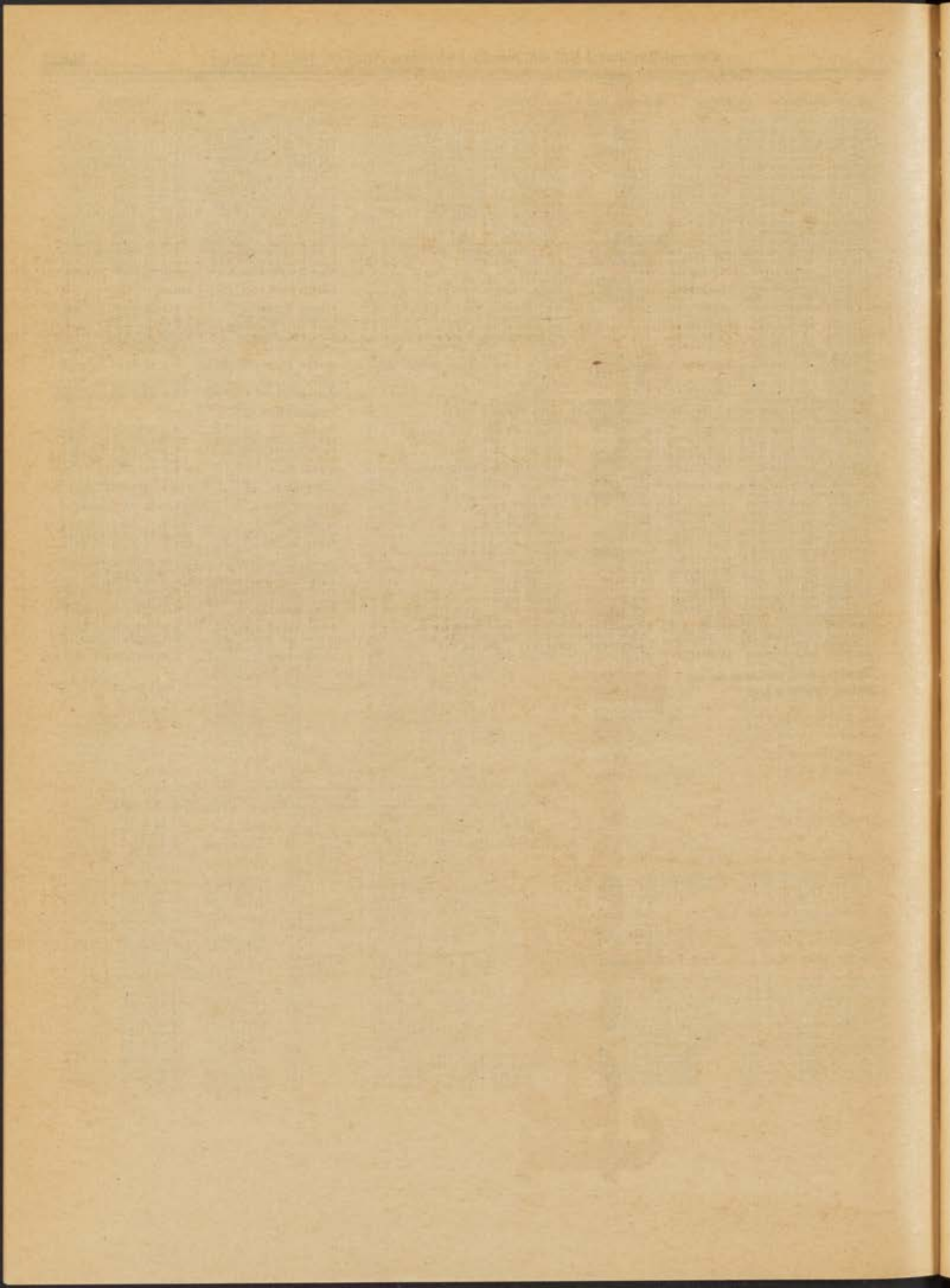
NM DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, ALBUQUERQUE, NM								

-AMOCO PRODUCTION CO								
8328331	NM-1541-82	3003921999	103		RECEIVED: 03/18/83 JAI NM 4	OTERA CHACRA	20.0	EL PASO NATURAL G
-CAMPBELL & HEDRICK								
8328330	NM-1510-82	3002527123	103		RECEIVED: 03/18/83 JAI NM 4	PENROSE - SKELLY	24.0	GETTY OIL CO
-CHACE OIL COMPANY INC								
8328301	NM-1848-82	3003923023	103		RECEIVED: 03/18/83 JAI NM 4	S LINDRITH GALLUP DAK	15.0	EL PASO NATURAL G
-CONOCO INC								
8328346	NM-1712-82	3002504307	108		RECEIVED: 03/18/83 JAI NM 4	NIFU - EUNICE MONUMEN	4.3	PHILLIPS PETROLEU
8328350	NM-1710-82	3002526953	108		RECEIVED: 03/18/83 JAI NM 4	NIFU - EUNICE MONUMEN	17.0	EL PASO NATURAL G
8328323	NM-1711-82	3002500000	108		RECEIVED: 03/18/83 JAI NM 4	NIFU - JALMAT	8.5	EL PASO NATURAL G
-CONSOLIDATED OIL & GAS INC								
8328344	NM-1722-82	3004524321	108		RECEIVED: 03/18/83 JAI NM 4	BASIN DAKOTA	13.0	SOUTHERN UNION GA
-DUGAN PRODUCTION CORP								
8328315	NM-1818-82	3004525123	103		RECEIVED: 03/18/83 JAI NM 4	UNDESIGNATED GALLUP	7.0	EL PASO NATURAL G
8328298	NM-1856-82	3003923048	103		RECEIVED: 03/18/83 JAI NM 4	LYBROOK GALLUP	6.0	MESA PETROLEUM CO
-EL PASO EXPLORATION CO								
8328268	NM-0295-82PB	3003921310	108-PB		RECEIVED: 03/18/83 JAI NM 4	BLANCO - MESAVERDE	18.0	NORTHWEST PIPELIN
-EL PASO NATURAL GAS COMPANY								
8328313	NM-1830-82	3004525423	103		RECEIVED: 03/18/83 JAI NM 4	BLANCO PICTURED CLIFF	70.0	EL PASO NATURAL G
8328321	NM-1801-82	3002500000	103		RECEIVED: 03/18/83 JAI NM 4	JALMAT - YATES	20.0	EL PASO NATURAL G
8328305	NM-1826-82	3003922973	103		RECEIVED: 03/18/83 JAI NM 4	SOUTH BLANCO PICTURED	60.0	EL PASO NATURAL G
8328318	NM-1807-82	3003905797	103		RECEIVED: 03/18/83 JAI NM 4	BASIN - DAKOTA	19.6	EL PASO NATURAL G
8328322	NM-1802-82	3004510688	108		RECEIVED: 03/18/83 JAI NM 4	BLANCO - MESA VERDE	18.0	EL PASO NATURAL G
8328303	NM-1824-82	3003923028	103		RECEIVED: 03/18/83 JAI NM 4	SOUTH BLANCO PICTURED	20.0	EL PASO NATURAL G
8328317	NM-1805-82	3003921975	103		RECEIVED: 03/18/83 JAI NM 4	BLANCO - MESA VERDE	19.0	EL PASO NATURAL G
8328319	NM-1810-82	3001520456	103		RECEIVED: 03/18/83 JAI NM 4	ROCKY ARROYO-HOLF	23.0	EL PASO NATURAL G
8328316	NM-1821-82	3003922994	103		RECEIVED: 03/18/83 JAI NM 4	BLANCO MESAVERDE	130.0	EL PASO NATURAL G
8328304	NM-1825-82	3003922992	103		RECEIVED: 03/18/83 JAI NM 4	BLANCO MESAVERDE	100.0	EL PASO NATURAL G
8328310	NM-1823-82	3003922991	103		RECEIVED: 03/18/83 JAI NM 4	BLANCO MESAVERDE	80.0	EL PASO NATURAL G
8328309	NM-1822-82	3003923004	103		RECEIVED: 03/18/83 JAI NM 4	BLANCO MESAVERDE	200.0	EL PASO NATURAL G

JID NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8328312	NM-1829-82	3003923031		103		SAN JUAN 27-4 UNIT #32	BLANCO MESAVERDE	150.0	EL PASO NATURAL G
8328283	NM 0306-82PB	3003920901		108-PB		SAN JUAN 27-4 UNIT #35	TAPACITO PICTURED CL	15.0	EL PASO NATURAL G
8328282	NM 0305-82PB	3003920733		108-PB		SAN JUAN 27-4 UNIT #61	TAPACITO-PICTURED CL	14.2	EL PASO NATURAL G
8328333	NM 0304-82PB	3003920732		108-PB		SAN JUAN 27-4 UNIT #62	TAPACITO -PICTURED CL	5.0	EL PASO NATURAL G
8328296	NM 0301-82PB	3003920731		108-PB		SAN JUAN 27-4 UNIT #53	TAPACITO - PICTURED C	16.0	EL PASO NATURAL G
8328311	NM-1527-82	3003923052		103		SAN JUAN 27-5 UNIT #2	TAPACITO PICTURED CL	30.0	EL PASO NATURAL G
8328289	NM 0296-82PB	3003907141		108-PB		SAN JUAN 27-5 UNIT #2	BLANCO-MESAVERDE GAS	12.0	EL PASO NATURAL G
8328293	NM 0292-82PB	3003906859		108-PB		SAN JUAN 27-5 UNIT #2	TAPACITO - PICTURED C	18.0	EL PASO NATURAL G
8328295	NM 0291-82PB	3003906786		108-PB		SAN JUAN 27-5 UNIT #35 PC & MV	SCOTH BLANCO PICTURED	18.0	EL PASO NATURAL G
8328395	NM 0283-82PB	3003907231		108-PB		SAN JUAN 28-4 UNIT #20	BLANCO - MESA VERDE	15.0	EL PASO NATURAL G
8328290	NM 0297-82PB	3003907449		108-PB		SAN JUAN 28-7 UNIT #21	BLANCO - MESAVERDE	20.0	EL PASO NATURAL G
8328285	NM 0306-82PB	3003907422		108-PB		SAN JUAN 28-7 UNIT #22	BLANCO-MESA VERDE	22.0	EL PASO NATURAL G
8328287	NM 0303-82PB	3003907675		108-PB		SAN JUAN 30-4 UNIT #11	EAST BLANCO - PICTURE	10.0	EL PASO NATURAL G
8328294	NM 0183-82PB	3003907575		108-PB		SAN JUAN 30-4 UNIT #11	EAST BLANCO - PICTURE	10.0	EL PASO NATURAL G
8328291	NM 0298-82PB	3003907109		108-PB		SJ 27-4 UNIT #28	BLANCO-MESAVERDE GAS	16.1	EL PASO NATURAL G
8328284	NM 0299-82PB	3003907262		108-PB		SJ 286 UNIT #33	BLANCO-MESAVERDE GAS	8.8	EL PASO NATURAL G
8328307	NM-1831-82	3004520762		108		STICKLE #1	BLANCO-PICTURED CLIFF	16.0	EL PASO NATURAL G
-EXXON CORPORATION				RECEIVED:	03/18/83	JA: NM 4			
8328320	NM-1800-82	3001524048		103		YATES FEDERAL "CM" #2	BURTON FLAT	269.0	
-GULF OIL CORPORATION				RECEIVED:	03/18/83	JA: NM 4			
8328329	NM-1704-82	3002522402		108		C E LAMUNYON #23	TEAGUE BLINEBRY	5.2	EL PASO NATURAL G
8328326	NM-1707-82	3002522553		108		C E LAMUNYON #38	TEAGUE BLINEBRY	8.9	EL PASO NATURAL G
8328325	NM-1706-82	3004506239		108		DOUTHIT FEDERAL #3	NEXT KUTZ PICTURED CL	9.6	GAS CO OF NEW MEX
8328324	NM-1705-82	3001520769		108		HOLDER "CB" FED (MCT-A) #2	OSAYBUD JACKSON	9.0	PHILLIPS PETROLEU
8328349	NM-1708-82	3004506218		108		SCOTT "E" FEDERAL #11	BASIN DAKOTA	14.9	GAS CO OF NEW MEX
-JACK & COLE				RECEIVED:	03/18/83	JA: NM 4			
8328314	NM-1816-82	3003923073		103		JACK & COLE MOBILE #1	CHACON DAKOTA ASSOCIA	16.0	EL PASO NATURAL G
-MERRILL OIL & GAS CORP				RECEIVED:	03/18/83	JA: NM 4			
8328336	NM-1719-82	3004522495		108		BADLAND FLATS #2	SOUTH BLANCO PICTURED	15.0	EL PASO NATURAL G
8328338	NM-1719-82	3004522686		108		CHACO #11	MINI/FRUITLAND PICTURE	15.0	EL PASO NATURAL G
-MIS LTD PARTNERSHIP				RECEIVED:	03/18/83	JA: NM 4			
8328360	NM-172032167	3000561608		102-2	107-TF	CHINA FEDERAL #13	UNDESIGNATED ABO	720.0	
-NORTHWEST PIPELINE CORPORATION				RECEIVED:	03/18/83	JA: NM 4			
8328335	NM 0309-82PB	3003907971		108-PB		ROSA UNIT #22	BLANCO	9.0	NORTHWEST PIPELIN
8328334	NM 0308-82PB	3003907971		108-PB		SAN JUAN 30-5 #53	BLANCO PICTURED CLIFF	29.0	NORTHWEST PIPELIN
8328333	NM 0307-82PB	3003907907		108-PB		SAN JUAN 31-6 #14	BLANCO MESAVERDE	0.0	EL PASO NATURAL G
8328336	NM 0310-82PB	3003907907		108-PB		SAN JUAN 31-6 #14	BLANCO MESAVERDE	0.0	EL PASO NATURAL G
8328337	NM-1278-82	3004521209		108		SAN JUAN 32-7 UNIT 32	BLANCO MESAVERDE	0.0	NORTHWEST PIPELIN
-SOUTHLAND ROYALTY CO				RECEIVED:	03/18/83	JA: NM 4			
8328306	NM 1646-82-B	3003923054		103		LA JARA #1R	GOBERNADOR	214.0	NORTHWEST PIPELIN
-TEKNECO OIL COMPANY				RECEIVED:	03/18/83	JA: NM 4			
8328300	NM 1263-82	3004525351		103		CHILDERS #3	BASIN DAKOTA	500.0	EL PASO NATURAL G
8328308	NM-1828-82	3003923895		103		JICARILLA B 7E	UNDES CHACRA	500.0	
8328299	NM 1267-82	3004525351		103		MUDGE COM B2E	BASIN DAKOTA	500.0	EL PASO NATURAL G
8328342	NM 1790-82-A	3003922892		103		ROMERO COM 1	UNDES MESAVERDE	500.0	EL PASO NATURAL G
8328341	NM 1790-82-B	3003922892		103		ROMERO COM 1	UNDES CHACRA	500.0	EL PASO NATURAL G
-UNICOM PRODUCING CO				RECEIVED:	03/18/83	JA: NM 4			
8328296	NM 1850-82-A	3004525056		103		ALBERTO 8-E	BLANCO MESAVERDE	1290.0	EL PASO NATURAL G
8328297	NM 1853-82	3004525195		103		CALVIN 2	HILDCAT GALLUP	219.0	SOUTHERN UNION GA
8328302	NM 1850-82	3004524572		103		CONGRESS 9	WILDFIELD CHACRA EXT	416.0	SOUTHERN UNION GA
8328327	NM-1557-82	3004524637		108		NEWSON A-11	GALLARD PICTURED CLIF	8.0	GAS CO OF NEW MEX
8328332	NM-1556-82	3004524448		108		NEWSON A-24	GALLARD PICTURED CLIF	6.9	GAS CO OF NEW MEX
8328328	NM-1561-82	3004524503		108		USA #2	BASIN DAKOTA	5.1	SOUTHERN UNION GA
-YATES PETROLEUM CORPORATION				RECEIVED:	03/18/83	JA: NM 4			
8328345	NM-172382162	3000561312		102-2	107-TF	GODFREY "MP" FEDERAL #3	PECOS SLOPE ABO	0.0	TRANSWESTERN PIPE
8328339	NM-172562167	3000561653		102-2	107-TF	MORTON "SM" FEDERAL #2	UND PECOS SLOPE ABO	0.0	TRANSWESTERN PIPE
-JUNIAS OIL PARY CORP				RECEIVED:	03/18/83	JA: OK 4			
8328343	OKA-1720-82	3510720304		108		PHAROAH #2	LYONS-QUINN	4.4	PHILLIPS PETROLEU

[FR Doc. 83-10235 Filed 4-15-83; 8:45 am]

BILLING CODE 6717-01-C



Register Federal

Monday
April 18, 1983

Part IV

Office of Management and Budget

Budget Rescissions and Deferrals;
Cumulative Report

**OFFICE OF MANAGEMENT AND
BUDGET****Cumulative Report on Rescissions and
Deferrals**

April 1, 1983.

This report is submitted in fulfillment of the requirements of Section 1014(e) of the Impoundment Control Act of 1974 (Pub. L. 93-344). Section 1014(e) provides for a monthly report listing all budget authority for this fiscal year with respect to which, as of the first day of the month, a special message has been transmitted to the Congress.

This report gives the status as of April 1, 1983 of 20 rescission proposals and 70 deferrals contained in the first six special messages of FY 1983. These

messages were transmitted to the Congress on October 1, and December 7, and 16, 1982, and January 5, February 1, and March 9, 1983.

Rescissions (Table A and Attachment A)

Twenty rescission proposals totaling \$1,554 million are currently pending before the Congress. Table A summarizes the status of rescissions proposed by the President as of April 1, 1983, while Attachment A shows the history and status of each rescission proposed during FY 1983.

Deferrals (Table B and Attachment B)

As of April 1, 1983, \$4,096.8 million in 1983 budget authority was being deferred from obligation and another \$30 thousand in 1983 obligations was being deferred from expenditure. Attachment B shows the history and

status of each deferral reported during FY 1983.

Information From Special Messages

The special messages containing information on the rescissions and the deferrals covered by the cumulative report are printed in the **Federal Registers** listed below:

Vol. 47, FR p. 44524, Thursday, October 7, 1982

Vol. 47, FR p. 55602, Friday, December 10, 1982

Vol. 47, FR p. 57230, Wednesday, December 22, 1982

Vol. 48, FR p. 1266, Tuesday, January 11, 1983

Vol. 48, FR p. 5474, Friday, February 4, 1983

Vol. 48, FR p. 11244, Wednesday, March 16, 1983

David A. Stockman,
Director.

BILLING CODE 3110-01-M

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STATUS OF 1983 RESCISSIONS

TABLE A

	Amount (In millions of dollars)
Rescissions proposed by the President.....	\$1,554.0
Accepted by the Congress.....	-0-
Rejected by the Congress.....	-0-
Pending before the Congress.....	<u>\$1,554.0</u>

TABLE B

STATUS OF 1983 DEFERRALS

	Amount (In millions of dollars)*
Deferrals proposed by the President.....	\$13,416.7
Routine Executive releases (-\$5922.6 million) and adjustments (\$570.3 million) through April 1, 1983.....	-5,352.3
Overtaken by the Congress.....	-3,967.6
Currently before the Congress.....	<u>\$ 4,096.9 a</u>

* Detail does not add to total due to rounding.

a. This amount includes \$30 thousand in outlays for a Department of the Treasury deferral (D83-16B).

Attachments

ATTACHMENT A - STATUS OF RESCISSIONS - FISCAL YEAR 1983

AS OF 04/04/83 10:04

AS OF APRIL 1, 1983 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
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FUNDS APPROPRIATED TO THE PRESIDENT

Appalachian Regional Development Programs

Appalachian Regional Development programs

BA

R83- 2

15,133 2 1 83

FUNDS APPROPRIATED TO THE PRESIDENT

TOTAL BA

15,133

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Buildings and facilities

BA

R83- 3

1,927 2 1 83

Soil Conservation Service

Watershed and flood prevention operations

BA

R83- 4

68,995 2 1 83

Resource conservation and development

BA

R83- 5

5,600 2 1 83

Agricultural Cooperative Service

Salaries and expenses

BA

R83- 6

779 2 1 83

DEPARTMENT OF AGRICULTURE

TOTAL BA

77,301

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Construction

BA

R83- 1

2,000 12 16 82

2,000 3 25 83

DEPARTMENT OF COMMERCE

TOTAL BA

2,000

2,000

DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education

Compensatory education for the disadvantaged

BA

R83- 7

133,925 2 1 83

School assistance in federally affected areas

BA

R83- 8

5,000 2 1 83

Special programs and populations

BA

R83- 9

56,639 2 1 83

Indian education

BA

R83- 10

16,128 2 1 83

Off. of Bilingual Educ. & Minority Lang. Affairs

Bilingual education

BA

R83- 11

43,523 2 1 83

Office of Postsecondary Education

Guaranteed student loans

BA

R83- 12

900,000 2 1 83

Higher and continuing education

BA

R83- 13

68,941 2 1 83

ATTACHMENT A - STATUS OF RESCISSIONS - FISCAL YEAR 1983

AS OF 04/04/83 10:04

AS OF APRIL 1, 1983 AMOUNTS IN THOUSANDS OF DOLLARS AGENCY/BUREAU/ACCOUNT	RESCISSION NUMBER	AMOUNT PREVIOUSLY CONSIDERED BY CONGRESS	AMOUNT CURRENTLY BEFORE THE CONGRESS	DATE OF MESSAGE MO DA YR	AMOUNT RESCINDED	AMOUNT MADE AVAILABLE	DATE MADE AVAILABLE MO DA YR
Office of Educational Research and Improvement							
Educational research and statistics							
BA	R83- 14		6,225	2 1 83			

DEPARTMENT OF EDUCATION							
TOTAL BA			1,230,381				

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
Housing Programs							
Payments for oper. of low income housing proj.							
BA	R83- 15		69,000	2 1 83			

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
TOTAL BA			69,000				

DEPARTMENT OF THE INTERIOR							
National Park Service							
Construction							
BA	R83- 16		63,600	2 1 83			

DEPARTMENT OF THE INTERIOR							
TOTAL BA			63,600				

DEPARTMENT OF TRANSPORTATION							
Federal Highway Administration							
Federal-aid highways (trust fund)							
BA	R83- 17		23,200	2 1 83			

Coast Guard							
Nat l recreat. boat. safety & facili. improv.							
BA	R83- 18		5,000	2 1 83			

DEPARTMENT OF TRANSPORTATION							
TOTAL BA			28,200				

OTHER INDEPENDENT AGENCIES							
Corporation for Public Broadcasting							
Public broadcasting fund							
BA	R83- 19		45,000a	2 1 83			

OTHER INDEPENDENT AGENCIES							
TOTAL BA			45,000				

OFF-BUDGET FEDERAL ENTITIES							
Department of Agriculture							
Rural telephone bank							
BA	R83- 20		23,400	2 1 83			

OFF-BUDGET FEDERAL ENTITIES							
TOTAL BA			23,400				

TOTAL BA			1,554,015			2,000	

ATTACHMENT B - STATUS OF DEFERRALS - FISCAL YEAR 1983

AS OF 04/04/83 11:20

AMOUNTS IN THOUSANDS OF DOLLARS	DEFERRAL NUMBER	AMOUNT TRANSMITTED ORIGINAL REQUEST	AMOUNT TRANSMITTED SUBSEQUENT CHANGE	DATE OF MESSAGE MO DA YR	CUMULA- TIVE OMB /AGENCY RELEASES	CONGRES- SIONALLY REQUIRED RELEASES	CUMULA- TIVE ADJUST- MENTS	AMOUNT DEFERRED AS OF 4-1-83
FUNDS APPROPRIATED TO THE PRESIDENT								
Appalachian Regional Development Programs								
Appalachian regional development programs	BA D83- 40	10,000		2 1 83				10,000
International Security Assistance								
Foreign military sales credit	BA D83- 21	165,000		12 7 82				
	BA D83- 21A		1,010,000	2 1 83	-300,000			875,000
Economic support fund	BA D83- 22	554,720		12 7 82				
	BA D83- 22A		1,347,130	2 1 83	-1,670,550		551,150	782,450
Military assistance	BA D83- 29	11,650		12 7 82				
	BA D83- 29A		221,350	2 1 83	-39,650		14,650	208,000
International Development Assistance								
Functional development assistance program	BA D83- 1	8,129		10 1 82	-8,129			
FUNDS APPROPRIATED TO THE PRESIDENT								
TOTAL BA		749,499	2,578,480		-2,018,329		565,800	1,875,450
DEPARTMENT OF AGRICULTURE								
Agricultural Stabilization & Conservation Service								
Dairy and beekeeper indemnity programs	BA D83- 36	7,000		1 5 83		-7,000		
Soil Conservation Service								
Watershed and flood prevention operations	BA D83- 41	10,329		2 1 83				10,329
Animal and Plant Health Inspection Service								
Salaries and expenses	BA D83- 34	2,134		12 16 82				
	BA D83- 34A		4,066	2 1 83				6,200
Forest Service								
National forest system	BA D83- 42	108,035		2 1 83				108,035
Timber salvage sales	BA D83- 2	10,002		10 1 82				
	BA D83- 2A		3,105	2 1 83				13,107
Expenses, brush disposal	BA D83- 3	44,575		10 1 82	-10,042		1,229	35,762
DEPARTMENT OF AGRICULTURE								
TOTAL BA		182,075	7,171		-10,042	-7,000	1,229	173,433
DEPARTMENT OF COMMERCE								
Economic Development Administration								
Economic development assistance programs	BA D83- 43	181,900		2 1 83		-181,900		
Economic development revolving fund	BA D83- 37	25,350		1 5 83	-25,350			
International Trade Administration								
Operations and administration	BA D83- 44	20,100		2 1 83		-20,100		
Participation in U S expositions	BA D83- 4	3,356		10 1 82	-571			2,785
National Oceanic and Atmospheric Administration								
Construction	BA D83- 45	3,000		2 1 83				3,000
Promote and develop fishery products and research	BA D83- 5	30,619		10 1 82	-30,619			

ATTACHMENT B - STATUS OF DEFERRALS - FISCAL YEAR 1983

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AGENCY/BUREAU/ACCOUNT								
National Bureau of Standards								
Scientific & technical research & services	BA 083- 38	6,500		1 5 83				6,500
DEPARTMENT OF COMMERCE	TOTAL BA	270,825			-56,540	-202,000		12,285
DEPARTMENT OF DEFENSE-MILITARY								
Procurement								
Shipbuilding and conversion, Navy	BA 083- 46	2,400,000		2 1 83-2,400,000				
Military Construction								
Military construction, all services	BA 083- 6	64,063		10 1 82				
	BA 083- 6A		1,166,415	12 7 82	-784,178			446,300
Family Housing, Defense								
Family housing, Defense	BA 083- 23	161,640		12 7 82	-58,370			103,270
DEPARTMENT OF DEFENSE-MILITARY	TOTAL BA	2,625,703	1,166,415		-3,242,548			549,570
DEPARTMENT OF DEFENSE-CIVIL								
Corps of Engineers								
Construction, general	BA 083- 47	180,000		2 1 83				180,000
Wildlife Conservation, Military Reservations								
Wildlife conservation	BA 083- 7	1,061		10 1 82	-6		-50a	1,005
DEPARTMENT OF DEFENSE-CIVIL	TOTAL BA	181,061			-6		-50	181,005
DEPARTMENT OF ENERGY								
Atomic Energy Defense Activities								
Atomic energy defense activities	BA 083- 70	50,000		3 9 83				50,000
Energy Programs								
Energy supply R&D-plant and capital equip.	BA 083- 48	91,107		2 1 83	-28,595			62,512
Fossil energy research and development	BA 083- 8	20,136		10 1 82				
	BA 083- 8A			b 2 1 83	-15,136			5,000
Fossil energy construction	BA 083- 49	20,000		2 1 83				20,000
Energy conservation	BA 083- 24	22,803		12 7 82	-22,803			
Strategic Petroleum Reserve	BA 083- 50	57,400		2 1 83		-57,400		
Departmental Administration								
Depart. admin., operating expenses	BA 083- 51	21,767		2 1 83	-2,000			19,767
Depart. admin., plant & capital equipment	BA 083- 52	12,693		2 1 83				12,693
DEPARTMENT OF ENERGY	TOTAL BA	295,906			-68,534	-57,400		169,972

ATTACHMENT B - STATUS OF DEFERRALS - FISCAL YEAR 1983

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AGENCY/BUREAU/ACCOUNT								
DEPARTMENT OF HEALTH AND HUMAN SERVICES								
Alcohol, Drug Abuse & Mental Health Administration								
Construction & renovation, St. Elizabeths Hospital	BA 083- 9	9,714		10 1 82				9,714
Office of Assistant Secretary for Health								
Special foreign currency program	BA 083- 10	6,420		10 1 82				6,420
Social Security Administration								
Limitation on administrative expenses	BA 083- 53	9,633		2 1 83				9,633
DEPARTMENT OF HEALTH AND HUMAN SERVICES								
TOTAL BA		25,767						25,767
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT								
Housing Programs								
Subsidized housing programs	BA 083- 54	3,081,153		2 1 83		-3,081,153		
Payments for operation of low income housing	BA 083- 30	150,000		12 7 82		-150,000		
Community Planning and Development								
Community development grants	BA 083- 31	221,000		12 7 82		-221,000		
Urban development action grants	BA 083- 32	234,000		12 7 82				
	BA 083- 32A		10,000	1 5 83		-244,000		
Urban homesteading	BA 083- 33	8,000		12 7 82		-8,000		
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT								
TOTAL BA		3,694,153	10,000			-379,000		-3,325,153
DEPARTMENT OF THE INTERIOR								
Office of Water Research & Technology								
Salaries and expenses	BA 083- 25	2,545		12 7 82		-2,545		
National Park Service								
Land acquisition and state assistance	BA 083- 11	30,000		10 1 82				
	BA 083- 11A		3,000	2 1 83				33,000
Minerals Management Service								
Payments from proceeds, sale of water	BA 083- 39	48		1 5 83				48
Office of Territorial Affairs								
Administration of territories	BA 083- 55	3,188		2 1 83				3,188
DEPARTMENT OF THE INTERIOR								
TOTAL BA		35,781	3,000			-2,545		36,236
DEPARTMENT OF JUSTICE								
Interagency Law Enforcement								
Organized crime drug enforcement	BA 083- 56	13,656		2 1 83				13,656
Federal Prison System								
Buildings and facilities	BA 083- 35	16,330		12 16 82				16,330
DEPARTMENT OF JUSTICE								
TOTAL BA		29,986						29,986

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AGENCY/BUREAU/ACCOUNT								
DEPARTMENT OF STATE								
International Organizations and Conferences								
Contributions to international organizations	BA D83- 57	8,111		2 1 83				8,111
Other								
Emergency refugee and migration assistance fund	BA D83- 12	37,692		10 1 82			-1,844a	35,848
U.S. bilateral science and technology agreements	BA D83- 58	2,000		2 1 83				2,000
DEPARTMENT OF STATE								
TOTAL BA		47,803					-1,844	45,959
DEPARTMENT OF TRANSPORTATION								
Urban Mass Transportation Administration								
Urban mass capital fund	BA D83- 59	229,000		2 1 83		-229,000		
Federal Aviation Administration								
Construction, Metropolitan Washington Airports	BA D83- 59	500		2 1 83				500
Civil supersonic aircraft development termination	BA D83- 13	46		10 1 82				46
Facilities & equip. (Airport & airway trust fund)	BA D83- 14	158,485		10 1 82				
	BA D83- 14A		566,751	2 1 83				725,236
Coast Guard								
Natl recreat. boat, safety & facil. improv.	BA D83- 61	40,000		2 1 83				40,000
DEPARTMENT OF TRANSPORTATION								
TOTAL BA		428,031	566,751			-229,000		765,782
DEPARTMENT OF THE TREASURY								
Office of Revenue Sharing								
State and local government fiscal assistance fund	BA D83- 15	106,474		10 1 82				
	BA D83- 15A		305	12 7 82	-1,820		273	105,232
	O D83- 16	7,909		10 1 82				
	O D83- 16A		6,537	12 7 82				
	O D83- 16B		1,498	3 9 83	-20,761		4,847	30
Federal Law Enforcement Training Center								
Construction	BA D83- 17	3,078		10 1 82				3,078
DEPARTMENT OF THE TREASURY								
TOTAL BA		109,552	305		-1,820		273	108,310
TOTAL O		7,909	8,035		-20,761		4,847	30
NATIONAL AERONAUTICS & SPACE ADMINISTRATION								
Research and development	BA D83- 26	34,500		12 7 82				34,500
VETERANS ADMINISTRATION								
Construction, major projects	BA D83- 27	4,000		12 7 82				4,000

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AGENCY/BUREAU/ACCOUNT								
OTHER INDEPENDENT AGENCIES								
District of Columbia								
Loans to DC for capital investment	BA D83- 18	38,832		10 1 82	-38,832			
Interstate Commission on the Potomac River Basin								
Contrib. to Interat. Comm. on Potomac Riv. Basin	BA D83- 28	12		12 7 82	-12			
Pennsylvania Avenue Development Corporation								
Land acquisition and development fund	BA D83- 19	17,949		10 1 82				
	BA D83- 19A		4,409	12 16 82				22,358
Railroad Retirement Board								
Milwaukee railroad restructuring, administration	BA D83- 20	240		10 1 82				
	BA D83- 20A		250	2 1 83				490
Small Business Administration								
Business loan and investment fund	BA D83- 62	143,000		2 1 83		-143,000		
Surety bond guarantees revolving fund	BA D83- 63	3,000		2 1 83		-3,000		
Politu. cont. equip. contract guar. revolv.	BA D83- 64	1,000		2 1 83		-1,000		
Motor Carrier Rate-making Study Commission								
Salaries and Expenses	BA D83- 65	282		2 1 83				282
Tennessee Valley Authority								
Tennessee Valley Authority fund	BA D83- 66	47,271		2 1 83				47,271
United States Information Agency								
Salaries and expenses (spec. for. curr. prog.)	BA D83- 67	1,344		2 1 83				1,344
Acquis. and construction of radio facilities	BA D83- 68	12,437		2 1 83				12,437
United States Railway Association								
Payments for purchase of Conrail securities	BA D83- 69	84,000		2 1 83	-83,600			400
OTHER INDEPENDENT AGENCIES								
TOTAL BA		349,367	4,659		-122,444	-147,000		84,562
TOTAL BA								
TOTAL O		9,064,009	4,336,781		-5,801,808	-3,867,553	565,408	4,086,837
		7,909	8,035		-20,761		4,847	30

a. This adjustment is being made to reflect actual unobligated balances available on October 1, 1982. All unobligated balances are being withheld from obligation.

b. This revision is a technical adjustment that did not increase the amount deferred.

END OF REPORT

[FR Doc. 83-10328 Filed 4-15-83; 8:45 am]

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.) Documents normally scheduled for publication

on a day that will be a Federal holiday will be published the next work day following the holiday.

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS		DOT/FHWA	USDA/SCS
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

Last Listing April 8, 1983