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9-20-83

Vol. 48 No. 183

Pages 42799-42966

# Federal Register

Tuesday  
September 20, 1983

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## Selected Subjects

**Administrative Practice and Procedure**

Land Management Bureau

**Air Pollution**

Environmental Protection Agency

**Airspace**

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**Animal Drugs**

Food and Drug Administration

**Banks, Banking**

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**Color additives**

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**Fishing**

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**Freedom of Information**

Social Security Administration

**Grant Programs—Environmental Protection**

Agricultural Stabilization and Conservation Service

**Hazardous Substances**

Environmental Protection Agency

**Low and Moderate Income Housing**

Housing and Urban Development Department

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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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Agricultural Marketing Service

### Milk Marketing Agreements

Agricultural Marketing Service

### Mineral Royalties

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Title 3—

Proclamation 5097 of September 15, 1983

The President

Leif Erikson Day, 1983

By the President of the United States of America

## A Proclamation

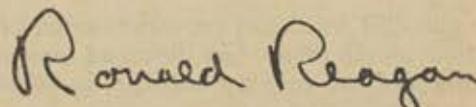
In the grand tradition of the Nordic seafarers, Leif Erikson's courageous adventures in the North Atlantic represent an enduring symbol of man's resourceful response to the challenge of exploration and discovery. Medieval sagas describe supplies of timber and wild grapes which he brought back to Greenland from North America. His exploits offer inspiration for our continuing efforts to conquer fear of the unknown and explore new worlds.

Erikson, who was charged by King Olaf I to spread religion among settlers in Greenland, also embodies the tradition of Nordic enrichment of the wider western world. That tradition has been memorably dramatized for Americans during the past year by the *Scandinavia Today* program across this country. This splendid program has given people in all parts of the United States an admiring new appreciation of the rich cultural and intellectual heritage brought to this country by Nordic immigrants and the vitality of contemporary life in the Nordic countries.

As a mark of respect for the courage of Leif Erikson and the valuable continuing contribution which the Nordic people have made to life in the United States, the Congress of the United States, by joint resolution approved September 2, 1964 (78 Stat. 849, 36 U.S.C. 169c), authorized the President to proclaim October 9 in each year as Leif Erikson Day.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim Sunday, October 9, 1983 as Leif Erikson Day. I direct the appropriate Government officials to display the flag of the United States on all Government buildings that day. I also invite the people of the United States to honor the memory of Leif Erikson on that day by holding appropriate exercises and ceremonies in suitable places throughout the land.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of Sept., in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and eighth.



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On the subject of

...

The first part of the document...

Robert R. ...

...

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## Presidential Documents

Proclamation 5098 of September 15, 1983

### Thanksgiving Day, 1983

By the President of the United States of America

#### A Proclamation

Since the Pilgrims observed the initial Thanksgiving holiday in 1621, this occasion has served as a singular expression of the transcending spiritual values that played an instrumental part in the founding of our country.

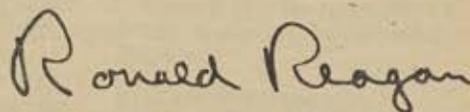
One hundred and twenty years ago, in the midst of a great and terrible civil conflict, President Lincoln formally proclaimed a national day of Thanksgiving to remind those "insensible to the ever watchful providence of Almighty God" of this Nation's bounty and greatness. Several days after the dedication of the Gettysburg battlefield, the United States celebrated its first national Thanksgiving. Every year since then, our Nation has faithfully continued this tradition. The time has come once again to proclaim a day of thanksgiving, an occasion for Americans to express gratitude to their God and their country.

In his remarks at Gettysburg, President Lincoln referred to ours as a Nation "under God." We rejoice in the fact that, while we have maintained separate institutions of church and state over our 200 years of freedom, we have at the same time preserved reverence for spiritual beliefs. Although we are a pluralistic society, the giving of thanks can be a true bond of unity among our people. We can unite in gratitude for our individual freedoms and individual faiths. We can be united in gratitude for our Nation's peace and prosperity when so many in this world have neither.

As was written in the first Thanksgiving Proclamation 120 years ago, "No human counsel hath devised nor hath any mortal hand worked out these great things. They are the gracious gifts of the Most High God." God has blessed America and her people, and it is appropriate we recognize this bounty.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, in the spirit of the Pilgrims, President Lincoln, and all succeeding Presidents, do hereby proclaim Thursday, November 24, 1983, as a National Day of Thanksgiving, and I call upon Americans to affirm this day of thanks by their prayers and their gratitude for the many blessings upon this land and its people.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of Sept., in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and eighth.



Washington, D.C.

February 19, 1952

Dear Mr. [Name]:

Reference is made to your letter of [Date].

The information requested in your letter is being reviewed and will be furnished to you as soon as it is available. The records in question are being processed and will be ready for release in approximately [Timeframe].

Very truly yours,  
[Signature]

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# Rules and Regulations

Federal Register

Vol. 48, No. 183

Tuesday, September 20, 1983

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

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

## DEPARTMENT OF AGRICULTURE

### Agricultural Stabilization and Conservation Service

#### 7 CFR Part 700

#### Rural Clean Water Program; RCWP Contract

**AGENCY:** Agricultural Stabilization and Conservation Service (ASCS), USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the existing regulations governing the Rural Clean Water Program (RCWP). The purpose of the experimental RCWP is to reduce agricultural pollution of the Nation's streams and lakes. The RCWP provides financial and technical assistance to encourage agricultural producers to voluntarily perform Best Management Practices (BMP's) to control agriculture nonpoint source pollution. This final rule amends the current regulations to provide that each farm operator, owner or person who controls or shares in the control of any tract of land (rather than the farm as currently provided) in the designated critical area on which one or more BMP's is to be carried out must execute the RCWP contract.

**EFFECTIVE DATE:** This rule shall be effective September 19, 1983.

**FOR FURTHER INFORMATION CONTACT:** Gordell A. Brown, Director, Conservation and Environmental Protection Division, ASCS, USDA, P.O. Box 2415, Washington, D.C. 20013, telephone 202-447-6221.

**SUPPLEMENTARY INFORMATION:** Information collection requirements contained in this regulation (7 CFR Part 700) have been approved by the Office of Management and Budget under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB No. 0560-0113.

The provisions of this final rule have been reviewed under USDA procedures which have been established in accordance with Executive Order 12291 and Secretary's Memorandum No. 1512-1 and have been classified as "not major." It has been determined that these program provisions will not result in: (1) An annual effect on the economy of \$100 million or more; (2) major increases in costs or prices consumers, individual industries, Federal, State or local government agencies or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The title and number of the Federal Assistance Program to which this rule applies are: Title—Rural Clean Water Program; Number 10.068; as found in the Catalog of the Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule since ASCS is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

The experimental Rural Clean Water Program (RCWP), which is authorized by the Agriculture, Rural Development and Related Agencies Appropriations Act Fiscal Year 1980 (Pub. L. 96-108, 93 Stat. 821, 835) and the Agriculture Rural Development and Related Agencies Appropriations Act Fiscal Year 1981 (Pub. L. 96-528, 94 Stat. 3095, 3111), provides for long-term financial and technical assistance to owners and operators having control of agricultural land. The purpose of this assistance is to install and maintain BMP's to control agricultural nonpoint source pollution to improve water quality. Final regulations were published in the Federal Register on March 4, 1980 (45 FR 14009) setting forth the applicable program provisions.

In order to participate in the RCWP, the current regulations provide that landowners and operators within the designated project area must enter into contracts in which they agree to carry out BMP's in accordance with an approved water quality plan. In addition, these regulations provide that each person who controls or shares in the control of the farm or ranch must

also execute the RCWP contract. However, the general commodity regulations governing the constitution of a farm for program administration purposes, which are found at 7 CFR Part 719, provide that a farm may be comprised of widely separate ownership tracts. Thus, while a farm as constituted for program purposes may be located within the boundary of an RCWP project area, certain of the ownership tracts may not be so located. A number of landowners are refusing to sign the RCWP contract because no BMP's are scheduled to be installed on the tracts of land in which they have an ownership interest. It has been determined that requiring the signatures on an RCWP contract of every owner of each tract of land which comprises a farm, even though no BMP's may be applied to such tract, is impairing the effectiveness of the RCWP program. Therefore, the regulations have been revised to provide that only those owners, operators or other persons who control or share in the control of a tract of land on which BMP's will be performed must execute the RCWP contract.

Since the purpose of this final rule is to make less restrictive the present requirements involving those persons who must sign an RCWP contract as a prerequisite to program participation, it has been determined that this rule should be published without prior opportunity for public comment. Accordingly, this final rule will become effective upon the date of filing with the Director, Office of the Federal Register.

#### List of Subjects in 7 CFR Part 700

Administrative practice and procedure; Grant programs, agriculture; Grant programs environmental protection; Rural area; Technical assistance; Water pollution.

#### Final Rule

#### PART 700—[AMENDED]

Accordingly, the regulations at 7 CFR 700.25 (a) and (b) are revised to read as follows:

#### § 700.25 RCWP contract.

(a) In order to participate in the RCWP, each landowner, operator, or person who controls or shares in the control of a tract of land on which one or more of the BMP's will be performed must execute the RCWP contract in

which they agree to carry out the water quality plan.

(b) The participant must furnish satisfactory evidence of his or her control of the tract of land on which one or more of the BMP's will be performed.

(Pub. L. 96-108, 98 Stat. 821, 835 and Pub. L. 96-528, 94 Stat. 3095, 3111)

Signed at Washington, D.C., on September 15, 1983.

John R. Block,  
Secretary.

[FR Doc. 83-25630 Filed 9-19-83; 8:45 am]

BILLING CODE 3410-05-M

## FEDERAL RESERVE SYSTEM

### 12 CFR Part 215

[Docket No. R-0469]

#### Loans to Executive Officers, Directors, and Principal Shareholders of Member Banks; Lending Limits

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule.

**SUMMARY:** The Board of Governors of the Federal Reserve System is amending Regulation O (12 CFR Part 215), which governs loans by a member bank to insiders, to implement amendments to 12 U.S.C. 84, and sections 22(g) and 22(h) of the Federal Reserve Act (12 U.S.C. 375a and 375b) that were included in Title IV of the Garn-St Germain Depository Institutions Act of 1982 (Pub. L. 97-320, 96 Stat. 1469). The amendments relate to the limitations on loans by a member bank to its executive officers, the aggregate dollar limitation on loans by a member bank to its insiders, and the dollar amount above which loans by a member bank to its insiders must be approved in advance by the board of directors of the member bank.

**EFFECTIVE DATE:** October 20, 1983

**FOR FURTHER INFORMATION CONTACT:** Jennifer Johnson, Senior Counsel (202/452-3584), or Stephen Lovette, Supervisory Financial Analyst (202/452-3622), Board of Governors of the Federal Reserve System.

**SUPPLEMENTARY INFORMATION:** Prior to the enactment of the Garn-St Germain Depository Institutions Act of 1982 (Pub. L. 97-320, 96 Stat. 1469) ("Garn Act"), section 22(g) of the Federal Reserve Act prescribed the following limitations on loans by a member bank to its executive officers: \$60,000 for a home mortgage; \$20,000 to finance the education of the officer's children; and \$10,000 for all

other purposes. Section 421(a) of the Garn Act eliminated the specific dollar limitation on home mortgage and educational loans and on November 1, 1982, the Board amended Regulation O to provide that a member bank may extend credit to its executive officers in any amount for home mortgage or educational purposes (47 FR 49347 (1982)).

Section 421(b) of the Garn Act eliminated the dollar limitation for "other" loans and now provides that the member bank's appropriate federal regulatory agency shall prescribe a limit for such loans. The rule adopted by the Board to implement this statutory change provides that, for other than home mortgage or educational purposes (for which there are no dollar limitations), a state member bank may lend to any of its executive officers up to \$25,000 or 2.5 percent of its capital and unimpaired surplus, whichever amount is higher.<sup>1</sup> However, at no time may the bank's outstanding loans to any executive officer for other than home mortgage or educational purposes exceed \$100,000.

In response to comments received and in order that the rules proposed by all of the federal regulatory agencies will be uniform, the term "capital and unimpaired surplus" has been substituted for the term "capital," wherever it appeared in the proposal. In response to other comments received regarding the new limitations on "other" loans, the rule clarifies that the new limitations on such loans apply also to loans to partnerships in which one or more executive officers of the member bank is a partner holding a majority interest. In other words, a member bank may lend an amount equal to 2.5 percent of its capital and unimpaired surplus or \$100,000, whichever is lower, to a partnership in which one or more of its executive officers has a majority interest.

Also prior to the enactment of the Garn Act, section 22(h)(2) of the Federal Reserve Act provided that no member bank should lend to any executive officer, director or principal shareholder, or to any related interest of such person, if the amount of the loan, when aggregated with all other loans to such executive officer, director or principal shareholder, or to any related interest of such person, exceeded \$25,000, unless the loan was approved in advance by a majority of the bank's entire board of directors, with the interested party

<sup>1</sup>The appropriate limits for national banking associations, which are identical to the limits adopted herein, are contained in regulations of the Comptroller of the Currency.

abstaining from the vote. Section 422 of the Garn Act eliminated the specific dollar amount in section 22(h)(2) and now provides that the member bank's appropriate federal regulatory agency shall prescribe the amount above which the prior approval of the bank's board of directors is required.

The rule adopted by the Board provides that a state member bank must obtain the prior approval of its board of directors for a loan to an executive officer, director or principal shareholder, or to any related interest of that person, if the amount of such loan, when aggregated with all other loans to that person or to any related interest of that person, exceeds \$25,000 or 5 percent of the member bank's capital and unimpaired surplus, whichever is higher.<sup>2</sup> In addition, regardless of the size of the bank, all loans to insiders that exceed \$500,000 in the aggregate require the prior approval of the bank's board of directors.

Section 22 h(1) of the Federal Reserve Act provides that no member bank shall make any loan to any of its executive officers, principal shareholders or to any related interest of such persons in an amount that, when aggregated with all other loans made to such person or to any related interest of such person, exceeds the limit in section 5200 of the Revised Statutes (12 U.S.C. 84) on loans to a single borrower by national banks. Section 401 of the Garn Act increased the limit in section 5200 of the Revised Statutes, effective April 15, 1983, and the rule amends the definition of "lending limit" in Regulation O accordingly. In states where applicable laws have established lending limits that are lower than the limits in section 5200 of the Revised Statutes, state member banks are required to comply with the lower state lending limits.

The Board received 35 comments on the proposed amendments, only two of which opposed the proposal. One unfavorable commenter indicated that it would favor the proposal if the term "capital and unimpaired surplus" was substituted for the term "capital" in the amendment. Numerous other commenters made this suggestion, stating that the suggested term is the term used in the section of Regulation O that defines the lending limit for member banks. The final rule includes this suggestion and the term "capital and unimpaired surplus" has been substituted for the term "capital" in the final rule.

The other unfavorable comment indicated the commenter's belief that

<sup>2</sup>Id.

increasing the limit on loans to executive officers to a maximum of \$100,000 would permit executive officers to enter business transactions that would be detrimental to their banks. This commenter did not offer any reason in support of the belief that the loans would be detrimental to banks.

The Board does not believe that increasing the lending limit as proposed is likely to cause harm to member banks. In the first place, the rule provides that the lending limit is 2.5 percent of the capital and unimpaired surplus of the member bank rather than a flat \$100,000. Only banks with approximate total assets of \$55,000,000 or more would be permitted to lend \$100,000 to their executive officers. In addition, loans to executive officers must be on the same terms as loans to other customers and cannot involve more than the normal risk of repayment or present other unfavorable features. Finally, loans to executive officers are reviewed by the appropriate regulatory agency during the on site examinations of member banks. Thus, the Board believes the rule would not endanger the safety and soundness of member banks but would merely place insiders on the same footing as other borrowers from the bank.

Several of the commenters, while agreeing with the Board's plan to increase the limits applicable to loans to insiders, suggested that other methods be used to establish the limits. These suggestions have been considered, and the Board has concluded that the most convenient and appropriate method for determining the lending limit and prior approval amount with respect to loans to insiders is a percentage of the bank's capital and unimpaired surplus.

Other commenters agreed with the percentage of capital approach but suggested that the \$100,000 maximum for loans to executive officers be increased to as much as \$500,000 and the \$500,000 amount above which prior approval is required be increased to as much as \$5 million. The Board has evaluated these suggestions and determined that the amounts it proposed previously will reduce the burden imposed on the banking industry by the statutory requirements and permit continuing review of loans to insiders that could affect the safety and soundness of member banks.

Finally, some commenters offered technical amendments and nonsubstantive wording changes that have been included in the final rule.

Pursuant to section 605(b) of the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 601 *et seq.*), the Board of Governors of the Federal Reserve

System certifies that the amendments will not have a significant economic impact on a substantial number of small entities that would be subject to the regulation. The amendments will liberalize existing regulations and will not have any particular effect on small entities that would be subject thereto.

#### List of Subjects in 12 CFR Part 215

Banks—Banking, Credit, Reporting and recordkeeping requirements.

Accordingly, pursuant to its authority under sections 22(g) and 22(h) of the Federal Reserve Act (12 U.S.C. 375a and 375b), the Board of Governors is amending 12 CFR Part 215 (Regulation O) as follows:

1. Paragraph (f) of § 215.2 is amended by revising the first two sentences and adding a third sentence. As amended, paragraph (f) reads as follows:

#### § 215.2 Definitions.

(f) The "lending limit" for a member bank is an amount equal to the limit of loans to a single borrower established by section 5200 of the Revised Statutes,<sup>2</sup> 12 U.S.C. 84. This amount is 15 per cent of the bank's unimpaired capital and unimpaired surplus in the case of loans that are not fully secured, and additional 10 per cent of the bank's unimpaired capital and unimpaired surplus in the case of loans that are fully secured by readily marketable collateral having a market value, as determined by reliable and continuously available price quotations, at least equal to the amount of the loan. The lending limit also includes any higher amounts that are permitted by section 5200 of the Revised Statutes for the types of obligations listed therein as exceptions to the limit. A member bank's capital stock and unimpaired surplus equals the sum of (1) the "total equity capital" of the member bank reported on its most recent consolidated report of condition filed under 12 U.S.C. 1817(a)(3), (2) any subordinated notes and debentures approved as an addition to the member bank's capital structure by the appropriate Federal banking agency, and (3) any valuation reserves created by charges to the member bank's income.

2. Paragraph (b)(1) of § 215.4 is revised to read as follows:

#### § 215.4 General prohibitions.

<sup>2</sup>Where state law establishes a lending limit for a state member bank that is lower than the amount permitted in section 5200 of the Revised Statutes, the lending limit established by applicable state laws shall be the lending limit for the state member bank.

(b) *Prior Approval.* (1) No member bank may extend credit (which term includes granting a line of credit) to any of its executive officers, directors, or principal shareholders or to any related interest of that person in an amount that, when aggregated with the amount of all other extensions of credit to that person and to all related interests of that person, exceeds the higher of \$25,000 or 5 per cent of the member bank's capital and unimpaired surplus, unless: (i) The extension of credit has been approved in advance by a majority of the entire board of directors of that bank, and (ii) the interested party has abstained from participating directly or indirectly in the voting. In no event may a member bank extend credit to any one of its executive officers, directors, or principal shareholders, or to any related interest of that person, in an amount that, when aggregated with all other extensions of credit to that person, and all related interests of that person, exceeds \$500,000, except by complying with the requirements of this paragraph.

3. The first sentence of paragraph (b) of § 215.5 is revised to read as follows:

#### § 215.5 Additional restrictions on loans to executives officers of member banks.

(b) No member bank may extend credit in an aggregate amount greater than the amount permitted in paragraph (c)(3) of this section to a partnership in which one or more of the bank's executive officers are partners and, either individually or together, hold a majority interest.

4. The first sentence of paragraph (c)(3) of § 215.5 is revised to read as follows:

(c) (3) for any other purpose not specified in § 215.5(c)(1) and (2), if the aggregate amount of loans to that officer under this paragraph does not exceed at any one time the higher of 2.5 per cent of the bank's capital and unimpaired surplus or \$25,000, but in no event more than \$100,000.

5. Footnotes 2 to 11 are renumbered footnotes 3 to 12.

6. The Appendix is revised to read as follows:

### Appendix—Section 5200 of the Revised Statutes Total Loans and Extensions of Credit

(e)(1) The total loans and extensions of credit by a national banking association to a person outstanding at one time and not fully secured, as determined in a manner consistent with paragraph (2) of this subsection, by collateral having a market value at least equal to the amount of the loan or extension of credit shall not exceed 15 per centum of the unimpaired capital and unimpaired surplus of the association.

(2) The total loans and extensions of credit by a national banking association to a person outstanding at one time and fully secured by readily marketable collateral having a market value, as determined by reliable and continuously available price quotations, at least equal to the amount of the funds outstanding shall not exceed 10 per centum of the unimpaired capital and unimpaired surplus of the association. This limitation shall be separate from and in addition to the limitations contained in paragraph (1) of this subsection.

#### Definitions

(b) For the purposes of this section—

(1) the term "loans and extensions of credit" shall include all direct or indirect advances of funds to a person made on the basis of any obligation of that person to repay the funds or repayable from specific property pledged by or on behalf of the person, and to the extent specified by the Comptroller of the Currency, such term shall also include any liability of a national banking association to advance funds to or on behalf of a person pursuant to a contractual commitment; and

(2) the term "person" shall include an individual, sole proprietorship, partnership, joint venture, association, trust, estate, business trust, corporation, sovereign government, or agency, instrumentality, or political subdivision thereof, or any similar entity or organization.

#### Exceptions

(c) The limitations contained in subsection (a) of this section shall be subject to the following exceptions:

(1) Loans or extensions of credit arising from the discount of commercial or business paper evidencing an obligation to the person negotiating it with recourse shall not be subject to any limitation based on capital and surplus.

(2) The purchase of bankers' acceptances of the kind described in section 372 of this title and issued by other banks shall not be subject to any limitation based on capital and surplus.

(3) Loans and extensions of credit secured by bills of lading, warehouse receipts, or similar documents transferring or securing title to readily marketable staples shall be subject to a limitation of 35 per centum of capital and surplus in addition to the general limitations if the market value of the staples securing each additional loan or extension of credit at all times equals or exceeds 115 per centum of the outstanding amount of such loan or extension of credit. The staples shall

be fully covered by insurance whenever it is customary to insure such staples.

(4) Loans or extensions of credit secured by bonds, notes, certificates of indebtedness, or Treasury bills of the United States or by other such obligations fully guaranteed as to principal and interest by the United States shall not be subject to any limitation based on capital and surplus.

(5) Loans or extensions of credit to or secured by unconditional takeout commitments or guarantees of any department, agency, bureau, board, commission, or establishment of the United States or any corporation wholly owned directly or indirectly by the United States shall not be subject to any limitation based on capital and surplus.

(6) Loans or extensions of credit secured by a segregated deposit account in the lending bank shall not be subject to any limitation based on capital and surplus.

(7) Loans or extensions of credit to any financial institution or to any receiver, conservator, superintendent of banks, or other agent in charge of the business and property of such financial institution, when such loans or extensions of credit are approved by the Comptroller of the Currency, shall not be subject to any limitation based on capital and surplus.

(8)(A) Loans and extensions of credit arising from the discount of negotiable or nonnegotiable installment consumer paper which carries a full recourse endorsement or unconditional guarantee by the person transferring the paper shall be subject under this section to a maximum limitation equal to 25 per centum of such capital and surplus, notwithstanding the collateral requirements set forth in subsection (a)(2) of this section.

(B) If the bank's files or the knowledge of its officers of the financial condition of each maker of such consumer paper is reasonably adequate, and an officer of the bank designated for that purpose by the board of directors of the bank certifies in writing that the bank is relying primarily upon the responsibility of each maker for payment of such loans or extensions of credit and not upon any full or partial recourse endorsement or guarantee by the transferor, the limitations of this section as to the loans or extensions of credit of each such maker shall be the sole applicable loan limitations.

(9)(A) Loans and extensions of credit secured by shipping documents or instruments transferring or securing title covering livestock or giving a lien on livestock when the market value of the livestock securing the obligation is not at any time less than 115 per centum of the face amount of the note covered, shall be subject under this section notwithstanding the collateral requirements set forth in subsection (a)(2) of this section, to a maximum limitation equal to 25 per centum of such capital and surplus.

(B) Loans and extensions of credit which arise from the discount by dealers in dairy cattle of paper given in payment for dairy cattle, which paper carries a full recourse endorsement or unconditional guarantee of the seller, and which are secured by the cattle being sold, shall be subject under this section, notwithstanding the collateral

requirements set forth in subsection (a)(2) of this section, to a limitation of 25 per centum of such capital and surplus.

(10) Loans or extensions of credit to the Student Loan Marketing Association shall not be subject to any limitation based on capital and surplus.

#### Authority of Comptroller of the Currency

(d)(1) The Comptroller of the Currency may prescribe rules and regulations to administer and carry out the purposes of this section, including rules or regulations to define or further define terms used in this section and to establish limits or requirements other than those specified in this section for particular classes or categories of loans or extensions of credit.

(2) The Comptroller of the Currency also shall have authority to determine when a loan putatively made to a person shall for purposes of this section be attributed to another person.

Board of Governors of the Federal Reserve System, September 1, 1983.

William W. Wiles,  
Secretary of the Board.

[FR Doc. 83-24517 Filed 9-19-83; 8:45 am]

BILLING CODE 5210-01-M

## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 101

(T.D. 83-196)

### Change in the Customs Service Field Organization—Huntsville, Alabama

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

**SUMMARY:** This document amends the Customs Regulations to establish a permanent Customs port of entry at Huntsville, Alabama, in the Mobile, Alabama, Customs district. The Huntsville port of entry has been operating on an experimental basis since July 30, 1980, to see if it could meet the criteria for establishing and staffing a port of entry. As a result of a recently completed review, it has been concluded that the workload will be sufficient to meet the established criteria. The change is part of a continuing program to obtain more efficient use of Customs personnel, facilities, and resources, and to provide better service to carriers, importers, and the public.

**EFFECTIVE DATE:** July 30, 1983.

**FOR FURTHER INFORMATION CONTACT:** Richard C. Coleman, Office of Inspection, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229 (202-566-8157).

**SUPPLEMENTARY INFORMATION:****Background**

As part of a continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the public, by a document published in the *Federal Register* on July 1, 1980, as T.D. 80-176 (45 FR 44263), effective July 30, 1980, Huntsville, Alabama, was designated as a Customs port of entry in the Mobile, Alabama, Customs district, on a 2-year experimental basis. T.D. 80-176 provided that, at the conclusion of the 2-year period, Customs would make an evaluation of the amount of international business, the continued need for Customs services in the area, and the adequacy of Customs facilities. If the extent of the business or the adequacy of the facilities failed to meet the criteria used by Customs to determine port of entry eligibility, the designation of Huntsville as a port of entry would be revoked.

By T.D. 82-166, published in the *Federal Register* on September 13, 1982 (47 FR 40163), the period of time for which the Huntsville port of entry was established on an experimental basis was extended for an addition year; until July 30, 1983. This 1-year extension was granted in order to make a full and fair assessment as to whether Huntsville could meet the criteria for establishing and staffing a port of entry.

Customs has recently completed its review of the status of the workload through the temporary Customs port of Huntsville, Alabama. As a result of this review, Customs has concluded that the workload for fiscal year 1983 will be sufficient to meet the established criteria. Because it has met the established criteria and all of the facilities are adequate, Huntsville is being designated as a permanent port of entry.

**Geographical Description**

The geographical boundaries of the Huntsville, Alabama, port of entry include all the territory within the counties of Limestone, Madison, Morgan, and Marshall, all in the State of Alabama.

**Authority**

Customs ports of entry are established under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2) and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (3 CFR, 1949-1953 Comp., Ch. II), and

pursuant to authority provided by Treasury Department Order No. 101-5 (47 FR 2449).

**List of Subjects in 19 CFR Part 101**

Customs duties and inspection, Imports, Organization.

**Amendment to the Regulations****PART 101—GENERAL PROVISIONS**

To reflect the establishment of a permanent Customs port of entry at Huntsville, Alabama, the list of Customs regions, districts, and ports of entry in § 101.3(b), Customs Regulation (19 CFR 101.3(b)), is amended by adding "including the territory described in T.D. 83-196," after "Huntsville, Ala." under the column headed Ports of entry, in the Mobile, Alabama, Customs District.

**Executive Order 12291**

Because this amendment relates to the organization of the Customs Service, pursuant to section 1(a)(3) of E.O. 12291, it is not subject to that E.O.

**Regulatory Flexibility Act**

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this amendment. Customs routinely establishes, expands, and consolidates Customs ports of entry throughout the United States to accommodate the volume of Customs-related activity in various parts of the country. Although this change may have a limited effect upon some small entities in the Huntsville, Alabama, area, the establishment of Customs ports of entry in other locations has not had a significant economic impact on a substantial number of small entities to the extent contemplated by the Regulatory Flexibility Act. Furthermore, Huntsville has been operating as a port of entry since 1980. Accordingly, it is certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)) that the amendment will not have a significant economic impact on a substantial number of small entities.

**Drafting Information**

The principal author of this document was James S. Demb, Regulations Control Branch, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Dated: August 22, 1983.

John M. Walker, Jr.,

Assistant Secretary of the Treasury.

(FR Doc. 83-25596 Filed 9-19-83; 8:45 am)

BILLING CODE 4820-02-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 81**

[Docket No. 76N-0366]

**Provisional Listing of D&C Red No. 8 and D&C Red No. 9; Postponement of Closing Date**

**AGENCY:** Food and Drug Administration.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is postponing the closing date for the provisional listing of D&C Red No. 8 and D&C Red No. 9 for use as color additives in drugs and cosmetics. The new closing date will be November 29, 1983. This brief postponement will provide time for the uninterrupted use of these color additives while the agency completes its review and considers the scientific and legal aspects of the results of the toxicological studies on D&C Red No. 8 and D&C Red No. 9. Additionally, during this brief postponement, after completing its review of these studies, the agency will prepare the appropriate *Federal Register* document(s).

**DATES:** Effective September 30, 1983, the new closing date for D&C Red No. 8 and D&C Red No. 9 will be November 29, 1983.

**FOR FURTHER INFORMATION CONTACT:** Mary Lipien, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5740.

**SUPPLEMENTARY INFORMATION:** FDA established the current closing date of September 30, 1983, for the provisional listing of D&C Red No. 8 and D&C Red No. 9 in drugs and cosmetics by a rule published in the *Federal Register* of March 27, 1981 (46 FR 18954). The September 30, 1983 closing date was established to provide time for completion of FDA's review and evaluation of the data concerning the use of D&C Red No. 8 and D&C Red No. 9 in drugs and cosmetics, and for the publication of a regulation in the *Federal Register* regarding FDA's final decision on the petition for the permanent listing of these color additives. The regulation set forth below will postpone the September 30, 1983 closing date for the provisional listing of the color additives until November 29, 1983.

FDA's review and evaluation of the data relevant to the use of D&C Red No. 8 and D&C Red No. 9 have required more time than anticipated. The agency

therefore concludes that the brief extension of the closing date to November 29, 1983, is necessary. This brief postponement will provide time for the agency to complete its review and prepare the appropriate Federal Register document(s). No harm to the public health will result from this extension.

Because of the short time until the September 30, 1983 closing date, FDA concludes that notice and public procedure on this regulation are impracticable, and that good cause exists for issuing this postponement as a final rule. This regulation will permit the uninterrupted use of these color additives until November 29, 1983. To prevent any interruption in the provisional listing of D&C Red No. 8 and D&C Red No. 9 and in accordance with 5 U.S.C. 552(d) (1) and (3), this regulation is being made effective on September 30, 1983.

#### List of Subjects in 21 CFR Part 81

Color additives, Color additives provisional list, Cosmetics, Drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 701, 706 (b), (c), and (d), 52 Stat. 1055-1056 as amended, 74 Stat. 399-403 (21 U.S.C. 371, 376 (b), (c), and (d))), under the transitional provisions of the Color Additive Amendments of 1960 (Title II, Pub. L. 86-618, sec. 203, 74 Stat. 404-407 (21 U.S.C. 376, note)), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Part 81 is amended as follows:

#### PART 81—GENERAL SPECIFICATIONS AND GENERAL RESTRICTIONS FOR PROVISIONAL COLOR ADDITIVES FOR USE IN FOODS, DRUGS, AND COSMETICS

##### § 81.1 [Amended]

1. In § 81.1 *Provisional lists of color additives*, by revising the closing date for "D&C Red No. 8" and "D&C Red No. 9" in paragraph (b) to read "November 29, 1983."

##### § 81.27 [Amended]

2. In § 81.27 *Conditions of provisional listing*, by revising the closing date for "D&C Red No. 8" and "D&C Red No. 9" in paragraph (d) to read "November 29, 1983."

*Effective date.* This final rule is effective September 30, 1983.

(Secs. 701, 706 (b), (c), and (d), 52 Stat. 1055-1056 as amended, 74 Stat. 399-403 (21 U.S.C. 371, 376 (b), (c), and (d)); sec. 203, 74 Stat. 404-407 (21 U.S.C. 376, note))

Dated: August 12, 1983.

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

[FR Doc. 83-25538 Filed 9-19-83; 8:45 am]

BILLING CODE 4160-01-M

#### 21 CFR Part 510

##### New Animal Drugs; Change of Sponsor ZIP Code

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

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect a change of zip code for Ralston-Purina Co. The firm informed FDA of this change.

**EFFECTIVE DATE:** September 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** David L. Gordon, Bureau of Veterinary Medicine (HFV-238), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-6243.

**SUPPLEMENTARY INFORMATION:** Ralston-Purina Co., Checkerboard Square, St. Louis, MO 63164, has informed FDA of a change in its postal zip code number. This is an administrative change which does not in any other way affect sponsor name and address nor the approval of any NADA. The agency is amending the regulations to reflect the change.

#### List of Subjects in 21 CFR Part 510

Administrative practice and procedure, Animal drugs, Labeling, Reporting requirements.

#### PART 510—NEW ANIMAL DRUGS

##### § 510.600 [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), § 510.600. *Names, addresses, and drug labeler codes of sponsors of approved applications* is amended in the entry for "Ralston-Purina Co." in paragraph (c)(1) and in the entry for "017800" in paragraph (c)(2) by changing the postal zip code to "63164".

*Effective date:* September 20, 1983.  
(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: September 14, 1983.

**Max L. Grandall,**  
*Associate Director for Surveillance and  
Compliance.*

[FR Doc. 83-25541 Filed 9-19-83; 8:45 am]

BILLING CODE 4160-01-M

#### 21 CFR Part 522

##### Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Trimethoprim and Sulfadiazine Sterile Suspension

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

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Syntex Agribusiness, Inc., providing for safe and effective intravenous use of a combination antibacterial drug containing trimethoprim and sulfadiazine for treating certain bacterial infections in horses.

**EFFECTIVE DATE:** September 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** Sandra K. Woods, Bureau of Veterinary Medicine (HFV-114), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3420.

**SUPPLEMENTARY INFORMATION:** Syntex Agribusiness, Inc., 3401 Hillview Ave., Palo Alto, CA 94304, filed NADA 134-778 providing for intravenous use of Di-Trim® 48% Injection, a sterile suspension containing 80 milligrams (mg) of trimethoprim and 400 mg of sulfadiazine per milliliter (mL), for treating certain bacterial infections in horses. Use of the injection of horses is indicated where control of bacterial infections is required during treatment of acute strangles, respiratory tract infections, acute urogenital infections, and wound infections and abscesses. NADA's have previously been approved for use of a combination of trimethoprim and sulfadiazine in oral paste and injectable forms in horses, and for use in tablet and injectable forms in dogs. The NADA is approved and the regulations are amended to reflect the approval. The basis for approval of this NADA is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch

(HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

#### List of Subjects in 21 CFR Part 522

Animal drugs, Injectable.

#### PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

##### § 522.2610 [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), § 522.2610 *Trimethoprim and sulfadiazine sterile suspension* is amended in paragraph (b)(2) by adding before the number "017220" the phrase "000033 and".

Effective date. September 20, 1983.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: September 14, 1983.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 83-25540 Filed 9-19-83; 8:45 am]

BILLING CODE 4160-01-M

#### 21 CFR Parts 520 and 556

#### Oral Dosage Form New Animal Drugs Not Subject to Certification; Tolerances for Residues of New Animal Drugs in Food; Fenbendazole Suspension

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by American Hoechst Corp., providing for safe and effective use of fenbendazole suspension as an anthelmintic in cattle. The regulations are also amended to establish a tolerance for a marker for fenbendazole residues in edible cattle tissues.

EFFECTIVE DATE: September 20, 1983.

#### FOR FURTHER INFORMATION CONTACT:

Adriano R. Gabuten, Bureau of Veterinary Medicine (HFV-135), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4913.

#### SUPPLEMENTARY INFORMATION:

American Hoechst Corp., Animal Health Division, Route 202-206 North, Somerville, NJ 08876, is sponsor of NADA 128-620, providing for use of fenbendazole suspension 10 percent. The suspension is recommended for oral use in cattle for the removal and control of lungworm (*Dictyocaulus viviparus*), barberpole worm (*Haemonchus contortus*), brown stomach worm (*Ostertagia ostertagi*), small stomach worm (*Trichostrongylus axei*), hookworm (*Bunostomum phlebotomum*), thread-necked intestinal worm (*Nematodirus helvetianus*), small intestinal worms (*Cooperia punctata* & *C. oncophora*), bankrupt worm (*Trichostrongylus colubriformis*), and nodular worm (*Oesophagostomum radiatum*).

The sponsor of this NADA submitted studies to demonstrate that the drug is safe and effective for its intended use. Additionally, the agency has validated and approved, for regulatory surveillance purposes, an analytical method that is specific for parent fenbendazole, the marker substance for total residues of fenbendazole in beef tissues. The NADA is approved and the regulations are amended to reflect the approval and to establish a tolerance for parent fenbendazole and safe concentrations for total residues of fenbendazole in edible cattle tissues. The basis for approval is discussed in the freedom of information summary. The tolerance is established for the concentration of the marker residue in the target tissue selected to monitor for total residues of the drug in the target animal. The safe concentrations refer to the concentrations of total residues considered safe in edible tissues.

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

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

environment and that an environmental impact statement therefore will not be prepared. The Bureau's finding of no significant impact and the evidence supporting this finding, contained in an environmental impact analysis report (pursuant to 21 CFR 25.1(j)) may be seen in the Dockets Management Branch (address above), between 9 a.m. and 4 p.m., Monday through Friday.

#### List of Subjects

##### 21 CFR Part 520

Animal drugs, oral use.

##### 21 CFR Part 556

Animal drugs, Foods, Residues.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Parts 520 and 556 are amended as follows:

#### PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

1. Part 520 is amended in § 520.905a by redesignating paragraph (d) (1), (2), and (3) as (d)(1) (i), (ii), and (iii), by revising the headings of (d)(1) and (d)(1)(i), and by adding new paragraph (d)(2) to read as follows:

##### § 520.905a Fenbendazole suspension.

\* \* \* \* \*

(b) *Conditions of use*—(1) *Horses*

(i) *Amount*.

\* \* \* \* \*

(2) *Cattle*—(i) *Amount*. Administer orally 5 milligrams per kilogram of body weight (2.3 milligrams per pound).

(ii) *Indications for use*. For the removal and control of lungworm (*Dictyocaulus viviparus*), barberpole worm (*Haemonchus contortus*), brown stomach worm (*Ostertagia ostertagi*), small stomach worm (*Trichostrongylus axei*), hookworm (*Bunostomum phlebotomum*), thread-necked intestinal worm (*Nematodirus helvetianus*), small intestinal worms (*Cooperia punctata* & *C. oncophora*), bankrupt worm (*Trichostrongylus colubriformis*), and nodular worm (*Oesophagostomum radiatum*).

(iii) *Limitations*. Retreatment may be needed after 4 to 6 weeks. Cattle must not be slaughtered within 8 days following last treatment. Do not use in dairy cattle of breeding age. Consult a veterinarian for assistance in the

diagnosis, treatment, and control of parasitism.

#### PART 556—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

2. Part 556 is amended by adding new § 556.275 to read as follows:

##### § 556.275 Fenbendazole.

The marker residue selected to monitor for total residues of fenbendazole in cattle is parent fenbendazole and the target tissue selected is liver. A tolerance is established in cattle at 0.8 part per million for parent fenbendazole in liver. A marker residue concentration of 0.8 parts per million in liver corresponds to a concentration for total residues of fenbendazole of 10 parts per million in liver. The safe concentrations for total residues of fenbendazole in the uncooked edible tissues of cattle are 5 parts per million in muscle, 10 parts per million in liver, 15 parts per million in kidney, and 20 parts per million in fat.

*Effective date.* September 20, 1983.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: September 13, 1983.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 83-25542 Filed 9-19-83; 8:45 am]

BILLING CODE 4160-01-M

#### 21 CFR Part 558

##### New Animal Drugs for Use in Animal Feeds; Tylosin

**AGENCY:** Food and Drug Administration.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed for Hubbard Milling Co., providing for manufacturing a 40-gram-per-pound tylosin premix. The premix is used to make finished feeds for swine, beef cattle, and chickens.

**EFFECTIVE DATE:** September 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** Benjamin A. Puyot, Bureau of Veterinary Medicine (HFV-130), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1414.

**SUPPLEMENTARY INFORMATION:** Hubbard Milling Co., 424 North Front St., Mankato, MN 56001, is the sponsor of a supplement to NADA 48-645 submitted on its behalf by Elanco Products Co. This supplement provides for the

manufacture of 40-gram-per-pound premixes subsequently used to make finished feeds for swine, beef cattle, and chickens for use as in 21 CFR 558.625(f)(1) (i) through (vi). The basis for approval of this supplement is discussed in the freedom of information summary. Based on the data and information submitted, the supplement is approved and the regulations are amended to reflect the approval.

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

The Bureau of Veterinary Medicine had determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

##### List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.625 by revising paragraph (b)(72) to read as follows:

#### PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

##### § 558.625 Tylosin.

(b) \* \* \*

(72) To 012190: 10 grams per pound, paragraph (f)(1)(vi)(a) of this section; 40 grams per pound, paragraph (f)(1) (i) through (vi) of this section

**EFFECTIVE DATE:** September 20, 1983.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: September 14, 1983.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 83-25539 Filed 9-19-83; 8:45 am]

BILLING CODE 4160-01-M

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

##### 24 CFR Part 890

[Docket No. R-83-1113]

##### Annual Contributions for Operating Subsidy-Performance Funding System

**AGENCY:** Office of Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule amends the regulations governing the distribution of operating subsidies under the Performance Funding System by providing for the assessment of a five percent penalty as a one-time reduction of operating subsidy for those public housing agencies (including Indian Housing Authorities) that have experienced excessive utility consumption.

**DATES:** Effective Date: October 27, 1983.

**COMMENT DUE DATE:** November 21, 1983.

**ADDRESS:** Interest persons are invited to submit comments regarding this rule to the Office of General Counsel, Rules Docket Clerk, Room 10276, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410. Communications should refer to the above docket number and title. A copy of each comment submitted will be available for public inspection during regular business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** J. Milton Slifkin, Fiscal Management Division, Room 4216, Office of Public Housing, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410, telephone (202) 426-1872. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** The Department has recognized for quite some time that energy conservation initiatives need to be heightened by HUD in the administration of public housing programs. In May 1980, HUD amended Part 865 of the Code of Federal Regulations to require that PHAs conduct energy audits and undertake certain cost-effective, energy conservation measures in support of national energy conservation goals. (45 FR 30347, May 7, 1980.) Energy audits determine what energy conservation measures are cost-effective and establish priorities for funding those

measures found to be cost effective. In Fall 1980, the Department established a new procedure for the calculation of the allowable utilities consumption level used in the Performance Funding System [Proposed rule published May 27, 1980 (45 FR 35776); final rule published September 11, 1980 (45 FR 60394); Handbook 7475.13 CHG-7 issued March 3, 1981] The preamble of the final rule states the new procedures "will discourage excessive usage and will provide a greater incentive for savings and promote national conservation objectives". In May 1982, the Department issued Handbook 7485.1 REV-1, the Public Housing Comprehensive Improvement Assistance Program Handbook, which instructed PHAs to conduct energy audits and undertake cost-effective conservation measures before HUD approval of comprehensive modernization or special purpose modernization for a project. (See paragraph 6-7.)

Once again, in July 1982, the Department issued changes to the Performance Funding System Handbook (Handbook 7475.13 CHG-8, issued July 1, 1982) to announce mandatory adjustment to Allowable Utilities Expenses Levels used to compute FY 1982 PFS operating subsidy eligibility, so as to require all PHAs to conserve energy in amounts comparable to the savings achieved by PHAs included in a survey conducted by HUD. Appended to that handbook change were procedures for adjusting the allowable utilities consumption level to effect energy conservation reduction.

Despite these initiatives, the Senate Committee on Appropriations noted, in its fiscal year 1982 report, the energy costs were the single largest factor contributing to the increased operating cost of public housing. (S. Rep. No. 97-549, 97th Cong., 2d Sess. 8 (1982).) During the past year, the Committee has urged the Department and PHAs to reach an agreement on a revised performance funding formula that would insure that PHAs conserve energy. At the urging of the House Committee on Appropriations, an understanding has been reached by HUD and representatives of the National Association of Housing and Redevelopment Officials (NAHRO) and the Council of Large Public Housing Authorities (CLPHA). That understanding involves the levying of a penalty upon PHAs which cannot demonstrate that they have conserved energy.

The Urgent Supplemental Appropriations Act, 1982, Pub. L. 97-216

(the "1982 Act"), provided additional funding for payments to PHAs for operating subsidies. The legislative history of the 1982 Act stresses the need for energy conservation in the administration of public housing programs and the importance of an agreement between the Department and PHAs as to measures to be taken to conserve energy and thus reduce operating costs. The legislative history of the 1982 Act states that funds which remain after specific monies are allocated on an equal percentage solely on the basis of the Performance Funding System (PFS) should "be allocated in such a manner as to encourage energy conservation in accordance with the agreements reached between the public housing [authorities] and the Department." (128 Cong. Rec. S7572 (Daily ed. June 29, 1982) (remarks of Sen. Garn).)

The Department of Housing and Urban Development—Independent Agencies Appropriation Act, 1983, Pub. L. 97-272 (the "1983 Act"), provided additional funding for payments to PHAs for operating subsidies. The legislative history of the 1983 Act indicates agreement on the part of the House and Senate Committee of Conference with the policy proposed by the Department to assess a five percent penalty against operating subsidy during fiscal year 1983 (or 1984) for those PHAs that have experienced excessive utility consumption. This interim rule implements that policy. If a PHA is unable to demonstrate that in either of its fiscal years beginning in calendar year 1981 or 1982, its actual utility consumption level (exclusive of water and sewer) was lower than its fixed-base period consumption level, its FY 1983 or FY 1984 operating subsidy payment eligibility will be reduced by five percent of its FY 1982 operating subsidy payment (exclusive of adjustments). Whether the operating subsidy reduction will be made for the PHA's FY 1983 or FY 1984 will be determined on the basis of how late in Federal fiscal year 1983 the PHA's fiscal year ends and the time necessary for the PHA to prepare the necessary data and for HUD to process and act upon the data. For example, in the case of the fiscal year beginning on October 1, 1982, the reduction will necessarily be made against the subsidy determined for the fiscal year beginning October 1, 1983, because the Federal fiscal year ends on September 30. Regardless of the year for which the penalty is assessed, the five percent will be calculated on the basis of the FY 1982 subsidy amount.

The Senate Committee on Appropriations expects that the funds made available as a result of these penalties shall be used by HUD "to provide assistance to troubled public housing authorities in such areas as management improvements, deferred maintenance, rent collection, and energy improvements." [S. Rep. No. 97-549, 97th Cong., 2d Sess. 13 (1982).] "No funds derived from the penalty program shall be allocated to projects incurring a penalty." [H. Rep. No. 97-891, 97th Cong., 2d Sess. 5 (1982).]

The interim rule revises 24 CFR 890.104 by adding a new paragraph (b) to the instructions on determining the amount of operating subsidy under the PFS. In addition, a new § 890.116, "Energy Conservation", is added to implement the five percent excessive utility consumption penalty. New Section 890.116 covers the policy for assessment of the penalty, how the penalty is calculated, and the policy and procedures for redistribution of the penalties. In keeping with the legislative history, the penalties will be redistributed to troubled public housing authorities to assist in such areas as management improvements, deferred maintenance, rent collection, and energy improvements. The redistribution will be handled through HUD Regional Offices. Section 890.116(d) sets forth the procedures for redistribution and the guidelines which will be used by Regional administrators to determine which PHAs have serious operational problems and, thus, qualify as troubled public housing authorities.

#### Finding and Certifications

It is essential that PHAs be able to calculate, as soon as possible, their subsidy eligibility in light of the five percent penalty for excessive utility consumption. After meetings with representatives from NAHRO and CLPHA, an understanding has been reached between HUD and the representatives of those organizations regarding the implementation of the excess utility consumption penalty. HUD field offices have been alerted to review PHA operating budgets in light of the five percent penalty, and PHAs are on notice of the pending requirement for the penalty; however, field offices may not issue budget approvals involving assessment of the five percent penalty until after this regulatory change has been published and becomes effective. Consequently, where review of a PHA operating statement shows that there has been no energy savings and that the penalty would be assessed, commitment of funds will be by letter of intent where

necessary. In order to implement the change in the PFS so as to be effective with PHA fiscal years beginning January 1, 1983, this regulation is being promulgated as an interim rule. Issuance of an interim rule provides the most expedient route for making this change to the PFS, while still allowing adequate opportunity for public comment. Accordingly, the Secretary has determined that notice and prior public procedure are impracticable and contrary to the public interest, and that good cause exists for making this rule effective as soon as publication as possible.

Section 7(o)(3) of the Department of HUD Act (42 U.S.C. 3535(o)(3)) provides for a delay in effectiveness for a period of 30 calendar days of continuous session of Congress after publication. This rule shall become effective on October 27, 1983, a date which, under the current congressional schedule, is more than thirty session days after the date of publication.

This rule does not constitute a "major rule" as that term is defined in Section 1(b) of the Executive Order 12291 on Federal Regulation issued on February 17, 1981. Analysis of the rule indicates that it does not: (1) Have an annual effect on the economy of \$100 million or more; (2) cause a major increase in cost or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) have a significant adverse effect 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.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulation 24 CFR Part 50 which implements Section 102(2)(C) of the National Environmental Policy Act of 1969. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of General Counsel, Rules Docket Clerk, Room 10276, 451 Seventh Street SW., Washington, D.C. 20410.

Pursuant to the provision of 5 U.S.C. 605(b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule does not have a significant economic impact on a substantial number of small entities because the rule will only moderately change the funds available to only a small portion of the total number of PHAs.

Information collection requirements contained in this regulation have been approved by the Office of Management and Budget under the provisions of the

Paperwork Reduction Act of 1980 (Pub. L. 96-511) and have been assigned OMB control number 2502-0125.

This rule is listed at 48 FR 18066 in the Department's Semiannual Agenda of Regulations published on April 25, 1983, pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance program number is 14.146.

#### List of Subjects in 24 CFR Part 890

Grant programs: housing and community development, Low and moderate income housing, Public housing.

#### PART 890—[AMENDED]

Accordingly, 24 CFR Part 890, Subpart A, is amended as follows:

1. By designating the current text of § 890.104 as paragraph (a) and by adding a new paragraph (b), to read as follows:

##### § 890.104 Determination of amount of operating subsidy under PFS.

(b) A five percent penalty (reduction) in operating subsidy shall be assessed pursuant to § 890.116 against those PHAs that experienced excessive utility consumption in both of their fiscal years 1981 and 1982. The penalty will be applied against the PHA's operating subsidy payments either for its fiscal year 1983 or its fiscal year 1984.

2. By adding a new § 890.116 *Energy Conservation* to read as follows:

##### § 890.116 Energy conservation.

(a) *Assessment of Five Percent Penalty for Excess Utility Consumption.* If a PHA is unable to demonstrate that it has achieved, for either of its fiscal years beginning in calendar year 1981 or 1982, an actual utility consumption level (excluding water and sewer) which is lower than the allowable utilities consumption level (excluding water and sewer) of the Fixed Base Period, either its fiscal year 1983 or fiscal year 1984 operating subsidy payment will be reduced in an amount equal to five percent of its fiscal year 1982 operating subsidy (exclusive of adjustments). Where a PHA has not obtained or maintained Fixed Base Period Consumption data as required by 24 CFR 890.107 [prior to revision of this section on December 23, 1982], there can be no basis to support a determination of reduced consumption and therefore the five percent penalty shall be imposed.

(b) *Calculation of the Five Percent Utility Consumption Penalty Amount.* A PHA shall calculate its penalty amount by multiplying by five percent (.05) its

operating subsidy eligibility, or such lesser amount paid pursuant to section 890.111(b) (exclusive of adjustments) for its fiscal year beginning either on January 1, 1982, April 1, 1982, July 1, 1982 or October 1, 1982. This amount shall be applied as a reduction to the PHA's subsidy eligibility for its fiscal year beginning either on January 1, 1983, April 1, 1983, July 1, 1983 or October 1, 1983; however, the reduction shall not exceed the amount paid pursuant to section 890.111(b). If the processing of the penalty calculation does not permit its inclusion in the fiscal year beginning either January 1, 1983, April 1, 1983 or July 1, 1983, the penalty shall be assessed against the PHA's subsequent year's operating subsidy eligibility.

(c) *Heating Degree Day (HDD) Adjustment.* To assure that both actual and Fixed Based Period Consumption applicable to space heating are based upon comparable heating degree days (HDD's), PHAs may apply a HDD adjustment to the actual consumption of utilities used for space heating. The adjustment shall be based on the ratio of (1) HDDs in the subject fiscal year and (2) the average annual HDD during the Fixed Base Period. PHAs may calculate the HDD ratio using data obtained locally. Such data will be retained pending audit.

(d) *Redistribution of Penalties.* Amounts available to HUD as a result of assessing the utility consumption penalty shall be assigned to the HUD Regional Offices based on each Region's proportion of the total number of PHA units demonstrating energy savings. HUD Central Office will invite all eligible troubled PHAs to submit funding proposals to their respective Field Offices, which will review and rank all proposals received from PHAs and forward them to the appropriate Regional Administrator. No amounts derived from penalty assessments shall be made available to PHAs incurring utility consumption penalties or to PHAs which have an operating reserve in excess of 40 percent of their maximum reserve as of PHA Fiscal Years ending December 31, 1982, March 31, 1983, June 30, 1983, or September 30, 1983. Regional Administrators will select PHAs for funding, in accordance with HUD procedures for implementing improvements in such areas as management, deferred maintenance, rent collection and energy improvements, based upon the relative degree of seriousness of the operational problems identified by the PHAs.

(1) For purposes of this Section, troubled PHAs are those determined by Regional Administrators to have serious

operational problems including the following:

(i) The operating reserve at the PHA fiscal year ended December 31, 1982, March 31, 1983, June 30, 1983, or September 30, 1983 was below 20 percent of the maximum operating reserve;

(ii) The operating reserve at the PHA fiscal year ended December 31, 1982, March 31, 1983, June 30, 1983, or September 30, 1983, was below 40 percent of the authorized maximum reserve and the operating expenses for the new fiscal year are projected in the operating budget to exceed all receipts, including operating subsidy;

(iii) The PHA's cash flow is inadequate to meet the PHA's financial obligations on a current basis;

(iv) The PHA has excessive vacancies—exceeding six percent of available dwelling units;

(v) The PHA has high tenant accounts receivable—receivables from tenants in possession exceeding 10 percent of average monthly rental and other charges; or

(vi) HUD determines that the physical condition of one or more of the PHA's projects is deteriorating to a degree threatening longterm viability, based upon documented HUD evaluations of the properties and of the effectiveness of the PHA's maintenance program.

(2) A PHA will not be eligible for redistributed funds unless the Regional Administrator determines that the PHA has shown a commitment to improve its operation and that improvement can reasonably be expected to result from such funding. In addition, PHAs with operating reserves in excess of 40 percent of the maximum reserve at the fiscal year ended December 31, 1982, March 31, 1983, June 30, 1983, and September 30, 1983, will not be eligible for inclusion in the redistribution.

(e) PHAs Excepted from Penalty. The Utility Consumption Penalty shall not apply to: (1) PHAs receiving subsidy only for the cost of audits performed by Independent Public Accountants; or

(2) PHAs not experiencing a full fiscal year's utility expense by its fiscal year ending December 31, 1982, March 31, 1983, June 30, 1983 or September 30, 1983.

(Approved by the Office of Management and Budget under control number 2502-0125)

(Sec. 9, United States Housing Act of 1937 (42 U.S.C. 1437g); Sec. 201(b), Housing and Community Development Act of 1974 (42 U.S.C. 1437 note); Sec. 7(d), Department of HUD Act (42 U.S.C. 3535(d)))

Dated: September 13, 1983.

Philip Abrams,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 83-25836 Filed 9-19-83; 8:45 am]

BILLING CODE 4210-27-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[A-3-FRL 2437-5]

#### Approval of Revision of the West Virginia State Implementation Plan

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** This notice announces the Administrator's approval of a revision to the West Virginia State Implementation Plan (SIP). This revision consists of amendments to West Virginia Regulation VII which contains measures to prevent and control particulate air pollution from manufacturing process operations. This revision was required to satisfy one of the conditions of approval of the Part D Plan of the Clean Air Act (45 FR 54042, Aug. 14, 1980). Revised Regulation XIX, governing new source review in nonattainment areas, was submitted to satisfy the other condition and will be addressed in a separate rulemaking.

**EFFECTIVE DATE:** October 20, 1983.

**ADDRESSES:** Copies of the revision and accompanying support material are available for public inspection during normal business hours at the following locations.

U.S. Environmental Protection Agency, Air Management Branch, Curtis Building, 6th & Walnut Streets, Philadelphia, PA 19106. Attn: Patricia Gaughan (3AW11)

West Virginia Air Pollution Control Commission, 1558 Washington Street East, Charleston, West Virginia 25311. Attn: Carl G. Beard

Public Information Reference Unit, Room 2922, EPA Library, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460

The Office of the Federal Register, 1100 L Street, NW, Room 8401, Washington, DC 20408.

**FOR FURTHER INFORMATION CONTACT:** Mr. Edward A. Vollberg (3AW11) at the Region III address stated above or telephone 215/597-8990.

## SUPPLEMENTARY INFORMATION:

### Background

On August 14, 1980, EPA approved, with certain conditions, the West Virginia State Implementation Plan (SIP) revision for attaining the National Ambient Air Quality Standards (NAAQS) for total suspended particulates (TSP) in the Steubenville-Weirton-Wheeling Interstate Air Quality Control Region (AQCR) 45 FR 54042, August 14, 1980. The revision was submitted to meet the requirements of Part D of Title I of the Clean Air Act. One of the conditions was that West Virginia revise its Regulation VII—"To Prevent and Control Particulate Air Pollution from Manufacturing Process Operations."

On May 10, 1982, West Virginia proposed a revised Regulation VII. The State held a public hearing on July 9, 1982, and the West Virginia Air Pollution Control Commission (WVAPCC) adopted the revised regulation on August 11, 1982. Further, the WVAPCC filed the revised regulation with the Legislative Rulemaking Review Committee. The regulation was approved for promulgation by the 1983 West Virginia Legislature on April 27, 1983, with an effective date of May 27, 1983. As such Mr. Don R. Richardson, Chairman of the WVAPCC, submitted the regulation as a revision to the West Virginia SIP on April 29, 1983. On August 3, 1982 (47 FR 33522), EPA proposed the revised Regulation VII concurrently with the State.

Interested parties desiring more specific details on the development of the amended Regulation VII are referred to the August 14, 1980 (45 FR 54042), final rulemaking on the Part D Plan and the proposed rulemaking notice of August 3, 1982 (47 FR 33522), which proposed approval of the regulation.

### EPA Evaluation

The necessary changes to Regulation VII discussed in the conditional approval (45 FR 54048, August 14, 1980) required that the regulation be revised to reflect Reasonably Available Control Technology (RACT) for certain sources including iron and steel-making facilities. West Virginia has changed the regulation to incorporate RACT requirements for the traditional emissions from iron and steel making sources. Additionally, some changes were made for clarity and consistency in the regulation.

EPA analyzed the proposed revisions and informed the Director of the VAPCC of our comments in writing on May 22, 1982, and June 24, 1982. These comments

were incorporated into EPA's statements at the public hearing of July 9, 1982, and made a part of the public hearing record. While EPA received no public comments in response to the August 3, 1982 proposed rule, the Agency did review the statements presented at the West Virginia public hearing. It has been determined that the State did not significantly change the regulation from that which EPA proposed for approval. The State incorporated all the EPA requested changes, as outlined in the letter of June 24, 1982, except two. These two dealt with language changes, which EPA believed would clarify the regulation intent. The first regarded a change in section 3.08(b)(3) changing the words "duplicate sources operation" to "primary aluminum reduction potlines".

This would make it clear that the exemption of 3.08(b)(3) applied only to primary aluminum reduction potlines and not to any other duplicative source operations. The State, in a letter of June 29, 1982, explained that the wording change was unneeded since 3.08(b)(3) is a subparagraph of 3.08(b) which deals with primary aluminum reduction potlines. EPA agrees that the change in language need not be made and in this action today clearly finds that the exemption provided by section 3.08(b)(3) of Regulation VII applies to primary aluminum reduction potlines and no other duplicative source operations.

The second change was that section 4.01 be amended to clarify its applicability in relation to the applicability of section 2.01. In the June 29, 1982 letter to EPA, the Director of the WVAPCC did not agree any change was necessary. EPA decided that it could accept this position if it interpreted that section 2.01, which applies to source operations as applying independently of section 4.01, and, further, if it interprets section 4.01, through its definition of a system to minimize the emissions of fugitive particulate matter, as requiring manufacturing processes to install RACT to control the emission of fugitive particulate matter. EPA discussed this interpretation with the State, and the State agreed to it.

Based upon the above, the Agency concludes that Regulation VII as approved for promulgation by the West Virginia Legislature and as promulgated by the State of West Virginia on April 27, 1983, has not been significantly or substantively changed due to public comment. Since EPA did not receive any comments in response to its solicitation in the proposed rule of August 3, 1982 (47 FR 33522), the regulation, as promulgated and noting the

interpretations discussed above is approvable as a revision to the West Virginia SIP and satisfies one of the conditions of the final approval of the Part D plan (45 FR 54042), August 14, 1980). The other condition relating to West Virginia Regulation XIX which requires preconstruction review and emission offsets, as outlined by Section 173 of the Clean Air Act, will be addressed in separate rulemaking.

#### EPA Action

Based upon the evaluation, EPA approves the Regulation VII as promulgated by West Virginia on April 27, 1983, as a revision to the West Virginia SIP. The Administrator's decision to approve the revision is also based on a determination that the amendment meets the requirements of Section 110(a)(2) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption and Submittal of State Implementation Plans. Accordingly, this notice amends 40 CFR 52.2520 (Identification of Plan) of Subpart XX (West Virginia) by adding paragraph (c)(20) to incorporate this revision into the approved West Virginia SIP.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291. Pursuant to the provisions of 5 U.S.C. Section 605(b), the Administrator has certified that SIP approvals under Section 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities.

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

#### List of Subjects in 40 CFR Part 52

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

Note.—Incorporation by reference of the State Implementation Plan for the State of West Virginia was approved by the Director of the Federal Register on July 1, 1982. (42 U.S.C. 7401-7642)

Dated: September 14, 1983.  
William D. Ruckelshaus,  
Administrator.

#### PART 52—[AMENDED]

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

#### Subpart XX—West Virginia

1. Section 52.2520, Identification of Plan is amended by adding paragraph (c)(20) to read as follows:

#### § 52.2520 Identification of plan.

(c) \* \* \*  
(20) Amended Regulation VII of the West Virginia Air Pollution Control Regulations submitted by the West Virginia Air Pollution Control Commission on April 29, 1983.

[FR Doc. 83-25572 Filed 9-19-83; 8:45 am]  
BILLING CODE 6560-50-M

#### 40 CFR Part 60

[A-9-FRL 2436-4]

#### Delegation of New Source Performance Standards (NSPS); State of California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Rule-related notice.

SUMMARY: The EPA hereby places the public on notice of its delegation of NSPS authority to the California Air Resources Board (CARB) on behalf of the San Diego County Air Pollution Control District (SDCAPCD). This action is necessary to bring the NSPS program delegation up to date with recent EPA promulgations and amendments of this category. This action does not create any new regulatory requirements affecting the public. The effect of the delegation is to shift the primary program responsibility for the affected NSPS category from EPA to State and local governments.

EFFECTIVE DATE: June 10, 1983.

ADDRESS: San Diego County Air Pollution Control District, 9150 Chesapeake Drive, San Diego, CA 92123.

FOR FURTHER INFORMATION CONTACT: Julie A. Rose, New Source Section (A-3-1), Air Operations Branch, Air Management Division, EPA, Region 9, 215 Fremont Street, San Francisco, CA 94105. Tel: (415) 974-8236, FTS 454-8236.

SUPPLEMENTARY INFORMATION: The CARB has requested authority for delegation of an NSPS category on behalf of the SDCAPCD. Delegation of authority was granted by a letter dated

May 26, 1983 and is reproduced in its entirety as follows:

Mr. James D. Boyd,  
Executive Officer, California Air Resources  
Board, 1102 "Q" Street, P.O. Box 2815,  
Sacramento, CA 95812.

Dear Mr. Boyd: In response to your request of March 30, 1983, I am pleased to inform you that we are delegating to your agency authority to implement and enforce one category of New Source Performance Standards (NSPS) on behalf of the San Diego County Air Pollution Control District (SDCAPCD). We have reviewed your request for delegation and have found the SDCAPCD's programs and procedures to be acceptable. This delegation includes authority for Subpart GG, Stationary Gas Turbines.

Acceptance of this delegation constitutes your agreement to follow all applicable provisions of 40 CFR Part 60, including use of EPA approved test methods and procedures. The delegation is effective upon the date of this letter unless the USEPA receives written notice from you or the District of any objections within 10 days of receipt of this letter. A notice of this delegated authority will be published in the Federal Register in the near future.

Cordially yours,

Sonia F. Crow,  
Regional Administrator.

cc: San Diego County Air Pollution Control District.

With respect to San Diego County, all reports, applications, submittals, and other communications pertaining to the above listed NSPS source category should be directed to the SDCAPCD at the address shown in the ADDRESS section of this notice.

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

This notice is issued under the authority of Section 111 of the Clean Air Act, as amended (42 U.S.C. 1857 *et seq.*).

Dated: September 7, 1983.

John Wise,  
Acting Regional Administrator.

[FR Doc. 83-25578 Filed 9-19-83; 8:45 am]  
BILLING CODE 6560-50-M

#### 40 CFR Part 60

[A-9-FRL 2436-5]

#### Delegation of New Source Performance Standards (NSPS); State of California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Rule-related notice.

SUMMARY: The EPA hereby places the public on notice of its delegation of NSPS authority to the California Air Resources Board (CARB) on behalf of

the Sacramento County Air Pollution Control District (SCAPCD). This action is necessary to bring the NSPS program delegations up to date with recent EPA promulgations and amendments of these categories. This action does not create any new regulatory requirements affecting the public. The effect of the delegation is to shift the primary program responsibility for the affected NSPS category from EPA to State and local governments.

EFFECTIVE DATE: June 10, 1983.

ADDRESS: Sacramento County Air Pollution Control District, 3701 Branch Center Road, Sacramento, CA 95827.

FOR FURTHER INFORMATION CONTACT: Julie A. Rose, New Source Section (A-3-1), Air Operations Branch, Air Management Division, EPA, Region 9, 215 Fremont Street, San Francisco, CA 94105. Tel: (415) 974-8236, FTS 454-8236.

SUPPLEMENTARY INFORMATION: The CARB has requested authority for delegation of an NSPS category on behalf of the SCAPCD. Delegation of authority was granted by a letter dated May 26, 1983 and is reproduced in its entirety as follows:

Mr. James D. Boyd,  
Executive Officer, California Air Resources  
Board, 1102 "Q" Street, P.O. Box 2815,  
Sacramento, CA 95812.

Dear Mr. Boyd: In response to your request of May 11, 1983, I am pleased to inform you that we are delegating to your agency authority to implement and enforce the New Source Performance Standard (NSPS) category in 40 CFR Part 60: Subpart GG, Standards of Performance for Stationary Gas Turbines on behalf of the Sacramento County Air Pollution Control District (SCAPCD). We have reviewed your request for delegation and have found the SCAPCD's programs and procedures to be acceptable.

Acceptance of this delegation constitutes your agreement to follow all applicable provisions of 40 CFR Part 60, including use of EPA's test methods and procedures. The delegation is effective upon the date of this letter unless the USEPA receives written notice from you or the District of any objections within 10 days of receipt of this letter. A notice of this delegated authority will be published in the Federal Register in the near future.

Cordially yours,

Sonia F. Crow,  
Regional Administrator.

cc: Sacramento County Air Pollution Control District.

With respect to Sacramento County, all reports, applications, submittals, and other communications pertaining to the above listed NSPS source category should be directed to the SCAPCD at the address shown in the ADDRESS section of this notice.

The Office of Management and Budget has exempted this rule from the

requirements of Section 3 of Executive Order 12291.

This Notice is issued under the authority of Section 111 of the Clean Air Act, as amended (42 U.S.C. 1857, *et seq.*).

Dated: September 7, 1983.

John Wise,  
Acting Regional Administrator.

[FR Doc. 83-25579 Filed 9-19-83; 8:45 am]  
BILLING CODE 6560-50-M

#### 40 CFR Parts 60 and 61

[A-9-FRL 2436-7]

#### Delegation of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Pollutants (NESHAPS); State of California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Rule-related notice.

SUMMARY: The EPA hereby places the public on notice of its delegation of NSPS and NESHAPS authority to the California Air Resources Board (CARB) on behalf of the Madera County Air Pollution Control District (MCAPCD). This action is necessary to bring the NSPS and NESHAPS program delegations up to date with recent EPA promulgations and amendments of these categories. This action does not create any new regulatory requirements affecting the public. The effect of the delegation is to shift the primary program responsibility for the affected NSPS and NESHAPS categories from EPA to State and local governments.

EFFECTIVE DATE: June 28, 1983.

ADDRESS: Madera County Air Pollution Control District, 135 W. Yosemite Avenue, Madera, CA 93637.

FOR FURTHER INFORMATION CONTACT: Julie A. Rose, New Source Section (A-3-1), Air Operations Branch, Air Management Division, EPA, Region 9, 215 Fremont Street, San Francisco, CA 94105. Tel: (415) 974-8236, FTS 454-8236.

SUPPLEMENTARY INFORMATION: The CARB has requested authority for delegation of certain NSPS and NESHAPS categories on behalf of the MCAPCD. Delegation of authority was granted by a letter dated June 13, 1983 and is reproduced in its entirety as follows:

Mr. James D. Boyd,  
Executive Officer, California Air Resources  
Board, 1102 Q Street, P.O. Box 2815,  
Sacramento, CA 95812.

Dear Mr. Boyd: In response to your request of May 4, 1983, I am pleased to inform you

that we are delegating to your agency authority to implement and enforce certain categories of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS) on behalf of the Madera County Air Pollution Control District (MCAPCD). We have reviewed your request for delegation and have found the MCAPCD's programs and procedures to be acceptable. This delegation includes authority for the following source categories:

NSPS	40 CFR Part 60 Subpart
General Provisions	A
Electric Utility Steam Generators	Da
Petroleum Storage Vessels	Ka
Glass-Manufacturing Plants	CC
Surface Coating of Metal Furniture	EE
Stationary Gas Turbines	GG
Lead-Acid Battery Manufacturing Plants	KK
Automobile & Light-Duty Truck Surface Coating Operations	MM
Phosphate Rock Plants	NN
Ammonium Sulfate	PP
Graphic Arts Industry: Publication Rotogravure Printing	QQ
Industrial Surface Coating: Large Appliances	SS
Metal Coil Surface Coating	TT
Asphalt Roofing and Asphalt Roofing Manufacture	UU

NESHAPS	40 CFR Part 61 Subpart
General Provisions	A

In addition, we are redelegating the following NSPS and NESHAPS categories since the MCAPCD's revised programs and procedures are acceptable:

NSPS	40 CFR Part 60 Subpart
Fossil-Fuel Fired Steam Generators	D
Incinerators	E
Portland Cement Plants	F
Nitric Acid Plants	G
Sulfuric Acid Plants	H
Asphalt Concrete Plants	I
Petroleum Refineries	J
Storage Vessels for Petroleum Liquids	K
Secondary Lead Smelters	L
Secondary Brass & Bronze Ingot Production Plants	M
Iron and Steel Plants (BOPF)	N
Sewage Treatment Plants	O
Primary Copper Smelters	P
Primary Zinc Smelters	Q
Primary Lead Smelters	R
Primary Aluminum Reduction Plants	S
Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants	T
Phosphate Fertilizer Industry: Superphosphoric Acid Plants	U
Phosphate Fertilizer Industry: Diammonium Phosphate Plants	V
Phosphate Fertilizer Industry: Triple Superphosphate Plants	W
Phosphate Fertilizer Industry: Granular Triple Superphosphate	X
Coal Preparation Plants	Y
Ferroalloy Production Facilities	Z
Iron and Steel Plants (Electric Arc Furnaces)	AA
Kraft Pulp Mills	BB
Grain Elevators	DD
Lime Manufacturing Plants	HH

NESHAPS	40 CFR Part 61 Subpart
Asbestos	B
Beryllium	C
Beryllium Rocket Motor Firing	D
Mercury	E
Vinyl Chloride	F

Acceptance of this delegation constitutes your agreement to follow all applicable provisions of 40 CFR Parts 60 and 61, including use of EPA's test methods and procedures. The delegation is effective upon the date of this letter unless the USEPA receives written notice from you or the District of any objections within 10 days of receipt of this letter. A notice of this delegated authority will be published in the Federal Register in the near future.

Sincerely,  
John Wise,  
*Acting Regional Administrator.*

cc: Madera County Air Pollution Control District.

With respect to Madera County all reports, applications, submittals, and other communications pertaining to the above listed NSPS and NESHAPS source categories should be directed to the MCAPCD at the address shown in the ADDRESS section of this notice.

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

This Notice is issued under the authority of Section 111 of the Clean Air Act, as amended (42 U.S.C. 1857, *et seq.*).

Dated: September 7, 1983.  
John Wise,  
*Acting Regional Administrator.*

[FR Doc. 83-25581 Filed 9-19-83; 8:45 am]  
BILLING CODE 8560-50-M

**DEPARTMENT OF LABOR**

**Office of the Secretary**

41 CFR Part 29-70

**Public Contracts and Property Management; Federal Standards for Federally Funded Grants and Agreements; Technical Amendment and Correction**

**AGENCY:** Department of Labor.  
**ACTION:** Technical amendment and correction.

**SUMMARY:** This document amends certain Department of Labor regulations, published on August 19, 1983 (48 FR 37786), to include control numbers which the Department has obtained from OMB on August 15, 1983, at the places in the regulations where current information collection reporting requirements

without forms are described. In addition, a correction is made in the authority citation.

**EFFECTIVE DATE:** September 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** Edwin Terrell, telephone (202) 376-8836.

**SUPPLEMENTARY INFORMATION:**

**Paperwork Reduction Act**

The information collection requirements contained in the regulatory sections listed below have been assigned the control numbers contained in the listing by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 98-511).

**Text of Amendments**

Following the text of each paragraph cited in the first column of the table, add parenthetically the corresponding OMB number listed in the second column:

Regulatory Citation	OMB No.
41 CFR 29-70.217	1225-0017
41 CFR 29-70.217a	1225-0017

The following corrections are made in FR Doc. 83-22386 appearing on page 37786 in the issue of the August 19, 1983:

On page 37787, column two, the fourth sentence in the Authority Citation (in both places) is corrected to read "1101 *et seq.*" instead of "11101 *et seq.*"

Signed at Washington, D.C. this 14th day of September, 1983.

Betty Bolden,  
*Deputy Assistant Secretary for Administration and Management.*

[FR Doc. 83-25638 Filed 9-19-83; 8:45 am]  
BILLING CODE 4510-21-M

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[Circular No. 2535]

43 CFR Part 1880

**Financial Assistance, Local Governments; Payment in Lieu of Taxes Regulations**

**AGENCY:** Bureau of Land Management, Interior.  
**ACTION:** Final rulemaking.

**SUMMARY:** This final rulemaking adopts a change made in the Payment in Lieu of Taxes enabling legislation by recent amendments made by the Congress to that legislation (31 U.S.C. 1601 *et seq.*). The amendment, which was Chapter VII of the Supplemental Appropriations Act for the remainder of Fiscal Year 1983,

gave Congressional approval to a definition of "unit of local government" that closely follows the definition of that term that now appears in the existing regulations.

**EFFECTIVE DATE:** September 20, 1983.

**ADDRESS:** Inquiries or suggestions should be sent to: Director (820), Bureau of Land Management, 1800 C Street, NW., Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** Edward P. Greenberg, (202) 343-6743.

**SUPPLEMENTARY INFORMATION:** The Congress recently enacted legislation amending the Payment in Lieu of Taxes legislation (31 U.S.C. 6901 et seq.) as part of the Supplemental Appropriations Act for Fiscal Year 1983. The amendment grew out of a decision by the United States Court of Appeals for the Sixth Circuit that struck down the definition of the term "unit of local government" found in § 1880.0-5(b)(1) of the Title 43 of the Code of Federal Regulations.

The original Payment in Lieu of Taxes legislation (31 U.S.C. 1801 et seq.), provided a rather vague definition of the term "unit of local government." The 1976 Act specified that for its purposes a unit of local government is a county, parish, township, municipality, borough existing in the State of Alaska on October 20, 1976, or other unit of local government below the State which is a unit of general government as determined by the Secretary (on the basis of the same principles used by the Bureau of the Census for general statistical purposes). On enactment of the recodification of Title 43 of the United States Code on September 13, 1982, the term was changed to "unit of general local government." The 1976 Act spells out the formula to be used by the secretary of the Interior in calculating the payments to be made to the recipient units. The Act also requires that in the case of a smaller unit of local government, all or part of which is located within another unit of local government, entitlement lands which are within the jurisdiction of both such units shall be treated, for payment computation purposes, as only within the jurisdiction of the smaller unit.

Section 6 of the original Payment in Lieu of Taxes Act granted the Secretary of the Interior authority to determine the units of local government that would be eligible to receive payments under section 1 of the Act, using "... the same principles as are used by the Bureau of the Census for general statistical purposes." Based on this authority and the legislative history of the Act which indicated that the Congress intended that the payments should go to the units

of general local government that are the principal providers of governmental services, the Secretary promulgated regulations that defined the term "unit of general government" as "a unit of that type of government which, within its State, is the principal provider of governmental services affecting the use of entitlement lands."

To determine which units of general government meet the "principal provider of services" test, the Secretary relied on Bureau of the Census principles, as required by the Act. Using those principles, it was found that in most States counties are the principal provider of services, except for certain independent cities. An exception occurs in New England, where townships are the principal provider of services.

Meade Township, Michigan, brought suit against the Secretary of the Interior challenging the determination that, in Michigan, counties are the only units of local government eligible to receive payments in lieu of taxes. On December 20, 1982, the United States Court of Appeals for the Sixth Circuit decided, in the case of *Meade Township v. Andrus*, that the Secretary exceeded his authority in applying the "principal provider of governmental services" criterion. The Court struck down that standard in the definition in the existing regulations, directing the Secretary to conform his administrative policy to the "plain language of the Act" and pay smaller units of government that have entitlement lands.

The Congress, with direct reference to the above cited decision, amended the Payment in Lieu of Taxes legislation to incorporate the "principal provider of services" criterion into the definition of the term "unit of local government" which affirmed the Secretary of the Interior's method, as set forth in the existing regulations, of implementing the Act.

The Congress adopted the amendments as Title VII of the Supplemental Appropriations Act for Fiscal Year 1983 (Pub. L. 98-63).

This final rulemaking amends the definition of the term "unit of general government" to make it consistent with the language of the amendment made by the Congress.

The principal author of this proposed rulemaking is Edward P. Greenberg, Division of Finance, Bureau of Land Management, assisted by the staff of the Office of Legislation and Regulatory Management.

It is hereby determined that this final rulemaking does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to

section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The amendment made by this final rulemaking complies with a change made in the Payment in Lieu of Taxes Act by the Congress. The amendment will not change existing impacts on small entities, small local governmental units since the amendment is an adoption of existing Department of the Interior regulations regarding the unit of local government that is to receive payments.

This amendment implements an Act of Congress and reflects the change made by the Congress and is, therefore, being published as a final rulemaking. The change in the definition made by this final rulemaking became effective upon its enactment and this final rulemaking brings the existing regulations into compliance with the will of the Congress. For the reasons stated above, this final rulemaking is being made effective upon its publication.

There are no information collection requirements contained in this proposed rulemaking that require approval by the Office of Management and Budget under 44 U.S.C. 3507.

#### Subject Listings for 43 CFR Part 1880

Administrative practice and procedure, Civil rights, Grant programs—natural resources, Intergovernmental relations, Loan programs—natural resources, Public lands, Public lands—mineral resources.

Under the authority of 31 U.S.C. 6901-6906, as amended, Part 1880, Group 1800, Subchapter A, Chapter II of Title 43 of the Federal Code of Regulations is amended as set forth below.

September 13, 1983.

Garrey E. Carruthers,  
Assistant Secretary of the Interior.

#### § 1881.0-5 [Amended]

1. Section 1881.0-5(b)(1) is amended by adding immediately after the word "general" in the first line of the definition the word "local".

[FR Doc. 83-25803 Filed 9-19-83; 8-45 am]

BILLING CODE 4310-04-M

**FEDERAL EMERGENCY  
MANAGEMENT AGENCY****44 CFR Part 61**

[Docket No. FEMA-FIA]

**National Flood Insurance Program;  
Coverage, Sales and Eligibility  
Provisions; Correction**

**AGENCY:** Federal Insurance Administration (FIA), Federal Emergency Management Agency, (FEMA).

**ACTION:** Correction to final rule.

**SUMMARY:** This correction relates to the final rule which was published in the Federal Register on August 29, 1983, at page 39066 regarding changes in the National Flood Insurance Program's coverage, sales and eligibility provisions.

In preparing the final rule, the Agency inadvertently deleted the provision relating to the Recertification Questionnaire. The final rule, in the supplementary discussion at page 39067, specifically stated the intent of the Agency to make the Recertification Questionnaire a part of the final rule since it stated "The proposal for recertification of the information used to rate a policy prior to its renewal did not generate any negative comments. Thus, the final rule will provide for such a recertification program and a policyholder may be asked during the term of the policy to recertify before renewal. Recertification of rating information would not involve any expense to the policyholder, would insure that accurate data is available for properly rating the policy, and is consistent with private sector practices." This correction to the final rule will be effective at the same time as the final rule.

**FOR FURTHER INFORMATION CONTACT:** Donald L. Collins, Federal Emergency Management Agency, Federal Insurance Administration, Room 429, 500 "C" Street, SW., Washington, D.C. 20472; Telephone Number (202) 287-0740.

**SUPPLEMENTARY INFORMATION:**

Accordingly, this correction to the final rule will add the provision relating to the Recertification Questionnaire to Appendix A(1) of Part 61, referenced at § 61.13 Standard Flood Insurance Policy, Dwelling Form, on page 39070, first column, "i. at Article VIII-General Conditions and Provisions, in paragraph G. Policy Renewal" and to Appendix A(2) of Part 61, referenced at § 61.13 Standard Flood Insurance Policy, General Property Form, on page 39071, second column, "j" at General Conditions

and Provisions in paragraph J. Policy Renewal."

**PART 61—[CORRECTED]**

The following corrections are made in FR Doc. 83-23604 appearing on pages 39066-39072 in the issue of August 29, 1983:

**Appendix A(1) [Corrected]**

1. Appendix A(1) of Part 61, referenced at § 61.13, Standard Flood Insurance Policy, is revised, in the following particular:

a. In the Dwelling Form, at Article VIII-General Conditions and Provisions, in paragraph G. Policy Renewal, on page 39070 the following paragraph is added just before the paragraph beginning "Notwithstanding your responsibility to

...

In connection with the renewal of this policy, you will be requested during the policy term to recertify, on a Recertification Questionnaire we will provide you, the rating information used to rate your most recent application for or renewal of insurance.

...

**Appendix A(2) [Corrected]**

2. Appendix A(2) of Part 61, referenced at § 61.13, Standard Flood Insurance Policy, is revised, in the following particular:

a. In the General Property Form, in the section entitled General Conditions and Provisions, in paragraph J. Policy Renewal, on page 39071 the following paragraph is added just before the paragraph beginning "Notwithstanding the above mentioned responsibility of the Insured . . ."

...

In connection with the renewal of this policy, the Insured will be requested during the policy term to recertify, on a Recertification Questionnaire provided by the Insurer, the rating information used to rate the most recent application for or renewal of insurance.

...

Issued at: Washington, D.C., September 8, 1983.

Jeffrey S. Bragg,

Federal Insurance Administrator.

[FR Doc. 83-25100 Filed 9-19-83; 8:45 am]

BILLING CODE 6718-01-M

**44 CFR Part 205****Disaster Assistance; Individual and  
Family Grant Program**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** This amendment to the Individual and Family Grant (IFG) program regulations protects the privacy of applicants by requiring States to provide safeguards against unnecessary releases of confidential information.

**DATE:** This rule is effective October 20, 1983.

**FOR FURTHER INFORMATION CONTACT:**

Agnes C. Mravcak, Individual Assistance Division, Office of Disaster Assistance Programs, State and Local Programs and Support, FEMA, 500 C Street, SW., Washington, D.C. 20472 (202-287-0555).

**SUPPLEMENTARY INFORMATION:** FEMA published a proposed rule in the Federal Register on May 20, 1983 (48 FR 22756), and solicited comments until July 19, 1983. Two comments were received.

Both supported the proposal, but one had a suggestion which we have adopted. That comment was from a State which uses the same staff to process IFG applications and other types of assistance, including non-disaster assistance. It was suggested that this rule be modified to assure that the State agencies could continue to share information between programs, so that duplication of effort in information gathering for eligibility decision making could be avoided. We agree, and have modified the rule.

Without adequate regulations to safeguard the privacy of individuals, States may release information about IFG applicants to organizations other than those providing assistance. FEMA considers information received from IFG applicants to be confidential, and therefore is imposing a requirement on States which implement the IFG program to prevent unnecessary release of information. The purpose of this rule is to require States to provide for the safeguard of information about grant applicants. This will be accomplished by requiring each State to provide this protection in the IFG State Administrative Plan, which is approved by FEMA. This rule imposes no information collection requirements, and is therefore not subject to Section 3504(h) of the Paperwork Reduction Act.

**Environmental Considerations**

This rule is procedural, and FEMA has determined that there will be no significant impact on the environment caused by implementation of this rule. An environmental assessment will not be prepared.

**Regulatory Flexibility Act**

This rule has been determined not to be a "major rule" under the terms of

Executive Order 12291, nor does it have any significant economic impact on a substantial number of small entities. Therefore, regulatory flexibility analyses will not be prepared.

#### Authority

This rule is issued under authority of Sections 408 and 601 of the Disaster Relief Act of 1974 (Pub. L. 93-288).

#### Content of the Rule

This rule amends the regulations pertaining to Section 408 of the Disaster Relief Act, Individual and Family Grant Programs, specifically and only to prevent the unnecessary release of information about grant applicants.

#### List of Subjects in 44 CFR Part 205

Community facilities, Disaster assistance, Grant programs, Housing and community development.

#### PART 205—[AMENDED]

Accordingly, 44 CFR 205.54 is amended by adding the following new paragraph (vii) to paragraph (e)(1).

#### § 205.54 Individual and family (IFG) programs

- (e) \* \* \*

(1) \* \* \*

(vii) Provisions for safeguarding the privacy of applicants and the confidentiality of information, except that the information may be provided to agencies or organizations who require it to make eligibility decisions for assistance programs, or to prevent duplication of benefits, to State agencies responsible for audit or program review, and to FEMA or the General Accounting Office for the purpose of making audits or conduction program reviews.

(Secs. 408 and 601, Disaster Relief Act of 1974 (Pub. L. 93-288))

Dated: August 31, 1983.

Jeffrey S. Bragg,

Executive Deputy Director.

[FR Doc. 83-25546 Filed 9-19-83; 8:45 am]

BILLING CODE 6718-01-M

#### DEPARTMENT OF TRANSPORTATION

#### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 80-05; Notice 2]

#### Federal Motor Vehicle Safety Standards; Motorcycle Controls and Displays

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

**SUMMARY:** The purpose of this notice is to amend Safety Standard No. 123, *Motorcycle Controls and Displays*, to allow use of "r/min" as an alternative to "R.p.m." to indicate revolutions per minute on the tachometer. This action is taken pursuant to a grant of two petitions for rulemaking. A notice of proposed rulemaking was published on April 10, 1980 (45 FR 24515). The primary benefit of the amendment is that it will allow use of metric units for identification that are widely used by other countries.

**DATES:** Effective date: September 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** A. Y. Casanova, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590 (202-426-1715).

**SUPPLEMENTARY INFORMATION:** The Japan Automobile Manufacturers Association, Inc. and the Motorcycle Industry Council, Inc. petitioned for rulemaking to amend Federal Motor Vehicle Safety Standard No. 123, *Motorcycle Controls and Displays*, to provide the option of using "r/min" as well as the existing "R.p.m." letters on the tachometer to indicate revolutions per minute.

According to petitioners, such an amendment would allow metric units for identifications that are widely accepted internationally. Under the metric system the unit describing rotational frequency is "r/min", recognized by both the International Standards Organization and the U.S. Society of Automotive Engineers. Such an amendment would not affect safety and would be in the interest of international standards harmonization.

The agency granted the petitions and on April 10, 1980, proposed alternative amendments (45 FR 24515). The first, effective upon publication, would have allowed optional use of "R.p.m." or "r/min". The second would have allowed "r/min" immediately upon publication and required its exclusive use eventually.

All comments to the notice of proposed rulemaking supported the first alternative, and the standard is being amended to allow use of either "R.p.m." or "r/min" as an acceptable means of identification of revolutions per minute. It should be understood that this requirement is inclusive of minute variations from the letters indicated, such as use of capital letters or omission of periods, and that such usage or omission will not be deemed failures to comply with Standard No. 123. Because

the amendment imposes no additional burden on any person and contributes to the international harmonization of vehicle standards, it is hereby found for good cause shown that an effective date earlier than 180 days after issuance of this amendment is in the public interest.

The agency's examination has shown that this rulemaking action is not a major regulation under Executive Order 12291 "Improving Government Regulations," or a significant regulation under the Department's regulatory policies and procedures, and that a regulatory impact analysis is not required. Further, the cost impacts will be so minimal that preparation of a full regulatory evaluation is not warranted. Amendment of the standard will impose no additional manufacturer requirements but will allow producers flexibility to adopt tachometers that are now precluded by the current requirements of Standard No. 123. The cost savings resulting from taking advantage of that flexibility would be insubstantial.

The agency has also considered the impacts of this amendment in relation to the Regulatory Flexibility Act. I certify that amending Standard No. 123 would not have a significant economic effect on a substantial number of small entities. Accordingly, no initial regulatory flexibility analysis has been prepared. Based on available information, the agency believes no manufacturers of motorcycles are small businesses as that term is defined for purposes of the Flexibility Act. Small organizations and governmental jurisdictions which purchase fleets of motor vehicles would probably not be significantly affected. The difference in cost of vehicles equipped with current tachometers and those permitted by the amendment would be insubstantial at most.

NHTSA has analyzed this amendment for the purposes of the National Environmental Policy Act. The agency has determined that implementation of this action would not have any significant impact on the human environment.

#### List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

The engineer and lawyer primarily responsible for the development of this amendment are Arturo Y. Casanova and Taylor Vinson, respectively.

#### § 571.123 [Amended]

In consideration of the foregoing, the

letters "R.p.m." in Column 2 of Table 3 of 49 CFR 571.123, Motor Vehicle Safety Standard No. 123, are revised to read "R.p.m. or r/min".

(Secs. 103, 119, Pub. L. 67-563, 80 Stat. 718 [15 U.S.C. 1392, 1407]; delegations of authority at 49 CFR 1.50 and 501.7)

Issued on September 14, 1983.

Diane K. Steed,

Deputy Administrator.

[FR Doc. 83-25509 Filed 9-16-83; 8:45 am]

BILLING CODE 4910-59-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 21

#### Migratory Bird Permits; Determination that Ohio Meets Federal Falconry Standards

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Service adds Ohio to the list of states in 50 CFR 21.29 whose falconry laws have been determined by the Director to meet or exceed the minimum Federal standards. As a result, Ohio is a participant in the joint Federal/State permit system and falconry may be protected by that State.

**EFFECTIVE DATE:** October 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** Thomas L. Striegler, Special Agent in Charge, Branch of Investigations, Division of Law Enforcement, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, Telephone Number (202) 343-9242.

**SUPPLEMENTARY INFORMATION:** Regulations in 50 CFR Part 21 provide for the review and approval of State falconry laws by the Service. A list of States whose falconry laws have been approved by the Service is found in 50 CFR 21.29. Falconry is permitted in those States pursuant to a system of joint Federal-State permits.

As provided by § 21.29(c), the Director has reviewed a certified copy of the

falconry regulations adopted by the State of Ohio (OAC 1501:31-37-01 A-FF; 31-37-02 A-I). These regulations meet or exceed the minimum restrictions, conditions, and requirements contained in 50 CFR 21.29 (d) through (i) prescribed for permit requirements, classes of permits, examination procedures, facilities and equipment standards, raptor marking, and raptor taking restrictions. The Ohio regulations also meet or exceed all restrictions or conditions found in 50 CFR 21.29(j).

Based on the review, the Director has determined that the falconry regulations of the State of Ohio meet or exceed the federal standards. Thirty days from the date of publication of this amended § 21.29(k) in the *Federal Register*, the practice of falconry in Ohio will be governed by provisions found in 50 CFR 21.28 and 21.29.

The primary author of this document is John R. Thomas, Special Agent, Branch of Investigations, Division of Law Enforcement, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

#### List of Subjects in 50 CFR Part 21

Exports, imports, reporting and recordkeeping requirements, wildlife.

For the reasons set out in the preamble Part 21, Subchapter B, Chapter I of Title 50, Code of Federal Regulations is amended as follows:

#### PART 21—MIGRATORY BIRD PERMITS

1. The authority citation for Part 21 reads as follows:

**Authority:** Migratory Bird Treaty Act, sec. 3, Pub. L. 65-186, 40 Stat. 755 (16 U.S.C. 704); sec. 3 (h)(3), Pub. L. 95-616, 92 Stat. 3112 (16 U.S.C. 712).

#### § 21.29 [Amended]

2. Amend § 21.29(k) by adding to the list of States in alphabetical order the name "Ohio" preceded by an asterisk.

Dated: September 8, 1983.

G. Ray Arnatt,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-25627 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 662

[Docket No. 30712-130]

#### Northern Anchovy Fishery; Correction

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a final rule concerning the implementation of Amendment 4 to the Northern Anchovy Fishery Management Plan (FMP) that was published on pages 34963 and 34964 August 2, 1983 (48 FR 34963). This action is necessary to correct two substantial errors in the regulatory text submitted to the Office of the *Federal Register*.

**FOR FURTHER INFORMATION CONTACT:** Donna D. Turgeon, 202-634-7432.

First, the following correction is made on page 34963 under **SUMMARY**, line 19, from notation (2) to the end of the paragraph. "(2) prevent the fishery from adopting smaller mesh sizes than are now commonly used, while providing the few non-conforming vessels an opportunity to replace economically their nets; and (3) provide an additional measure of protection to the anchovy biomass by providing a mechanism to correct any significant errors in biomass determinations identified after the establishment of the yearly quota. The intended effect of this action is to improve the efficiency of the anchovy reduction fishery operating in the fishery conservation zone off California and to compensate for current uncertainties in biomass estimates."

Second, the sentence beginning on the ninth line from the top of the first column and ending on line fifteen on page 34964 under **SUPPLEMENTARY INFORMATION** is deleted.

Dated: September 14, 1983.

William G. Gordon,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 83-25645 Filed 9-19-83; 8:45 am]

BILLING CODE 3510-22-M

# Proposed Rules

Federal Register

Vol. 48, No. 183

Tuesday, September 20, 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.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 985

#### Spearmint Oil Produced in the Far West; Amendment of Administrative Rules and Regulations; Change in Classes

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would change two classes into which spearmint oil is segregated under Marketing Order No. 985 by combining "Class 1" and "Class 2" Scotch Spearmint oil and delete references to "Class 2", because that class would become obsolete. This change is proposed because the difference between "Class 1" and "Class 2" Scotch Spearmint oil largely have been eliminated.

**DATE:** Comments due October 20, 1983.

#### FOR FURTHER INFORMATION CONTACT:

Frank M. Grasberger, Acting Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447-5053.

**ADDRESSES:** Send two copies to the Hearing Clerk, Room 1077, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, where they will be available for public inspection during regular business hours.

**SUPPLEMENTARY INFORMATION:** This proposal has been reviewed under USDA guidelines implementing Executive Order 12291 and Secretary's Memorandum No. 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

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.

The proposal would amend Subpart—Administrative Rules and Regulations by adding a new section 985.104 entitled "Changed classes of spearmint oil". This subpart is issued under Marketing Order No. 985 (7 CFR 985), hereinafter referred to as the "order", regulating the handling of spearmint oil produced in the Far West. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended 97 U.S.C. 601-674).

Currently, § 985.4 of the order designates four classes of spearmint oil. These are: (1) "Class 1"—Oil extracted from the first cutting of Scotch Spearmint; (2) "Class 2"—Oil extracted from the second cutting of Scotch Spearmint; (3) "Class 3"—Oil extracted from Native Spearmint; and (4) "Class 4"—Oil which has a spearmint flavor, extracted from plants other than Scotch or Native Spearmint. Pursuant to that section, the Spearmint Oil Administrative Committee (SOAC), with the approval of the Secretary, may change these classes to recognize new or delete obsolete classes.

The proposal is to redefine "Class 1" Oil to include both "Class 1" Oil (currently, oil extracted from first cutting Scotch) and "Class 2" Oil (currently, oil extracted from second cutting Scotch), and delete references to "Class 2" Oil, because that class would become obsolete. The proposal was recommended by SOAC.

When the order was issued in 1980, provision was made to organize the different types of spearmint oil sold at that time or that might be developed in the future. Oil extracted from second cutting Scotch Spearmint was recognized as being a distinct type of oil, having characteristics and a value different from first cutting Scotch and other types of spearmint oil. "Class 2" Oil usually was of a lower quality. Often, it was produced when a field was taken out of production in a crop rotation. Since then, changes in cultural practices have largely eliminated the differences between "Class 1" and "Class 2" Oil. In some cases, "Class 2" Oil has been marketed as "Class 1" Oil. Thus, segregation of oil produced from first and second cutting Scotch into two classes is unnecessary and impractical, and the two classes should be combined.

#### List of Subjects in 7 CFR Part 985

Marketing agreements and orders, Oregon, and Washington.

#### PART 985—[AMENDED]

Therefore, a new § 985.104 should be added to the Subpart—Administrative Rules and Regulations to read as follows:

#### § 985.104 Changed classes of spearmint oil.

Pursuant to § 985.4, the classes of spearmint oil contained in that section are changed by deleting the term and definition "Class 2" Oil and changing the definition of "Class 1" Oil. The changed classes are as follows:

"Class 1"—Oil extracted from of Scotch Spearmint.

"Class 3"—Oil extracted from Native Spearmint.

"Class 4"—Oil which has a spearmint flavor, extracted from plants other than Scotch or Native Spearmint.

Dated: August 9, 1983.

Russell L. Hawes,

Acting Deputy Director, Fruit and Vegetable Division.

[FR 83-25562, Filed 9-19-83, 8:45 am]

BILLING CODE 3410-02-M

#### Packers and Stockyards Administration

#### 9 CFR Parts 201 and 203

#### Weighing Practices and Scale Testing Procedures; Regulations and Policy Statements

**AGENCY:** Packers and Stockyards Administration, U.S. Department of Agriculture.

**ACTION:** Notice of proposed rulemaking; review of existing regulations.

**SUMMARY:** This notice proposes to remove one weighing regulation and to revise and consolidate eleven regulations concerning weighing practices and scale testing procedures into four regulations. It also proposes to consolidate into single regulations two additional weighing regulations, two regulations concerning the disclosure of information, and two regulations concerning examination of records.

This proposal would also remove three regulations concerning stockyard services. The regulations concerning the

furnishing of information to the Secretary, the employment of suspended registrants, records to be furnished poultry growers, annual reports, and packer and dealer service charges, and one policy statement defining current assets and current liabilities would be retained in their current form.

**DATE:** Comments must be received on or before November 21, 1983.

**ADDRESS:** Comments may be mailed to the Administrator, Packers and Stockyards Administration, Room 3039, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. Comments received may be inspected during normal business hours in the office of the Administrator.

**FOR FURTHER INFORMATION CONTACT:** Harold W. Davis, Director, Livestock Marketing Division, (202) 447-6951, or Kenneth Stricklin, Director, Packer and Poultry Division, (202) 447-7363.

**SUPPLEMENTARY INFORMATION:** This is the sixth and final group of regulations and policy statements selected for review in the Revised Plan of Review published in the *Federal Register* (46 FR 35279) by the Packers and Stockyards Administration in July 1981.

In developing this proposal, the agency has given consideration to the comments filed in response to two earlier publications in the *Federal Register* (44 FR 71802; 45 FR 21168) which outlined the Administration's plans for review of the existing regulations and policy statements. Consideration has also been given to the recommendations of an agency task force which were widely circulated throughout the livestock marketing, meat packing and poultry industries and to the comments received from industry groups and individuals as a result of the circulation of the task force report.

The requirements pertaining to scale accuracy and to the installation, maintenance and use of livestock, monorail and vehicle scales are presently set forth in five different regulations. There are currently separate regulations for stockyard, packer and poultry scales. This proposal would retain the existing requirements but consolidate the pertinent provisions of the five regulations into a single regulation.

Four regulations presently specify the requirements concerning testing and test reporting for scales used to weigh livestock, livestock carcasses, and live poultry. This proposal would consolidate these testing and reporting requirements into a single regulation without altering existing requirements.

The following proposal would remove sections 201.72-2, 201.77, 201.79, 201.80,

and 201.84. (9 CFR 201.72-2, 201.77, 201.79, 201.80, and 201.84).

Sections 201.71, 201.75, 201.78 (a) and (c), one provision of §§ 201.78(b), 201.105, one provision of § 201.106(a), and § 201.106(b) (9 CFR 201.71, 201.75, 201.78 (a), (b), and (c), 201.105 and 201.106 (a) and (b)) would be revised and consolidated as § 201.71 (9 CFR 201.71). Sections 201.72, 201.74, 201.78(b) and 201.106(a) (9 CFR 201.72, 201.74, 201.78(b) and 201.106(a)) would be revised and consolidated as § 201.72 (9 CFR 201.72). Sections 201.73, one provision of § 201.78(b), and § 201.108 (9 CFR 201.73, 201.78(b), and § 201.108) would be revised and consolidated as § 201.73 (9 CFR 201.73) of the regulations. Sections 201.76 and 201.109 (9 CFR 201.76 and 201.109) would be revised and consolidated as § 201.76 (9 CFR 201.76). Sections 201.82 and 201.110 (9 CFR 201.82 and 201.110) would be revised and consolidated as § 201.82 (9 CFR 201.82). Sections 201.95 and 201.103 (9 CFR 201.95 and 201.103) would be revised and consolidated as section 201.95 (9 CFR 201.95). Sections 201.96 and 201.104 (9 CFR 201.96 and 201.104) would be revised and consolidated as § 201.96 (9 CFR 201.96).

Section 201.99 would be modified by removing the "provided however" clause in paragraph (d). That provision is no longer applicable.

No changes are proposed in §§ 201.81, 201.94, 201.97, 201.98, and 201.100. (9 CFR 201.81, 201.94, 201.97, 201.98, and 201.100) and policy statement § 203.10 (9 CFR 203.10). Similarly, no changes are proposed in §§ 201.72-1, 201.73-1, 201.78-1, 201.106-1, 201.106-2, and 201.108-1 (9 CFR 201.72-1, 201.73-1, 201.78-1, 201.106-1, 201.106-2, and 201.108-1).

#### Accurate Weights and Scales

Section 201.71 of the regulations requires that stockyard owners, market agencies and dealers who weigh livestock shall install, maintain and operate their scales to insure accurate weights. The regulation also requires that livestock scales be equipped with a device to record the weight values on scale tickets. Section 201.78 (a) and (c) include the same requirements for packers purchasing livestock. Sections 201.105 and 201.106(b) contain the same requirements for packers and live poultry dealers or handlers purchasing, acquiring or selling poultry.

Sections 201.75, 201.78(b) and 201.106(a) provide that packers, live poultry dealers or handlers, stockyard owners, market agencies and dealers shall not use a scale to weigh livestock or poultry unless it has been found upon

test and inspection to be in a condition to give accurate weights.

Livestock, monorail and motor vehicle scales are subject to changes in accuracy with use and require routine maintenance, inspection and testing to insure that the device can render accurate weight values. These requirements are necessary to insure that buyers and sellers receive a true and correct weight in connection with transactions based on weight.

The requirements of the regulations discussed above would be retained and consolidated into a single regulation (§ 201.71) by this proposal. The proposal would not impose any new or additional requirements or financial burden on the industry.

Additionally this proposal would remove regulation § 201.72-2 and incorporate by reference in regulation § 201.71 the applicable requirements contained in the General Code, Scale Code and Weights Code of the 1983 Edition of National Bureau of Standards Handbook 44 concerning specification, tolerances and other technical requirements for commercial weighing and measuring devices.

**Scale Testing and Reports.** Sections 201.72, 201.74, 201.78(b), and 201.106(a) of the regulations presently require that packers, live poultry dealers or handlers, stockyard owners, market agencies and dealers provide for testing of scales used to weigh livestock or live poultry in accordance with published regulations. A copy of the scale test report is to be filed with the Agency.

Under normal conditions and use, a scale will progress from a condition of accuracy to a condition of inaccuracy. Records maintained by the Administration show that approximately 20 percent of the scales tested each year are incapable of rendering an accurate weight value. Often this condition is attributable to normal wear and tear of the scale and is easily detected and corrected through periodic testing. Therefore, the periodic testing of scales is an appropriate and necessary requirement to insure accurate weighing.

The testing of scales and reporting of scale test results are essential to effective monitoring and enforcement of the weighing requirements of the Act. Therefore, it is proposed that the requirements of the three regulations be consolidated and retained in a single regulation (§ 201.72).

**Instruction for Testing Scales and Weighing Livestock and Live Poultry.** This proposal would retain §§ 201.72-1, 201.73-1, 201.78-1, 201.106-1, 201.106-2, and 201.108-1. These regulations consist

of technical instructions describing proper scale testing and weighing procedures.

*Scale Operators to be Competent.* Sections 201.73, 201.78(b), and 201.108 of the regulations require that packers, live poultry dealers or handlers, stockyard owners, market agencies and dealers employ only qualified persons to operate scales for weighing livestock in transactions subject to the Act. Section 201.73 also requires that employees of stockyard owners, market agencies and dealers be rotated in their weighing assignments, if they operate more than two scales, and that employees be removed from their weighing duties when they are found to be operating scales incorrectly or carelessly.

This proposal would consolidate and revise the requirements of §§ 201.73, 201.78(b), and 201.108 into a single regulation (§ 201.73). Inasmuch as livestock scales may be manipulated to produce inaccurate weights, the need for competent and honest weighmaster-employees is fundamental. Employees found to be operating scales improperly subject themselves and their employers to enforcement actions for unfair practices in violation of the Act.

The requirement for rotation of weighmasters is no longer necessary due to changes in methods of marketing and therefore, it is proposed for deletion.

*Reweighing Livestock and Live Poultry.* Sections 201.76 and 201.109 of the regulations require that persons subject to the Act and their employees shall reweigh livestock or live poultry at the request of authorized representatives of the Secretary of Agriculture. The Administration believes that this requirement is essential in connection with investigations of weighing practices, the detection of weighing violations and the effective enforcement of the Act. This proposal would consolidate these two regulations and include language to clarify that livestock carcasses are subject to reweighing. It would not impose any additional requirements on the industry or on persons subject to the Act.

*Weighing for Purposes Other than Purchase or Sale.* This proposal would remove § 201.77 of the regulations, which currently requires stockyard owners, market agencies, dealers and packers who weigh livestock for purposes other than purchase or sale to show on scale tickets or other records that such weights are not for the purpose of purchase or sale. Changes in methods of marketing of livestock have eliminated the need for this regulation.

*Facilities and Services at Stockyards.* Section 201.79 prohibits stockyard

owners from discriminating unfairly with respect to the furnishing of stockyard services and facilities. It contains several provisions concerning the stockyard owner's responsibility in connection with the assignment of pens and facilities, changes or alterations in those assignments and requires dealers to conduct their operations in their assigned pens and facilities. This proposal would remove § 201.79.

The 1968 amendments to the Packers and Stockyards Act granted stockyard owners the responsibility and authority to establish nondiscriminatory and reasonable rules that foster an efficient, competitive market. This regulation was promulgated prior to those amendments to the Act, and rescission of regulation § 201.79 is consistent with Congressional intent to allow reasonable and nondiscriminatory self-regulation.

*Withholding of Stockyard Services.* Section 201.80 of the regulations provides that a stockyard owner or operator, after notice from the Administrator, shall refuse services and facilities to any person attempting to engage in the business of a market agency or dealer at the stockyard who is not properly registered and bonded. This regulation places the stockyard owner or operator in a position of enforcing certain provisions of the Act and regulations. The Administration believes that regulation § 201.80 places an undue burden on stockyard owners and should therefore be removed.

*Suspended Registrants.* This proposal would retain § 201.81. Regulation § 201.81 prohibits stockyard owners, market agencies, dealers and packers from employing any person who has been suspended as a registrant under the Act to perform activities in connection with livestock transactions during the specified period of suspension. Permitting a suspended registrant to be employed by a person subject to the Act during the specified period of suspension provides a means to circumvent the suspension and reduces the effectiveness of that sanction as a deterrent to other persons subject to the Act.

*Handling and Weighing Livestock and Live Poultry.* Section 201.82 of the regulations requires stockyard owners, market agencies, dealers and packers to exercise reasonable care and promptness when handling livestock to prevent shrinkage, injury, death or other conditions which may result in monetary loss to the producer or seller. Similarly, § 201.110 requires packers and poultry dealers or handlers to weigh live poultry as promptly as possible after the poultry is loaded on a vehicle, again to retard shrinkage, injury, death or other

conditions which may result in monetary loss to the producer or seller. These regulations help assure producers against loss while their livestock or live poultry is in the control of the buyer. This notice proposes to consolidate §§ 201.82 and 201.110 into a single regulation.

*Feed and Water Furnished Livestock.* This notice proposes to remove section 201.84 of the regulations, which requires that the feed and water be wholesome and fit for the purpose provided. This section also requires that the charges assessed for feed be based on carefully estimated weights and in accordance with the schedule of rates and charges in effect at the stockyard. This regulation is no longer necessary because of changes in the methods of marketing livestock.

*Furnishing Business Information.* Section 201.94 requires stockyard owners, market agencies, dealers and packers to give the Secretary, in writing or otherwise, and under oath, if requested, business information. The regulation is essential to the investigation and detection of violations of the Act. Accordingly, the Administration proposes that this regulation be retained.

*Inspection of Records and Property.* Sections 201.95 and 201.103 require that persons subject to the Act, upon proper request, permit authorized representatives of the Secretary to enter their place of business during ordinary business hours to examine and copy their records and to inspect their facilities. This notice would consolidate these regulations. This regulation is fundamental to effective enforcement of the Packers and Stockyards Act.

*Information Not to be Disclosed.* This notice proposes to consolidate §§ 201.96 and 201.104. This regulation sets forth the Administration's established policy prohibiting unauthorized disclosure of information by its employees. The Administration will continue to take appropriate action to protect information from unlawful disclosure.

*Annual Reports.* This proposal would retain § 201.97. This regulation requires the filing of annual reports. All annual report forms have been recently reviewed and the information required to be submitted has been significantly reduced. Annual reports provide the Administration with information necessary for review and analysis of the firms subject to the Act and materially aid in the enforcement of the Act. Among other things, the annual report is used to establish the amount of bond required, to monitor financial condition, to determine if market agencies selling

on commission are handling their custodial accounts properly and to determine if firms may be engaged in unfair practices.

**Packers and Dealers Not to Charge Commission, Yardage or Other Service Charges.** Section 201.98 prohibits packers and dealers, in connection with the purchase of livestock, from assessing the sellers of livestock any fee such as yardage, commission or other service charges. This proposal would retain § 201.98. Purchasers of livestock provide no service to sellers of livestock in connection with their livestock purchases and are therefore not entitled to compensation. In general, the assessment of fees or commissions in such instances is a device used to enable the buyer to quote a higher price than he actually intends to pay. As such, it is deceptive to the seller and may give the buyer an unfair competitive advantage in the procurement of livestock.

**Packers Purchasing Livestock on a Carcass Basis.** Section 201.99 sets forth the requirements for purchases of livestock on a carcass weight or carcass grade and weight basis. This proposal would retain section 201.99 as presently written, except that the proviso of paragraph (d) would be removed as it is no longer applicable.

The volume of livestock purchased on a carcass weight or carcass grade and weight basis continues to increase. When livestock is marketed on a carcass basis, final price is determined after slaughter under conditions within the buyer's total control. Regulation 201.99 sets forth uniform standards which apply to such purchases in order to assure that producers selling on a carcass basis are fully informed of the terms and conditions which apply to the sale and are fairly treated.

**Records to be Furnished Poultry Growers and Sellers.** Section 201.100 requires that a packer or live poultry dealer or handler, when entering into a contract with a poultry grower, furnish the grower a copy of the contract. The regulation lists certain items that shall be clearly specified in the contract and other requirements concerning settlement sheets, condemnation certificates, ranking sheets and purchase invoices. This regulation serves to apprise growers of the conditions under which the poultry shall be grown and the considerations affecting final settlement. This proposal would retain all the present requirements of section 201.100.

**Statement With Respect to Insolvency.** This proposal would retain § 203.10 of the Statements of General Policy. The Act authorizes the Secretary

to take action against packers purchasing livestock for slaughter, market agencies and dealers who are insolvent. This policy statement defines the current ratio test of insolvency and the terms "current assets" and "current liabilities", and gives notice to affected persons of the test which has been established and applied by the Administration.

#### Executive Order

It has been determined that the proposals to amend and remove the regulations relating to the weighing, scale testing, and services of market agencies, dealers, packers and live poultry dealers or handlers as proposed herein are not "major" rules as defined by section 1(b) of E.O. 12291.

The proposed rules will not have an annual effect on the economy of \$100 million or more, will not result in major increase in costs or prices for consumers, individual industries, Government agencies or geographic regions, and will not have significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of U.S. based enterprises to compete with foreign based enterprises in domestic or export markets. Accordingly, regulatory impact analyses are not required.

#### Regulatory Flexibility Act

B. H. (Bill) Jones, Administrator, Packers and Stockyards Administration, has determined that these proposals will not have a significant economic impact on a substantial number of small entities.

These proposals would remove several restrictions on the business activities of market agencies and greatly simplify and clarify the regulations.

#### Paperwork Reduction Act of 1980

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the reporting and recordkeeping requirements included in this rule have been approved, except for the provisions in 9 CFR 201.73-1(a)(2) providing for the use of scale tickets, by the Office of Management and Budget (OMB) and have been assigned clearance number 0590-0003. The basic regulatory provisions for scale tickets are contained in 9 CFR 201.49. The information and recordkeeping requirements for scale tickets contained therein will be submitted to OMB for clearance under the Paperwork Reduction Act.

#### List of Subjects

##### 9 CFR Part 201

Packers, reporting and recordkeeping requirements, Scales, Stockyards, Weighing.

##### 9 CFR Part 203

Accounting, Reporting and recordkeeping requirements, Stockyards, Surety bonds, Trade practices.

(7 U.S.C. 228, 7 U.S.C. 222 and 15 U.S.C. 46)

Done at Washington, D.C., September 15, 1983.

B. H. (Bill) Jones,  
Administrator, Packers and Stockyards  
Administration.

#### PART 201—[AMENDED]

1. It is proposed to remove §§ 201.72-2, 201.74, 201.75, 201.77, 201.78, 201.79, 201.80, 201.84, 201.103, 201.104, 201.105, 201.106, 201.108, 201.109, and 201.110 of the regulations.

2. It is proposed to revise §§ 201.71, 201.72, 201.73, 201.76, 201.82, 201.95, and 201.96 of the regulations as set forth below.

§ 201.71 Scales; accurate weights, repairs, adjustments or replacements after inspection.

(a) All scales used by stockyard owners, market agencies, dealers, packers and live poultry dealers or handlers to weigh livestock, livestock carcasses or live poultry for the purpose of purchase, sale, acquisition or settlement shall be installed, maintained and operated to insure accurate weights. Such scales shall meet applicable requirements contained in the General Code, Scale Code and Weights Code of the 1983 Edition of National Bureau of Standards Handbook 44, "Specifications, Tolerances and Other Technical Requirements for Commercial Weighing and Measuring Devices", which is hereby incorporated by reference. This incorporation by reference was approved by the Director of the Federal Register on \_\_\_\_\_. These materials are incorporated as they exist on the date of approval and a notice of any change in these materials will be published in the Federal Register. Handbook 44 is subject to change annually. This handbook is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. It is also available for inspection at the Office of the Federal Register Information Center, Room 8301, 1100 L Street NW., Washington, D.C. 20408.

(b) All scales used by stockyard owners, market agencies, dealers, packers and live poultry dealers or handlers to weigh livestock or live poultry for the purpose of purchase, sale, acquisition or settlement shall be equipped with a printing device which shall be used for recording weight values on a scale ticket or other document used for this purpose.

(c) All vehicle scales used to weigh livestock or live poultry for purposes of purchase, sale, acquisition or settlement shall be of sufficient length and capacity to weigh the entire vehicle as a unit. *Provided*, That a trailer may be uncoupled from the tractor and weighed as a single unit.

(d) No scale shall be operated or used by any stockyard owner, market agency, dealer, packer or live poultry dealer or handler to weigh livestock, livestock carcasses or live poultry for purposes of purchase, sale, acquisition or settlement unless it has been found upon test and inspection, as specified in § 201.72 of the regulations, to be in a condition to give accurate weight. If a scale is inspected or tested and found incorrect or inaccurate or if any repairs, adjustments or replacements are made to a scale, it shall not be used until it has been inspected and tested and met all accuracy requirements specified in the regulations.

#### § 201.72 Scales; testing of.

(a) Each stockyard owner, market agency, dealer, packer or live poultry dealer or handler who weighs livestock or live poultry for purposes of purchase, sale, acquisition or settlement, or who weighs livestock carcasses for the purpose of purchase on a carcass weight basis, or who furnishes scales for such purposes, shall cause such scales to be tested by competent persons in accordance with the regulations at least twice during each calendar year at intervals of approximately six months. In instances where test and inspection disclose that a scale does not maintain its accuracy between tests, more frequent tests may be required.

(b) Each stockyard owner, market agency, dealer, packer and live poultry dealer or handler who weighs livestock, livestock carcasses or live poultry for purposes of purchase, sale, acquisition or settlement shall furnish reports of such tests and inspections on forms prescribed by the Administrator. The stockyard owner, market agency, dealer, packer or live poultry dealer or handler shall retain one copy of the test and inspection report and shall file one copy with the regional office for the region in

which the scale is located.

(c) When the scales used for weighing livestock, livestock carcasses or live poultry are tested and inspected by an agency of a State or municipality or other governmental subdivision, the forms ordinarily used by such agency for reporting test and inspection of scales shall be accepted in lieu of the forms prescribed for this purpose by the Administrator if such forms contain substantially the same information.

#### § 201.73 Scale operators to be qualified.

Stockyard owners, market agencies, dealers, packers and live poultry dealers or handlers shall employ qualified persons to operate scales for weighing livestock, livestock carcasses or live poultry for the purpose of purchase, sale, acquisition or settlement, and they shall require such employees to operate the scales in accordance with the regulations.

#### § 201.76 Reweighing.

Stockyard owners, market agencies, dealers, packers and live poultry dealers or handlers shall reweigh livestock, livestock carcasses or live poultry on request of any authorized representative of the Secretary.

#### § 201.82 Care and promptness in weighing and handling livestock and live poultry.

(a) Each stockyard owner, market agency, dealer, packer or live poultry dealer or handler shall exercise reasonable care and promptness with respect to loading, transporting, holding, yarding, feeding, watering, weighing or otherwise handling livestock or live poultry to prevent waste of feed, shrinkage, injury, death or other avoidable loss.

(b) Live poultry shall be transported without delay after loading and weighed promptly upon arrival at the processing plant, holding area or other scale location.

#### § 201.95 Inspection of business records and facilities.

Each stockyard owner, market agency, dealer, packer and live poultry dealer or handler, upon request, shall permit authorized representatives of the Secretary to enter its place of business during normal business hours and to examine records pertaining to its business subject to the Act, to make copies thereof and to inspect the facilities of such persons subject to the Act. Reasonable accommodations shall be made available to authorized representatives of the Secretary by the stockyard owner, market agency, dealer, packer or live poultry dealer or handler

for such examination of records and inspection of facilities.

#### § 201.96 Unauthorized disclosure of business information prohibited.

No agency or employee of the United States shall, without the consent of the stockyard owner, market agency, dealer, packer or live poultry dealer or handler concerned, divulge or make known in any manner, any facts or information regarding the business of such person acquired through any examination or inspection of the business or records of the stockyard owner, market agency, dealer, packer, or live poultry dealer or handler, or through any information given by the stockyard owner, market agency, dealer, packer, or live poultry dealer or handler pursuant to the Act and regulations, except to such other agents or employees of the United States as may be required to have such knowledge in the regular course of their official duties, or except insofar as they may be directed by the Administrator or by a court of competent jurisdiction, or except as they may be otherwise required by law.

3. Paragraph (d) of § 201.99 is revised to read as follows:

#### § 201.99 Purchase of livestock by packers on a carcass grade, carcass weight or carcass grade and weight basis.

(d) Settlement and final payment for livestock purchased by a packer on a carcass weight or carcass grade and weight basis shall be on actual hot carcass weights. The hooks, rollers, gambrels or other similar equipment used at a packing establishment in connection with the weighing of carcasses of the same species of livestock shall be uniform in weight. The tare shall include only the weight of such equipment.

[FR Doc. 83-25631 Filed 9-19-83; 8:45 am]  
BILLING CODE 3410-02-M

## DEPARTMENT OF TRANSPORTATION Federal Aviation Administration

[Summary Notice No. PR-83-7]

### 14 CFR Ch. I

#### Midway Airlines, Inc.; Petition for Rulemaking

**AGENCY:** Federal Aviation Administration (FAA), DOT.  
**ACTION:** Notice of petitions for rulemaking.

**SUMMARY:** Pursuant to FAA's

rulemaking provisions governing the application, processing, and disposition of petitions for rulemaking (14 CFR Part 11), this notice contains a verbatim copy of a Midway Airlines, Inc., petition requesting the initiation of rulemaking procedures for the amendment of specified provisions of the Special Federal Aviation Regulations 44-7. The purpose of this notice is to improve the public's awareness of this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on the petition must identify the petition docket number 22050 and be received on or before: October 5, 1983.

**ADDRESSES:** Send comments on the petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Petition Docket No. 22050, 800 Independence Avenue, SW., Washington, D.C. 20591.

**FOR FURTHER INFORMATION CONTACT:** The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-204), Room 916, FAA Headquarters Building (FOB 10A), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

**ADDITIONAL INFORMATION:** On September 2, 1983, Midway Airlines, Inc., filed a Petition for Clarification and/or Interpretation of 14 CFR SFAR 44-7. It has been determined that the document is a petition for rulemaking in accordance with 14 CFR Part 1125.

Petitions for Rulemaking are required to be published in the *Federal Register* by 14 CFR Part 1127. The document being published is a verbatim copy of the text of the petition submitted by petitioner. In most cases, the comment period for petitions is 60 days. Since this petition pertains to matters which need to be resolved in the near future, a limited 15 day comment period is determined to be necessary.

This notice is published pursuant to paragraphs (b) and (f) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C. on September 14, 1983.

John H. Cassady,

*Assistant Chief Counsel, Regulations and Enforcement Division, Federal Aviation Administration.*

**Petition of Midway Airlines, Inc. for Clarification and/or Modification of SFAR 44-7; Docket 22050**

Midway Airlines, Inc. (MIDWAY) hereby petitions the Federal Aviation Administration (FAA) for immediate clarification and/or modification of SFAR 44-7 in order to insure that Midway and Midway Airport receive a reasonable share of any so-called "Braniff slots" allocated pursuant to SFAR's 44-5 and 44-7.

1. Less than a month ago at the suggestion of FAA officials, Midway explored a temporary slot arrangement with Braniff. Specifically, the arrangement would have provided for the temporary use of only 2 Chicago slots which had been withdrawn by the FAA at the June 28, 1983 slot allocation session. The 2 slots were to be used on an emergency basis in order to preserve service between Midway Airport and Columbus, Ohio. Subsequently, FAA orally advised Midway that it would refuse to permit Midway to temporarily use the otherwise unused Braniff slots.

In SFAR 44-7, the FAA now concedes that identifiable slots were withheld and do, in fact, exist. Now, however, FAA contends that "the Administrative workload involved in tracking and perhaps recalling . . . slots outweighs the possible benefits that might be obtained by temporary usage of these slots by a limited number of carriers."

To contend that the FAA is unable to tract 19 designated airport slots for a limited period of time is nonsense. Had Midway been able to temporarily use only 2 of the withheld slots from the FAA's cache, it would not have had to terminate all service to Columbus, Ohio, which has necessitated the cancellation of service agreements with other airlines, abandonment of facilities and commercial good will, and the substantial expense incurred by Midway in protecting its Columbus employees and their families. The adverse effects of the Columbus termination upon the traveling public, the revitalization of Midway Airport and Midway Airlines, are real and not speculative.

2. In SFAR 44-7, the FAA proposes to allocate to Braniff 19 airport slots and 34 center slots, including as many as 9 Chicago slots withdrawn from the June 28 lottery. If, however, FAA determines that Braniff will not resume service before November 15, those slots would be allocated pursuant to SFAR 44-5 procedures. This is a total and egregious abuse of administrative discretion. Moreover, the rampant abuse of SFAR 44-5 lottery procedures since they were implemented in mid-1982 has been clear and inescapable. Those procedures have been manipulated by certain large carriers at the expense of small carriers. Under SFAR-44-5 carriers with no interest in serving Chicago but with advantageous lottery positions would: (1) Trade position with another carrier or (2) select Chicago slots and await offers in a variety of forms from carriers anxious to

use such slots. Midway is a small carrier. Even if it wished to join in such black market activities, it could not compete with carriers having far greater resources and benefits to offer as slot trade bait.

The fact is that Midway has abided by the FAA's SFAR 44-5 allocation rules: It has not offered under-the-table inducements to obtain useful slot trades or trades for high lottery draw position. It is now quite apparent, that because Midway "played by the rules" the growth of air service at the underutilized Midway Airport has been severely retarded for an extended period of time. Under SFAR 44-5 procedures, service to Midway Airport has increased by only 4 slots while service at O'Hare Airport has increased by more than 100 slots.

In addition, the SFAR 44-5 procedures were developed more than a year ago for application nationwide. The procedures permit participation by parties with no legitimate interest in serving Chicago and they are replete with artificial priorities such as the impacted (large carrier) incumbency which is patently inappropriate now that the entire nation is decontrolled except for a few airports, including Chicago's Midway and O'Hare. The rationale of administrative workload or "convenience" simply does not justify use of these outdated and abused procedures for the allocation of the limited number of Braniff slots at a limited number of airports and control facilities.

3. The FAA is clearly in error when it suggests that the impact of its SFAR 44-7 proposal would be "minimal". The 9 slots withheld from Chicago in June 1983 and now designated as "Braniff slots", are equivalent to more than 18% of the total daily arrival slots currently available at Midway Airport. The allocation of only 2 or 3 of those slots to Midway would arrest the recent decline of scheduled air service at Midway Airport, which has involved the cancellation of all service to as many as 6 cities between February, 1982, and the present.

4. Based on current circumstances at Midway Airport, and in light of the foregoing, it is apparent that the FAA's implementation of SFAR 44-7 will have results entirely at odds with the congressional mandate which enjoins Government agencies to encourage the use and development of Chicago's Midway Airport. In order to prevent such further conflict and minimize the patently anti-competitive results which have arisen under SFAR 44-5, any slot allocation system adopted by the FAA to deal with the Braniff slot issue must provide some relief for Midway. Of the 9 Chicago slots which would be available if Braniff fails to resume service a minimum of 3 must be allocated to Midway for use at Midway airport. No other result would be consistent with the FAA's obligation under the law to insure the revitalization of that valuable public facility and to promote the pro-competitive objectives of the Air Line Deregulation Act.

[FR Doc. 83-25508 Filed 9-19-83; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 71**

[Airspace Docket No. 83-ACE-17]

**Transition Area, Iowa City, Iowa;  
Proposed Alteration****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This Notice proposes to alter the 700-foot transition area at Iowa City, Iowa, to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the Iowa City Municipal Airport, Iowa City, Iowa, utilizing a Non-Directional Radio Beacon (NDB) installed on the airport as a navigational aid.

**DATE:** Comments must be received on or before October 27, 1983.

**ADDRESSES:** Send comments on the proposal to: Federal Aviation Administration, Manager, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Manager, Operations, Procedures and Airspace Branch, Air Traffic Division.

**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:****Comments Invited**

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before the closing date for comments will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the

closing date for comments in the Rules Docket for examination by interested persons.

**Availability of NPRM**

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, Air Traffic Division, 601 East 12th Street, Kansas City, Missouri 64106, or by calling (816) 374-3408.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

**The Proposal**

The FAA is considering an amendment to Subpart G, § 71.181, of the Federal Aviation Regulations (14 CFR 71.181) by altering the 700-foot transition area at Iowa City, Iowa. To enhance airport usage, an additional instrument approach procedure to the Iowa City Municipal Airport is being established utilizing the Iowa City NDB as a navigational aid. The establishment of this new instrument approach procedure based on this navigational aid entails alteration of the transition area at Iowa City, Iowa, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

**list of Subjects in 14 CFR Part 71**

Aviation Safety, Transition areas, airspace, navigation (air).

**§ 71.181 [Amended]**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71), by altering the following transition area:

**Iowa City, Iowa**

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Iowa City Municipal Airport (Latitude 41°38'25"N, Longitude 91°32'50"W) and within 2 miles each side of the Iowa City VORTAC 024° radial extending from the 7-mile radius to the VORTAC.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, Jan. 12,

1983); and Sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65).

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

Issued in Kansas City, Missouri, on September 9, 1983.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 83-25507 Filed 9-19-83; 8:45 am]

BILLING CODE 4910-13-M

**RAILROAD RETIREMENT BOARD****20 CFR Part 350****Garnishment Regulations****AGENCY:** Railroad Retirement Board.**ACTION:** Proposed rule.

**SUMMARY:** The Railroad Retirement Board (Board) proposes to revise 20 CFR Chapter II, Part 350. These regulations currently inform the public of procedures which must be followed to garnish, for purposes of satisfaction of an obligation to pay alimony or child support, benefits paid under the Railroad Retirement and Railroad Unemployment Insurance Acts. The revised regulations include garnishment of benefits paid under other Acts administered by the Board, and reduce the administrative burden on the Board resulting from garnishments.

**DATE:** Comments must be submitted on or before November 21, 1983.

**ADDRESS:** Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

**FOR FURTHER INFORMATION CONTACT:** Michael C. Litt, General Attorney, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4929 (FTS 387-4929).

**SUPPLEMENTARY INFORMATION:**

Garnishment is authorized by section 459(a) of the Social Security Act (42 U.S.C. 659(a)), which subjects certain Federal payments to:

\* \* \* legal process brought for the enforcement \* \* \* of \* \* \* legal obligations to provide child support or make alimony payments.

Garnishment of benefits for other than the stated purposes is prohibited by sections 14 of the Railroad Retirement Act (45 U.S.C. 231m) and 2(e) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(e)).

The Board honors an order of garnishment or analogous legal process in satisfaction of an obligation for alimony or child support subject to the Federal exemptions contained in section 303(b)(2) of the Consumer Credit Protection Act (15 U.S.C. 1673(b)(2)), if it accords with the law of the state with jurisdiction in the case.

A final rule establishing the garnishment regulations was published on pages 28313-28316 of the *Federal Register* of April 29, 1980. The Board is now administering the payment of benefits under Title VII of the Regional Rail Reorganization Act, as well as the Railroad Retirement and Railroad Unemployment Insurance Acts, and may be administering the payment of benefits under other acts in the future. The number of garnishments has increased greatly in the last year. The proposed regulations include garnishment of benefits paid under the Regional Rail Reorganization Act and other acts which may be administered by the Board, and reduce the administrative burden on the Board resulting from garnishments. The Board will no longer be required to respond to legal process which is received without an address to which such response may be made; and it will not be required to notarize responses to garnishment actions.

The Board has determined that this is not a major rule for purposes of Executive Order 12291. Therefore, no Regulatory Impact Analysis is required. In addition, these parts do not impose any requirements for the collection of information within the meaning of the Paperwork Reduction Act of 1980.

**List of Subjects in 20 CFR Part 350**

Railroad employees, Railroad retirement, Railroad unemployment insurance, Garnishment.

**PART 350—[AMENDED]**

Title 20 CFR Chapter II, is proposed to be revised as follows:

**1. The table of contents for Title 20,**

Chapter II, Railroad Retirement Board, Subchapter D, is proposed to be revised by changing the title of Part 350 from "Garnishment of benefits paid under the Railroad Retirement Act and the Railroad Unemployment Insurance Act" to "Garnishment of benefits paid under the Railroad Retirement Act, the Railroad Unemployment Insurance Act, and under any other act administered by the Board".

2. 20 CFR Part 350 is amended by revising the title to read as follows:

**PART 350—GARNISHMENT OF BENEFITS AID UNDER THE RAILROAD RETIREMENT ACT, THE RAILROAD UNEMPLOYMENT INSURANCE ACT, AND UNDER ANY OTHER ACT ADMINISTERED BY THE BOARD**

3. The authority citation for 20 CFR part 350 reads as follows:

Authority: 15 U.S.C. 1673(b)(2); 42 U.S.C. 659, 661, and 662, and 45 U.S.C. 231f(b)(5) and 362(1).

4. 20 CFR Part 350 is amended by revising § 350.1(a) to read as follows:

**§ 350.1 Authorization for garnishment of benefits paid by the Board.**

(a) Annuities and accrued annuities payable under the Railroad Retirement Act, sickness and unemployment benefits payable under the Railroad Unemployment Insurance Act, and benefits payable under any other Act administered by the Board, are subject, in like manner and to the same extent as if the Board were a private person, to legal process brought for the enforcement of legal obligations to provide child support or to make alimony payments.

5. 20 CFR Part 350 is amended by adding a new paragraph (f) to § 350.5 to read as follows:

**§ 350.5 Miscellaneous.**

(f) No acknowledgement or response will be made to legal process which does not contain the mailing address to which acknowledgement may be made. No response to any legal process will be notarized or verified.

Dated: September 6, 1983.

For the Board,

Beatrice Ezerski,

Secretary.

[FR Doc. 83-25556 Filed 9-19-83; 8:45 am]

BILLING CODE 7905-01-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Social Security Administration****20 CFR Parts 401 and 422**

**Availability of Information and Records to the Public; Fees for Providing Information and Records; Procedures and Appeals**

**AGENCY:** Social Security Administration, HHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Social Security Administration (SSA) announces proposed changes in the fees it charges for providing records from its files and record related services. These proposed changes will conform SSA's fee schedule to that recently published by the Department of Health and Human Services (HHS). The proposed rules also implement the discretion given the Secretary of Health and Human Services by section 2207 of the Omnibus Budget Reconciliation Act of 1981 to charge the full cost of providing certain information and records. The proposed rules do not change SSA's longstanding policy of generally not charging an individual for information needed to assure that our records concerning her or him are correct. In preparing these amendments, we deleted from SSA's rules several provisions concerning Medicare information. The Health Care Financing Administration (HCFA) has published separate regulations governing the availability of Medicare information and records.

We have also clarified the rules for handling requests for information about individuals under the Privacy Act and the Freedom of Information Act (FOIA) and incorporated HHS' recent rules on who has authority to release or deny records in this revised material.

**DATE:** Comments must be received on or before November 21, 1983.

**ADDRESSES:** Comments should be submitted in writing to the Commissioner of Social Security, Department of Health and Human Services, P.O. Box 1585, Baltimore, Maryland 21203, or delivered to the Office of Regulations, Social Security Administration, 3-A-3 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235 between 8:00 a.m. and 4:30 p.m. on regular business days. Comments received may be inspected during these same hours by making arrangements with the contact person shown below.

**FOR FURTHER INFORMATION CONTACT:**

Cliff Terry, Legal Assistant, 6401 Security Boulevard, Baltimore, Maryland 21235, (301) 594-7519.

**SUPPLEMENTARY INFORMATION:****Introduction**

This proposal revises SSA's rules in 20 CFR Part 422, Subpart E, on the availability of records and information to the public under the FOIA. These changes are needed to remove material made obsolete by the creation of HCFA, to clarify the rules for handling requests for records under the FOIA, to conform SSA's fee schedule for providing records and record related services under the FOIA to the new HHS fee schedule, to announce a fee schedule under which we will charge the full cost of providing certain records, and to revise SSA's rules on who can release or deny a record. These provisions affect information requested under 20 CFR Part 401, the rules on the availability of records and information under the Privacy Act. The proposed rules do not change SSA's longstanding policy of generally not charging an individual for information needed to assure that our records concerning her or him are correct (see Subpart D of Part 401, and see §§ 422.125 and 422.440 as amended by these proposed regulations).

The proposed rules revise Subpart E of 20 CFR Part 401, Appeals, to clarify the procedures on how an individual can appeal, under the Privacy Act, a decision denying that individual access to her or his own records.

**Health Care Financing Administration**

In March, 1977, SSA's Bureau of Health Insurance became part of a new agency, the Health Care Financing Administration (HCFA). As a result SSA is no longer responsible for the Medicare information and reports described in 20 CFR 442.433 through 442.435. HCFA published final regulations which govern the availability of its Medicare (title XVIII) information and records on November 12, 1981 at 46 FR 55695. The HCFA regulations supersede the present §§ 442.433 through 442.435. Therefore, we propose deleting those sections.

**Freedom of Information Act**

The Freedom of Information Act (FOIA) permits any person to see and get a copy of any Federal agency's records unless the material is within a category of records which the FOIA exempts. Under the FOIA, we are generally required to let members of the public see and get a copy of instructional manuals issued to our employees, general statements of policy,

and other materials, such as Social Security Rulings, which are used in processing claims but which are not published in the Federal Register. We have rewritten sections of the regulations on how we comply with the FOIA to reflect several significant conforming changes. In final rules published on May 12, 1982, at 47 FR 20309, HHS limited the authority to release or deny SSA records to the Director, Office of Information (SSA), her or his designee, or as otherwise provided by regulations. In §§ 422.426 and 422.444 we set out this internal delegation of authority.

In addition, we have reorganized the material on processing request for records and on administrative appeals.

**Conforming Changes to Fee Schedule for Providing Records for Program Purposes**

Section 442.440 incorporates 45 CFR 5.61 (a)(1) through (8) and (b), which set out the fees we will charge for providing records under the FOIA for program purposes. Program related requests would include requests for records which must be disclosed under the Social Security Act (the act) and requests for records which will be used for a purpose directly related to the administration of a program under the Act. We have established four broad criteria we will consider in deciding whether a proposed use is so related:

- (a) Whether the record will be used to pursue some benefit under the Act;
- (b) Whether the record is needed solely to verify the accuracy of information obtained in connection with a program administered under the Act;
- (c) Whether the record is needed in connection with an activity which has been authorized under the Act; and
- (d) Whether the record is needed by an employer to carry out her or his tax paying responsibilities under the Federal Insurance Contributions Act or under the provisions of section 218 of the Act.

Our experience is that most program related requests will fall within one of these criteria. However, we will also consider, on a case by case basis, those requests which do not meet these criteria but whose purposes are claimed to be program related.

For providing records under the FOIA for program purposes, we are adopting as a fee schedule the schedule published by HHS as final rules on September 22, 1982, at 47 FR 41751. Briefly, the fees would be as follows:

- Manual searches for records increased from \$3 to \$10 per hour;
- Photocopying standard size pages remains at 10 cents per page;

Photocopying odd-size pages, etc., remains at actual cost except that the charge for an employee's time is now limited to no more than \$10 per hour;

Certification or authentication of a record increased from \$3 to \$10 for each service; and

Forwarding materials to destination increased from no charge for postage to actual cost for postage.

The minimum billing amount is changed from five dollars to the cost of sending a bill, i.e., if the bill is less than it would cost us to prepare and send the bill and to set up controls on the amount due, we would not bill the requester. However, where a requester makes multiple separate requests, we will usually add the costs incurred and periodically bill the requester an aggregate amount for the total services rendered to date.

**Charging Full Cost For Information To Be Used for a Non-Program Purpose**

On August 13, 1981, section 2207 of the "Omnibus Budget Reconciliation Act of 1981" became effective. That provision added section 1106(c) to the Act, which permits the Secretary to charge requesters the full cost of supplying information requested to comply with the Employee Retirement Income Security Act of 1974, or "... for any other purpose not directly related to the administration of the program or programs under... [the Social Security] Act", notwithstanding the fee limitations under the Privacy Act, FOIA, or "any other provision of law". In proposed section 422.441 we describe how we plan to implement this provision.

We will consider as non-program related all requests not found to be program related, such as (but not limited to) requests for earnings information for use in computing private pension benefits, or for use in establishing the existence and duration of an employment relationship.

For all requests categorized as non-program related we propose charging the full cost (direct and indirect) of providing the requested information as allowed by law. The proposed fee schedule for non-program related requests is set forth in § 422.441.

We propose revising § 422.125(e) to conform to §§ 422.440 and 422.441.

**Setting Limit On Fee**

We propose adding a new § 422.442, similar to HHS section 45 CFR 5.62, stating that when someone sends us a request we assume the requester agrees to pay for the services needed to locate and send a record to the requester. However, the requester will be able to

put a limit on the amount she or he is willing to spend. We will notify the requester if it appears the costs will exceed that limit and give the requester the opportunity to decide if she or he wants us to continue searching for the requested record. Section 422.442 also states that if the fee will be unusually large or if the requester has failed to pay a previous bill we may ask the requester to pay the estimated fee, or a deposit, before continuing to search for the requested record or before we send it to the requester. In those instances we will notify the requester shortly after receiving the request that an advance payment or deposit is needed. This will apply to any request for a record.

#### Waiver or Reduction of Fees in the Public Interest

Proposed § 422.443 describes our policy on waiving or reducing a fee in the public interest. We will follow the HHS criteria in section 45 CFR 5.63 when making such determinations.

#### Effect of HHS Delegations and Fee Schedule

The HHS regulations on fees published September 22, 1982, are binding on SSA under 45 CFR 5.11. We are using them to establish SSA's fees for providing any records requested under the FOIA after that date. These are the same fees described in § 422.440. We are also following the HHS rules published on May 12, 1982, regarding who has authority to release or deny a record. These officials are listed in §§ 422.426 and 422.444.

#### Changes to 20 CFR Part 401

We propose changing several cross-references in 20 CFR Part 401 and deleting a sentence from § 401.125 to reflect the proposed changes to Subpart E of Part 422. We also propose revising Subpart E of Part 401. The proposed revisions would limit Subpart E to describing how an individual can appeal under the Privacy Act a decision denying that individual access to her or his own records, those of the individual's minor child, or those of a person for whom the individual is legal guardian. This subpart now includes procedures for appealing decisions denying requests for disclosure of information about other persons, which we currently process under the FOIA. The proposed changes reflect that policy.

#### Regulatory Procedures

*Executive Order 12291*—We have determined that these proposed

regulations do not meet any of the criteria specified in E.O. 12291 for a major regulation. The only costs involved are the fees which will be charged for supplying the requested information or materials. These fees will not have an annual effect on the economy of \$100 million or more or otherwise meet the threshold of the Executive Order. We estimate the total increase in our fees charged per year to be about \$8 million, spread over about 175,000 requests. The only large definable category of requesters is pension funds, for whom, under our current estimates, the maximum average increase in our charges will be between \$33 and \$46 per pension applicant. Accordingly, a regulatory impact analysis is not required.

*Paperwork Reduction Act of 1980*—These proposed regulations impose no reporting/recordkeeping requirements requiring OMB clearance.

*Regulatory Flexibility Act*—We certify that these proposed regulations will not, if promulgated, have a significant economic impact on a substantial number of small businesses or small entities because they impose fees only on those requesting information and materials. In view of the figures cited under *Executive Order 12291*, above, we do not expect enough information requests by small businesses or small entities for the fees to have a significant economic impact on those requesters. Therefore, a regulatory flexibility analysis as provided in Pub. L. 96-354, the Regulatory Flexibility Act, is not required.

(Catalog of Federal Domestic Assistance Program Nos. 13.802-13.814, Social Security Programs.)

#### List of Subjects

##### 20 CFR Part 401

Administrative practice and procedure, Aid to families with dependent children, Black lung benefits, Freedom of information, Medicare, Old-age, survivors and disability insurance, Privacy, Supplemental Security Income (SSI).

##### 20 CFR Part 422

Administrative practice and procedure, Freedom of information, Organization and functions (Government agencies), Social Security.

Dated: May 4, 1983.  
John A. Svahn,  
Commissioner of Social Security.

Approved: August 19, 1983.

Margaret M. Heckler,  
Secretary of Health and Human Services.

Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

#### PART 401—[AMENDED]

The authority citation for 20 CFR Part 401 reads as follows:

Authority: Secs. 205-1102, and 1106 of the Social Security Act; 53 Stat. 1368, as amended; 49 Stat. 647, as amended; 53 Stat. 1389, as amended, sec. 290, 66 Stat. 234; (42 U.S.C. 405, 1302, 1306; 8 U.S.C. 1360); sec. 413(b) of the Federal Coal Mine Health and Safety Act of 1969, 83 Stat. 794; 30 U.S.C. 923, 5 U.S.C. 552a (Privacy Act); 5 U.S.C. 552 (Freedom of Information Act), as amended by Pub. L. 94-409; 90 Stat. 1241; 26 U.S.C. 6103, as amended by Pub. L. 94-455, 90 Stat. 1867 (Tax Reform Act of 1976).

##### § 401.100 [Amended]

1. In 20 CFR Part 401, § 401.100 is amended by revising the cross-reference in the last sentence from "§§ 422.428 and 422.436 of this chapter and 45 CFR Parts 5 and 5b" to "§§ 422.426 and 422.428 of this chapter and 45 CFR Parts 5 and 5b".

##### § 401.125 [Amended]

2. In 20 CFR Part 401, § 401.125 is amended by revising the cross-reference in the first sentence from "§ 422.440" to "§§ 422.440 and 422.441" and by deleting the last sentence.

3. In 20 CFR Part 401, §§ 401.500 and 401.510 are revised to read as follows:

##### § 401.500 Which decisions are covered.

This subpart describes how to appeal a decision made under the Privacy Act concerning your request for correction of a record or for access to your records, those of your minor child, or those of a person for whom you are the legal guardian. We generally handle a denial of your request for information about another person under the provisions of the FOIA. (See Part 422, Subpart E of this chapter). This subpart applies only to written requests.

##### § 401.510 Appeals after denial of access.

If, under the Privacy Act, we deny your request for access to your own record, those of your minor child, or those of a person for whom you are the legal guardian, we will advise you in writing of the reason for that denial, the name and title or position of the person responsible for the decision, and your right to appeal that decision. You may

appeal the denial decision to the Commissioner of Social Security, 6401 Security Boulevard, Baltimore, Maryland 21235, within 30 days after you receive the notice denying all or part of your request, or, if later, within 30 days after you receive materials in partial compliance with your request. If we refuse to release a medical record because you did not designate a representative (§ 401.410) to receive the material, that refusal is not a formal denial of access and, therefore, may not be appealed to the Commissioner. If you file an appeal, either the Commissioner or a designee will review your request and any supporting information submitted and then send you a notice explaining the decision on your appeal. The decision must be made within 20 working days after your appeal is received. The Commissioner or a designee may extend this time limit up to 10 additional working days if one of the circumstances in § 422.429 is met. You will be notified in writing of any extension, the reason for the extension, and the date by which your appeal will be decided. The notice of the decision on your appeal will explain your right to have the matter reviewed in a Federal District Court if you disagree with all or part of the decision.

#### PART 422—[AMENDED]

4. The authority citation for 20 CFR Part 422 reads as follows:

Authority: Secs. 205, 218, 221, 1102, 1869, and 1871, 53 Stat. 1368, as amended, 64 Stat. 514, as amended, 68 Stat. 1081, as amended, 49 Stat. 647, as amended, 79 Stat. 330, 331; sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405, 418, 421, 1302, 1395ff, and 1395hh, unless otherwise noted.

In 20 CFR Part 422, paragraph (e) of § 422.125 is revised to read as follows:

#### § 422.125 Statements of earnings; resolving earnings discrepancies.

(e) *Detailed earnings statements.* (1) A more detailed statement of earnings will be furnished upon request, generally without charge, where the request is program related under § 422.440(a). See § 422.440 for possible fees.

(2) If the request for a more detailed statement of earnings is not program related under § 422.440(a), a charge will be imposed according to the schedule of fees set out in § 422.441.

5. In 20 CFR Part 422, the Table of Contents for Subpart E is revised as follows:

#### Subpart E—Availability of Information and Records to the Public

Sec.

- 422.401 Scope and purpose.
- 422.402 Record defined.
- 422.406 Publication.
- 422.408 Statements of policy and interpretations not published in the Federal Register.
- 422.410 Publications for sale.
- 422.412 Availability of administrative staff manuals.
- 422.416 Availability of records.
- 422.418 Deletion of identifying details.
- 422.420 Creation of records.
- 422.426 Who may release a record.
- 422.427 How to request a record.
- 422.428 Where to send a request.
- 422.429 How a request for a record is processed.
- 422.430 Materials available at district offices and branch offices.
- 422.432 Materials in field offices of the Office of Hearings and Appeals.
- 422.433 Health care information.
- 422.440 Fees for providing records and related services for program purposes.
- 422.441 Fees for providing information and related services for non-program purposes.
- 422.442 Procedure on assessing and collecting fees for providing records.
- 422.443 Waiver or reduction of fees in the public interest.
- 422.444 Officials who may deny a request.
- 422.445 How a request is denied.
- 422.447 How to appeal a decision denying all or part of a request.
- 422.449 U.S. district court action.

Authority: Secs. 205, 1102, and 1106 of the Social Security Act, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, 53 Stat. 1398, as amended, 42 U.S.C. 405, 1302, and 1306; section 413(b) of the Federal Coal Mine Health and Safety Act of 1969, 83 Stat. 749, 30 U.S.C. 923, 5 U.S.C. 552 (Freedom of Information Act); 5 U.S.C. 552a (Privacy Act).

6. Section 422.416 is revised to read as follows:

#### § 422.416 Availability of records.

(a) *What records are available.* Section 5 U.S.C. 552, also known as the Freedom of Information Act (FOIA), permits any person to see, and get a copy of, any Federal agency's records unless the material is exempt from mandatory disclosure as described in paragraph (b) of this section. Under the FOIA, we are also required to make available to the public the instructional manuals issued to our employees, general statements of policy, other materials, such as Social Security Rulings, which are used in processing claims and which are not published in the Federal Register, and an index of these manuals and materials.

(b) *What records are not available.* The FOIA exempts certain classes of records from disclosure. Most of these are described at 45 CFR Part 5, Subpart

F, in the regulations of the Department of Health and Human Services (HHS, formerly the Department of Health, Education, and Welfare). Those most likely to apply to information in the Social Security Administration's (SSA's) records are:

(1) Records specifically exempted from disclosure by statute;

(2) All or part of SSA's investigative manuals or other materials the disclosure of which could materially assist in the violation of any law or regulation;

(3) SSA's inter-agency or intra-agency pre-decisional memoranda or letters the disclosure of which could adversely affect free and candid discussion within HHS or with another agency or otherwise harm the decision-making process of HHS or another agency; and

(4) Requested information concerning a person other than the requester, the disclosure of which would not benefit the public to a degree which outweighs that person's right of privacy. *However*, unless a statute prohibits disclosure, we will generally supply material which is exempt from mandatory disclosure if we determine that disclosure is in the public interest and is not inconsistent with our obligations of confidentiality and the efficient administration of our programs.

7. Section 422.420 is revised to read as follows:

#### § 422.420 Creation of records.

We are not required to create new records merely to satisfy a request. For example, we are not required to program computers to provide data in a particular form or to compile selected items from records, provide statistical data, ratios, proportions, percentages, etc. If these data have already been compiled and are available, we will supply the record when appropriate fees are paid, as provided in § 422.440 and 422.441. This does not mean that we will never help you get information that does not already exist in our records. However, diverting staff and equipment from other responsibilities may not always be possible.

#### § 422.426 [Reserved]

8. Section 422.426 is removed. (Paragraphs (b)(1) and (2) of that section concerned Health Care Financing Administration material which is no longer under SSA jurisdiction. The remaining material is incorporated in the proposed revision to § 422.416.)

9. A new § 422.426 is added which reads as follows:

**§ 422.426 Who may release a record.**

Except as otherwise provided by regulation, only the Director, Office of Information, SSA, or her or his designee may determine whether to release any record in SSA's control and possession. This official is SSA's Freedom of Information Officer.

10. A new § 422.427 is added which reads as follows:

**§ 422.427 How to request a record.**

You may request a record in person, by telephone, or by mail. (However, see § 422.444 through 422.449 for an explanation of your appeal rights.) Any request should reasonably describe the record you want. If you have detailed information which would assist us in identifying that record, please submit it with your request. You should mark the outside of any envelope used to submit your request as a "Freedom of Information Request"; no matter how your request may be categorized for fee purposes, (Sections 422.440-422.443 explain our fees.) The staff at any Social Security office can help you prepare this request.

11. Section 422.428 is revised to read as follows:

**§ 422.428 Where to send a request.**

(a) You may send your request for a record to: (1) The Director, Office of Information, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, or (2) the Public Affairs Director of the appropriate HHS Regional Office. The locations and service areas of these offices are as follows:

*Region I*—John F. Kennedy Federal Building, Government Center, Boston, MA: 02203. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

*Region II*—26 Federal Plaza, Federal Building, New York, NY 10007. New York, New Jersey, Puerto Rico, Virgin Islands.

*Region III*—3535 Market St., Philadelphia, PA 19101. Delaware, Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia.

*Region IV*—101 Marietta Tower, Atlanta, GA 30323. Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

*Region V*—300 South Wacker Drive, Chicago, IL 60606. Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin.

*Region VI*—1200 Main Tower, Dallas, TX 75202. Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

*Region VII*—601 East 12th Street, Kansas City, MO 64106. Iowa, Kansas, Missouri, Nebraska.

*Region VIII*—19th and Stout Streets, Denver, CO 80294. Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming.

*Region IX*—Federal Office Building, 50 United Nations Plaza, San Francisco, CA

94102. Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Islands, American Samoa.

*Region X*—2901 3rd Avenue, Seattle, WA 98121. Alaska, Idaho, Oregon, Washington.

(b) If you send your request to one of the offices described in paragraph (a) of this section and the record you are requesting is elsewhere, that office will forward your written request to the proper office. If you send your request to any other office and the record you are requesting is elsewhere, that office may send your request to the Director, Office of Information; a Public Affairs Director; or the proper office.

**§ 422.432 [Amended]**

12. In § 422.432 change the word "Bureau" wherever it appears to "Office".

**§§ 422.434, 422.435 [Reserved]**

13. Sections 422.433, 422.434, and 422.435 are removed. (These sections concerned Health Care Financing Administration material which is no longer under SSA jurisdiction.)

14. A new § 422.433 is added which reads as follows:

**§ 422.433 Health care information.**

We have some information about health care programs under titles XVIII and XIX (Medicare and Medicaid) of the Social Security Act. We follow the rules in 42 CFR Part 401 in determining whether to provide any portion of it to a requester.

15. Section 422.436 is redesignated as § 422.429 and revised to read as follows:

**§ 422.429 How a request for a record is processed.**

(a) Within 10 working days from the date a request is received by the appropriate official (see § 422.428(a)), we will make a determination as to whether the requested record will be provided. This 10-day period may be extended by written notice up to 10 additional working days when one or more of the following situations exist:

(1) The office processing the request needs to locate and then obtain the record from another facility;

(2) We need to locate, obtain, and appropriately examine a large number of records which are requested in a single request; or

(3) The office processing the request needs to consult with another agency or HHS office which has a substantial interest in the subject matter of the request. This consultation shall be conducted with all practicable speed.

(b) If extension is made, we will notify you, explain why the additional time is needed, and tell you the date by which

we expect to make a decision on your request.

16. Section 422.440 is revised to read as follows:

**§ 422.440 Fees for providing records and related services for program purpose.**

(a) *Program purposes described.* We consider a request to be program related if the information must be disclosed under the Social Security Act. For example, section 205(c)(2)(A) of the Act (42 U.S.C. 405(c)(2)(A)) requires that we provide certain wage information upon request to a worker, her or his legal representative, her or his survivor, or the legal representative of the worker's estate. We also consider a request to be program related if the requester indicates the needed information will be used for a purpose which is directly related to the administration of a program under the Social Security Act. The major criteria we consider in deciding whether a proposed use is so related are:

(1) Is the information needed to pursue some benefit under the Act?

(2) Is the information needed solely to verify the accuracy of information obtained in connection with a program administered under the Act?

(3) Is the information needed in connection with an activity which has been authorized under the Act?

(4) Is the information needed by an employer to carry out her or his tax paying responsibilities under the Federal Insurance Contributions Act or section 218 of the Act?

We will consider on a case by case basis those requests which do not meet these criteria but are claimed to be program related.

(b) *When we charge.* If we determine the request for information is program related, we may or may not charge for the information. For example, as in § 422.125, we generally will not charge you for information needed to assure the accuracy of our records on which your present or future Social Security benefits depend. In addition, we generally will not charge for furnishing information under section 205(c)(2)(A) of the Act. However, if we do charge for such information, or if more detailed information or special services are requested for a program purpose, we will use the fee schedule in 45 CFR 5.61(a)(1) through (8) and (b) if information is being disclosed under the FOIA and the fee schedule in 45 CFR 5b.13 if access to the information is being granted under the Privacy Act. (Exceptions: (1) If the request is for purposes of the Employee Retirement Income Security Act of 1974 (ERISA),

even if the request is covered by section 205(c)(2)(A) of the Act, we will charge under § 422.441. (2) We will use the fee schedule in 45 CFR 5.61 [a](1) through (8) and (b) whenever disclosing, under the FOIA, information other than records of Social Security number holders, wage earners, employers, or claimants.)

(c) *Fee schedule.* Our fee schedule for providing records and related services for program purposes under the FOIA is the same as that in 45 CFR 5.61 [a](1) through (8) and (b).

(d) *If billing would cost more than the service.* Generally we will not charge you a fee when cost of the service is less than the cost of sending you a bill. However, where an individual, organization, or governmental unit makes multiple separate requests, we will total the costs incurred and periodically bill the requester for the services rendered.

(e) *Fee for copies of printed materials.* When extra copies of printed material are available, the charge is generally 1 cent per page. If the material may be purchased from the Superintendent of Documents, the charge is that set by the Superintendent. The Superintendent's address is in § 422.410.

17. New §§ 422.441 through 422.443 are added to read as follows:

**§ 422.441 Fees for providing information and related services for non-program purposes.**

(a) *General.* Section 1106(c) of the Social Security Act permits the Secretary to require requesters of information to pay the full cost of supplying the information where the information is requested to comply with the Employee Retirement Income Security Act of 1974 (ERISA), or "... for any other purpose not directly related to the administration of the program or programs under..." the Social Security Act. This may be done notwithstanding the fee provisions of the FOIA and the Privacy Act or any other provision of law. As used in this section, full cost includes the direct and indirect costs to SSA (including costs of duplication) of providing information and related services under section 1106(c) of the Act.

(b) *Non-program related requests.* We consider a request for information which does not meet or equal any of the criteria in § 422.440 to be non-program related. (Whether a request for information about an individual is made by that individual or by someone else is not a factor.) In responding to these requests, or requests for ERISA purposes, we will charge the full cost of our services as described in paragraph (c) of this section.

(c) *Fee schedule.* Our fee schedule for non-program related requests is:

(1) *Manual searching for records.* Full cost of the employee's time;

(2) *Photocopying pages, punch cards, or blueprints, or reproducing other records, such as magnetic tapes.* Full cost of the operator's time plus the full cost of the machine time and the materials used.

(3) *Use of electronic data processing equipment to obtain records.* Our full cost for the service, including computer search time, computer runs and printouts, and the time of computer programmers and operators and other employees.

(4) *Certification or authentication of records.* Full cost of certification or authentication.

(5) *Forwarding materials to destination.* If you request special arrangements for forwarding the material, we will charge you the full cost of this service (e.g., you request express mail or a commercial delivery service). If no special forwarding arrangements are requested, we will charge you the full cost of the service including the U.S. Postal Service cost.

(6) *Performing other special services.* If we agree to provide any special services you request, we will charge you the full cost of the time of the employee who performs the service, plus the full cost of any machine time and materials that the employee uses.

(7) *If billing would cost more than the service.* Generally we will not charge you a fee when the cost of the service is less than the cost of sending you a bill. However, where an individual, organization, or governmental unit makes multiple separate requests, we will total the costs incurred and bill the requester for the services rendered.

(d) *Fee for copies of printed materials.* When extra copies of printed material are available, the charge is generally 1 cent per page. If the material may be purchased from the Superintendent of Documents, the charge is that set by the Superintendent. The Superintendent's address is in § 422.410.

(e) *Charging when requested record not found.* We may charge you for search time, even though we fail to find the records, if you request that we continue the search after we have informed you that it is unlikely to be productive. We may also charge you for search time if the records we locate are exempt from disclosure.

**§ 422.442 Procedure on assessing and collecting fees for providing records.**

(a) We will generally assume that when you send us a request, you agree to pay for the services needed to locate

and send that record to you. You may specify in your request a limit on the amount you are willing to spend. If you do that or include with your request a payment that does not cover our fee, we will notify you if it appears that the fee will exceed that amount and ask whether you want us to continue to process your request.

(b) In most cases, where we charge you a fee under § 422.440, we will send your bill along with or following release of the requested records.

(c) If the fee will be unusually large, if you have failed to pay previous bills, or if we are charging you a fee under § 422.441, we may ask you to pay the estimated fee, or a deposit, before we continue searching for the requested records or before we send them to you. If so, we will notify you shortly after receiving your request. In such cases the administrative time limits in §§ 442.429 and 422.447 will begin only after we have reached an agreement over payment of the fee.

(d) Payment of fees will be made by check or money order payable to "Social Security Administration".

**§ 422.443 Waiver or reduction of fees in the public interest.**

We may waive or reduce the fees provided for by §§ 442.440 and 442.441 if we determine it is in the public interest to do so. This will generally be done if furnishing the record can be considered as primarily benefiting the general public. This determination may be made only by one of the officials described in §§ 422.444 and 422.447(b). If we deny all or part of your request for a fee waiver or reduction, you may appeal that decision under § 442.447. When appealing a decision, you should specify the manner in which release of the record will benefit the general public.

18. Sections 442.444, 422.448, and 442.452 are removed.

19. New §§ 422.444, 422.445, 442.447, and 422.449 are added to read as follows:

**§ 422.444 Officials who may deny a request.**

Except as provided by regulation, only the Director, Office of Information, SSA, or her or his designee is authorized to deny a written request to obtain, inspect, or copy any Social Security record. However, for instances in which the request may involve records of SSA and another part of HHS the determination is made by the HHS FOIA Officer.

**§ 442.445 How a request is denied.**

(a) *Oral requests.* If you made an oral request, in person or by phone, and the record you requested will not be released, you will receive an oral denial. However, if you wish to appeal this denial, you must put your request for a record in writing.

(b) *Written requests.* If you make a written request and the information or record you requested will not be released, you will receive an official denial in writing. The denial notice will explain why the request was denied (for example, the reasons why the requested document is subject to one or more clearly described exemptions), will include the name and title or position of the person who made the decision, and will explain your appeal rights.

**§ 422.447 How to appeal a decision denying all or part of a request.**

(a) *How to appeal.* If all or part of your written request was denied, you may request that the Commissioner of Social Security, 6401 Security Boulevard, Baltimore, Maryland 21235 review that determination. Your request for review:

(1) Must be in writing;

(2) Must be mailed within 30 days after you received notification that all or part of your request was denied or, if later, 30 days after you received materials in partial compliance with your request; and

(3) May include additional information or evidence to support your request.

(b) *How the review is made.* After reviewing the prior decision and considering anything else submitted, the Commissioner or designee will affirm or revise all or part of that decision. The Commissioner (or a designee) will affirm a denial only after consulting with the appropriate SSA official(s) and the Office of the General Counsel and obtaining the approval of the Assistant Secretary for Public Affairs, HHS, or a designee. The decision must be made within 20 working days after your appeal is received. The Commissioner or a designee may extend this time limit up to 10 additional working days if one of the circumstances in § 422.429 is met, provided that, if a prior extension was used to process this request, the sum of the extensions may not exceed 10 working days. You will be notified in writing of any extension, the reason for the extension, and the date by which your appeal will be decided.

(c) *How you are notified of the Commissioner's decision.* The Commissioner or a designee will send you a written notice of the decision explaining the basis of the decision (e.g., the reasons why an exemption applies)

and including the name and title or position of the person who made the decision. If any part of your request remains unsatisfied the notice will also advise you of your right to seek court review.

**§ 422.449 U.S. district court action.**

If the Commissioner or a designee, upon review, affirms the denial of your request for records, in whole or in part, you may ask a U.S. district court to review that denial. See 5 U.S.C. 552(a)(4)(B).

[FR Doc. 83-25386 Filed 9-19-83; 8:45 am]

BILLING CODE 4190-11-M

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****26 CFR Part 1**

[LR-258-82]

**Group-Term Life Insurance; Uniform Premium Table Public Hearing on Proposed Regulations**

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Notice of public hearing on proposed regulations.

**SUMMARY:** This document provides notice of a public hearing on proposed regulations which would amend the uniform premium rates for group-term life insurance. The changes are needed to reflect current mortality experience.

**DATES:** The public hearing will be held on Thursday, October 20, 1983, beginning at 10:00 a.m. Outlines of oral comments must be delivered or mailed by Thursday, October 6, 1983.

**ADDRESS:** The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, D.C. The requests to speak and outlines of oral comments should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (LR-258-82), Washington, D.C. 20224.

**FOR FURTHER INFORMATION CONTACT:** Lou Ann Craner of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224, 202-566-3935, not a toll-free call.

**SUPPLEMENTARY INFORMATION:** The subject of the public hearing is proposed regulations under section 79 of the Internal Revenue Code of 1954. The proposed regulations appeared in the

Federal Register for Thursday, July 7, 1983 (48 FR 31250).

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have submitted written comments within the time prescribed in the notice of proposed rulemaking and who also desire to present oral comments at the hearing on the proposed regulations should submit, not later than Thursday, October 6, 1983, an outline of the oral comments to be presented at the hearing and the time they wish to devote to each subject.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of the time consumed by questions from the panel for the government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

By direction of the Commissioner of Internal Revenue,

George H. Jelly,

Director, Legislation and Regulations Division.

[FR Doc. 83-25640 Filed 9-19-83; 8:45 am]

BILLING CODE 4830-01-M

**DEPARTMENT OF LABOR****Occupational Safety and Health Administration****29 CFR Part 1910****Occupational Exposure to 4,4'-Methylenedianiline (4,4'-MDA)**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** This notice announces that OSHA is joining with the Environmental Protection Agency (EPA) in its Advance Notice of Proposed Rulemaking (ANPR) on 4,4'-Methylenedianiline (4,4'-MDA) that was published in this issue of the Federal Register in a separate notice. EPA's ANPR briefly summarizes the information presently available to EPA and solicits additional information concerning production and uses of 4,4'-MDA, estimates of environmental and occupational exposure, and studies of

the toxic and carcinogenic effects of 4,4'-MDA. EPA and OSHA are concerned that the risks from exposure to 4,4'-MDA, a carcinogen in animals, may be significant; hence, the two Agencies are joining together to explore regulatory options under their respective statutory authorities to reduce such risks.

In order to conserve resources and avoid duplication of effort, OSHA is joining EPA in its ANPR to establish a single docket of information on 4,4'-MDA. The two Agencies are inviting interested parties to submit data and comments relevant to the control of 4,4'-MDA.

**DATE:** Comments must be received by November 21, 1983.

**ADDRESS:** All comments, directed to either OSHA or EPA, should be sent in triplicate to the following address: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, D.C. 20460.

**FOR FURTHER INFORMATION CONTACT:** Mr. James F. Foster, OSHA, U.S. Department of Labor, Office of Public Affairs, Room N-3641, 200 Constitution Avenue, NW., Washington, D.C., 20210. Telephone (202) 523-8151.

This notice was prepared under the direction of Thorne G. Aucter, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, D.C., 20210.

#### List of Subjects in 29 CFR Part 1910

Chemicals, Hazardous substances, Occupational safety and health.

Signed at Washington, D.C., this 15th day of Sept. 1983.

Thorne G. Aucter,  
Assistant Secretary of Labor, Occupational Safety and Health.

[FR Doc. 83-25607 Filed 9-19-83; 8:45 am]

BILLING CODE 4510-26-M

## DEPARTMENT OF EDUCATION

### 34 CFR Parts 74, 75, 76, 77, and 78

#### Education Department General Administration Regulations

**AGENCY:** Office of Management, Department of Education.

**ACTION:** Notice of intent to review regulations.

**SUMMARY:** The Secretary of Education gives notice of an intention to review, and, if necessary, publish a notice of proposed rulemaking to revise the Education Department General

Administrative Regulations (EDGAR). These regulations govern certain Department of Education (ED) fiscal and administrative procedures. The regulations will be reviewed in order to identify opportunities to reduce regulatory burdens and effect cost savings. The purpose of this notice is to present issues and to invite comments that will assist the Secretary in reviewing these regulations.

**DATES:** Comments should be submitted on or before November 21, 1983.

**ADDRESSES:** All written comments should be submitted to Mr. William B. Riley, EDGAR Staff, Office of Management, Department of Education, 400 Maryland Avenue, SW. (Room 3181, FOR-6), Washington, D.C. 20202.

**FOR FURTHER INFORMATION CONTACT:** Mr. William B. Riley. Telephone (202) 245-2653.

#### SUPPLEMENTARY INFORMATION:

##### Background

These regulations are codified in Title 34 of the Code of Federal Regulations (CFR) in Part 74 (Administration of Grants), Part 75 (Direct Grant Programs), Part 76 (State-Administered Programs), Part 77 (Definitions), and Part 78 (Education Appeal Board).

These regulations provide general rules on how to apply for grants and subgrants, how grants and subgrants are made, the general conditions that apply to grantees and subgrantees, the administrative responsibilities of grantees and subgrantees, and the compliance procedures used by ED. Rules that apply only to a particular program are included in separate regulations for that program. By consolidating the common requirements found in regulations for different ED programs, EDGAR eliminated the repetition and inconsistent use of these program requirements.

Public awareness of the Administration's efforts to reduce the burdens imposed by Federal regulations has led to the identification of four general problem areas in the Education Department General Administrative Regulations (EDGAR). These four problem areas are the starting point for ED's review of EDGAR:

1. The degree of complexity in the regulations which may make them difficult to implement by State and local school authorities;
2. The extent of details required in recordkeeping rules, mandated financial management and reporting systems, and general management activities;
3. The degree of rigidity of ED procedures in handling complaints against school systems; and,

4. The lack of flexibility allowed to school officials to monitor the performance of their school districts under Federal programs.

The Department of Education plans to review its general administrative regulations in terms of these problems and, in the process, to develop revised administrative rules that reduce the burden imposed on State and school authorities and allow these officials greater administrative flexibility in managing federally funded programs.

This notice provides the public with a short explanation of the major regulatory sections in EDGAR and selected issues which may be addressed during the review. In this way, interested members of the public have an opportunity to offer their ideas and specific recommendations with regard to possible changes in the regulations (before such changes are fully developed and articulated in proposed regulations) in order to assist the Department of Education in further considering what changes, additions, or deletions are needed for EDGAR.

#### Issues

Specific issues on which public comment is sought are identified below. These issues serve as a guide to the public on questions which address the problems of reducing regulatory burdens and effecting cost savings. However, comments are not limited to the issues identified in this notice. On the contrary, a central purpose of this notice is to provide the public with an opportunity to raise issues. Any member of the public interested in commenting on whether regulations are needed, what issues need to be addressed in regulations, and how they should be addressed is welcome to do so, without regard to whether the issues and comments are mentioned in this notice. Written comments and information may be submitted in any form, such as by means of letters, position papers, or memoranda. There are no special rules concerning format.

Before turning to the issues themselves, the readers are reminded that the Department of Education is not totally free to add, drop, or change all of its regulations. Some regulations are based on statutory or other government-wide policies that circumscribe the rulemaking discretion of the Department. When statutes such as the General Education Provision Act (20 U.S.C. 1221-1234e) or Executive Branch Policies such as in OMB Circulars are the foundation of ED rules, the Department may have little or no discretion in proposing changes to those

rules. Where this is the case, the Department of Education will identify the statutory or other constraints in rulemaking activities that will follow this notice of intent.

Finally, the reader should note that the Office of Management and Budget (OMB) is planning to review its Circular A-102 (Uniform administrative requirements for grants-in-aid to State and local governments) for possible revisions. To the extent that OMB makes such revisions, ED will be bound to implement the changes in its general administrative regulations. Any comments received by ED pertaining to OMB Circulars will be forwarded directly to OMB.

1. *Administration of Grants*—Within 34 CFR Part 74, the Department of Education (ED) has established uniform requirements for the administration of its grants and principles for determining costs applicable to activities assisted by ED grants. The substance of Part 74 is derived from OMB Circulars A-102 and A-110 which set Government-wide grant administrative policies for grants to State and local governments, institutions of higher education, and non-profit organizations. Other bases for Part 74 include cost principles for State and local governments (OMB Circular A-87), for institutions of higher education (OMB Circular A-21) and for non-profit organizations (OMB Circular A-122). The most recent issuances of OMB Circular A-21 and A-122 have not yet been codified in Title 34 of the Code of Federal Regulations but will be considered as part of the review of EDGAR. Information concerning the Circulars may be obtained from the Office of Management and Budget, New Executive Office Building, Publications Department, Washington, D.C. 20503.

Among the subjects regulated in this Part are requirements for: Recordkeeping, financial reporting and management, project monitoring, grant and subgrant payments, program and budget changes, property management, and procurement standards.

With respect to Part 74, issues on which public comment and recommendations are sought include the following:

(a) Requirements established in Part 74 are cross-referenced in Parts 75 and 76, and Parts 75 and 76 contain some duplicative provisions. Would it be more useful to do away with a separate Part 74 by incorporating its requirements into Parts 75 and 76; or would it be better to expand Part 74 to include (from Parts 75 and 76) provisions that apply both to direct grant and State-administered grant programs?

(b) Part 74 was adopted into EDGAR from existing rules in the former Department of Health, Education, and Welfare. Consequently, there are requirements in Part 74 that are not consistent with other provisions of EDGAR. What burdens do these inconsistencies cause the public, and how might these burdens be reduced? The following are examples of where Part 74 provisions differ from requirements in other parts of EDGAR: Recordkeeping requirements, project starting dates, rules on access to records, performance reporting requirements, or rules governing the appeal of audit determinations.

(c) Some negative public comment has been received concerning the level of detail specified in various Part 74 rules, for example: The standards for financial management systems in § 74.61; for non-federal audits in § 74.62; or rules governing grant related income in § 74.42. In what ways are such details helpful? In what ways can the level of detail be reduced, yet still provide ED with adequate information to be accountable for Federal funds?

(d) While some sections of Part 74 may provide extensive details, others may need more specificity. In what areas of EDGAR in general and Part 74 in particular would the users of EDGAR find it helpful to have requirements stated more specifically? For example, do applicants or grantees feel the need for more guidance on when, where, and how they can make revisions in their program plan or in their budget plans?

(e) In some areas of grant amendments, the grantee must seek prior approval before changes or revisions can be made. Is such prior approval unnecessarily burdensome? How can the burden be reduced while protecting the Department's need to be accountable for Federal funds?

(f) Are there other issues that readers see as targets for burden reduction and deregulation in Part 74?

2. *Direct Grant Program*—Within 34 CFR Part 75, the Department of Education has established regulations that apply to any grant program of the Department other than a program whose authorizing statute provides a formula for allocating program funds among eligible States. This Part specifically identifies affected programs in § 75.1, although the list needs updating to incorporate changes since EDGAR was issued in 1980. Among the rules provided in this Part are those governing how to apply for a grant, e.g., application content, State review and approvals; how grants are made, e.g., selection criteria and procedures, cost analysis, and budget periods; conditions

to be met by applicants, e.g., changes in project scope or staff, allowable costs, and restricted indirect cost rates; and administrative responsibilities of a grantee, e.g., recordkeeping, reporting, and data collection rules.

In this area, issues which public comment and recommendations are sought include the following:

(a) What burdens are created for the users of Part 75 by having to refer back to Part 74 or Part 76 requirements in developing applications for direct grant programs? For example, see programmatic changes or budget revisions, or fiscal control and fund accounting procedures. Do these requirements make the application process unnecessarily burdensome? If so, how can the burden be reduced?

(b) Do applicants for direct grant programs see a need for specific rules to govern awards made in the form of cooperative agreements? Are more specific rules needed for the continuation of previous awards? Should EDGAR specify rules for awards based on unsolicited proposals?

(c) In the area of eligibility for ED grants, the Department has favored awards to non-profit organizations in order to concentrate available funds on program objectives. Should ED modify this general policy so that for-profit organizations can compete for ED grant funds? What requirements would be needed to guide grants to for-profit organizations?

(d) How can grantee recordkeeping and reporting requirements be reduced while meeting ED's duties to adequately account for Federal funds and comply with statutory duties imposed by 20 U.S.C. 1232f? Section 1232f places certain reporting and recordkeeping requirements on recipients of funds under most Federal education programs, including a five year record retention rule. The reader should note that ED cannot change this statutory requirement. However, ED is seeking comments on this requirement in order to better understand any burden created by it.

(e) Should ED provide the Secretary authority to waive certain requirements under Part 75 as is presently the case under Part 74? (See § 74.6.) If so, which ones deserve a waiver and under what conditions should waivers be permitted?

(f) Are there other issues in Part 75 that the readers would like considered during this review?

3. *State-Administered Programs*—Within 34 CFR Part 76, the Department of Education has established regulations that apply to any grant program of the Department whose authorizing statute

provides a formula for allocating program funds among eligible States. The programs that are affected by these regulations are listed in § 76.1, although the list needs updating to incorporate changes since EDGAR was issued in 1980. Among the rules provided in this Part are those governing State plans and applications for a grant; how a grant or subgrant is made by ED; and conditions and administrative responsibilities to be met by a State or its subgrantee.

In this area, issues which public comment and recommendations are sought include the following:

(a) What problems do users of this Part have due to the need to refer back to requirements in Part 74 or 75? For example, see programmatic changes or budget revisions, or fiscal control and fund accounting procedures.

(b) What burdens or limits on local decisionmaking authority are imposed by the current rules governing the development, approval, and submission of State plans and applications for Federal grant programs? How might administrative needs of these rules be satisfied in less burdensome ways?

(c) This Part has detailed requirements specifying how States are to process complaints of applicants whose applications were denied by the State (§ 76.401) and what procedures States are to use in general to deal with other complaints (§ 76.780). How intrusive on local decisionmaking are these requirements? What benefits would the public gain if these Federal requirements were removed in favor of existing State procedures for dealing with the problems?

4. *Definitions*—Within 34 CFR Part 77, ED provides definitions of terms that are applied to regulations in Title 34 of the Code of Federal Regulations. Some of the terms are defined by reference to 34 CFR Part 74, Administration of Grants. In this area the public is invited to comment on:

(a) Part 77 includes actual definitions to be used in ED programs and definitions that stem from cross-references to Part 74. What problems does this mixture of definitions and references cause users of EDGAR? How can these problems be alleviated—(i) Put all definitions in an expanded Part 74? (ii) Have each Part contain a separate definition section? (iii) Place all definitions in Part 77 rather than use cross-references to other Parts? (iv) Other alternatives?

(b) Do any of the definitions themselves cause problems for EDGAR users?

(c) Are there additional terms in EDGAR that need to be defined?

5. *Education Appeal Board*—Within 34 CFR Part 78, ED has established rules for the conduct of proceedings before the Education Appeal Board. This Board was established by Section 451 of the General Education Provisions Act (20 U.S.C. 1234) to review final audit determinations, to conduct hearings concerning actions to withhold ED program funding or to terminate such funding, to conduct cease and desist proceedings, and to conduct other proceedings as directed by the Secretary of Education. The regulations also govern the practices and procedures to be followed during proceedings before the Board.

In this area, issues which public comment and recommendations are sought include the following:

(a) Simplified procedures for hearings before the Education Appeal Board were developed to cover programs created under the Education Consolidation and Improvement Act (20 U.S.C. 3801-3876). Should these simplified procedures be the basis for a revision of Part 78?

(b) Would any other revisions be helpful?

#### Invitation to Comment

As stated earlier, the objective of this notice is to solicit comments and recommendations from the public. While written comments may be submitted in any form, including letters, position papers, or memoranda, it would be extremely helpful to ED staff if comments were organized by section number and provided the following information: (1) An identification of the EDGAR section number that the commenter is addressing; (2) a statement of the problem the reader has with the section; and (3) a recommendation on how the problem might be solved. Readers should note that this is not a required format, but its use would greatly facilitate the review process.

Comments received before the regulations are published will be carefully considered in the development of the proposed regulations. These comments, however, will not be acknowledged by a formal response.

Dated: September 15, 1983.

T. H. Bell,  
Secretary of Education.

[FR Doc. 83-25504 Filed 9-19-83; 8:45 am]

BILLING CODE 4000-01-M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 799

[OPTS—42030A; TSH-FRL 2436-1]

#### Mesityl Oxide; Proposed Test Rule; Extension of Comment Period

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** EPA is extending the comment period for the proposed test rule for mesityl oxide published in the *Federal Register* of July 5, 1983. The extension is in response to requests by the Natural Resources Defense Council and the CMA Ketones Program Panel for additional time for comment. The date for the public meeting on the proposed rule has also been changed.

**DATES:** Written comments on the proposed rule should be submitted on or before October 6, 1983. EPA will hold a public meeting on October 24, 1983, on this proposed rule in Washington, D.C., if persons request time oral comment by September 30, 1983.

**ADDRESS:** Address written comments identified by the document control number (OPTS-42030A) in triplicate to: TSCA Public Information Office (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-108, 401 M St. SW., Washington, D.C. 20460.

The administrative record supporting this action is available for public inspection at the above address from 8:00 a.m. to 4:00 p.m. Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jack P. McCarthy, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M St. SW., Washington, D.C. 20460, Toll Free: (800-424-9065), In Washington, D.C.: (554-1404), Outside the USA: (Operator 202-554-1404). For exact time and place of meeting contact Jack P. McCarthy.

**SUPPLEMENTARY INFORMATION:** EPA issued a notice of proposed rulemaking published in the *Federal Register* of July 5, 1983 (48 FR 30699) to require testing of mesityl oxide under section 4(a) of the Toxic Substances Control Act.

In response to requests by the Natural Resources Defense Council and the CMA Ketones Program Panel, the Agency is extending the comment period

to October 6, 1983. Additionally, the public meeting for those interested in presenting oral comments will be postponed until October 24, 1983.

Information on the exact time and place of the meeting will be available from the TSCA Assistance Office at the telephone numbers given above. Persons who wish to attend or present comments at the meeting should call the TSCA Assistance Office by September 30, 1983. While the meeting will be open to the public, active participation will be limited to those persons who have arranged to present comments and to designated EPA participants. Attendees should call the TSCA Assistance Office before making travel plans, because the meeting will not be held if members of the public do not wish to make oral statements.

The Agency will transcribe the meeting and will include the written transcript in the public record of the test rule. Participants are invited, but not required, to submit copies of their statements prior to or on the day of the meeting. All such written materials will become part of EPA's record for this rulemaking.

(Sec. 4, Pub. L. 94-469, 90 Stat. 2003 (15 U.S.C. 2601))

Dated: September 2, 1983.

Don R. Clay,

Acting Assistant Administrator for Pesticides and Toxic Substances.

[FR Doc 83-25574 Filed 9-19-83; 8:45 am]

BILLING CODE 6560-50-M

#### 40 CFR Part 721

[OPTS-50504; BH-FRL 2387-7]

#### Toxic Substances; 1,2-Benzenediamine, 4-Ethoxy, Sulfate; Proposed Determination of Significant New Uses BH-FRL 2387-7

##### Correction

In FR Doc. 83-23753 beginning on page 39245 of the issue of Tuesday, August 30, 1983, make the following corrections:

1. On page 39245, third column, third line from the bottom of the first **SUPPLEMENTARY INFORMATION** paragraph, "TACA" should read "TSCA".

2. On page 39246, first column, fourteenth line, there should be a hyphen between "4" and "ethoxyacetanilide".

3. On the following line ("812))" should read "81-2))".

BILLING CODE 1505-01-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR PART 23

#### Export of American Ginseng Harvested in 1983 Season

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed findings and rule; notice of correction.

**SUMMARY:** This notice corrects the "DATES" element of the proposed findings and rule published in the *Federal Register* of September 9, 1983, (48 FR 40750) regarding the export of American ginseng harvested in the 1983 season. This notice deletes the October 11, 1983, date from such rule and substitutes therefor September 24, 1983, as the date that governs the close of the comment period for such rule.

**DATE:** Comments should be submitted on or before September 24, 1983.

**ADDRESS:** Please send correspondence concerning this notice to the Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, P.O. Box 3654, Arlington, Virginia 22203. Materials received will be available for public inspection from 7:45 a.m. to 4:15 p.m., Monday through Friday, (except holidays) at the Federal Wildlife Permit Office, Room 620, 1000 North Glebe Road, Arlington, Virginia.

#### FOR FURTHER INFORMATION CONTACT:

Scientific Authority: Dr. Richard L. Jachowski, Office of the Scientific Authority, U.S. Fish and Wildlife Service, Washington, D.C. 20240, telephone (202) 653-5948;

Management Authority: Mr. Thomas J. Parisot, Chief, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, P.O. Box 3654, Arlington, Virginia 22203, telephone (703) 235-1937; or Ginseng Export Program: Mr. S. Ronald Singer, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, P.O. Box 3654, Arlington, Virginia 22203, telephone (703) 235-2418.

**SUPPLEMENTARY INFORMATION:** On September 9, 1983, the Fish and Wildlife Service published proposed findings and rule regulating the export of American ginseng harvested in the United States in the 1983 season (48 FR 40750). The "DATES" element of the rule stated that the " \* \* \* Service will consider information and comments received by October 11, 1983, in making its final findings and rule." However, in the "Proposed Findings" element of the rule, it was stated that:

The Service recognizes that a public comment period for this proposed notice is also important and looks forward to receiving all and every public comment possible concerning the Federal actions described in this notice. However, additional delays in publishing the final findings for the 1983 ginseng harvest season may adversely affect the harvest season already under way in all of the States. A further delay may also adversely impact State conservation programs for this species by reducing compliance with State certification, documentation, and reporting requirements.

The Service, therefore, finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, to grant a 15-day public comment period on these proposed findings.

It was the intention of the Service that the comment period set forth in the "DATES" element of the rule read as September 24, 1983, and not October 11, 1983, as published. Therefore, by this notice of correction, the "DATES" element of the proposed findings and rule is corrected by deleting therefrom "October 11, 1983," and substituting therefor "September 24, 1983."

The Service will consider information and comments in response to the proposed finding and rule received by September 24, 1983, in making its final findings and rule.

Dated: September 18, 1983.

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-25695 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 658

[Docket No. 30824-171]

#### Shrimp Fishery of the Gulf of Mexico

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule.

**SUMMARY:** The Fishery Management Plan for the Shrimp Fishery in the Gulf of Mexico (FMP), which was approved in 1980, contained a management measure requiring the reporting of shrimp landing statistics. Regulations to implement this provision of the FMP were reserved until the National Marine Fisheries Service designed a reporting system approved by the Gulf of Mexico Fishery Management Council. This system has been developed and

approved and regulations to implement it are being proposed. The intended effect of this regulation is to provide for timely reporting of shrimp catch data during the fishing season.

**DATE:** Comments on the proposed rule must be received on or before November 21, 1983.

**ADDRESSES:** Comments should be sent to: Donald W. Geagan, Southeast Region, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, Florida 33702. Comments on the collection of information requirement should be sent to: Office of Information and Regulatory Affairs of OMB, Attn: Desk Officer for NOAA, Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:** Donald W. Geagan, 813-893-3722.

**SUPPLEMENTARY INFORMATION:** The Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP) was approved May 29, 1980, under authority of the Magnuson Fishery Conservation and Management Act, as amended (Magnuson Act). The FMP contains a provision for the accumulation of shrimp landings information necessary for the management of the fishery. National Marine Fisheries Service (NMFS) is responsible for the design of the system [subject to review by the Gulf of Mexico Fishery Management Council (Council)] and for implementation and management of the surveys. Final regulations implementing the FMP were published in the *Federal Register* on May 20, 1981 (46 FR 27494).

However, because the data collection system had not been developed when the regulations were implemented, one section of the regulations, 50 CFR 658.5, was reserved.

NMFS has now designed and the Council has approved a statistical reporting system which essentially makes mandatory the voluntary reporting program utilized in this fishery since 1956. All shrimp dealers and processors will continue to report volume and price of shrimp handled. Interviews with vessel operators will be conducted for approximately 30% of the fishing trips; vessel operators will be interviewed to obtain information including time fished, gear, and catch. They will also be asked to provide information regarding area fished in terms of the 21 statistical areas and 24 "inside" sub-areas which traditionally have been used in reporting shrimp catch statistics.

The reporting of shrimp statistical information under the current voluntary program worked relatively well in the past, but is inadequate for purposes of

management of the shrimp fishery under the FMP for the following reason.

Timely reporting of shrimp catch data during the fishing season has become essential to implementation of the FMP. For example, the acquisition of data is necessary for management purposes such as determining the time for the seasonal Texas Closure, evaluating the effects of the Tortugas Sanctuary, and assisting States in the management of this resource when it is in their jurisdiction. Under the voluntary program, industry representatives or members on numerous occasions have denied NMFS agents access to shrimp catch data or have refused to provide these data on a timely basis. Establishing a mandatory reporting system thus will assure access to these data at all times in order to monitor, evaluate, and refine the FMP.

Information collected under the mandatory system is to be used for management of the fishery, and will be released only in aggregate or summary form which does not disclose the identity of the submitter. The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), has reviewed the proposed regulations and determined that this information is necessary for management of the shrimp industry.

#### Classification

The Assistant Administrator has previously determined that the FMP, the final portion of which is to be implemented by this proposed rule, is consistent with the national standards and other provisions of the Magnuson Act and other applicable law (see 46 FR 27493, May 20, 1981).

Likewise, it was previously determined, on the basis of a regulatory impact review (RIR), that rules to implement the FMP, except for this measure, are not major under Executive Order 12291. The RIR was summarized in the preamble to the final rules for the FMP (see 46 FR 27493).

The General Counsel of the Department of Commerce has certified to the Small Business Administration that this proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities because the proposed rule simply adds a mandatory requirement to an already existing data collection system and very limited additional economic impacts will be experienced. As a result, a regulatory flexibility analysis was not prepared.

This rule contains a collection of information requirement subject to the Paperwork Reduction Act (PRA). The voluntary collection of this information has been approved by the Office of

Management and Budget (OMB control number 0648-0013). A request to collect this information under this mandatory requirement has been submitted to the Office of Management and Budget for review under section 3504 (h) of the PRA.

This action is part of the Federal action for which an environmental impact statement (EIS) was prepared. The final EIS for the FMP was filed with the Environmental Protection Agency and the notice of availability was published on March 13, 1981 (46 FR 16720).

The Council determined that this rule does not directly affect the coastal zone of any State with an approved coastal zone management program.

#### List of Subjects in 50 CFR Part 658

Fish, Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: September 13, 1983.

William G. Gordon,  
Assistant Administrator for Fisheries,  
National Marine Fisheries Service.

For reasons set forth in the preamble, 50 CFR Part 658 is proposed to be amended as follows:

#### PART 658—SHRIMP FISHERY OF THE GULF OF MEXICO

1. The authority citation for Part 658 reads as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In Part 658, the Table of Contents is amended by revising the heading for § 658.5 from "Recordkeeping and reporting [Reserved]" to read as follows: "Reporting requirements."

3. In § 658.2, the definition of *Statistical area* is added in alphabetical order to read as follows:

#### § 658.2 Definitions.

*Statistical area* means one or more of the 21 statistical grids depicted in Figure 5. In addition, the term includes the following "inside" water areas:

"Inside" water area	Code number
Charlotte Harbor, FL	4.1
Tampa Bay, FL	5.1
Apalachicola Bay, FL	7.1
St. Andrews Bay, FL	8.1
St. Joseph Bay, FL	8.2
Choctawhatchee Bay, FL	9.1
Pensacola Bay, FL	10.1
Alabama Inside Waters (Exclusive of Mississippi Sound), AL	10.2
Little Lagoon, MS	10.5
Mississippi Sound, MS	11.1
Lakes Borgne & Pontchartrain, LA	12.1
Breton Chandeleur Sounds and Adjacent Marsh Areas, LA	12.2

"Inside" water area	Code number
Inside Waters from Mississippi River to Bayou Lafourche, LA	13.1
Inside Waters from Bayou Lafourche to Atchafalaya River, LA	14.1
Inside Waters from Atchafalaya River to Tigre Point, LA	15.1
Inside Waters from Tigre Point to Louisiana Point, LA	16.1
Sabine Lake, TX	17.2
Galveston Bay System, TX	18.1
Matagorda Bay System, TX	19.1
San Antonio Bay System, TX	19.2
Aransas Bay System, TX	19.3
Corpus Christi Bay System, TX	20.1
Upper Laguna Madre, TX	20.2
Lower Laguna Madre, TX	21.1

4. Section 658.5 is added to read as follows:

**§ 658.5 Reporting requirements.**

(a) *Vessel owners and operators.* The owner or operator of any fishing vessel that fishes for, or lands, shrimp or any part thereof in the Gulf of Mexico or in adjoining State waters, and who is

selected to report by the Center Director, shall provide upon request the following information regarding any fishing trip to the Center Director or his designee:

(1) Name and official number of vessel;

(2) Amount of catch of shrimp by species;

(3) The condition of the shrimp (heads on/heads off);

(4) Depth fished and information regarding fishing location that is specific enough to enable the Center Director or his designee to ascertain the statistical area fished;

(5) Person to whom sold, bartered, or traded;

(6) Number, size and type of gear; and

(7) Effort and period of fishing.

(b) *Dealers and processors.* Any person who receives shrimp or parts thereof by way of purchase, barter, trade or sale from a fishing vessel or person that fishes for, or lands, shrimp or parts thereof in the Gulf of Mexico or

in adjoining State waters, and who is selected to report by the Center Director, shall provide upon request the following information to the Center Director or his designee:

(1) Fishing vessel (name and official number) or person from whom received;

(2) Amount of shrimp or parts thereof received by species and size category for each vessel trip; and

(3) Exvessel value by size category of shrimp or portions thereof received.

5. In § 658.7, paragraphs (b) through (l) are redesignated as (c) through (m), and a new paragraph (b) is added to read as follows:

**§ 658.7 Prohibitions.**

(b) Falsify or fail to report information required to be submitted upon request by § 658.5;

[FR Doc. 83-25421 Filed 9-19-83; 9:45 am]

BILLING CODE 3510-22-M

## Notices

Federal Register

Vol. 48, No. 183

Tuesday, September 20, 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

#### Office of The Secretary

#### Determination of Import Quotas on Sugar for Fiscal Year 1984 and Modification of the Quota Period

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Notice.

**SUMMARY:** This notice establishes the annual (fiscal year) sugar import quota for the period September 26, 1983 through September 30, 1984 at 2,952,000 short tons, raw value.

**EFFECTIVE DATE:** September 26, 1983.

**ADDRESS:** Mail comments to Chief, Sugar Group, Horticultural and Tropical Products Division, Foreign Agricultural Service, USDA, Washington, D.C. 20250.

**FOR FURTHER INFORMATION CONTACT:** James Truran, Foreign Agricultural Service, Department of Agriculture, Washington, D.C. 20250, Tel: (202) 447-2916.

#### SUPPLEMENTARY INFORMATION:

Presidential Proclamation No. 4941, dated May 5, 1982, amended headnote 3 of subpart A, part 10, schedule 1 of the Tariff Schedules of the United States (TSUS) (headnote 3) to establish a system of import quotas for foreign sugar coming into the United States. Under the terms of headnote 3, the Secretary of Agriculture established an annual (fiscal year) sugar import quota period of October 1-September 30 beginning with October 1, 1982.

For the 1983 fiscal year the quota was set at 2,802,000 short tons, raw value. The 1984 fiscal year quota level is 150,000 tons more than the 1983 fiscal year quota level.

Presidential Proclamation No. 4941 also permits the Secretary of Agriculture, after consultation with the U.S. Trade Representative and the Department of State, to proclaim quota periods other than quarterly, if he determines that such changes are appropriate to give due consideration in

the United States sugar market to the interests of domestic producers and materially affected contracting parties to the General Agreement on Tariffs and Trade. Under this authority, the Secretary established an annual fiscal year quota on August 11, 1982 (47 FR 34812). After the appropriate consultations, it has been determined that it is appropriate for the 1984 fiscal year quota to begin on September 26, 1983 and terminate on September 30, 1984. The fiscal year 1983 quota will remain open until September 30, 1983, and any sugar entered between September 26, 1983 and September 30, 1983, inclusive, will be applied to the 1983 quota first. Any unfilled balances from the 1983 quota will not be carried over into the next fiscal year.

#### Notice

Notice is hereby given that, in accordance with the requirements of headnote 3 of subpart A, part 10, schedule 1 of the TSUS, I have determined that a quota of 2,952,000 short tons, raw value, of sugar as described in items 155.20 and 155.30 of the TSUS may be entered or withdrawn from warehouse for consumption during the period September 26, 1983 through September 30, 1984. Of the 2,952,000 tons, 2,000 short tons, raw value, are reserved for specialty sugars from countries listed in paragraph (c)(ii) of headnote 3.

I have also determined that this amount and the modified quota period gives due consideration to the interests in the United States sugar market of domestic producers and materially affected contracting parties to the General Agreement on Tariffs and Trade.

In conformity with the above, paragraph (a) of headnote 3, subpart A, part 10, schedule 1 of the TSUS is modified to read as follows:

3. (a) The total amount of sugars, sirups and molasses described in items 155.20 and 155.30, the products of all foreign countries entered, or withdrawn from warehouse for consumption, between September 26, 1983 and September 30, 1984, inclusive, shall not exceed in the aggregate 2,952,000 short tons, raw value. Of this amount, the total amount permitted to be imported for purposes of paragraph (c)(i) of this headnote (the total base quota amount) shall be 2,950,000 short tons, raw value,

and the remaining 2,000 short tons, raw value, may only be used for the importation of "specialty sugars", as defined by the United States Trade Representative in accordance with paragraph (c)(ii) of this headnote.

Signed at Washington, D.C., on September 15, 1983.

John R. Block,

Secretary of Agriculture.

[FR Doc. 83-25626 Filed 9-15-83; 4:05 pm]

BILLING CODE 3410-10-M

### DEPARTMENT OF COMMERCE

#### Office of the Secretary

#### Release of Draft Request for Proposals for the U.S. Civil Space Remote Sensing Satellite Systems

**AGENCY:** Office of the Secretary, Commerce.

**ACTION:** Notice of release of draft request for proposals for the U.S. Civil Space Remote Sensing Satellite Systems.

**SUMMARY:** The Source Evaluation Board for Civil Space Remote Sensing (SEB/CSRS) was established by the Secretary of Commerce to evaluate the transfer of the operational civil weather and land remote sensing satellite systems to the private sector. Reference Federal Register Notice/Vol. 48, No. 157, Page 36639/Friday, August 12, 1983. The SEB/CSRS will develop and issue a Request for Proposals (RFP). Prior to the issuance of the final RFP, the Government will release a draft RFP for comment on or soon after October 1, 1983. Comments will be due 30 days after the release.

**SUPPLEMENTARY INFORMATION:** The Source Evaluation Board for Civil Space Remote Sensing (SEB/CSRS) is in the process of completing a draft Request for Proposals (RFP) for transfer of the U.S. civil operational remote sensing satellites (Polar Metsat, Geostationary Metsat, and Landsat) to the private sector.

The draft RFP will be released for comment on or soon after October 1, 1983. Following release, comments will be accepted for thirty (30) days. Current plans call for formal release of the RFP to the private sector approximately November 30, 1983.

Those firms which are currently

interested in making a proposal to participate in any such transfer are invited to confirm their interest by requesting a copy of the draft RFP.

Requests for review copies of the draft RFP should be addressed to: Source Evaluation Board for Civil Space Remote Sensing (SCF), Room 300, NBOC-1, 11420 Rockville Pike, Rockville, Maryland 20852, Telephone: (301) 443-3925 (This is not a toll-free number).

You should designate a single point-of-contact within your organization to receive the RFP and specify whether you wish to pick up your copy of the RFP or have it mailed via the U.S. Postal Service.

Appendix A of the RFP is classified SECRET. You must have appropriate facility clearance in order to receive that Appendix. Your company security officer should arrange for your clearance to be transmitted to: Carol W. Hovermale, NOAA Security Officer, WSC-5, Room 718, 6010 Executive Boulevard, Rockville, Maryland 20852, 301/443-8010. Appendix A will be transmitted to your Security Office; the rest of the RFP will be sent directly to your designated single point-of-contact.

Dated: September 15, 1983.

Raymond G. Kammer, Jr.,

Chairman, Source Evaluation Board for Civil Space Remote Sensing.

[FR Doc. 83-25599 Filed 9-19-83; 8:45 am]

BILLING CODE 3510-12-M

## Bureau of the Census

### Census Advisory Committee of the American Statistical Association; Public Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463 as amended by Pub. L. 94-409), notice is hereby given that the Census Advisory Committee of the American Statistical Association will convene on October 13 and 14, 1983. The Committee will meet in Room 2424, Federal Building 3, at the Bureau of the Census in Suitland, Maryland.

The Census Advisory Committee of the American Statistical Association was established in 1919. It advises the Director, Bureau of the Census, on the Bureau's programs as a whole and on their various parts, considers priority issues in the planning of censuses and surveys, examines guiding principles, advises on questions of policy and procedures, and responds to Bureau

requests for opinions concerning its operations.

The Committee is composed of 15 members appointed by the President of the American Statistical Association.

The agenda for the October 13 meeting, which will begin at 1 p.m. and adjourn at 5:45 p.m., is: (1) Introductory remarks by the Acting Director of the Bureau of the Census, including (a) staff changes and Bureau organization, (b) major budget and program developments, and (c) other topics of current interest; (2) Committee and Census Bureau Staff discussion, including (a) Bureau responses to prior Committee recommendations, (b) status of specific Bureau activities, and (c) Bureau activities described at earlier Committee meetings; (3) update on planning for the 1990 census; (4) research plans for the Survey of Income and Program Participation (SIPP); (5) implementation of concurrent seasonal adjustment; and (6) perspectives on census taking in the 1990's.

The agenda for the October 14 meeting, which will begin at 9 a.m. and adjourn at 4:30 p.m., is: (1) Current research on advanced telephone methods at the Bureau; (2) Committee meeting to develop recommendations; (3) research progress report, including (a) preliminary work plan on the effect of ethnic lifestyle factors on non-response, (b) formation of the Undercount Staff, (c) statistical computing at the Bureau, and (d) preliminary work plan on confidentiality research (4) Committee discussion of recommendations; (5) additional Committee and Bureau Staff discussion; and (6) recommendations, plans, and suggested agenda items for the next meeting.

The meeting will be open to the public, and a brief period will be set aside on October 14 for public comment and questions. Extensive questions or statements must be submitted in writing at least 3 days before the meeting.

Persons wishing additional information concerning this meeting or who wish to submit written statements may contact Dr. David W. Chapman, Bureau of the Census, Room 3540, Federal Building 3, Suitland, Maryland. (Mail address: Washington, D.C. 20233). Telephone (301) 763-1292.

C. L. Kincannon,

Acting Director, Bureau of the Census.

[FR Doc. 83-25598 Filed 9-19-83; 8:45 am]

BILLING CODE 3510-07-M

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Adjustment of Limit for Certain Wool Apparel Products Exported from the Polish People's Republic

September 15, 1983.

**AGENCY:** Committee for the Implementation of Textile Agreements.

**ACTION:** Increasing the limit established for wool suit-type coats in Category 433 from 7,299 dozen to 7,737 dozen, produced or manufactured in Poland and exported during the agreement year which began on January 1, 1983, by the application of carryforward.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the *Federal Register* on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175) and May 3, 1983 (48 FR 19924).

**SUMMARY:** The Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of September 15, 1980 and March 21, 1981 between the Governments of the United States and the Polish People's Republic provides, among other things, for the borrowing of yardage in certain categories from the succeeding year's level with the amount used being deducted from the level in the following year (carryforward).

**EFFECTIVE DATE:** September 21, 1983.

**SUPPLEMENTARY INFORMATION:** On December 23, 1982, there was published in the *Federal Register* (47 FR 57322) a letter dated December 17, 1982 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established levels of restraint for certain cotton, wool, and man-made fiber textile products, including Category 433, produced or manufactured in Poland, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1983.

In the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to permit entry for consumption and withdrawal from warehouse for consumption of wool textile products, in Category 433, produced or manufactured in Poland, at the designated, increased

level during the agreement year which began on January 1, 1983.

Walter C. Lenahan,

*Chairman, Committee for the Implementation of Textile Agreements.*

September 15, 1983.

**Committee for the Implementation of Textile Agreements**

Commissioner of Customs,

*Department of the Treasury, Washington, D.C.*

Dear Mr. Commissioner: On December 17, 1982, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning on January 1, 1983 and extending through December 31, 1983 of cotton, wool, and man-made fiber textile products in certain specific categories, produced or manufactured in Poland, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.<sup>1</sup>

Effective on September 21, 1983, paragraph 1 of the directive of December 17, 1982 is amended to include an adjusted level of restraint of 7,737 dozen for Category 433.<sup>2</sup>

The action taken with respect to the Government of the Polish People's Republic and with respect to imports of wool textile products from Poland has been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the Federal Register.

Sincerely,

Walter C. Lenahan,

*Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. 83-25595 Filed 9-19-83; 8:45 am]

BILLING CODE 3510-25-M

**COMMODITY FUTURES TRADING COMMISSION**

**Agricultural Options Advisory Committee; Meeting**

This is to give notice, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I, section 10(a) and 41 CFR 101-6.1015(b), that the

<sup>1</sup> The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 15, 1980 and March 21, 1981, between the Governments of the United States and the Polish People's Republic which provide, in part, that: (1) Within the aggregate and applicable group limits of the agreement, specific levels of restraint may be exceeded by designated percentages; (2) these same levels may be increased for carryover and carryforward; and (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

<sup>2</sup> The level has not been adjusted to reflect any imports after December 31, 1982.

Commodity Futures Trading Commission's Agricultural Options Advisory Committee will conduct a public meeting in the Fifth Floor Hearing Room at the Commission's Washington, D.C., headquarters located at Room 532, 2033 K Street, NW., Washington, D.C. 20581, on October 5, 1983, beginning at 1:30 p.m. and lasting until 4:30 p.m. The agenda will consist of:

1. Brief review of current options pilot program regulations as the foundation for the agricultural options regulations.
2. Briefing and discussion on the provisions of the proposed agricultural options pilot program regulations.
3. Discussion of any additional options-related issues the Committee members may wish to bring up.
4. Discussion of timetable for next Committee meeting.

The purpose of this meeting is to solicit the views of the Committee on the above-listed agenda matters. The Advisory Committee was created by the Commodity Futures Trading Commission for the purpose of receiving advice and recommendations on agricultural options issues. The purposes and objectives of the Advisory Committee are more fully set forth at 48 FR 26508 (June 8, 1983).

The meeting is open to the public. The Chairman of the Advisory Committee, Commissioner Kalo A. Hineman, is empowered to conduct the meeting in a fashion that will, in his judgement, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Advisory Committee should mail a copy of the statement to the attention of: The Commodity Futures Trading Commission Agricultural Options Advisory Committee c/o Charles O. Conrad, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581, before the meeting. Members of the public who wish to make oral statements should also inform Mr. Conrad in writing at the latter address at least three business days before the meeting. Reasonable provision will be made, if time permits, for an oral presentation of no more than five minutes each in duration.

Issued by the Commission in Washington, D.C., on September 16, 1983.

Jane K. Stuckey,

*Secretary to the Commission.*

[FR Doc. 83-25705 Filed 9-19-83; 8:45 am]

BILLING CODE 6351-01-M

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Defense Science Board Task Force on the Defense Data Network: Advisory Committee Meeting**

The Defense Science Board Task Force on the Defense Data Network will meet in closed session on 20-21 October 1983 in Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on Scientific and technical matters as they affect the perceived needs of the Department of Defense.

At the meeting on 20-21 October 1983 the Task Force will review the progress in implementing the Defense Data Network Program.

In accordance with Section 10(d) of the Federal Advisory Committee Act, Pub. L. No. 92-463, as amended (5 U.S.C. App. I, (1976), it has been determined that this DSB Task Force meeting concerns matters listed in 5 U.S.C. 552(c) (1) (1976), and that accordingly these meetings will be closed to the public.

Dated: September 15, 1983.

M. S. Healy,

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

[FR Doc. 83-25547 Filed 9-19-83; 8:45 am]

BILLING CODE 3810-01-M

**DEPARTMENT OF EDUCATION**

**Office of Postsecondary Education**

**Cooperative Education Program; Application Notice for New and Non-competing Continuation Awards for Fiscal Year 1984**

Applications are invited for new awards for administration, demonstration, and training projects under the Cooperative Education Program. Applications for continuation awards for administration, demonstration, and training projects must also be submitted by the closing date. Applications are not invited for new exploration nor research projects under this program.

The Administration's budget for fiscal year 1984 does not include funds for the Cooperative Education Program. However, applications are invited to allow for sufficient time to evaluate applications and complete the grants process prior to the end of the fiscal year, should the Congress decide to appropriate funds for this program.

Authority for this program is contained in Title VIII of the Higher Education Act of 1965, as amended by P.L. 96-374. (20 U.S.C. 1133-1133b)

#### Closing Date for Transmittal of Applications

Applications for new administration, demonstration, and training grants must be mailed or hand-delivered by December 15, 1983.

Applications for non-competing continuation grants, to be assured of consideration for funding, should be mailed or hand-delivered by December 15, 1983. If the application for a non-competing continuation grant is late, the Department of Education may lack sufficient time to review it with other non-competing continuation applications and may decline to accept it.

*Applications Delivered by Mail:* An application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: 84.055A (for administration projects), 84.055B (for demonstration projects), or 84.055D (for training projects), Washington, D.C. 20202.

An applicant must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first-class mail. Each late applicant for a new award will be notified that its application will not be considered.

*Applications Delivered by Hand:* An application that is hand-delivered must be taken to the U.S. Application Control Center, Room 5673, Regional Office Building 3, 7th & D Streets, SW., Washington, D.C.

The Application Control Center will accept a hand-delivered application between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except

Saturdays, Sundays, and Federal holidays.

An application that is hand-delivered will not be accepted after 4:30 p.m. on the closing date.

*Program Information:* Regulations for the Cooperative Education Program are published in 34 CFR Parts 631, 632, 633, and 635. Applicants should be guided by the provisions or requirements of the regulations in developing their applications.

Applicants are encouraged to be specific in their responses to the operative selection criteria, inasmuch as the Secretary will not give further consideration for funding to any application that receives an average score of 50 points or less in the evaluation process conducted in accordance with 34 CFR 75.217.

*Administration Projects:* To provide opportunities for a greater number of students to participate in Cooperative Education as defined in § 631.3 of the regulations, the Secretary strongly encourages institutions of higher education to apply for funds for more than one eligible unit, as that term is also defined in § 631.3 of the regulations.

As provided in the statute, in any fiscal year, an institution of higher education applying for an administration grant individually is eligible for an award of up to \$325,000, each institution applying for an administration grant as a member of a consortium is eligible for an award up to \$250,000.

The Secretary will give single year awards for approximately 10 to 12 multi-year projects to successful applicants who have never before received Federal funds to support a program of Cooperative Education. Continuation awards for these multi-year projects will be made out of succeeding fiscal years' appropriations and in accordance with 34 CFR 75.253. The Secretary will give awards for single year projects to all other successful applicants.

In awarding administration grants, the Secretary, in accordance with the statute, will place an emphasis on funding institutions of higher education that show the greatest promise of success because of—

- (1) The extent to which programs of Cooperative Education in the academic disciplines, with respect to which the application is made, have had a favorable reception by employers; and
- (2) The commitment of the institution of higher education to Cooperative Education, as demonstrated by the plans which the institution has made to continue Cooperative Education after the termination of Federal financial assistance.

#### Demonstration Projects

Applicants may apply for a demonstration grant to conduct a comprehensive Cooperative Education project, as is defined in § 631.3 of the regulations. The Secretary will make awards only to those applicants who previously have been awarded administration grants to provide Cooperative Education as defined in the program regulations.

Successful applicants may be given a multi-year grant out of the fiscal year 1984 appropriations to cover a project period of up to three years.

#### Training Projects

The Secretary will make awards for training projects designed to meet the needs of eligible individuals who participate in the planning, establishment, administration, or coordination of Cooperative Education projects conducted by institutions of higher education.

In preparing the application, applicants are encouraged to work jointly with employers in planning training projects.

The Secretary will make awards for single-year or multi-year projects to successful applicants. Continuation awards for multi-year projects will be made out of succeeding years' appropriations and in accordance with 34 CFR 75.253.

*Available Funds:* As noted above, no funds have been requested for this program. However, if funds are appropriated, it is estimated that \$9,400,000 would be available for administration grants. Of this sum, \$1,820,530 has been committed for non-competing continuation grants for 29 administration projects. It is estimated that the remaining \$7,579,470 will support 150 projects, with awards averaging approximately \$50,530.

Of the \$4,100,000 that would be available for demonstration grants, \$1,406,907 has been committed for non-competing continuation grants for 8 comprehensive Cooperative Education projects. It is estimated that the remaining \$2,693,093 will support 5 or 6 comprehensive Cooperative Education projects, with awards averaging approximately \$493,734.

Of the \$900,000 that would be available for training grants, \$412,200 has been committed for non-competing continuation grants for 4 training projects. It is estimated that the remaining \$487,800 will support 5 or 6 training projects, with awards averaging approximately \$89,430.

These estimates do not bind the U.S. Department of Education, except as may be required by the applicable statute and regulations.

**Application Forms:** Application forms and program information packages are expected to be mailed to eligible institutions of higher education by October 21, 1983. They may be obtained after that date from the Cooperative Education Branch, U.S. Department of Education (Room 3053, Regional Office Building 3), 7th and D Streets, SW., Washington, D.C. 20202. Telephone: (202) 245-2146.

The program information is intended to aid new applicants in applying for assistance under this competition. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirement beyond those specifically imposed under the statute and regulations governing the competition.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information package. The Secretary strongly urges that the narrative portion of the application not exceed 25 pages in length for administration projects, 30 pages for demonstration projects, and 20 pages for training projects. The Secretary further urges that applicants not submit information that is not requested.

Applications from grantees who have previously been funded under multi-year awards must, in accordance with 34 CFR 74.253, consist of:

- (1) A revised ED Form 1193-a signed by the President or Chief Executive Officer;
- (2) Revisions to any other affected pages of the approved application;
- (3) An estimate of the amount of funds that will remain unobligated at the end of the current budget period;
- (4) A budget that covers the next budget period;
- (5) An estimate of the amount of Title VIII funds needed for each budget period remaining in the approved multi-year project period; and
- (6) A one- or two-page summary describing project accomplishments to date and measurable objectives for the next budget period.

**Applicable Regulations:** Regulations applicable to this program include the following:

- (a) Regulations governing the Cooperative Education Program (34 CFR Parts 631, 632, 633, and 635).
- (b) The Education Department General Administrative Regulations

(EDGAR) [34 CFR Parts 74, 75, 77, and 78].

**Further Information:** For Further information, contact the Cooperative Education Branch, Division of Institutional and State Incentive Programs, Office of Institutional Support Program, (Room 3053, ROB-3), U.S. Department of Education, 400 Maryland Avenue, SW., Washington, D.C. 20202. Telephone: (202) 245-2146.

(20 U.S.C. 1133-1133b)

Dated: September 15, 1983.

(Catalog of Federal Domestic Assistance No. 84.055: Cooperative Education Program) Edward M. Elmendorf,

Assistant Secretary for Postsecondary Education.

[FR Doc. 83-25602 Filed 9-19-83; 8:45 am]

BILLING CODE 4000-01-M

## DEPARTMENT OF ENERGY

### Bonneville Power Administration

#### Expanded Residential Weatherization Program; Availability of Draft Environmental Impact Statement and Public Meetings

**AGENCY:** Bonneville Power Administration (BPA), DOE.

**ACTION:** Notice is hereby given that the Bonneville Power Administration (BPA), in compliance with the National Environmental Policy Act of 1969 (NEPA), has prepared a draft environmental impact statement (EIS) on its proposed Expanded Residential Weatherization Program.

**SUMMARY:** The EIS assesses the environmental effects of BPA's proposal to expand its present residential weatherization program to include offering cost-effective, air infiltration-reducing (tightening) measures to all electrically heated residences in the BPA service area. Currently, tightening measures (caulking, weatherstripping, storm windows and doors, and electric outlet and switchplate gaskets) are restricted to residences with particular structural characteristics in order to avoid major indoor air pollutant sources and subsequent indoor air quality degradation.

BPA will hold public meetings to receive comments on the draft EIS at the following locations:

October 24, 1983: Federal Building Auditorium, 825 Jadwin, Richland, WA

Registration: 7:00 p.m.

Meeting: 7:30 p.m.

- October 25, 1983: Cavanaugh Inn, Clearwater Room, N. 700 Division, Spokane, WA  
Registration: 7:00 p.m.  
Meeting: 7:30 p.m.
- October 26, 1983: Village Red Lion, Blackfoot Room, 700 W. Broadway, Missoula, MT  
Registration: 7:00 p.m.  
Meeting: 7:30 p.m.
- October 27, 1983: Burley Inn, Patio Room, 800 N. Overland, Burley, ID  
Registration: 7:00 p.m.  
Meeting: 7:30 p.m.
- November 1, 1983: Eugene Hilton, Joplin Room, 66 E. Sixth, Eugene, OR  
Registration: 7:00 p.m.  
Meeting: 7:30 p.m.
- November 2, 1983: BPA Headquarters Bldg., BPA Auditorium, 1002 N.E. Holladay, Portland, OR  
Registration: 7:00 p.m.  
Meeting: 7:30 p.m.
- November 3, 1983: Center House Conference Center, Rm A, Mezzanine Level North, Seattle Center, Seattle, WA  
Registration: 7:00 p.m.  
Meeting: 7:30 p.m.

Written comments are also invited. The draft EIS is available for public review at major libraries in Idaho, Montana, Oregon, and Washington, and at locations listed below.

**Reading Rooms:**  
Library, FOI—Public Reading Room 1E-190, Forrestal Building, 1000 Independence Ave. SW., Washington, DC;

USDOE—BPA Reference Room, 414 Federal Building, 915 2nd Ave., Seattle, Washington 98174;

Bonneville Power Administration (BPA), Washington, DC, Office, Room 5317, Federal Building, 12th and Pennsylvania Ave. NW., Washington, DC.

**Additional Review Location.** The document may be inspected at the following BPA offices. Also, questions concerning the public meetings may be directed to these persons:

Mr. Joseph F. Cade, Public Involvement Office, P.O. Box 12999, Portland, Oregon 97212; 503-230-3478. Toll-free numbers for Oregon callers 800-452-8429; for callers from Washington, Idaho, Montana, Utah, Nevada, Wyoming, and California 800-547-6048.

Mr. George Gwinnutt, Area Manager, Suite 288, 1500 NE Irving Street, Portland, Oregon 97208; 503-230-4551.

Mr. Ladd Sutton, District Manager, Room 206, 211 East Seventh street, Eugene, Oregon 97401; 503-345-0311.

Mr. Ronald H. Wilkerson, Area Manager, Room 561, West 920 Riverside

Avenue, Spokane, Washington 99201; 509-456-2518.

Mr. George Eskridge, District Manager, 800 Kensington, Missoula, Montana 59801; 406-329-3860.

Mr. Ronald K. Rodewald, District Manager, P.O. Box 741, Wenatchee, Washington 98801; 509-662-4377, extension 379.

Mr. Richard Casad, Area Manager, Room 250, 415 First Avenue North, Seattle, Washington 98109; 206-442-4130.

Mr. Frederick D. Rettenmund, District Manager, Owyhee Plaza, Suite 245, 1109 Main Street, Boise, Idaho 83707; 208-334-9137.

Mr. Thomas Wagenhoffer, Area Manager, West 101 Poplar, Walla Walla, Washington 99362; 509-525-5500, extension 701.

Mr. Robert N. Laffel, District Manager, 531 Lomax Street, Idaho Falls, Idaho 83401; 208-523-2706.

For Further Information: Requests for copies, questions or comments regarding the EIS should be directed to Anthony R. Morrell, Environmental Manager, Bonneville Power Administration, P.O. Box 3621-SJ, Portland, Oregon 97208; phone 503-230-5136.

Issued in Portland, Oregon, September 2, 1983.

Robert E. Ratcliffe,  
Acting Administrator.

[FR Doc. 83-25500 Filed 9-19-83; 8:45 am]

BILLING CODE 6450-01-M

## Federal Energy Regulatory Commission

[Docket No. ER83-713-000]

### American Electric Power Service Corp.; Filing

September 15, 1983

The filing Company submits the following:

Take notice that American Electric Power Service Corporation (AEP) on August 29, 1983, tendered for filing, on behalf of its affiliate Indiana & Michigan Electric Company, (I&M) Modification No. 19 dated August 1, 1983 to the Interconnection Agreement dated November 27, 1961, between Illinois Power Company and Indiana & Michigan Electric Company, I&M's Rate Schedule FERC No. 23 and Illinois Power Company Rate Schedule FERC No. 9.

Section 1 of this Agreement revises the Short Term Power Service Schedule by increasing the transmission demand charge for Short Term Power to \$0.35 per

kilowatt per week when I&M is the supplying party and by including a provision to allow for third party Daily Short Term Power transactions to take place between the parties. Section 2 revises the Limited Term Power Service Schedule by increasing transmission demand charge for Limited Term Power to \$1.50 per kilowatt per month when I&M is the supplying party. The revisions contained in these Service Schedules are substantially the same as the Service Schedules that I&M presently has on file and which were accepted for filing by the Commission. This Agreement is proposed to become effective July 20, 1983.

AEP requests an effective date of July 20, 1983, and therefore requests waiver of the Commission's notice requirements.

Copies of the filing were served upon Illinois Power Company, the Public Service Commission of Indiana, and the Michigan Public Service Commission and the Illinois Commerce Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capital Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary

[FR Doc. 83-25606 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. R183-7-000]

### Ashland Oil, Inc., et al.; Petition for Special Relief

September 15, 1983.

Take notice that on August 24, 1983, Ashland Oil, Inc., Ashland Exploration, Inc. (collectively "Ashland"), Tenneco Oil Company, Mesa Petroleum Co. ("Mesa"), and TEMA Oil Company filed a petition for special relief requesting authorization to collect increased rates to recover increased royalty payments for the period 1976-1978, which may be required as a result of certain "market

value" royalty litigation in the state courts of Kansas. The petition is filed pursuant to Sections 4 and 7 of the Natural Gas Act, 15 U.S.C. 717(c) and 717(f), and 18 CFR 385.207 of the Commission's Rules and requests relief under § 2.56 of the Commission's General Policy and Interpretations, 18 CFR 2.56.

The filing companies request authorization to commence collection of the requested rate increase by TEMA, on behalf of Ashland, as a surcharge of 15 cents/MMBtu on current sales of natural gas by TEMA to Northwest Central Pipeline Co. (formerly Cities Service Gas Company) under Mesa (as agent for TEMA) Rate Schedule Nos. 118, 12, and to Colorado Interstate Gas Co., under Mesa (as agent for TEMA) Rate Schedule Nos. 122, 126, 130, 131, 133, 134, 135, so as to recover the excess royalty payments. It is stated that the surcharge will be collected subject to refund, and held in an interest bearing escrow account pending a final determination of any amount for which Ashland could be liable under the present holding of the Kansas Supreme Court in *Matzen et al. v. Cities Service Oil Co., et al.*, Consolidated Appeals No. 54, 534 (Kan. July 15, 1983).

The filing companies request waiver of any Commission regulations that would prevent the collection of the requested surcharge as a means of implementing special relief to recoup the excess royalty payments. The filing companies additionally request expedited action on this petition.

Any person desiring to be heard or to make protest with reference to said petition should on or before October 6, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-25607 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-714-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that Central Vermont Public Service Corporation (Central Vermont) on August 30, 1983, tendered for filing proposed changes in its Electric Service rate Schedule FERC No. 102. The proposed changes would increase revenues from jurisdictional sales and service by \$100 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article III of Central Vermont's Power Transmission Contract with Rochester Electric Light and Power Company, which provides that charges will be updated annually to incorporate Central Vermont's cost experience for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of the filing were served upon the Rochester Electric Light and Power Company and Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211-385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
*Secretary.*

[FR Doc. 83-25008 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. ER83-715-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that on August 30, 1983, Central Vermont Public Service Corporation (Central Vermont) tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 89. The

proposed changes would increase revenues from jurisdictional sales and service by \$24,804 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article III of Central Vermont's Power Transmission Contract with the Vermont Electric Cooperative, Inc. which provides that charges will be updated annually to incorporate Central Vermont's cost experience for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon Vermont Electric Cooperative, Inc. and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
*Secretary.*

[FR Doc. 83-25009 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. ER83-716-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that Central Vermont Public Service Corporation (Central Vermont) on August 30, 1983, tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 110. The proposed changes would increase revenues from jurisdictional sales and service by \$2,126 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article III of Central Vermont's Power Transmission Contract with the Village of Hyde Park Water and Light Department, which provides that charges will be updated annually to incorporate Central Vermont's experience for the preceding calendar

year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon the Village of Hyde Park Water and Light Department and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
*Secretary.*

[FR Doc. 83-25010 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. ER83-717-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that Central Vermont Public Service Corporation (Central Vermont) on August 30, 1983, tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 88. The proposed changes would increase revenues from jurisdictional sales and service by \$193,939 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article V of Central Vermont's Power Purchase Contract with Vermont Electric Generation and Transmission Cooperative, Inc., which provides that charges will be updated annually to incorporate Central Vermont's purchased power cost experience for the preceding twelve months ending October 31, 1981, as well as Central Vermont's capacity cost associated with company-owned generating facilities for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon the Vermont Electric Generation and Transmission Cooperative, Inc. and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25611 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-718-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that on August 30, 1983, Central Vermont Public Service Corporation (Central Vermont) tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 107. The proposed changes would increase revenues from jurisdictional sales and service by \$1,640 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article III of Central Vermont's Power Transmission Contract with the Village of Johnson Water and Light Department, which provides that charges will be updated annually to incorporate Central Vermont's cost experience for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon the Village of Johnson Water and Light Department and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the

appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25612 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-719-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that Central Vermont Public Service Corporation (Central Vermont) on August 30, 1983, tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 101. The proposed changes would increase revenues from jurisdictional sales and service by \$340 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with article III of Central Vermont's Power Transmission Contract with Allied Power and Light Department which provides that charges will be updated annually to incorporate Central Vermont's cost experience for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon the Allied Power and Light Department and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 25613-13 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-720-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that on August 30, 1983, Central Vermont Public Service Corporation (Central Vermont) tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 93. The proposed changes would increase revenues from jurisdictional sales and service by \$4,531 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article III of Central Vermont's Power Transmission Contract with Lyndonville Electric Department which provides that charges will be updated annually to incorporate Central Vermont's cost experience for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon the Lyndonville Electric Department and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25614 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-721-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that on August 30, 1983, Central Vermont Public Service Corporation (Central Vermont) tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 97. The proposed changes would increase

revenues from jurisdictional sales and service by \$8,765 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article III of Central Vermont's Power Transmission Contract with the Village of Ludlow Electric Light Department, which provides that charges will be updated annually to incorporate Central Vermont's cost experience for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon the Village of Ludlow Electric Light Department and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-25615 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-722-000]

**Central Vermont Public Service Corp.; Filing**

September 15, 1983.

The filing Company submits the following:

Take notice that on August 30, 1983, Central Vermont Public Service Corporation (Central Vermont) tendered for filing proposed changes in its Electric Service Rate Schedule FERC No. 96. The proposed changes would increase revenues from jurisdictional sales and service by \$49,728 for the twelve month period ending October 31, 1983.

Central Vermont states that the change is proposed in accordance with Article V of Central Vermont's Power Purchase Contract with the Village of Ludlow Electric Light Department, which provides that charges will be updated annually to incorporate Central Vermont's purchased power cost

experience for the preceding twelve months ending October and Central Vermont's capacity cost associated with the company-owned generating facilities for the preceding calendar year. Central Vermont proposes an effective date of November 1, 1983.

Copies of this filing were served upon the Village of Ludlow Electric Light Department and the Vermont Public Service Board.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 23, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-25616 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-487-000]

**Colorado Interstate Gas Co.; Application**

September 15, 1983.

Take notice that on August 26, 1983, Colorado Interstate Gas Company (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP83-487-000 an application pursuant to Section 7(b) of the Natural Gas Act for an order permitting and approving the abandonment of a certain sale of natural gas to Peoples Natural Gas Company, Division of InterNorth, Inc. (Peoples), under Applicant's FERC Rate Schedule F-2 for service to the Dalhart System, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that Applicant sells gas to Peoples, a full requirement customer, under Rate Schedule F-2 of its FERC Gas Tariff, Original Volume No. 1, for the Dalhart System pursuant to a service agreement dated September 16, 1980. Applicant's Rate Schedule F-2 applies to all gas sold and delivered to Peoples by Applicant for resale and consumption in the Texas Panhandle, Union County,

New Mexico, and Cimarron County, Oklahoma, it is explained. It is further stated that, by letter dated August 1, 1983, Peoples informed Applicant of its intention of changing the source of supply for the Dalhart System from gas supplied by Applicant to gas purchased at the wellhead by Peoples. Applicant further states that on July 27, 1983, Peoples discontinued taking any gas from Applicant under Rate Schedule F-2.

Applicant states that because of the uncertainty of the volumes of gas Peoples intends to purchase from Applicant for the Dalhart System, Applicant no longer desires to retain Rate Schedule F-2. Applicant therefore proposes to abandon the sale of natural gas to Peoples under Rate Schedule F-2.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 6, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25617 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2239-001]

**E. J. Grossman, Realty Transfer Co.,  
Tomahawk Power and Pulp Co.;  
Application for Transfer of License  
(Minor) and Amendment of Order  
Approving Lease of Project Properties**

September 15, 1983.

Take notice that Tomahawk Power and Pulp Company (Company) formerly Tomahawk Power Company, Lessee for the Kings Dam Project No. 2239, has requested that the project license be transferred from E. J. Grossman and Realty Transfer Company to E. J. Grossman Trust and Caleb Development Corporation. The Company also requested that the order approving the lease of project properties for Project No. 2239 be amended to reflect its name change.

The Kings Dam Project is located on the Wisconsin River in Lincoln County, Wisconsin. The project is currently in operation with an installed capacity of 2,770 kW.

**Comments, Protests, or Motions to Intervene**—Anyone may file comments, a protest, or a motion to intervene in accordance with the requirements of Rules 211 or 214, 18 CFR 385.211 or 385.214, 47 FR 19025-26 (1982). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be filed on or before October 31, 1983.

**Filing and Service of Responsive Documents**—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25618 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-707-000]

**Interstate Power Co.; Refund Report**

September 15, 1983.

Take notice that on July 5, 1983, Interstate Power Company, ("IPC"), submitted for filing a Refund Report in compliance with a May 17, 1983 Letter Order, in which the Commission approved the Settlement Agreement between IPC and its firm wholesale customers. Interstate further submitted a report showing monthly billing determinants and revenues under prior, present and settlement rates, the monthly refund and the monthly interest computed.

IPC further states that all refund checks were mailed to all firm wholesale customers.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before September 23, 1983. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25619 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-481-000]

**Northwest Pipeline Corp.; Application**

September 15, 1983.

Take notice that on August 22, 1983, Northwest Pipeline Corporation (Applicant), 295 Chipeta Way, Salt Lake City, Utah 84108, filed in Docket No. CP83-481-000 an application pursuant to Section 7(b) of the Natural Gas Act, for permission and approval to abandon the sale and delivery of natural gas to certain of its existing customers and to cancel its Rate Schedule I-2 (R/S I-2), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon its R/S I-2 service which Applicant made available to all distributor customers purchasing natural gas for resale under Applicant's Rate Schedules ODL-1 and DS-1. Applicant states that its proposed R/S I-2 would be available only for those distributor customers' industrial or institutional consumers with requirements exceeding 50,000 therms equivalent of gas per month and would be limited to a term of one year from the effective date of R/S I-2. Applicant

averts that the R/S I-2 sales would be made available from excess production and are intended to alleviate Applicant's take-or-pay obligation.

Applicant states that on May 3, 1983 (23 FERC ¶ 61,173), the Commission issued a 6-month temporary certificate for the R/S I-2 service and set Applicant's request for a permanent certificate for formal hearing. Applicant further states that prehearing conferences regarding permanent certification of the proposed R/S I-2 service were held on June 24, 1983, and July 14, 1983, and that as a result of the settlement negotiations, Applicant and the R/S I-2 customers have agreed to the cessation of R/S I-2 service.

Applicant avers that as an alternative to the proposed R/S I-2 service, Applicant would arrange to acquire certain volumes of natural gas for the accounts of R/S I-2 customers and would further arrange for the transportation of self-help gas to eligible I-2 customers pursuant to Part 284 of the Commission's regulations. Applicant further avers that the volume of self-help natural gas when blended with a certain volume of natural gas under Applicant's ODL-1 rate schedule would provide the customer the same volumes of natural gas at a price of \$3.40 per million Btu that would have been available under R/S I-2 incentive rate.

Applicant explains that because the rendition of transportation under Part 284 of the Commission's regulations would provide an alternative means of relieving industrial load loss for the period that the R/S I-2 incentive rate schedule would have been in effect, Applicant avers that a granting of the request for abandonment of the R/S I-2 service is in the public interest.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 6, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to

the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

**Kenneth F. Plumb,**  
Secretary.

[FR Doc. 83-25620 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-431-000]

**Northwest Central Pipeline Corp.;  
Application**

September 15, 1983.

Take notice that on July 20, 1983, Northwest Central Pipeline Corporation (Northwest Central), P.O. Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP83-431-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the transportation of natural gas for Farmland Industries, Inc. (Farmland), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Northwest Central proposes to tap its Ringwood 16-inch pipeline in Garfield County, Oklahoma, and install a gate and appurtenant facilities to receive gas which Farmland would purchase from Oklahoma Natural Gas Company (ONG). It is stated Farmland would purchase from ONG up to a maximum of 16,000 Mcf per day and 12,500 Mcf per day to be transported by Northwest Central for use at the Dodge City or Lawrence, Kansas, fertilizer plants, respectively, for a minimum period of one year or through September 1, 1984, whichever is longer, subject to the following conditions and limitations:

(a) The transportation of gas by Northwest Central for Farmland would be limited to the Lawrence Plant except

during the periods June 23 through August 22, 1983, and July 23 through August 22, 1984;

(b) The transportation of gas by Northwest Central for utilization at the Dodge City plant would be limited to 16,000 Mcf per day or fifty percent of the plant requirements, whichever is lesser;

(c) The transportation of gas by Northwest Central for utilization at the Lawrence plant would be limited to 12,500 Mcf per day or fifty percent of the plant requirements, whichever is lesser;

(d) The total transportation volumes delivered to the Lawrence plant during the limited term of the transportation service would not exceed 3,830,000 Mcf;

(e) If Farmland operates only one plant (Lawrence or Dodge City) during the periods August 23 through November 22, 1983, and February 23 through July 22, 1984, all deliveries of gas to that plant would be made by Northwest Central under the applicable gas sales contract;

(f) When the Dodge City plant and the Lawrence plant are both operating on a given day, the transportation volumes on that day would be delivered to the Lawrence plant. When both plants are operating on a given day, all deliveries by Northwest Central to Farmland for utilization at the Dodge City plant would be made under the December 14, 1973, Gas Sales Contract.

It is asserted that the transportation service to be furnished by Northwest Central to Farmland is an interim arrangement pending intensive efforts by Northwest Central to reduce its gas purchase costs and resulting gas sales prices. Accordingly, it is mentioned, at the end of the limited term of the transportation service, or at such prior date as Northwest Central's sale price to Farmland's Dodge City plant decreases to \$3.35 per Mcf or less, Northwest Central and Farmland would resume operations under the November 21, 1982, and the December 14, 1973, gas sales contracts.

It is stated that Farmland has advised Northwest Central that the current sales price to it under its existing contracts with Northwest Central preclude the economic operation of its Dodge City Plant. Farmland has further advised Northwest Central that it must obtain lower priced gas to optimize operations at its Lawrence plant.

It is stated that Farmland would compensate Northwest Central 17.28 cents per Mcf for all gas transported and delivered to the Dodge City Plant and 14.79 cents per Mcf for all gas transported and delivered to the Lawrence Plant. These rates are based on a rate of 5.42 cents per Mcf per 100 miles of transmission and include an

allowance for fuel gas and lost and unaccounted-for gas, it is explained.

It is asserted that Farmland would reimburse Northwest Central for the actual cost of the proposed facilities, which is estimated to be \$6,870.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 6, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Northwest Central to appear or be represented at the hearing.

**Kenneth F. Plumb,**  
Secretary.

[FR Doc. 83-25621 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-90-000]

**Northern States Power Co.  
(Minnesota); Refund Report**

September 15, 1983.

Take notice that on August 24, 1983, Northern States Power Company (Minnesota), ("NSP(M)"), submitted for filing a Refund Report pursuant to the August 1, 1983 Commission Order, in

which the Commission accepted the Settlement Agreement between NSP(M) and its transmission service customers, as well as the settlement rate schedules.

NSP(M) states that the refund checks represented dollar amounts collected in excess of the settlement rates through August 16, 1983. Furthermore, NSP(M) notes that payments for July billings that were in excess of settlement rates and received after August 16, 1983 are being returned without interest within two to three working days from receipt.

Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before September 23, 1983. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25622 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP81-188-004]

#### **Consolidated Gas Supply Corp.; Petition To Amend**

September 14, 1983.

Take notice that on August 12, 1983, Consolidated Gas Supply Corporation (Consolidated), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP81-188-004 a petition to amend further the order issued August 19, 1981, in Docket No. CP81-188-000 as amended, pursuant to Section 7(c) of the Natural Gas Act so as to extend the authorization for the transportation of natural gas to Niagara Mohawk Power Corporation (Niagara Mohawk) through October 31, 1984, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

It is stated that the order issued August 19, 1981, as amended, authorizes Consolidated to transport and deliver up to 102,000 dt equivalent of natural gas per day to Niagara Mohawk for use in the generation of electric power at Niagara Mohawk's Albany, New York, steam plant. It is stated that the authorization for this service expires October 31, 1983. Consolidated proposes herein to continue the transportation of natural gas to Niagara Mohawk through October 31, 1984, and proposes to continue charging Niagara Mohawk the 100 percent load factor Rate Schedule RQ three-part rate, subject to all purchased gas cost adjustments.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before October 5, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25615 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-484-000]

#### **Eastern Shore Natural Gas Co.; Request Under Blanket Authorization**

Take notice that on August 24, 1983, Eastern Shore Natural Gas Company (Eastern Shore), P.O. Box 615, Dover, Delaware 19903, filed in Docket No. CP83-484-000 a request pursuant to Section 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) that Eastern Shore proposes to construct and operate one sales tap for its customer, the Citizens Division of Chesapeake Utilities Corporation (Citizens Division) under the authorization issued in Docket No. CP83-40-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Eastern Shore proposes to construct and operate one sales tap for Citizens Division. Eastern Shore states that the tap, to be located off of Eastern Shore's existing mainline approximately two miles north of Salisbury, Maryland, would permit Citizens Division to serve Middle Atlantic Printing, Inc. (Middle Atlantic) approximately 20,500 dt equivalent of natural gas per year and Plymouth Tube, Inc. (Plymouth Tube) approximately 15,500 dt equivalent of gas per year. Both customers would use the gas in their industrial processes, it is submitted.

Eastern Shore states that sales to Citizens Division would be made under Eastern Shore's Rate Schedule CD-1.

Service to Middle Atlantic and Plymouth Tube would be within Eastern Shore's presently certificated levels of service to Citizens Division and construction and operation of the sales tap would not result in a change in the presently authorized daily entitlements to Citizens Division, it is explained. Eastern Shore further states that it would incur no costs related to construction of the facilities, as all costs would be financed by Citizens Division, and the proposed delivery point additions are not prohibited by Eastern Shore's currently effective FERC Gas Tariff.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 25516 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP82-428-001]

#### **Great Lakes Gas Transmission Co.; Amendment**

September 14, 1983.

Take notice that on August 18, 1983, Great Lakes Gas transmission Company (Great Lakes), 2100 Buhl Building, Detroit, Michigan 48226, filed in Docket No. CP82-428-001 and amendment to its pending application in Docket No. CP82-428-000 filed pursuant to Section 7(c) of the Natural Gas Act to reflect modifications in its proposed transportation and exchange services, all as more fully set forth in the amendment which is on file with the Commission open to public inspection.

Great Lakes seeks authorization to render transportation and exchange services in connection with seasonal storage of natural gas for the account of transcontinental Gas Pipe Line Corporation (Transco). Great Lakes states that the subject amendment is required in order to conform its

application to the reduction in volumes of gas to be transported by Great Lakes for the account of Transco.

In particular, Great Lakes states that Transco is concurrently seeking authorization of storage contracts between it and each of ANR Storage Company (ANR) and Union Gas Limited (Union) for an original term of 20 years, subject to extension, under which ANR and Union would seasonably store up to 10,000,000 Mcf each of natural gas (storage volumes) for the account of Transco in storage fields being developed in Grand Traverse County, Michigan, and Ontario, Canada, respectively.

Great Lakes further states that pursuant to its revised agreement with Transco, it would transport during each summer period (April 1 to November 1) for a period of twelve years up to 20,000,000 Mcf of gas to be imported by Transco at Great Lakes' interconnection with TransCanada PipeLines Ltd. (TransCanada) near Emerson, Manitoba, though, for years 10 through 12, such transportation would be in part by displacement. It is indicated that 10,000,000 Mcf of this gas would be delivered for storage to ANR at an existing interconnection in Crawford County, Michigan; the remaining 10,000,000 Mcf would be delivered to TransCanada at Great Lakes' St. Clair interconnection for eventual delivery to and storage by Union. During the thirteenth and ensuing summer periods, transportation of the storage volumes to ANR and Union would be by displacement, it is said.

It is explained that during each winter period (November 1 to April 1) Great Lakes would receive up to 10,000,000 Mcf of gas from Michigan Consolidated Gas Company (Michigan Consolidated) at Great Lakes' interconnection with Michigan Consolidated in St. Clair County, Michigan (Belle River Mills interconnection). Great Lakes states it would transport and redeliver the volumes to TransCanada for ultimate delivery to Transco at the St. Clair interconnection. Great Lakes proposes a monthly charge of \$11,400 for the winter period.

Great Lakes further states that it proposes to install additional metering tubes at the Belle River Mills measuring station in order to ensure continued accuracy in the measurement of the increased volumes to be transported thereat. The total cost of these proposed facilities is estimated to be \$584,900.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before October 5, 1983, file with the Federal Energy Regulatory Commission, Washington,

D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate actions to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules. All persons who have heretofore filed need not file again.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25518 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. CP83-469-000]

#### **Kentucky West Virginia Gas Co.; Application**

September 14, 1983.

Take notice that on August 16, 1983, Kentucky West Virginia Gas Company (Applicant), 809 Plaza Building, P.O. Box 1388, Ashland, Kentucky 41101, filed in Docket No. CP83-469-00 an application pursuant to Section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of up to 60,000 dt equivalent of natural gas per year for resale and the construction and operation of one sales tap, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it would sell the gas to Auxier Road Gas Company (Auxier Road), a gas distribution company, and construct one gas sales tap required to deliver said gas to Auxier Road. The gas to be sold to Auxier Road is available as surplus from Applicant's system supply due to recent declines in sales experienced by Applicant.

The proposed service would be rendered pursuant to Applicant's FERC Gas Tariff, First Revised Volume No. 1. It is indicated that the rate to be charged for gas sold would be Applicant's effective Rate Schedule GSS-1 rate as set forth in said gas tariff.

Applicant states that the total estimated cost of the proposed facilities is \$5,000.00 which would be financed from cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before October

5, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25520 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

#### **Lone Star Gas Co., a Division of ENSERCH Corp.; Amend**

September 14, 1983.

Take notice that on August 22, 1983, Lone Star Gas Company, a Division of ENSERCH Corporation (Petitioner), 301 South Harwood Street, Dallas, Texas 75201, filed in Docket No. CP64-208-000 a petition to amend the order of May 25, 1964, issuing a certificate of public convenience and necessity in Docket No. CP64-208 pursuant to Section 7(c) of the Natural Gas Act so as to authorize the transportation of increased

<sup>1</sup>This proceeding commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

interruptible natural gas volumes to an existing industrial customer, Republic Gypsum Company (Republic Gypsum), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The order of May 25, 1964, authorized the construction and operation of approximately 13 miles of six-inch pipe, together with metering facilities, in Harmon and Jackson Counties, Oklahoma, for the purpose of transporting approximately 498,000 Mcf per year of interruptible natural gas from the Petitioner's interstate pipeline system to Republic Gypsum. Petitioner states that Republic Gypsum is upgrading its plant and as a result thereof would require an additional 738,000 Mcf of gas per year. Petitioner alleges that it has the capacity to transport the additional gas to Republic Gypsum, except during peak periods.

Other than the installation of a non-jurisdictional meter on Republic Gypsum's service line specifically to measure the proposed additional gas sales to Republic Gypsum, Petitioner states that no new facilities would be required. Petitioner also states that the additional volumes would be sold to Republic Gypsum under Petitioner's interruptible non-jurisdictional Rate Schedule 3, while the currently authorized volumes would continue to be sold under its interruptible non-jurisdictional Rate Schedule 1.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before

October 5, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25521 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-462-000]

**Montana-Dakota Utilities Co.,  
Application**

September 14, 1983.

Take notice that on August 12, 1983, Montana-Dakota Utilities Co. (MDU), 400 North Fourth Street, Bismark, North Dakota 58501, filed in Docket No. CP83-462-000, an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas to Northern Utilities Division of KN Energy, Inc. (formerly Northern Gas Company) (NU), for distribution and resale in and around the town of Pavillion, Wyoming, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

MDU proposes to sell natural gas to NU, a distribution company. It is stated that service to NU would be under Rate Schedule G-1 and in accordance with the terms and conditions of MDU's FERC gas curtailment plan in the First Revised Volume No. 1 of MDU's FERC Gas Tariff. The proposal, it is stated, is to provide full requirements service under MDU's FERC Rate Schedule G-1 so that NU would be able to continue to serve its residential and small commercial customers in and around the town of Pavillion, Wyoming.

NU has advised MDU that for the year 1983-1984, it would need approximately 19,000 Mcf of gas in order to meet its load requirements. NU anticipates that those requirements will not grow more than 200 Mcf annually for the next 20 years.

It is further stated that without the proposed sale of gas to NU, the town of Pavillion would be left without any gas supply, because a current gas exchange arrangement between MDU and NU is no longer applicable due to a reorganization of Kansas-Nebraska Natural Gas Company which results in NU's no longer having access to the gas used in the exchange previously authorized.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 5, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the

protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for MDU to appear or be represented at the hearing.

**Kenneth F. Plumb,**  
*Secretary.*

[FR Doc. 83-25523 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER83-652-000]

**Niagara Mohawk Power Corp.; Revised  
Filing**

September 14, 1983.

Take notice that on September 2, 1983, Niagara Mohawk Power Corporation ("Niagara"), submitted for filing substituted tariff sheets to its originally proposed rates, which were filed on July 29, 1983.

According to Niagara, an inadvertent error was made in the Federal Income Tax calculation in both the Period I and Period II cost-of-service calculations. Niagara therefore requests that these substitute tariff sheets be accepted for filing in lieu of the sheets filed in the July 29, 1983 proceeding.

Niagara also requests an effective date of November 1, 1983, with no more than a one-day suspension.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests

should be filed on or before September 26, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25524 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. ID-2069-000]

**Michael D. Robinson; Application**

September 14, 1983.

The filing individual submits the following:

Take notice that on September 1, 1983, Michael D. Robinson filed an application pursuant to Section 305(b) of the Federal Power Act to hold the following positions:

Assistant Controller, Kentucky Utilities Company  
Assistant Controller, Old Dominion Power, Company

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with the Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR Sections 385.211, 385.214). All such motions or protest should be filed on or before September 28, 1983. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspections.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25522 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. EF83-3011-000]

**Southeastern Power Administration; Request for Approval**

September 14, 1983.

Take notice that on September 6, 1983, the Assistant Secretary for Conservation and Renewable Energy of the Department of Energy confirmed and approved 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 for power from Southeastern Power Administration's (SEPA) Georgia-Alabama System of Projects. These Rate Schedules, which were approved on an interim basis, extend through September 30, 1984.

Additionally, the Commission by order issued April 3, 1983, confirmed and approved Rate Schedules GAMF-1-B, GAMF-2-B, ALA-1-B, MISS-1-B, SC-1-B, and SC-2-B. On April 9, 1982, the Commission approved Rate Schedule Car-1-C. Both the April 3, 1983 and April 9, 1982 approved Rate Schedules will extend through September 30, 1983.

Therefore, SEPA proposes to replace Rate Schedules GAMF-1-B, GAMF-2-B, ALA-1-B, SC-1-B, SC-2-B, CAR-1-C with Rate Schedules GAMF-1-C, GAMF-2-C, ALA-1-C, MISS-1-C, SC-1-C, SC-2-C, and CAR-1-D. Rate Schedules are hereby submitted for confirmation and approval on a final basis. Approval is requested for the period ending September 30, 1984.

Any person desiring to be heard or to protest this said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before September 28, 1983. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25526 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. CP83-476-000]

**Southern Natural Gas Co.; Request Under Blanket Authorization**

September 14, 1983.

Take notice that on August 22, 1983, Southern Natural Gas Company (Southern), Southern Natural Building, Birmingham, Alabama 35203, filed in Docket No. CP83-476-000 a request pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) that Southern proposes

to construct and operate two sales taps to provide additional points of delivery of natural gas to an existing direct sale customer under the authorization issued in Docket No CP82-406-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission.

Southern states that it proposes to construct and operate two sales taps consisting of two taps, two meter stations, and appurtenant facilities that would serve as additional points of delivery to John M. McGowan (McGowan) pursuant to a direct sales agreement between Southern and McGowan dated May 22, 1981. Southern states that it currently delivers natural gas to McGowan at three delivery points located in Madison, Franklin, and Yazoo Counties, Mississippi, and that the volumes of natural gas are used to operate facilities for pumping oil wells. Southern avers that the proposed sales taps will enable McGowan to operate additional facilities for pumping oil wells in Yazoo County, Mississippi. Southern further avers that McGowan would purchase approximately 50 Mcf of gas per day at each of the proposed sales taps and that the deliveries of natural gas would be from Southern's general system supply and would be within McGowan's certificated entitlement.

Southern asserts that McGowan has agreed to pay an initial price of \$4.34 for natural gas delivered through the proposed sales taps and that the price would be adjusted to reflect changes in the price payable under Southern's Rate Schedule DCP when calculated at a load factor of 100 percent. Southern further states that McGowan has agreed to reimburse Southern for the total cost of the facilities, which is estimated at \$20,300.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for

authorization pursuant to Section 7 of the Natural Gas Act.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25527 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. CP83-474-000]

**Texas Gas Transmission Corp.;  
Request Under Blanket Authorization**

September 14, 1983.

Take notice that on August 19, 1983, Texas Gas Transmission Corporation (Texas Gas), 3800 Frederica Street, Owensboro, Kentucky 42301, filed in Docket No. CP83-474-000 a request pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) that Texas Gas proposes to add a new delivery point to Mississippi Valley Gas Company (Mississippi Valley) in Bolivar County, Mississippi, under the authorization issued in Docket No. CP82-407-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Texas Gas states that it currently makes natural gas sales to Mississippi Valley pursuant to a service agreement dated September 1, 1970. It is submitted that the proposed delivery point would be constructed, owned and operated by Texas Gas and would be located on Texas Gas' Guthrie-Memphis 18-inch lines in Bolivar County, Mississippi. Such delivery point, it is stated, is required by Mississippi Valley to allow it to provide natural gas service to a new customer, the Town of Benoit, Mississippi.

Texas Gas explains that the proposed annual maximum quantity of natural gas to be delivered at the new delivery point, to be used for residential and small commercial service, for the first year is approximately 20,000 Mcf, with a daily maximum quantity of 375 Mcf. Texas Gas estimates that such annual maximum quantity would only increase by five percent or less annually at this point.

Texas Gas asserts that the addition of this new delivery point would not result in an increase in Mississippi Valley's existing contract demand or quantity entitlement and that such service can be accomplished without detriment to Texas Gas' other customers. Texas Gas further states that the delivery of gas at the proposed new delivery point is so small that the addition of such point would have a *de minimis* effect on Texas Gas' peak day and annual deliveries.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25528 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01

[Docket No. RP83-91-000]

**Texas Gas Transmission Corp.; Motion  
To Withdraw a Rate Increase Filing**

September 14, 1983.

Take notice that on August 31, 1983, Texas Gas Transmission Corporation (Texas Gas) tendered for filing, pursuant to Section 154.66(a) of the Commission's Regulations (18 CFR 154.66(a)) and Rule 212 of the Commission's Rules of Practice and Procedure (18 CFR § 385.212), for permission to withdraw the rate increase filing which is the subject of the instant proceeding.

On May 31, 1983, Texas Gas filed revised tariff sheets to become effective on July 1, 1983, which would increase Texas Gas' annual jurisdictional revenues by \$35,727,531. The increase was based upon actual data for the 12 months ending January 31, 1983, adjusted for changes occurring through October 31, 1983. The increase was attributable, principally, to a substantial decline in sales volumes and an anticipated increase in prepayments to producers for gas not taken.

Texas Gas states that, at the time of the filing in the instant proceeding, actual and projected sales volumes indicated that the level would fall well below the design volume used in the settlement of Texas Gas' last rate case in Docket No. RP82-74.

Further, at the time of the filing, there existed a dispute between Texas Gas and Columbia Gas Transmission Corporation (Columbia) with respect to payments due to Texas Gas under Texas Gas' minimum commodity provisions in its FERC Gas tariff.

In view of improved sales, overall lower gas prices and higher oil prices, and a settlement between Columbia and Texas Gas in Docket No. RP82-137, *et al.*, Texas Gas requests permission to withdraw its filing in the above-referenced docket.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such petitions or protests should be filed on or before September 22, 1983. 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. 83-25529 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

[Docket No. ST80-83-002]

**Transwestern Pipeline Co.; Extension  
Reports**

September 14, 1983.

The companies listed below have filed extension reports pursuant to Section 311 of the Natural Gas Policy Act of 1978 (NGPA) and Part 284 of the Commission's regulations giving notice of their intention to continue transportation and sales of natural gas for an additional term of up to 2 years. These transactions commenced on a self-implementing basis without case-by-case Commission authorization. The sales may continue for an additional term if the Commission does not act to disapprove or modify the proposed extension during the 90 days proceeding the effective date of the requested extension.

The table below lists the name and addresses of each company selling or transporting pursuant to Part 284; the party receiving the gas; the date that the extension report was filed; and the effective date of the extension. A letter "B" in the Part 284 column indicates a transportation by an interstate pipeline which is extended under § 284.105. A letter "C" indicates transportation by an intrastate pipeline extended under § 284.125. A "D" indicates a sale by an intrastate pipeline extended under

§ 284.146. A "G" indicates a transportation by an interstate pipeline pursuant to § 284.221 which is extended under § 284.105. A "G(HS)" indicates transportation, sales or assignments by a Hinshaw Pipeline pursuant to a blanket certificate issued under § 284.222 of the Commission's Regulations.

Any person desiring to be heard or to make any protests with reference to said

extension report should on or before October 17, 1983, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR §§ 385.211 or 385.214).

All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but

will not serve to make the protestants party to a proceeding.

Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,  
Secretary.

Docket No. and Transporter/Seller	Recipient	Date filed	Part 284 Subpart	Effective date
ST80-83-002 Transwestern Pipeline Co., P.O. Box 2521, Houston, TX 77252.	Deith Gas Pipeline Corp.	Aug. 30, 1983	B	Dec. 1, 1983.
ST81-417-001 Louisiana Intrastate Gas Corp., P.O. Box 1352, Alexandria, LA 71301.	United Gas Pipe Line Co.	Aug. 17, 1983	C	Nov. 17, 1983.
ST82-24-001 Louisiana Intrastate Gas Corp., P.O. Box 1352, Alexandria, La 71301.	do	do	C	Nov. 20, 1983.
ST82-82-001 Louisiana Resources Co., P.O. Box 3102, Tulsa, OK 74101.	Faustina Pipe Line Co.	do	C	Nov. 19, 1983.
ST82-76-001 Producer's Gas Co., 4925 Greenville Ave., Dallas, TX 75206.	Tennessee Gas Pipeline Co.	Aug. 15, 1983	C	Oct. 24, 1983.
ST82-77-001 Texas Eastern Transmission Corp., P.O. Box 2521, Houston, TX 77001.	New Jersey Natural Gas Co.	Aug. 25, 1983	B	Nov. 1, 1983.
ST82-94-001 Colorado Interstate Gas Co., P.O. Box 1087, Colorado Springs, Co 80944.	Tennessee Gas Pipeline Co.	do	G	Oct. 8, 1983.
ST82-98-001 Oasis Pipe Line Co., P.O. Box 1188, Houston, TX 77001.	do	do	C	Nov. 23, 1983.
ST82-99-001 Houston Pipe Line Co., P.O. Box 1188, Houston, TX 77001.	do	do	C	Do.
ST82-101-001 Columbia Gulf Transmission Co., P.O. Box 683, Houston, TX 77001.	Northern Natural Gas Co.	Aug. 19, 1983	G	Nov. 26, 1983.
ST82-111-001 Natural Gas Pipeline Co. of America, 122 South Michigan Ave., Chicago, IL 60600.	Southern Natural Gas Co.	Aug. 30, 1983	G	Dec. 1, 1983.
ST82-114-001 Northern Natural Gas Co., 2223 Dodge St., Omaha, NE 68102.	Intratek Gas Co.	Aug. 24, 1983	B	Dec. 28, 1983.
ST82-124-001 Cody Gas Co., P.O. Box 1087, Colorado Springs, Co 80944.	Colorado Interstate Gas Co. Co.	Aug. 29, 1983	C	Dec. 8, 1983.
ST82-127-001 Liberty Natural Gas Co., 5307 E. Mockingbird Lane, Dallas, TX 75206.	Transcontinental Gas Pipe Line Corp.	Aug. 30, 1983	C	Dec. 11, 1983.

Note: These extension reports were filed after the date specified by the Commission's Regulations, and shall be the subject of a further commission order.  
Note: The noticing of these filings does not constitute a determination of whether the filings comply with the Commission's Regulations.

[FR Doc. 83-25530 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP83-486-000]

### United Gas Pipe Line Co., Request Under Blanket Authorization

September 14, 1983.

Take notice that on August 25, 1983, United Gas Pipe Line Company (United), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP83-486-000 a request pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) that United proposes to construct a sales tap under authorization issued in Docket No. CP82-430-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

United proposes to construct and operate a sales tap on its existing Lirette-Mobile 30-inch line in Terrebonne Parish, Louisiana. United

states the proposed tap would provide gas deliveries of approximately 3,000 Mcf annually to the distributor, South Coast Gas Company, Inc., which in turn would more efficiently serve its residential customers. It is submitted that there would be no increase in the distributor's contractual MDQ nor its entitlement under United's effective curtailment plan. United states that it would provide this service pursuant to its Rate Schedule G-S.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a

protest is filed and not withdrawn within 30 days after the time allowed for filing protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25531 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5860-001]

### West Slope Power Co.; Surrender of Exemption

September 14, 1983.

Take notice that West Slope Power Company, Exemptee, for the Big Creek Project No. 5860, has requested that its exemption from licensing be terminated. The exemption was issued on August 13, 1982. The project would have been located on Big Creek in Fresno County, California.

The Exemptee filed its request on August 15, 1983, and the surrender of the exemption for Project No 5860 is deemed accepted 30 days from the date of issuance of this notice.

Kenneth F. Plumb,  
Secretary.

[FR Doc. 83-25532 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF83-397-000]

**Amoco Chemicals Corp.; Application for Commission Certification of Qualifying Status of a Cogeneration Facility**

September 14, 1983

On August 19, 1983, Amoco Chemicals Corporation, (Applicant) of 2800 Farm Road 519 East, P.O. Box 568, Texas City, Texas 77590, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's rules.

The topping-cycle cogeneration facility will be located in Texas City, Texas. The facility will consist of a natural gas-fired combustion turbine and a heat recovery steam generator designed for supplementary firing. The primary energy source for the facility will be natural gas. The electric power production capacity of the facility will be 37.1 megawatts.

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. 83-25513 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF83-403-000]

**Bayou Cogeneration Plant; Application for Commission Certification of Qualifying Status of a Cogeneration Facility**

September 14, 1983.

On August 26, 1983, Bayou Cogeneration Plant, (Applicant) of 3535 West Twelfth Street, P. O. Box 3047, Houston, Texas 77253, filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's rules.

The topping-cycle cogeneration facility will be located at 11400 Bay Area Boulevard in Pasadena, Texas. The facility will consist of four combustion turbine generators, each equipped with a heat recovery steam generator. The primary energy source for the facility will be natural gas. The net electric power production capacity of the facility will be 300,528 kilowatts.

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. 83-25514 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF83-242-002]

**Energy Production and Investment Corp.; Application for Commission Recertification of Qualifying Status of a Cogeneration Facility**

September 14, 1983.

On August 9, 1983, Energy Production and Investment Corp., 1716 Boulder Street, Denver, Colorado 80211, filed with the Federal Energy Regulatory Commission (Commission) an application for recertification of a facility as a qualifying cogeneration

facility pursuant to § 292.207 of the Commission's rules.

Energy Production and Investment Corp. has signed an option with Oklahoma Ordnance Works Authority to purchase the cogeneration facility located at the Mid-America Industrial District, south of Pryor, Oklahoma. Oklahoma Ordnance Works Authority was granted qualifying status for an existing 10 megawatt cogeneration facility in an order issued July 28, 1983 and is currently seeking recertification of the facility with a change in capacity to 45 megawatts.

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. 83-25517 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. QF83-405-000]

**Hillsborough County, Florida; Department of Solid Waste; Application for Commission Certification of Qualifying Status of a Small Power Production Facility**

September 14, 1983.

On August 29, 1983, Hillsborough County, Florida, Department of Solid Waste, (Applicant) of P.O. Box 1110, Tampa, Florida 33601, 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 small power production facility will be located in Hillsborough County, Florida. The primary energy source will be biomass in the form of municipal solid waste. The electric power production capacity of the facility will be approximately 39 megawatts.

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. 83-25519 Filed 9-19-83; 8:40 am]  
BILLING CODE 6717-01-M

[Docket No. QF83-242-001]

**Oklahoma Ordnance Works Authority;  
Application for Commission  
Recertification of Qualifying Status of  
a Cogeneration Facility**

September 14, 1983.

On August 5, 1983, Oklahoma Ordnance Works Authority, (Applicant), P.O. Box 945, Pryor, Oklahoma 74362, filed with the Federal Energy Regulatory Commission (Commission) an application for recertification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's rules.

Oklahoma Ordnance Works Authority was granted qualifying status for an existing 10 megawatt cogeneration facility in an order issued July 28, 1983. Applicant has informed the Commission that it wishes to change the capacity to 45 megawatts. (All 45 megawatts of capacity were installed in 1942.)

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. 83-25525 Filed 9-19-83; 8:45 am]  
BILLING CODE 6717-01-M

**Office of Hearings and Appeals**

**Objection to Proposed Remedial  
Orders Filed; Week of July 25 Through  
July 29, 1983**

During the week of July 25 through July 29, 1983, the notices of objection to proposed remedial orders listed in the Appendix to this Notice were 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 orders 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 these proceedings should be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20481.

Richard W. Dugan,

Acting Director, Office of Hearing and Appeals.

September 14, 1983.

AWECO, Inc. and Billy K. Hargis, Dallas  
Tex., HRO-0179

On July 27, 1983, AWECO, Inc. and Billy K. Hargis, 9333 Forest Lane, Dallas, Texas 75243 filed a Notice of Objection to a Proposed Remedial Order which the Dallas Office of the DOE's Economic Regulatory Administration issued to the firm on June 7, 1983. In the PRO the ERA found that during March 1977 through December 1978, AWECO resold crude oil at prices in excess of those permitted by 10 CFR Parts 205, 120 and 212, Subparts F and L. According to the PRO the AWECO and Hargis violation resulted in \$54,510,702.66 of overcharges.

John M. Holland, Jr., San Francisco, CA,  
HRO-0178

On July 12, 1983, Barbara J. Holland and PHD Corporation, c/o Archibald M. Mull, III, Esq., Mull & McCarthy, Seventh Floor, Crocker Bank Building, 1007 Seventh Street, Sacramento, CA 95814 and on July 19, 1983, John M. Holland, Jr. Jack Holland & Son, Inc.,

and John M. Holland, Jr., d/b/a Jack Holland & Son, c/o Jack C. Provine, Esq., Miller, Starr & Regalia, 101 California Street, Suite 1540, San Francisco, CA 94111 filed Notices of Objection to a Proposed Remedial Order which the DOE San Francisco Office of Enforcement issued to John M. Holland, Jr., Jack Holland & Son, Inc., John M. Holland, Jr. d/b/a Jack Holland & Son, and PHD Corporation on June 21, 1980. In the PRO the San Francisco Office found that during the period November 1, 1973 to December 31, 1977, John M. Holland, Jr., et al. received unlawful revenues of \$6,642,949.96 by exceeding the maximum lawful selling price as set forth in 10 C.F.R. § 212.93(a) in sales of crude oil. In the alternative, the PRO alleges that the same transactions constituted sales of crude oil without any certifications or without proper certifications in violation of 10 C.F.R. § 212.131. According to the PRO the John M. Holland, Jr., et al. violation resulted in \$7,109,043.42 of overcharges.

Kaiser Aluminum International, Oakland,  
CA, HRO-0180

On July 28, 1983, Kaiser Aluminum International, 300 Lakeside Drive, Oakland, California filed a Notice of Objection to a Proposed Remedial Order which the DOE Tulsa Office of Special Counsel issued to the firm on July 5, 1983. In the PRO the Tulsa Office found that during May 1978 to December 1980, Kaiser violated 10 C.F.R. §§212.166, 210.62(c) and 205.202 by selling crude oil at a price in excess of the firm's acquisition price without performing any historical and traditional function associated with the resale of crude oil. According to the PRO the Kaiser violation resulted in \$2,399,552.61 overcharges.

[FR Doc. 83-25624 Filed 9-19-83; 8:45 am]  
BILLING CODE 6450-01-M

**Issuance of Decisions and Orders;  
Week of August 1 Through August 5,  
1983**

During the week of August 1 through August 5, 1983, the decisions and orders summarized below were issued with respect to appeals and applications for exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

**Appeals**

*Sigmund Diamond, August 5, 1983, HFA-0132*

Sigmund Diamond filed a Freedom of Information Act Appeal from a determination issued to him by the Federal Bureau of Investigation (FBI). In his Appeal, Diamond requested that the DOE release documents that were withheld by the FBI at the request of the DOE pursuant to Exemption 1, 10 CFR § 1004.10(b)(1). In considering the Appeal, the DOE found that the Office of Classification no longer considers the withheld material to be classified. Accordingly, 130 pages that

were initially withheld by the FBI at DOE's direction were released to the public.

*John W. Shaver, August 1, 1983, HFA-0166*

John W. Shaver filed an Appeal from a denial by the Acting Disclosure Officer of the Office of Special Counsel of a Request for Information which he had submitted under the Freedom of Information Act (the FOIA). In his Appeal Shaver challenged the Disclosure Officer's determination that there were no documents responsive to his request. In considering the Appeal, the DOE found that the search conducted by the Disclosure Officer was thorough and conscientious and the Shaver had not provided any evidence which indicated the need for a further search. Accordingly, the Appeal was denied.

#### Request for Exception

*Goodman Oil Company, August 1, 1983, HEE-0071*

Goodman Oil Company (Goodman) filed an Application for Exception from the provisions of the EIA filing requirements in which the firm sought to be relieved of its obligation to file Form EIA-782B, "Monthly No. 2 Distillate Sale Report." In considering the request, the DOE found that Goodman did not show that in comparison to similar reporting firms it was unfairly burdened by the reporting requirement. Accordingly, exception relief was denied.

#### Motion for Discovery

*Dorchester Gas Corporation, August 3, 1983, HRD-0052, HRH-0045*

Dorchester Gas Corporation filed a Motion for Discovery and a related Motion for Evidentiary Hearing in connection with a Statement of Objections to a proposed Remedial Order issued to the firm by the Office of Special Counsel of the Economic Regulatory Administration. In the PRO, the ERA alleged that Dorchester had violated the DOE regulatory program by improperly switching the certifications of crude oil between its reseller subsidiary and its Mt. Pleasant refinery. In its Motion for Discovery, Dorchester sought extensive discovery of administrative records and contemporaneous construction concerning the ERA's audit methodology and the findings set forth in the PRO. The firm's request for discovery, however, was denied. With respect to the firm's Motion for an Evidentiary Hearing, the DOE determined that the firm's accounting practices and manner in which it accounted for its crude oil certifications were factual matters in dispute that would be effectively furthered by the convening of an evidentiary hearing. As a result, the DOE determined that an evidentiary hearing should be convened for the limited purpose of determining how Dorchester accounted for its certifications of crude oil and its use of the concept of "pooling."

#### Refund Applications

*Standard Oil Company (Indiana)/Ashley Road Amoco, et al., August 1, 1983, RF21-5374 et al.*

The DOE issued a Decision and Order concerning 51 Applications for Refund filed by 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). In considering these applications, the DOE concluded that each of the 51 applicants should receive a refund based on the total volume of its Amoco motor gasoline purchases. The refunds granted in this proceeding total \$53,464.

*Standard Oil Company (Indiana)/Ken-Mar Standard, August 2, 1983, RF21-12013*

The DOE issued a Supplemental Order concerning a May 17, 1983 Decision and Order issued to Barten Standard, Ken-Mar Standard (Ken-Mar), and 129 other retailers of Amoco gasoline. See *Standard Oil Co., (Indiana)/Barten Standard, et al.*, 11 DOE ¶ 85,014 (1983). In the May 17 Decision and Order, the DOE concluded that Ken-Mar should receive a refund based upon the presumption of injury and the formulae outlined in *Office of Special Counsel*, 10 DOE ¶ 85,048 (1982). In the Supplemental Order, the DOE increased the refund to Ken-Mar based on daily sales records which the firm submitted and the determination that certain purchase figures in the firm's application contained misplaced decimal points and commas.

*Standard Oil Company (Indiana)/Leblanc Oil Company, et al., August 4, 1983, RF21-8897, et al.*

The DOE issued a Decision and Order concerning 386 Applications for Refund filed by wholesalers 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). In considering these applications, the DOE concluded that each of the 386 applicants should receive a refund based upon the total volume of their Amoco motor gasoline purchases. The refunds granted in this proceeding total \$621,712.

*Standard Oil Company (Indiana)/Layman Taylor, August 2, 1983, RF21-10438, RF21-10439*

The DOE issued a Decision and Order concerning two Applications for Refund filed by Layman Taylor, a retailer of motor gasoline as well as a reseller of Amoco middle distillates. The firm 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). In considering the applications, the DOE concluded that Layman Taylor should receive a refund based upon the total volume of its Amoco motor gasoline and middle distillate purchases. The refunds granted in this proceeding total \$913.

*Standard Oil Company (Indiana)/Meyer's Amoco Service, et al., August 4, 1983, RF21-6257 et al.*

The DOE issued a Decision and Order concerning 120 Applications for Refund filed by 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). In considering these applications, the DOE concluded that each of the 120 applicants

should receive a refund based upon the total volume of their Amoco motor gasoline purchases. The refunds granted in this proceeding total \$82,841.

*Standard Oil Company (Indiana)/Pete's Oil Company, et al., August 4, 1983, RF21-8902, et al.*

The DOE issued a Decision and Order concerning 294 Applications for Refund filed by resellers of Amoco middle distillates. 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). In considering these applications, the DOE concluded that each of the 294 applicants should receive a refund based upon the total volume of their Amoco middle distillate purchases. The refunds granted in this proceeding total \$94,418.

*Standard Oil Company (Indiana)/Tenneco Oil Company, August 3, 1983, RF21-5900, RF21-6042*

The DOE issued a Decision and Order concerning 2 Applications for Refund filed by Tenneco Oil Company (Tenneco), a retailer and wholesaler of Amoco motor gasoline. Tenneco 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). In considering these applications, the DOE concluded that Tenneco should receive a refund based upon the total volume of their Amoco motor gasoline purchases. The refunds granted in this proceeding total \$73,355.

#### Dismissals

The following submissions were dismissed:

Company name	Case No.
Ayers Standard	RF21-5525
Carney Oil Company	RF21-3804
City of Sleepy Eye	RF21-10193
Douglas Oil Company	RF21-3812
Eddy Refining Co. & Key Oil Co.	HRO-0094
Herman Heitz	RF21-10181
Hospital Amoco	RF21-10284
Moshier Tank Wagon Service	RF21-3656
Leonard T. Wysocki	RF21-7683

The following Amoco Refund Applications were dismissed on the grounds that the applicant had already received a refund directly from Amoco:

Bilkays Express Company	RF21-10347
Crane Trucking Co., E. A. Piper Carriage, Inc.	RF21-10173
Hannah Marine Corp.	RF21-10166

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.

Richard W. Dugan,

Acting Director, Office of Hearings and Appeals.

September 14, 1983.

[FR Doc. 83-25626 Filed 9-19-83; 8:45 am]

BILLING CODE 6450-01-M

#### Objection to Proposed Remedial Orders Filed Week of August 1 through August 5, 1983

During the week of August 1 through August 5, 1983, the notices of objection to proposed remedial orders listed in the Appendix to this Notice were 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 orders 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 these proceedings should be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

September 14, 1983.

Richard W. Dugan,

Acting Director, Office of Hearings and Appeals.

*Liberty Trading Company and Ray Levrier, Houston, Texas, HRO-0181*

On August 1, 1983, Liberty Trading Company, Suite 3210, One Allen Center, Houston, Texas 77002 and Ray Levrier, 5631 Indian Circle, Houston, Texas filed a Notice of Objection to a Proposed Remedial Order which the Economic Regulatory Administration (ERA) issued to the firm on April 29, 1983. In the PRO the ERA alleged that during July 1980 through November 1980, Ray Levrier and Liberty Trading Company, in pricing crude oil, violated 10 CFR §§ 212.186, 210.62(c), 205.202, 212.182 and 212.183.

According to the PRO the Liberty Trading Company and Ray Levrier violations resulted in \$1,326,112.92 of overcharges.

*Warrior Oil Company, Jackson, Mississippi, HRO-0182*

On August 2, 1983, Warrior Oil Company, Post Office Box 16448, Jackson, Mississippi 39202 filed a Notice of Objection to a Proposed Remedial Order which the DOE Dallas Office of Enforcement issued to the

firm on July 1, 1983. In the PRO the Dallas Office found that during November 1973 to December 1977, Warrior sold crude oil at prices in excess of those allowed by 10 CFR Subpart F.

According to the PRO the Warrior Oil Company violation resulted in \$359,484.72 of overcharges.

[FR Doc. 83-25625 Filed 9-19-83; 8:45 am]

BILLING CODE 6450-01-M

#### Issuance of Decisions and Orders; Week of July 25 Through July 29, 1983

During the week of July 25 through July 29, 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.

##### Appeals

*Kramer Associates, Inc., July 29, 1983, HFA-0167*

Kramer Associates, Inc. filed an Appeal from a denial by the Inspector General of the Department of Energy of a Request for Information that the firm had submitted under the Freedom of Information Act (the FOIA). In considering the Appeal, the DOE found that: (i) One of the requested documents was not in existence and therefore was properly denied, and (ii) an appealable determination had not yet been made regarding the remaining documents requested.

*Fielding M. McGehee, III, July 29, 1983, HFA-0157*

Fielding M. McGehee, III requested access to records under the Freedom of Information Act (FOIA) pertaining to the alleged shipment by rail of nuclear weapons from the DOE's Pantex plant in Texas to a Trident Nuclear Submarine Base in the State of Washington. Access to documents responsive to this request for information was initially denied on the grounds that such documents were exempt from the mandatory disclosure provisions of the FOIA pursuant to Exemptions 1 and 3 of the Act. In denying the McGehee Appeal, the DOE noted that documents pertaining to DOE transportation safeguards are properly classified pursuant to the Atomic Energy Act of 1954 and Executive Order No. 12356. Since the documents McGehee requested were documents of that type, they were properly withheld from McGehee pursuant to Exemptions 1 and 3 of the FOIA.

*SRE, Inc., July 25, 1983, HFA-0163*

SRE, Inc. filed a Motion for Reconsideration of and OHA Decision and Order which had rejected an Appeal by SRE of a partial denial of a Request for Information which the firm had submitted under the Freedom of Information Act (the FOIA). In considering the Motion for Reconsideration the DOE found that certain

of the documents which were initially withheld under Exemption 5 should be released to the public. An important issue considered in the Decision and Order was that documents which are incorporated by reference into a final DOE decision can not be withheld under Exemption 5.

##### Refund Applications

*Standard Oil Company (Indiana)/*

*Commonwealth Edison Company; The Peoples Gas Light & Coke Company, July 27, 1983, RF21-7702, RF21-10993*

The DOE issued a Decision and Order concerning Applications for Refund filed by two regulated public utilities that were end-users of Amoco kerosene-type jet fuel and propane, respectively. In considering these applications, the DOE concluded that each of the applicants should receive a refund based upon the total volume of its Amoco petroleum product purchases. The refunds granted in this proceeding total \$14,641.

*Standard Oil Company (Indiana)/Curtis Service Station, et al, July 28, 1983, RF21-10500*

The DOE issued a Decision and Order concerning 74 Applications for Refund filed by 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). In considering these applications, the DOE concluded that each of the 74 applicants should receive a refund based upon the total volume of its Amoco motor gasoline purchases. The refunds granted in this proceeding total \$64,403.

*Standard Oil Company (Indiana)/F. T. Amoco, et al., July 27, 1983, RF21-8550 et al.*

The DOE issued a Decision and Order concerning 115 Applications for Refund filed by 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). In considering these applications, the DOE concluded that each of the 115 applicants should receive a refund based upon the total volume of their Amoco motor gasoline purchases. The refunds granted in this proceeding total \$96,531.

*Standard Oil Company (Indiana)/Joppa Road Amoco et al., July 27, 1983, RE21-0777 et al.*

The DOE issued a Decision and Order concerning 48 Applications for Refund filed by 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). In considering these applications, the DOE concluded that each of the 48 applicants should receive a refund based upon the total volume of their Amoco motor gasoline purchases. The refunds granted in this proceeding total \$43,851.

*Standard Oil Company (Indiana)/Schmidt's Standard et al., July 27, 1983, RF21-1511 et al.*

The DOE issued a Decision and Order concerning 111 Applications for Refund filed by 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). In considering these applications, the DOE concluded that each of the 111 applicants should receive a refund based upon the total volume of their Amoco motor gasoline purchases. The refunds granted in this proceeding total \$104,760.

*Standard Oil Company (Indiana)/Southeastern Oil Company, Inc., et al., July 27, 1983, RF 21-11920 et al.*

On May 25, 1983, the OHA issued a Decision and Order approving refunds from the Amoco escrow account for 52 wholesalers of Amoco motor gasoline. *Standard Oil Co. (Indiana)/The Spencer Companies, Inc.*, 10 DOE ¶ 85,020 (1983). In another Decision and Order, issued the following day, the OHA granted refunds to 24 resellers of Amoco middle distillates. *Standard Oil Co. (Indiana)/Southeastern Oil Company, Inc.*, 10 DOE ¶ 85,021 (1983). While the volumetric refund amount (including accrued interest) used to calculate the refunds set forth in both Decisions was cited as \$0.0009336 (\$0.0008980 principal and interest as of December 30, 1982, plus \$0.000356 interest accrued since December 30, 1982), the actual volumetric amount used to calculate the refunds set forth in the two Appendices was only \$0.0009292. The OHA, in this Decision, granted each of the 76 firms a supplementary refund equal to the difference between the correct refund (based on the volumetric refund amount of \$0.0009336) and the refund originally granted on May 25 and May 26, 1983. The refunds approved in this proceeding total \$5,060.

*Standard Oil Company (Indiana)/Virginia Natural Gas, July 29, 1983, RF21 11410*

The DOE issued a Decision and Order concerning an Application for Refund filed by Virginia Natural Gas (VNG), a regulated gas distribution utility which purchased natural gas liquids (NGL's) directly from Amoco. In accordance with *Office of Special Counsel*, 10 DOE ¶ 85,048 (1982), VNG was not required to present evidence that it absorbed alleged overcharges, but was required to explain how a refund would be passed through to its customers. VNG satisfactorily explained that it would pass a refund to its customers by adjusting its Purchased Gas Adjustment factor, which is used to calculate the cost of gas. The DOE concluded, therefore, that VNG should receive a refund based on the total volume of its Amoco NGL purchased in the amount of \$464.43.

**Dismissals**

The following submissions were dismissed:

Company Name	Case No.
Appalachian Flying Services, Inc.	HRC-0038
Kenneth M. Voss	RF21-10946

Company Name	Case No.
Kenneth R. Wlosky	RF21-10096
Kelston Farm & Home Service	RF21-11432
Miller/Barrington Oil Co., Inc.	RF21-11398
Sams Oil Co., Inc.	RF21-10683
Walter J. Thornton	RF21-10148; RF21-10149

The following Amoco Refund Application was dismissed on the grounds that the applicant had already received a refund directly from Amoco:

Chicago & Illinois Midland Railway Co.	RF21-10050
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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.

**Richard W. Dugan,**  
*Acting Director, Office of Hearings and Appeals.*  
September 12, 1983.

[FR Doc. 83-25516 Filed 9-19-83; 8:45 am]

BILLING CODE 6450-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[OPTS 140038; TSH-FRL 2435-8]

### Mathtech, Inc.; Transfer of Data to Contractor

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice

**SUMMARY:** EPA will transfer to its contractor, Mathtech, Inc., of Arlington, Virginia, information which has been or will be submitted to EPA under Sections 4, 6 and 8 of the Toxic Substances Control Act (TSCA). Mathtech, Inc., will review this information and use it to evaluate the potential economic impacts of health or environmental tests (or both) that the Agency may require for a specific chemical.

**DATE:** The transfer of confidential data submitted to EPA will occur no sooner than 10 working days after publication of this notice in the *Federal Register*.

**FOR FURTHER INFORMATION CONTACT:** Jack P. McCarthy, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M ST., SW., Washington, D.C. 20460, toll-free: (800-424-9065), in Washington,

D.C.: (554-1404), outside the USA: (Operator-202-554-1404)

**SUPPLEMENTARY INFORMATION:** The Office of Toxic Substances (OTS) is responsible for evaluating the need for, and where necessary for developing, rules to require specific health and/or environmental tests on chemicals recommended for testing. As part of the evaluation process, the Agency considers the potential for economic impact and the magnitude of the impact resulting from tests that may be required. Mathtech, Inc., of Arlington, Virginia, is currently providing contract support to EPA to assist in the economic analysis of testing requirements.

The economic analysis is based on data, such as production levels or sales, that are in the public domain or submitted by chemical manufacturers, processors or users. In some cases, this information is confidential and available for review only to authorized EPA employees and contractors that have been cleared and formally approved for access to such data.

In accordance with 49 CFR 2.306(j), EPA has determined that it will need to disclose to Mathtech, Inc., confidential business information submitted to EPA under sections 4, 6, and 8 of TSCA. Since Mathtech, Inc., will review information that in some cases is confidential, EPA is issuing this notice to inform all submitters of data under section 4, 6, or 8 of TSCA that Mathtech, Inc., may receive from EPA, on a need-to-know basis, confidential business information on specific chemicals. After completing its economic analysis of test requirements for a chemical, Mathtech, Inc., will return any confidential business information to EPA.

Mathtech, Inc., has been authorized to have access to TSCA confidential business information under the EPA "Contractor Requirements for the Control and Security of TSCA Confidential Business Information" security manual. EPA has approved the Mathtech, Inc., security plan and has conducted the required inspections of the contractor's facility and found it to be in compliance with the provisions of the manual. Mathtech, Inc., personnel will be required to sign a non-disclosure agreement before they are permitted access to confidential information. Mathtech, Inc., is required to treat all confidential business information in accordance with the requirements of the TSCA Confidential Business Information Security Manual and the Contractor Requirements manual.

Dated: September 2, 1983.

Marcia Williams,

Acting Director, Office of Toxic Substances.

[FR Doc. 83-25575 Filed 9-19-83; 8:45 am]

BILLING CODE 6590-50-M

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Information Collection Submitted to OMB for Review

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Notice of information collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of information collection: Contract and Procurement Information requirements.

**Background:** In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a form SF-83, "Request for OMB Review," for the information collection system identified above.

**ADDRESS:** Written comments regarding the submission should be addressed to Judy McIntosh, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503 and to John Keiper, Federal Deposit Insurance Corporation, Washington, D.C. 20429.

**FOR FURTHER INFORMATION CONTACT:** Requests for a copy of the submission should be sent to John Keiper, Federal Deposit Insurance Corporation, Washington, D.C. 20429, telephone (203) 389-4351.

**SUMMARY:** The FDIC is authorized to engage in procurement and contracting activities pursuant to section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819). Such authority is required to enable the FDIC to independently purchase and contract for the supplies and services necessary to operate in the business environment. The FDIC requires information from contractors and vendors who wish to do business with it. The information is used for evaluating proposals, prices, and contractor capabilities to perform the work required by specific solicitations. Some of the forms used become the legal basis for a binding contract.

It is estimated that this collection of information system creates a total annual reporting burden of 1,275 hours on respondents.

Dated: September 14, 1983.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 83-25535 Filed 9-19-83; 8:45 am]

BILLING CODE 6714-01-M

## FEDERAL MARITIME COMMISSION

### Filing and Approval of Agreement

The Federal Maritime Commission hereby gives notice that on September 8, 1983, the following agreement was filed with the Commission pursuant to section 15 of the Shipping Act, 1916, as amended by section 4 of the Maritime Labor Agreements Act of 1980, Pub. L. 96-325, 94 Stat. 1021, and was deemed approved that date, to the extent it constitutes an assessment agreement as described in the fifth paragraph of section 15, Shipping Act, 1916.

Agreement No.: LM-82-3.

Title: West Gulf Maritime Association Assessment Amendment.

Synopsis: Basic Agreement No. LM-82 is a Resolution of the West Gulf Maritime Association establishing the Guaranteed Annual Income Program and Fringe Benefits Contract Administration Assessment. The amendment LM-82-3 provides for an extension of the current level of assessments for an additional 90 days in view of the decline in trade and cargoes moving to the ports in the West Gulf.

Filing Agent: Royston, Rayzor, Vickery & Williams, 2200 Texas Commerce Tower, Houston, Texas 77002.

By Order of the Federal Maritime Commission.

Dated: September 15, 1983.

Francis C. Hurney,

Secretary.

[FR Doc. 83-25564 Filed 9-19-83; 6:45 am]

BILLING CODE 6730-01-M

[Docket No. 83-40]

### Medafrica Line, S.p.a. v. American West African Freight Conference and its Member Lines; Filing of Complaint and Assignment

Notice is given that a complaint filed by Medafrica Line S.p.a. against American West Africa Freight Conference and its member lines was served September 9, 1983. Complainant alleges that respondents are maintaining a self-policing system which is in violation of sections 15 and 32(c) of the Shipping Act, 1916 and Commission General Order 7.

This proceeding has been assigned to Administrative Law Judge John E.

Cogrove. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

Francis C. Hurney,

Secretary.

[FR Doc. 83-25565 Filed 9-19-83; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL RESERVE SYSTEM

### Agency Forms Under Review by OMB

September 15, 1983.

#### Background

When executive departments and independent agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Paperwork Reduction Act [44 U.S.C. Chapter 35]. Departments and agencies use a number of techniques to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibilities under the act also considers comments on the forms and recordkeeping requirements that will affect the public. Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. OMB's usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the Federal Register, but occasionally the public interest requires more rapid action.

#### List of Forms Under Review

Immediately following the submission of a request by the Federal Reserve for OMB approval of a reporting or recordkeeping requirement, a description of the report is published in the Federal Register. This information contains the name and telephone number of the Federal Reserve Board clearance officer (from whom a copy of the form and supporting documents is available). The entries are grouped by type of submission—i.e., new forms, revisions, extensions (burden change),

extensions (no change), and reinstatements.

Copies of the proposed forms and supporting documents may be obtained from the Federal Reserve Board clearance officer whose name, address, and telephone number appear below. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF 83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review.

**FOR FURTHER INFORMATION CONTACT:**

Federal Reserve Board Clearance Officer—Cynthia Glassman—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 (202-452-3829)

OMB Reviewer—Judy McIntosh—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503 (202-395-6880)

*Request for revision of two existing reports*

1. Report title: Weekly Report of Assets and Liabilities for Large Banks; and Weekly Report of Selected Assets.

Agency form number: FR 2416, FR 2644  
Frequency: Weekly  
Reporters: Commercial banks  
SIC Code: 602 pt.

Small businesses are affected.

**General description of report:**

Respondent's obligation to reply is voluntary [12 U.S.C. §§ 225(a) and 248(a)]; a pledge of confidentiality is promised [5 U.S.C. § 552(b)(4) and (b)(8)].

These reports provide basic data from U.S. commercial banks for estimating bank credit and nondeposit funds and for analyzing banking and monetary developments.

*Request for revision to an existing report*

1. Report title: Weekly Report of Assets and Liabilities for Large U.S. Branches and Agencies of Foreign Banks.

Agency form number: FR 2069  
Frequency: Weekly  
Reporters: U.S. branches and agencies of foreign banks with assets of \$750 million or more as of 6/30/80.  
SIC Code: 605 pt.

Small businesses are not affected.

**General description of report:**

Respondent's obligation to reply is voluntary [12 U.S.C. § 3105]; a pledge of confidentiality is promised [5 U.S.C. §§ 552(b)(4) and (b)(8)].

This report provides current information on credit developments and sources of funds at U.S. branches and agencies of foreign banks. These data are used to estimate bank credit and nondeposit funds and for analyzing banking and monetary conditions.

2. Report title: Monthly Report on the Maturity Distribution of Negotiable Certificates of Deposit of \$100,000 or More.

Agency form number: FR 2078  
Frequency: Monthly  
Reporters: Large U.S. commercial banks  
SIC Code: 602 pt.

Small businesses are not affected.

**General description of report:**

Respondent's obligation to reply is voluntary [12 U.S.C. 225(a) and 248(a)]; a pledge of confidentiality is promised [5 U.S.C. 552(b)(4) and (b)(8)].

This report is collected from large commercial banks and provides data needed to monitor bank funding strategy and liquidity pressure.

Board of Governors of the Federal Reserve System, September 15, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-25588 Filed 9-19-83; 8:45 am]

BILLING CODE 6210-01-M

**Financial Services of Evansville, Inc.; Formation of Bank Holding Company**

Financial Services of Evansville, Inc., Albany, Minnesota, has 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 a bank holding company by acquiring 80 percent or more of the voting shares of Farmers State Bank of Evansville, Evansville, Minnesota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Financial Services of Evansville, Inc., Albany, Minnesota, has also 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 engage directly in the activity of operating a general insurance agency in a community with a population not exceeding 5,000. These activities would be performed from offices in Evansville, Minnesota, and the geographic areas to be served are the city of Evansville and the outlying areas of Douglas, Grant and Ottertail Counties. 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 Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Federal Bank not later than October 13, 1983.

Board of Governors of the Federal Reserve System, September 14, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-25584 Filed 9-19-83; 8:45 am]

BILLING CODE 6210-01-M

**Formation of Bank Holding Companies; Lake City Bancshares, Inc.; et al.**

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 Richmond (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *Lake City Bancshares, Inc.*, Lake City, South Carolina; to become a bank holding company by acquiring 100 percent of the voting shares of the successor by merger to Lake City State Bank, Lake City, South Carolina. Comments on this application must be received not later than October 14, 1983.

B. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Columbiana Bancshares, Inc.*, Columbiana, Alabama; to become a bank holding company by acquiring 80 percent of the voting shares of First National Bank of Columbiana, Columbiana, Alabama. Comments on this application must be received not later than October 14, 1983.

2. *Livingston Bancshares, Inc.*, Denham, Springs, Louisiana; to become a bank holding company by acquiring 100 percent of the voting shares of Livingston Bank, Denham Springs, Louisiana. Comments on this application must be received not later than October 14, 1983.

Board of Governors of the Federal Reserve System, September 14, 1983.

James McAfee,

Associate Secretary of the Board.

[FR DOC. 25565 Filed 9-19-83; 8:45 am]

BILLING CODE 6210-01-M

#### Acquisition of Bank Shares, by Bank Holding Companies; Pennbancorp and First Bankers Corporation of Florida

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 application 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 Cleveland (Lee S. Adams, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *Pennbancorp*, Titusville, Pennsylvania; to acquire 100 percent of the voting shares or assets of Security-Peoples Trust Company, Erie, Pennsylvania. Comments on this application must be received not later than October 14, 1983.

B. Board of Governors of the Federal Reserve System (William W. Wiles, Secretary) Washington, D.C. 20551:

1. *First Bankers Corporation of Florida*, Pompano Beach, Florida; to acquire at least 96 percent of the voting shares or assets of Flagship Bank of Polk County, Haines City, Florida. This application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Atlanta. Comments on this application must be received not later than October 12, 1983.

Board of Governors of the Federal Reserve System, September 14, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-25587 Filed 9-19-83; 8:45 am]

BILLING CODE 6210-01-M

#### PNC Financial Corp.; Proposed Organization of BHC Securities, Inc.

PNC Financial Corp., Pittsburgh, Pennsylvania, 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 organize BHC Securities, Inc., Philadelphia, Pennsylvania.

Applicant states that the proposed subsidiary would engage *de novo* in discount brokerage activities, including buying and selling securities solely for the account of customers. These activities would be conducted initially from an office in Philadelphia, Pennsylvania, and the geographic area to be served is the entire United States. 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 section 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 Cleveland.

Any views of requests for hearing should be submitted in writing and received by William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., not later than October 13, 1983.

Board of Governors of the Federal Reserve System, September 14, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-25596 Filed 9-19-83; 8:45 am]

BILLING CODE 6210-01-M

#### Bank Holding Companies; Proposed De Novo Nonbank Activities; Citicorp et al.

The organizations identified in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to these applications, 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 comment that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

The applications may be inspected at the offices of the Board of Governors or

at the Federal Reserve Bank indicated. Comments and requests for hearing should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than the date indicated.

**A. Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *Citicorp*, New York, New York (consumer finance and credit-related insurance activities; Pennsylvania, New Jersey, Delaware): To establish a *de novo* office of Citicorp Homeowners, Inc. and a *de novo* office of Citicorp Financial, Inc., at a shared location in Bala Cynwyd, Pennsylvania. The activities in which the *de novo* offices of Citicorp Homeowners, Inc. and Citicorp Financial, Inc. each propose to engage at the shared office location are: the making or acquiring of loans and other extensions of credit, secured or unsecured, for consumer and other purposes; the sale of credit related life and accident and health insurance by licensed agents or brokers, as required; the sale of consumer oriented financial management courses; the servicing, for any person, of loans and other extensions of credit; the making, acquiring, and servicing, for its own account and for the account of others, of extensions of credit to individuals secured by liens on residential or non-residential real estate; and the sale of mortgage life and mortgage disability insurance directly related to extensions of mortgage loans. The proposed service area for the *de novo* office of Citicorp Homeowners, Inc. and the *de novo* office of Citicorp Financial, Inc. will comprise the entire states of Pennsylvania, New Jersey and Delaware for all the aforementioned proposed activities. Comments on this application must be received not later than October 12, 1983.

2. *Citicorp*, New York, New York (consumer finance and credit-related insurance activities; Maine): To establish a *de novo* office of Citicorp Homeowners, Inc. and a *de novo* office of Citicorp Persons-to-Person Financial Center, Inc., at a shared location in Portland, Maine. The activities in which the office of Citicorp Homeowners, Inc. and Citicorp Person-to-Person Financial Center, Inc. propose to engage *de novo* are: the making or acquiring of loans and other extensions of credit, secured or unsecured, for consumer and other purposes; the sale of credit related life and accident and health insurance by licensed agents or brokers, as required;

the sale of consumer oriented financial management courses; the servicing, for any person, of loans and other extensions of credit; the making, acquiring, and servicing, for its own account and for the account of others, of extensions of credit to individual secured by liens on residential or non-residential real estate; and the sale of mortgage life and mortgage disability insurance directly related to extensions of mortgage loans. The proposed service area for the *de novo* office of Citicorp Homeowners, Inc. and Citicorp Person-to-Person Financial Center, Inc. will comprise the entire state of Maine for all the aforementioned proposed activities. Comments on this application must be received not later than October 12, 1983.

**B. Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *Union Trust Bancorp*, Baltimore, Maryland (financing and insurance activities; Virginia): To engage through its subsidiary, Landmark Financial Services of Virginia, Inc., in making installment loans to individuals for personal, family or household purposes; in purchasing sales finance contracts executed in connection with the sale of personal, family or household goods or services; in acting as agent in the sale of credit life and credit accident and health insurance directly related to its extensions of credit; in acting as agent in the sale of insurance protecting collateral held against the extensions of credit; and in making mortgage loans secured in whole or in part by mortgages or other liens in real estate. The proposed insurance activities are permissible pursuant to section 601(D) of the Garn-St. Germain Depository Institutions Act of 1982). These activities would be conducted from an office in Chesapeake, Virginia, serving Chesapeake and the surrounding area. Comments on this application must be received not later than October 14, 1983.

**C. Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Southwest Bancshares, Inc.*, Houston, Texas (financing and servicing activities; Texas): To engage through its subsidiary, Southwest Bancshares Funding Company, in making or acquiring, for its own account or for the account of others, loans and other extensions of credit, and servicing loans and other extensions of credit for others. These activities would be performed from an office in Houston, Texas serving the State of Texas. Comments on this

application must be received not later than October 4, 1983.

**D. Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *Utah Bancorporation*, Salt Lake City, Utah (industrial loan corporation *de novo* office; Utah): To establish a new branch office of its subsidiary, Intermountain Thrift and Loan, in Ogden, Utah, for the industrial loan corporation activities of the subsidiary in the manner authorized by Utah state law, including the acceptance of time and savings deposits and making, acquiring and servicing loans, leases of personal property in accordance with the Board's Regulation Y and other extensions of credit. The new branch office is proposed to be located at 24th Street and Grant Avenue, Ogden, Utah, to serve the market areas surrounding the location. Comments on this application must be received not later than October 12, 1983.

Board of Governors of the Federal Reserve System, September 14, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-25543 Filed 9-19-83; 8:45 am]

BILLING CODE 6210-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### Consumer Participation; Open Meeting

**AGENCY:** Food and Drug Administration.  
**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing the following consumer exchange meeting:

Minneapolis district Office, chaired by John Feldman, District Director. Topics to be discussed: Over-the-Counter Drugs, Health Fraud, Hearing Aids, and Sodium.

**DATE:** Wednesday, September 28, 1983, 1:30 p.m. to 3:30 p.m.

**ADDRESS:** Senior Citizen Center, 121 North Broadway, Rochester MN 55901.

**FOR FURTHER INFORMATION CONTACT:** Blance L. Erkel, Consumer Affairs Officer, Food and Drug Administration, 240 Hennepin Ave., Minneapolis, MN 55401, 612-725-2121.

**SUPPLEMENTARY INFORMATION:** The purpose of this meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to

enhance relationships between local consumers and FDA's District Offices, and to contribute to the agency's policymaking decisions on vital issues.

Dated: September 14, 1983.

**William F. Randolph,**

*Acting Associate Commissioner for Regulatory Affairs.*

[FR Doc. 83-25537 Filed 9-15-83; 11:53 am]

BILLING CODE 4160-01-M

## Health Resources and Services Administration

### Application Announcement for Grants for Residency Training in General Internal Medicine and General Pediatrics

The Bureau of Health Professions, Health Resources and Services Administration, announces that applications for Fiscal Year 1984 Grants for Residency Training in General Internal Medicine and/or General Pediatrics are being accepted under the authority of Section 784, Title VII, of the Public Health Service Act, as amended.

Section 784 authorizes the award of grants for planning, developing and operating approved residency training programs which emphasize the training of residents for the practice of general internal medicine or general pediatrics. In addition, Section 784 authorizes assistance in meeting the cost of supporting residents who are participants in any such program, and who plan to specialize or work in the practice of general internal medicine or general pediatrics.

Eligible applicants are accredited schools of medicine and osteopathy, public and private nonprofit hospitals, or other public or private nonprofit entities.

To receive support, programs must meet the requirements of final regulations published in the *Federal Register* on August 1, 1980, Vol. 45, No. 150.

In the funding of approved applications, preference will be given to projects in which:

1. Substantial training experiences are provided in settings where physician assistants or nurse practitioners, or both, are used as part of a health care team.

2. Administrative and educational resources are coordinated for the use of a program of general internal medicine and a program of general pediatrics which are to be conducted within a single project.

3. Substantial portions of a project are conducted in a primary medical care manpower shortage area(s) designated

under Section 332 of the Public Health Service Act and in particular, one which is located in a Metropolitan Statistical Area, as defined by the Office of Federal Statistical Policy and Standards, Department of Commerce; or are conducted in an Area Health Education Center funded, at least in part, under Section 781 of the Act.

Grant application kits are being mailed only to program directors of approved residency training programs in internal medicine and/or pediatrics. Individuals and entities representing programs which have not yet been approved, but desire an application, should write to: Grants Management Officer (D-28), Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, Room 8C-22, Rockville, Maryland 20857, Telephone (301) 443-6960.

Should additional programmatic information be required, please contact: Primary Care Graduate Medical Education Branch, Division of Medicine, Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, Room 4C-04, Rockville, Maryland 20857, Telephone (301) 443-5590.

The deadline date for receipt of applications is November 28, 1983. Applications sent by mail will be considered on time if postmarked on or before November 28 and received on or before December 5, 1983. The term "postmark" means a printed, stamped, or otherwise placed impression, exclusive of a postage meter impression, that is readily identified as having been affixed on the date of mailing by an employee of the U.S. Postal Service. All hand delivered applications must be received on or before November 28.

Approximately \$6.4 million is expected to be available for competing awards for Fiscal Year 1984. Application materials are being made available without final action on the related Fiscal Year 1984 budget, therefore, adjustments and other changes may be necessary at a later date.

This program is listed at 13.884 in the *Catalog of Federal Domestic Assistance*. It is not subject to the provisions of Executive Order 12372, Intergovernmental Review of Federal Programs or 45 CFR Part 100.

Dated: September 13, 1983.

**Robert Graham,**

*Administrator, Assistant Surgeon General.*

[FR Doc. 83-25536 Filed 9-19-83; 6:45 am]

BILLING CODE 4166-16-M

## National Institutes of Health

### Cancellation of Meeting of the Biometry and Epidemiology Contract Review Committee

The notice of the meeting of the Biometry and Epidemiology Contract Review Committee, National Cancer Institute, October 5, 1983, published in the *Federal Register* on August 30, 1983 (48 FR 39297-8) is hereby cancelled. For further information please contact Wilna A. Woods, Ph.D., Executive Secretary, Biometry and Epidemiology Contract Review Committee, Westwood Building, Room 822, Bethesda, Maryland 20205, (301/496-7153).

Dated: September 13, 1983.

**Betty J. Beveridge,**

*Committee Management Officer, NIH.*

[FR Doc. 83-25544 Filed 9-19-83; 6:45 am]

BILLING CODE 4140-01-M

### National Cancer Advisory Board and Board Subcommittees; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meetings of the National Cancer Advisory Board and its Subcommittees, October 2-5, 1983, National Cancer Institute, Building 31, C Wing, Conference Room 6, National Institutes of Health, Bethesda, Maryland 20205. Portions of the Board meeting and its Subcommittees will be open to the public to discuss committee business as indicated in the notice. Attendance by the public will be limited to space available.

Portions of these meetings will be closed to the public and indicated below in accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Winifred Lumsden, the Committee Management Office, NCI, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20205 (301/496-5708) will furnish summaries of the meetings, substantive program information and rosters of members, upon request.

Name of committee: *National Cancer Advisory Board.*

Dates of meeting: October 3-5, 1983.

Place of meeting: Building 31, C Wing, Conference Room 6, National Institutes of Health.

Open: October 3, 8:30 a.m.—recess; October 5, 8:30 a.m.—adjournment.

Agenda: Reports on activities of the President's Cancer Panel and the Director's Report on the National Cancer Institute; AIDS Update; Tumor Cell Invasiveness; Respiratory Cancer; Overview of DRCCA Smoking Program; SBIR Update; and reports on the NCAB Subcommittees.

Closed session: October 4, 8:30 a.m.—recess.

Closure reason: To review grant applications.

Name of committee: *Subcommittee on Organ Systems Program.*

Date of meeting: October 2, 1983.

Place of meeting: Building 31, C Wing, Conference Room 7, National Institutes of Health.

Open: October 2, 6:00 p.m.—adjournment.

Agenda: A discussion of the Organ Systems Program.

Name of committee: *Subcommittee on Planning and Budget.*

Date of meeting: October 3, 1983.

Place of meeting: Building 31, A Wing, Room 11A10, National Institutes of Health.

Open: October 3, 7:30 p.m.—adjournment.

Agenda: A discussion of the FY 1983 budget actuals, and update of the FY 1984 budget.

Name of committee: *Subcommittee on Special Actions for Grants.*

Date of meeting: October 4, 1983.

Place of meeting: Building 31, C Wing, Conference Room 6, National Institutes of Health.

Closed: October 4, 8:30 a.m.—adjournment.

Closure reason: Review of grant applications.

(Catalog of Federal Domestic Assistance Program Numbers:

- 13.392, project grants in cancer construction.
- 13.393, project grants in cancer cause and prevention.
- 13.394, project grants in cancer detection and diagnosis.
- 13.395, project grants in cancer treatment.
- 13.396, project grants in cancer biology.
- 13.397, project grants in cancer centers support.
- 13.398, project grants in cancer research manpower.
- 13.399, project grants and contracts in cancer control.

Dated: September 6, 1983.

Betty J. Beveridge,  
*Committee Management Officer, NIH.*

[FR 83-25545, Filed 9-19-83; 8:45 am]

BILLING CODE 4140-01-M

## Office of Human Development Services

### President's Committee on Mental Retardation; Quarterly Full Committee Meeting

Agency holding the meeting: President's Committee on Mental Retardation.

Time and date: September 28, 1983 from 8:30 a.m., to 4:00 p.m., September 29, 8:30 a.m. to 6:00 p.m. September 30, 8:30 a.m. to 3:30 p.m.

Place: Dupont Plaza Hotel, 1500 New Hampshire Avenue, N.W., Washington, D.C.

Status: The meetings are open to the public. An interpreter for the deaf will be available upon advance request. All locations are barrier free.

Matters to be considered: Reports by the Steering Committee of the President's Committee on Mental Retardation (PCMR) will be given. The PCMR plans to discuss critical issues concerning deinstitutionalization, prevention, family and community services, full citizenship, public awareness, simplification of service delivery and other issues relevant to the PCMR's goals.

The PCMR: (1) acts in an advisory capacity to the President and the Secretary of the Department of Health and Human Services on matters relating to programs and services for persons who are mentally retarded; and (2) is responsible for evaluating the adequacy of current practices in programs for the retarded, and reviewing legislative proposals that affect the mentally retarded.

Contact person for more information: Dominic J. Mastrapasqua, 300 Independence Avenue, S.W., Room 4061-North Building, Washington, D.C. 20201; (202) 245-7634.

Dated: September 12, 1983.

Dominic J. Mastrapasqua  
*Acting Executive Director.*

[FR Doc. 83-25882 Filed 9-19-83; 8:45 am]

BILLING CODE 4130-01-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Isabella Indian Reservation, Michigan; Addition of Land

##### Correction

In FR Doc. 83-24845 appearing on page 40790 in the issue of Friday, September 9, 1983, make the following correction in column two: Wherever

"hence" appears (eleven places) it should read "thence".

BILLING CODE 1505-01-M

## Bureau of Land Management

(F-14838-A)

### Bethel Native Corp.; Alaska Native Claims Selection

In accordance with departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Sec. 14 of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611 (Supp. IV, 1980)) (ANCSA), will be issued to Bethel Native Corporation for approximately 151 acres. The lands involved are within T. 8 N., R. 71 W., Seward Meridian, Alaska; and U.S. Survey No. 2639, and U.S. Survey No. 4117, Bethel, Alaska.

The decision to issue conveyance will be published once a week, for four (4) consecutive weeks, in The Tundra Drums, upon issuance of the decision. For information on how to obtain copies, contact Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

Any party claiming a property interest in lands affected by the decision, an agency of the Federal Government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in Title 43 Code of Federal Regulations (CFR), Part 4, Subpart E, as revised.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of the decision by personal service or certified mail, return receipt requested, shall have thirty days from the receipt of the decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of the decision by regular mail which is

not certified, return receipt requested, shall have until October 20, 1983 to file an appeal.

Any party known or unknown who is adversely affected by the decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Bethel Native Corporation, P.O. Box 719, Bethel, Alaska 99559

Calista Corporation, 516 Denali Street, Anchorage, Alaska 99501

State of Alaska, Department of Natural Resources, Division of Land and Water Management, Pouch 7-005, Anchorage, Alaska 99510

Ruth Stockie,

Section Chief, Branch of ANCSA  
Adjudication.

[FR Doc. 83-25090 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-84-M

#### [AA-8447-C]

#### **Eyak Corp.; Alaska Native Claims Selection**

In accordance with Departmental regulations 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Sec. 14 of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611 (1976) (ANCSA)), will be issued to The Eyak Corporation for approximately 39,552 acres. The lands involved are within the Copper River Meridian, Alaska:

T. 14 S., R. 3 E.

T. 15 S., R. 3 E.

T. 13 S., R. 4 E.

T. 14 S., R. 4 E.

T. 15 S., R. 4 E.

T. 13 S., R. 5 E.

The decision to issue conveyance will be published once a week, for four (4) consecutive weeks, in the *CORDOVA TIMES* upon issuance of the decision. For information on how to obtain copies, contact the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

Any party claiming a property interest in lands affected by the decision, an

agency of the Federal Government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in Title 43 Code of Federal Regulations (CFR), Part 4, Subpart E, as revised.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of the decision by personal service or certified mail, return receipt requested, shall have thirty days from the receipt of the decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of the decision by regular mail which is not certified, return receipt requested, shall have until October 20, 1983, to file an appeal.

Any party known or unknown who is adversely affected by the decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

The Eyak Corporation, P.O. Box 340, Cordova, Alaska 99574

Chugach Natives, Inc., 903 W. Northern Lights Boulevard, Suite 201, Anchorage, Alaska 99503

Steven L. Willis,

Acting Section Chief, Branch of ANCSA  
Adjudication

[FR Doc. 83-25091 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-84-M

[F-14852-A, F-14852-B]

#### **Dot Lake Native Corp.; Alaska Native Claims Selection**

On December 28, 1979, a Decision to Issue Conveyance (DIC) was issued to Dot Lake Native Corporation, for certain lands in the vicinity of Dot Lake, under the provisions of Sec. 12(a) of the Alaska Native Claims settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611 (1976)) (ANCSA), and published in the Federal Register (45 F.R. 849-852, January 3, 1980). The DIC reserved certain easements, including EIN 20 C4, EIN 9 L, and EIN 27 C5.

As a result of an Alaska Native Claims Appeal Board order, on January 28, 1983, an amendment to the October 10, 1979 State Director's memorandum made the following changes:

Easement EIN 20 C4 is now limited to government use only and reads:

(EIN 20 C4) an easement sixty (60) feet in width for an existing road from the Alaska Highway in Sec. 28, T. 22 N., R. 7 E., Copper River Meridian, southerly to U.S. Survey No. 4290 in Sec. 33, T. 22 N., R. 7 E., Copper River Meridian. The uses allowed are those listed above for a sixty (60) foot road easement and limited to government use only.

The following easements have been deleted:

(EIN 9 L) An easement for an existing access trail twenty-five (25) feet in width from road EIN 20 C4 in Sec. 33, T. 22 N., R. 7 E., Copper River Meridian, southwesterly to public lands.

(EIN 27 C5) A one (1) acre site easement in Sec. 33, T. 22 N., R. 7 E., Copper River Meridian, adjacent to road EIN 20 C4 and trail EIN 9 L.

Except as amended by this decision, the decision of December 28, 1979, stands as written.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the Federal Register and once a week, for four (4) consecutive weeks, in the *Tundra Times*.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the attached regulations in 43 CFR Part 4, Subpart E, as revised.

If an appeal is taken, the notice of appeal must be filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal

directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until October 20, 1983 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Dot Lake Native Corporation, P.O. Box 441; Tok, Alaska 99780

Doyon, Limited, Land Department, Doyon Building, 201 First Avenue, Fairbanks, Alaska 99701

State of Alaska, Department of Natural Resources, Division of Technical Services, Title Administration, Pouch 10-7035, Anchorage, Alaska 99510

**B. LaVelle Black,**

*Section Chief, Branch of ANCSA Adjudication.*

[FR Doc. 83-25562 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-04-M

(F-19155-5)

#### **Doyon, Limited; Alaska Native Claims Selection**

On March 23, 1982, a decision approving conveyance of certain lands in the vicinity of Circle was issued to Doyon, Limited and published in the *Federal Register* (47 FR 12866-12868, March 25, 1982).

The State of Alaska appealed this decision on April 23, 1982. A Stipulation

for Partial Settlement was issued on July 19, 1982. Subsequently, the final easement memorandum dated July 29, 1981, was amended on May 2, 1983, and further amended August 26, 1983, adding the following easement to those reserved in the decision pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971:

f. (EIN 26a, C4, C5, D, N) An easement fifty (50) feet in width for a proposed access trail from trail EIN 26 C5 in Sec. 34, T. 11 N., R. 19 E., Fairbanks Meridian, Southerly to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement. Large all-terrain vehicles (more than 3,000 pounds Gross Vehicle Weight (GVW)) and four-wheel drive vehicles are limited to winter use only.

Except as herein amended, the decision of March 23, 1982, stands as written.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the *Federal Register* and once a week, for four (4) consecutive weeks, in the *Fairbanks Daily News-Miner*.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the attached regulations in 43 CFR Part 4, Subpart E, as revised.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt, and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until October 20, 1983 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. For further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Doyon, Limited, Land Department, Doyon Building, 201 First Avenue, Fairbanks, Alaska 99701  
State of Alaska, Division of Technical Services, Department of Natural Resources, Title Administration, Pouch 10-7035, Anchorage, Alaska 99510

**B. Lavelle Black,**  
*Section Chief, Branch of ANCSA Adjudication.*

[FR Doc. 83-25563 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-04-M

(F-14901-A)

#### **Napakiak Corp.; Alaska Native Claims Selection**

On November 22, 1974, Napakiak Corporation, for the Native village of Napakiak, filed selection application F-14901-A (Anch.), as amended, under the provisions of Sec. 12(a) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611 (Supp. IV, 1960)) (ANCSA), for the surface estate of certain lands in the vicinity of Napakiak.

As to the lands described below, selection application F-14901-A, as amended, is properly filed and meets the requirements of ANCSA and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, containing approximately 4 acres, is considered proper for acquisition by Napakiak Corporation and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA:

**Seward Meridian, Alaska (Partially Surveyed)**

T. 7 N., R. 72 W.

Secs. 17 and 20, those lands formerly within Alaska Native Claims Settlement Act Sec. 3(c) application AA-16143. Containing approximately 4 acres.

There are no inland water bodies considered navigable within the above-described lands.

The conveyance issued for the surface estate of the lands described above shall contain the following reservation to the United States:

The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(f)).

There are no easements to be reserved to the United States pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act.

The grant of the above-described land shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat, or supplemental plat, of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), and valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(c) (Supp. IV, 1980)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

The village of Napakiak is entitled to conveyance of 115,200 acres of land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 103,586 acres. The remaining entitlement of approximately 11,834 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA and Departmental regulation 43 CFR 2652.4, conveyance of the subsurface estate of

the lands described above shall be issued to Calista Corporation when the surface estate is conveyed to Napakiak Corporation and shall be subject to the same conditions as the surface conveyance, except for those provisions under Sec. 14(c) of ANCSA; also the right to explore, develop or remove minerals from the subsurface estate in lands within the boundaries of the Native village shall be subject to the consent of Napakiak Corporation.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the Federal Register and once a week for four (4) consecutive weeks, in *The Tundra Drums*.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the attached regulations in Title 43 Code of Federal Regulations (CFR), Part 4, Subpart E, as revised. However, pursuant to Pub. L. 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

If an appeal is taken, the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of Conveyance Management (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of this decision by personal service or certified mail, return receipt requested, shall have thirty days from receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, parties who failed or refused to sign their return receipt and parties who received a copy of this decision by regular mail which is not certified, return receipt requested, shall have until October 20, 1983 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of Conveyance Management.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Napakiak Corporation, Napakiak, Alaska 99559  
Calista Corporation, 518 Denali Street, Anchorage, Alaska 99501  
Ruth Stockie,  
Section Chief, Branch of ANCSA  
Adjudication.

[FR Doc. 83-25894 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-84-M

### Montrose District Grazing Advisory Board; Meeting

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Montrose District Grazing Advisory Board meeting notice.

**SUMMARY:** Notice is hereby given in accordance with Pub. L. 92-463 that a meeting—tour of the Montrose District Grazing Advisory Board will be held on October 26 & 27, 1983. On October 26 the Board will convene at 1:00 p.m. in the parking lot of the Pony Express Restaurant, 603 E. Main, Cortez, Colorado and tour areas within the Sacred Mountain Planning Area. At 7:30 p.m., the Board will convene in the meeting room at the Pony Express Restaurant and hold a short business meeting including the following topics:

1. Briefing on recommendations made by Congressman Kogovsek's committee on the Sacred Mountain Area;
2. Briefing and discussion on the Cooperative Management Agreement Policy (CMA);
3. Update on the San Juan/San Miguel RMP/EIS effort;
4. Briefing on the FY 84 Annual Work Plan submission and expenditures of Advisory Board funds;
5. Arrangements for the next meeting.

On October 27 the Board will again convene at 8:00 a.m. in the parking lot of the Pony Express and continue the tour of areas within the Sacred Mountain Planning Area.

The meeting and tour is open to the public. Persons desiring to participate in the tour on October 26 and 27 should furnish their own transportation, food, and drink.

Summary minutes of the board meeting will be maintained in the

District Office and be available for public inspection and reproductions (during regular business hours) within 30 days following the meeting.

Paul W. Arrasmith,  
District Manager.

[FR Doc. 83-25600 Filed 9-19-83; 9:45 am]  
BILLING CODE 4310-84-M

[Serial No. I-20193F]

### Idaho; Conveyance of Public Lands, Blaine County

September 12, 1983

Notice is hereby given that pursuant to the Act of October 21, 1976 (90 Stat. 2750; 43 U.S.C. 1713), a patent was issued to Mary Louise McGonigal, Hailey, Idaho 83333, for the following-described public land:

#### Boise Meridian, Idaho

T. 2 S., R. 17 E.,  
Sec. 1, lot 50,  
Containing 0.095 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the conveyance.

Louis B. Bellesi,  
Deputy State Director for Operations

[FR Doc. 25566 Filed 9-19-83; 9:45 am]  
BILLING CODE 4310-84-M

[Serial No. I-20193G]

### Idaho; Conveyance of Public Lands, Blaine County

September 12, 1983.

Notice is hereby given that pursuant to the Act of October 21, 1976 (90 Stat. 2750; 43 U.S.C. 1713), a patent was issued to Richard J. Gillespie, Twin Falls, Idaho, for the following-described public land:

#### Boise Meridian, Idaho

T. 2 S., R. 17 E.,  
Sec. 1, lot 48,  
Containing 0.78 acres.

The purpose of this notice is to inform the public and interested State and local governmental officials of the conveyance.

Louis B. Bellesi,  
Deputy State Director for Operations

[FR Doc. 83-25567 Filed 9-19-83; 9:45 am]  
BILLING CODE 4310-84-M

[M 57737]

### Montana; Notice of Conveyance of Public Land

September 12, 1983.

**AGENCY:** Bureau of Land Management, Montana State Office, Interior.

**ACTION:** Notice of Conveyance of Public Land in Phillips County, Montana.

**SUMMARY:** Notice is hereby given that pursuant to Section 203 of the Act of October 21, 1976 (43 U.S.C. 1713 (1976)), the following described land was conveyed to Charles E. and Lorraine R. Schwenke:

#### Principal Meridian, Montana

T. 24 N., R. 24 E.,  
Sec. 27, W $\frac{1}{2}$ E $\frac{1}{2}$ .  
The area described contains 160 acres.

The purpose of this notice is to inform State and local governmental officials and other interested parties of the conveyance of the land to the Schwenkes.

Edgar D. Stark,  
Chief, Lands Adjudication Section.

[FR Doc. 83-25567 Filed 9-19-83; 9:45 am]  
BILLING CODE 4310-84-M

[W-45185, W-66217]

### Wyoming; Proposed Reinstatement of Terminated Oil and Gas Leases

Pursuant to the provisions of Pub. L. 31-245 and Title 43 Code of Federal Regulations, § 3108.2-1(c), and Pub. L. 97-451, petitions for reinstatement of oil and gas lease W-45185 for lands in Fremont County, Wyoming and oil and gas lease W-66217 for lands in Weston County, Wyoming, were timely filed and were accompanied by all the required rentals accruing from their respective dates of termination.

The lessees have agreed to new lease terms for rentals and royalties at rates of \$5.00 per acre, and 16 $\frac{1}{2}$  percent, respectively.

The lessees have paid the required \$500 administrative fee and will reimburse the Department for the cost of this Federal Register notice.

The lessees having met all the requirements for reinstatement of the leases as set out in Section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), the Bureau of Land Management is proposing to reinstate lease W-45185 effective June 1, 1983, and lease W-66217 effective April 1, 1983, subject to the original terms and conditions of the lease and the

increased rental and royalty rates cited above.

Harold G. Stinchcomb,  
Chief, Branch of Fluid Minerals.

[FR Doc. 83-25568 Filed 9-19-83; 9:45 am]  
BILLING CODE 4310-84-M

[W-34993]

### Wyoming; Partial Termination of Proposed Withdrawal and Opening of Lands

#### Correction

In FR Doc. 83-24343 appearing on page 40446 in the issue of Wednesday, September 7, 1983, make the following correction in column one, line one of land description: **Sixth Principal Meridian, Wyoming**, "T. 47 N." should read "T. 46 N."

BILLING CODE 1505-01-M

### Minerals Management Service

#### Outer Continental Shelf Advisory Board, South Atlantic Regional Technical Working Group; Meeting

Notice of this meeting is issued in accordance with the Federal Advisory Committee Act (Pub. L. 92-463).

Name: South Atlantic Regional Technical Working Group  
Date: October 26, 1983.  
Place: Mills House Hotel, Hibernia Hall, 115 Meeting Street, Charleston, South Carolina.  
Time: 9:00 a.m. to 5:30 p.m.

Committee membership consists of representatives from Federal Agencies, the Coastal States of Virginia through Florida, the petroleum industry, and other private interests. The purpose of the meeting is to advise the Director, Minerals Management Service, on technical matters of Regional concern regarding prelease and postlease offering activities.

Agenda: Minerals Management Service (MMS) Atlantic OCS Region Organizational Update; Issues, Scenarios, Alternatives, and Stipulations for the January 1985 South Atlantic OCS Lease Offering Environmental Impact Statement; OCS Nonenergy (Hard) Minerals—Exploration Techniques and Possible Environmental Impacts; MMS and State Review/Coordination of Exploration Plans and Related Documents; South Carolina/Florida—OCS Facility Siting Study.

This meeting will be open to the public. Public attendance may be limited by the space available. Persons wishing to make oral presentations to the Committee regarding items on the agenda should contact Donald Truesdell of the Atlantic OCS Office (703) 285-

2165 by October 19, 1983. Written statements should be submitted by November 2 to the Atlantic OCS Region, Minerals Management Service, 1951 Kidwell Drive, Suite 601, Vienna Virginia 22180.

Minutes of the meeting will be available for public inspection and copying by December 30, 1983, at the above address.

**Bruce G. Weetman,**

*Acting Regional Manager, Atlantic OCS Region.*

[FR Doc. 83-25905 Filed 9-19-83; 9:45 am]

BILLING CODE 4310-MR-M

## National Park Service

### National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before, September 9, 1983. Pursuant to § 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, U.S. Department of the Interior, Washington, D.C. 20243. Written comments should be submitted by October 5, 1983.

**Carol D. Shull,**

*Chief of Registration, National Register.*

## ALASKA

### Barrow-North Slope Division

Barrow, *Utkeagvik Church Manse*, Off Momegana St.

## ARIZONA

### Pima County

Tucson, *University Heights Elementary School*, 1201 N. Park Ave.

## COLORADO

### Arapahoe County

Parker vicinity, *Seventeen Mile House*, 8181 S. Parker Rd.

### Fremont County

Canon City, *Canon City Downtown Historic District*, Roughly Main St. from 3rd to 9th Sts. and Macon Ave.

### Ouray County

Ouray, *Ouray Historic District*, US 550

## CONNECTICUT

### Fairfield County

Stamford, *Downtown Stamford Historic District*, Atlantic, Main, Bank, and Bedford Sts.

## DELAWARE

### Kent County

Smyrna vicinity, *Cook, Gov. John, House*, S of Smyrna

Smyrna vicinity, *Cummins, David J., House*, E of Smyrna

Smyrna vicinity, *Cummins, Timothy, House*, E of Smyrna

Smyrna vicinity, *Short's Landing Hotel Complex*, NE of Smyrna

Smyrna vicinity, *Voshell, John M., House*, E of Smyrna

### New Castle County

Talleyville vicinity, *Hicklen, William, House*

## DISTRICT OF COLUMBIA

Wheatley, *Phyllis, YWCA*, 901 Rhode Island Ave., NW

## FLORIDA

### Hillsborough County

Tampa, *West Tampa Historic District*, Roughly bounded by Cypress and Ivy Sts., Fremont and Habana Aves.

## MAINE

### Franklin County

Farmington, *Franklin County Courthouse*, Main and Anson Sts.

### Hancock County

Blue Hill, *Peters, John, House*, Off ME 176

### Kennebec County

North Vassalboro, *Mill Agent's House*, ME 32

### Lincoln County

Edgecomb vicinity, *Parsons, Stephen, House*, SW of Edgecomb

### Penobscot County

Bangor, *Connors House*, 277 State St.

### Washington County

Robbinston, *Brewer, Henrietta, House*, US 1

Robbinston, *Brewer, John N.M., House*, US 1

### York County

Wells vicinity, *Laudholm Farm*, Laudholm Farm Rd.

## MASSACHUSETTS

### Berkshire County

North Adams, *Sherman, Eber, Farm*, 1010 State Rd.

Williamstown, *Mill Village Historic District*, Cole Ave., Mill, Arnold, and Elm Sts.

### Bristol County

Easton, *Furnace Village Historic District*, MA 106/123

### Hampshire County

South Hadley, *Woodbridge Street Historic District*, 3 and 7 Silver St., 25-82 Woodbridge St.

### Middlesex County

Medford, *Old Medford High School*, 22-24 Forest St.

### Norfolk County

Randolph, *Gills Farm Archeological District*,

### Plymouth County

Brockton, *South Street Historic District*, Roughly South St. from Main St. to Warren Ave.

### Suffolk County

Boston, *LUNA (tugboat)*, Boston Harbor

### Worcester County

Clinton, *Bigelow Carpet Company Woolen Mills*, Main St.

Sturbridge, *Tantiusques Reservation*, Leadmine Rd.

## MINNESOTA

### Hennepin County

Minneapolis, *Augsburg Old Main*, 731 21st Ave. S.

Minneapolis, *Fisk, Woodbury, House*, 424 SE 5th St.

Minneapolis, *Lakewood Memorial Chapel*, 3600 Hennepin Ave.

Minneapolis, *Washburn Park Water Tower*, 401 Prospect Ave.

### Pennington County

Thief River Falls, *Thief River Falls Public Library*, 102 N. Main Ave.

### Pope County

Villard, *Northern Pacific Depot*, Off Washington Ave.

### Ramsey County

St. Paul, *Davern, William and Catherine, Farm House*, 1173 S. Davern St.

## NEW YORK

### Kings County

New York, *Rockwood Chocolate Factory Historic District*, 54-88 Washington, 13-53 Waverly, and 255-275 Park Aves.

### Queens County

Douglaston, *Van Wyck, Cornelius, House*, 126 West Dr.

### Richmond County

New York, *Staten Island Borough Hall and Richmond County Courthouse*, Richmond Terr.

### Westchester County

East Irvington, *East Irvington School*, Taxter Rd.

## NORTH CAROLINA

### Chatham County

Newkirk State (Site 31 Ch 366).

### Craven County

New Bern, *New Bern Historic District (Boundary Increase)*, Neuse River at Pollock St.

## OHIO

### Hamilton County

Cincinnati, *Gilbert-Sinton Historic District*, Roughly bounded by Morris, Gilbert and Sinton Aves.

**TEXAS***Cooke County*

Gainesville, *Santa Fe Passenger Depot*, 505 E. Broadway

*Harris County*

Houston, *Miller, Ezekial and Mary Jane House*, 304 Hawthorne St.

*Tarrant County*

Fort Worth, *First Christian Church*, 612 Throckorton St.

**VIRGINIA***Halifax County*

Halifax, *Mountain Road Historic District*, Roughly Mountain Rd. from Mimosa Dr. to Academy St.

*Portsmouth (Independent City)*

Portsmouth Historic District (Boundary Increase) Green and Queen Sts.

*Prince William County*

Occoquan, *Occoquan Historic District*, Poplar Alley, Ellicott, Mill, Commerce, and Washington Sts.

**WISCONSIN***Dane County*

Madison, *Lamb Building*, 114 State St.

[FR Doc. 83-25633 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-70-M

**Office of the Secretary****Commission on Fair Market Value Policy for Federal Coal Leasing; Meetings**

**AGENCY:** Department of the Interior.

**ACTION:** Notice of future meetings of the Commission.

**SUMMARY:** Notice is hereby given of the following meetings and hearings of the Commission on Fair Market Value Policy for Federal Coal Leasing to be held on September 26 and 27, October 25 and 26, and November 17 and 18, 1983. The September meeting will be in Room 1310 Longworth House Office Building, Independence Avenue, NE., Washington, D.C. The October meeting and hearings will be in Denver, Colorado, and the November meeting and hearings in Washington, D.C. at locations to be announced later. All meetings and hearings will convene at 9:00 a.m. and adjourn at 5:00 p.m.

**FOR FURTHER INFORMATION CONTACT:** F. Scott Bush, Executive Director, or Sorrell Caplan, Public Affairs Director, Commission on Fair Market Value Policy for Federal Coal Leasing, Suite 400, 1015 20th Street, NW., Washington, D.C. 20036. Phone: (202) 632-6501.

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to the authority and requirements of Pub. L.

98-63, approved July 30, 1983, making supplemental appropriations for fiscal year 1983, and for other purposes, and in accordance with the Federal Advisory Committee Act (Pub. L. 92-463).

The Commission on Fair Market Value Policy for Federal Coal Leasing will hold its next meeting and hearings on Monday and Tuesday, September 26 and 27, 1983. The agenda is as follows: Following a business meeting for a portion of the day, the Commission will hear testimony from witnesses representing public officials, consumers, environmental groups, industry, and others. The meetings and hearings will begin at 9:00 a.m. and conclude at 5:00 p.m.

The meeting and hearings of Tuesday and Wednesday, October 25 and 26, 1983 will be held in Denver, Colorado at a place to be announced. Following a business meeting, the Commission will receive public comment on fair market value policy and procedures for Federal coal leasing from those persons and organizations in the Western coal regions. The meeting and hearings scheduled for November 17 and 18, 1983 will primarily review the draft recommendations of the Commission.

All Witnesses will be formally invited to testify by the Chairman. Persons who wish to testify before the Commission may make such a request of the Commission staff. The Commission invites written testimony at any time. Witnesses testifying at hearings are requested to submit 10 copies of the testimony in writing at least 3 days in advance of their appearance. On the day of the testimony, at least 50 copies of the written testimony should be made available for distribution at the hearings. Witnesses will be sworn and all oral testimony recorded.

The Commission was established by Pub. L. 98-63 approved by President Reagan on July 30, 1983 to review Federal coal leasing statutes, policies, and procedures to ensure receipt of fair market value. To complete its mandate, the Commission will:

- Examine the current statutes, policies and procedures to ensure receipt of fair market value for Federal coal leases;
- Evaluate efforts to improve the Department's program; and
- Recommend improvements in those statutes, policies, and procedures.

To assist in its work, the Commission solicits information, in particular on the following specific issues:

- In what situations can competition be relied upon to determine the fair market value of bonus bids on Federal coal leases? For new production tracts? Maintenance tracts? Bypass tracts?

b. What policies and procedures can be used to promote competition for Federal coal leases?

c. What procedures should be used to determine fair market value in situations in which competition is not adequate?

d. Are there recognized appraisal techniques, such as comparable sales analysis or discounted cash flow evaluation, that are satisfactory for the estimation of fair market value of bonus bids prior to lease sales? What factors affect bonus bid levels and how should they be taken into account in such techniques? Documents describing different appraisal methodologies and specific examples of their application would be helpful to the Commission.

Dated: September 16, 1983.

**F. Scott Bush,**

*Executive Director.*

[FR Doc. 83-25673 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-70-M

**INTERSTATE COMMERCE COMMISSION**

[Ex Parte No. 393; Sub-No. 1]

**Standards for Railroad Revenue Adequacy**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Extension of time to file comments to proposed revision to existing standards for determination of revenue adequacy of railroads.

**SUMMARY:** In the Federal Register notice of June 29, 1983 (48 FR 29964) the extended due date established for comments in this proceeding was September 16, 1983. On September 6, the Nevada Power Company filed a Petition to expand notice of Proposed Rulemaking, requesting that the Commission re-notice the proceeding to request comments on issues not specifically identified in the Commission's original notice. Nevada Power also requested a 30-day extension of the comment period to allow the Commission sufficient time to act on its petition.

The merits of Nevada Power's petition to expand this proceeding will be considered along with the other comments received. If warranted, the Commission can request additional comments at a later date.

Nevada Power's request for a 30-day extension of the comment period is denied. However, in order to prevent any inconvenience that may have resulted from the delay in acting on the

request, an extension is granted until September 23, 1983.

Date: September 14, 1983.

By the Commission, Malcolm M. B. Sterrett, Acting Chairman.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-25567 Filed 9-19-83; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30221]

**Railroads; Burlington Northern, Inc.—Control Exemption—Federal Transport, Inc.**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

**SUMMARY:** The Interstate Commerce Commission exempts from the requirements of prior approval under 49 U.S.C. 11343 *et seq.* the purchase by Burlington Northern, Inc. of all of the outstanding stock in Federal Transport, Inc., from C. A. White Trucking Company, subject to standard labor protection.

**DATES:** This exemption will be effective on October 20, 1983. Petitions to stay the effectiveness of this decision must be filed by September 30, 1983, and petitions for reconsideration must be filed October 11, 1983.

**ADDRESS:** Send pleadings referring to Finance Docket No. 30221 to:

- (1) Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423
- (2) Petitioner's representative: Louis A. Harris, 1111 Third Avenue, Seattle, WA 98101

**FOR FURTHER INFORMATION CONTACT:** Louis E. Gitomer, (202) 275-7245.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Commission's decision. To purchase a copy of the full decision write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289-4357 (D.C. Metropolitan area) or toll free (800) 424-5403.

Decided: September 12, 1983.

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

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-25560 Filed 9-19-83; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30271]

**Railroads; Chicago and North Western Transportation Company—Exemption From 49 U.S.C. 11301**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

**SUMMARY:** The Interstate Commerce Commission exempts the Chicago and North Western Transportation Company from the requirements of 49 U.S.C. 11301 for the issuance of \$2.6 million of redeemable preference notes to the Federal Railroad Administration.

**DATES:** The exemption will be effective on September 20, 1983. Petitions to reopen must be filed by October 11, 1983.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 30271 to:

- (1) Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423; and
- (2) Petitioner's representative: Mack H. Shumate, Jr., One North Western Center, 165 North Canal Street, Chicago, IL 60606

**FOR FURTHER INFORMATION CONTACT:** Louis E. Gitomer, (202) 275-7245.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write T. S. InfoSystems, Inc., Interstate Commerce Commission, Room 2227, Washington, DC, 20423 or call 289-4357 (D.C. Metropolitan area) or toll free (800) 424-5403.

Decided: September 13, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-25568 Filed 9-19-83; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30273]

**Railroads; Illinois Central Gulf Railroad Company and Southern Railway Company—Construction Exemption—Jefferson County, KY**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

**SUMMARY:** The Interstate Commerce Commission exempts from the requirements of 49 U.S.C. 10901 the construction and operation by Illinois Central Gulf Railroad Company and Southern Railway Company of extended rail lines in Jefferson County, KY.

**DATES:** This exemption will be effective on October 20, 1983. Petitions to stay the effectiveness of this decision must be filed by September 30, 1983, and petitions for reconsideration must be filed by October 11, 1983.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 30273 to:

- (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423
- (2) Petitioners' representatives: John H. Doeringer, 233 North Michigan Avenue, Chicago, IL 60601  
Peter S. Craig, P.O. Box 1808, Washington, DC 20013

**FOR FURTHER INFORMATION CONTACT:** Louis E. Gitomer, (202) 275-7245.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289-4357 (D.C. Metropolitan area) or toll free (800) 424-5403.

Decided: September 9, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

Agatha L. Mergenovich,  
Secretary.

[FR Doc. 83-25569 Filed 9-19-83; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30237]

**Railroad Operation, Acquisition, Construction; Maryland Midland Group, Inc.; Exemption From 49 U.S.C. 10901 and 11301**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

**SUMMARY:** The Interstate Commerce Commission exempts from the requirements of (1) 49 U.S.C. 10901, the acquisition and operation by Maryland Midland Group, Inc. of approximately 37.1 miles of track between Highfield and Westminster, MD, in Carroll, Frederick and Washington Counties, MD, and Franklin County, PA, and (2) 49 U.S.C. 11301, the issuance by Maryland Midland Group, Inc. of securities in an amount not to exceed \$1,332,500, consisting of a note, and common and preferred shares of stocks. No employee protective conditions are imposed.

**DATES:** These exemptions are effective on September 20, 1983. Petitions to reopen must be filed by October 11, 1983.

**ADDRESSES:** Send pleadings referring to Finance Docket No. 30237 to:

- (1) Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423
- (2) Petitioner's representative: Henry E. Seaton, Suite 1024 Pennsylvania Bldg., Pennsylvania Ave. and 13th St. NW., Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:**  
Louis E. Gitomer, (202) 275-7245.

**SUPPLEMENTARY INFORMATION:**  
Additional information is contained in the Commission's decision. For a copy of the full decision write to T.S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289-4357 (D.C. Metropolitan area) or toll free (800) 424-5403.

Decided: September 14, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Gradison.

Agatha L. Mergonovich  
Secretary

[FR Doc. 83-25061 Filed 9-19-83; 8:45 am]

BILLING CODE 7035-01-M

## DEPARTMENT OF JUSTICE

### Information Collections Under Review

September 15, 1983.

OMB has been sent for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35) since the last list was published. The list has all the entries grouped into new forms, revisions, or extensions. Each entry contains the following information:

- (1) The name and telephone number of the Agency Clearance Officer (from whom a copy of the form and supporting documents is available);
  - (2) The office of the agency issuing this form;
  - (3) The title of the form;
  - (4) The agency form number, if applicable;
  - (5) How often the form must be filled out;
  - (6) Who will be required or asked to report;
  - (7) An estimate of the number of responses;
  - (8) An estimate of the total number of hours needed to fill out the form;
  - (9) An indication of whether Section 3504(H) of Pub. L. 96-511 applies;
  - (10) The name and telephone number of the person or office responsible for OMB review.
- Copies of the proposed forms and supporting documents may be obtained from the Agency Clearance Officer whose name and telephone number appear under the agency name. Comments and questions about the items on this list should be directed to the reviewer listed at the end of each entry and to the Agency Clearance Officer. If you anticipate commenting on

a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer and the Agency Clearance Officer of your intent as early as possible.

### Department of Justice

Agency Clearance Officer Larry E. Miesse—202-633-4312

*Extension of the Expiration Date of a Currently Approved Collection Without Any Change in the Substance or in the Method of Collection*

- Federal Bureau of Investigation, Department of Justice
- Law Enforcement Officers Killed or Assaulted, DO 71

Monthly

State or local governments

Used to collect information regarding law enforcement officers assaulted or killed in the United States. Summary statistics are published annually in report entitled "Law Enforcement Officers Assaulted or Killed," an FBI publication: 3,324 respondents; 664 hours; not applicable under 3504(h)

Rob Veeder—395-4814

Larry E. Miesse,

Department Clearance Officer, Department of Justice.

[FR Doc. 83-25071 Filed 9-19-83; 8:45 am]

BILLING CODE 4410-01-M

## Federal Bureau of Investigation

### Advisory Policy Board, National Crime Information Center; Meeting

The Advisory Policy Board of the National Crime Information Center (NCIC) will meet on October 5 and October 6, 1983, from 9 a.m. until 5 p.m. at the Ramada Renaissance Hotel, South Parker Road, Aurora, Colorado.

The major topics to be discussed include:

- (1) Findings of the second phase and future development of the testing of the Interstate Identification Index.
- (2) A report on the Unidentified Person File to include data on unidentified deceased persons as well as the expanded searching process for missing person reports.
- (3) Changes in the Bylaws of the Advisory Policy Board.
- (4) Presentations of proposals recommended by subcommittees of the Board to enhance service to the criminal justice community as well as to enhance the quality and completeness of records in the NCIC System.

The meeting will be open to the public with approximately 20 seats available for seating on a first-come-first-served

basis. Any member of the public may file a written statement with the Advisory Policy Board before or after the meeting. Anyone wishing to address a session of the meeting should notify the Advisory Committee Management Officer, Mr. Kier T. Boyd, FBI, at least 24 hours prior to the start of the session. The notification may be by mail, telegram, cable or hand-delivered note. It should contain the name, corporate designation, consumer affiliation or Government designation, along with a capsulized version of the statement and an outline of the material to be offered. A person will be allowed not more than 15 minutes to present a topic, except with the special approval of the Chairmen of the Board.

Inquiries may be addressed to Mr. David F. Nemecek, Committee Management Liaison Officer, NCIC, Federal Bureau of Investigation, Washington, D.C. 20535, telephone number 202-324-2606.

Dated: September 14, 1983.

William H. Webster,  
Director.

[FR Doc. 25570 Filed 9-19-83; 8:45 am]

BILLING CODE 4410-02-M

## DEPARTMENT OF LABOR

### Office of the Secretary

### Agency Forms Under Review by the Office of Management and Budget (OMB)

*Background:* The Department of Labor, in carrying out its responsibility under the Paperwork Reduction Act (44 U.S.C. Chapter 35), considers comments on the proposed forms and recordkeeping requirements that will affect the public.

*List of Forms Under Review:* On each Tuesday and/or Friday, as necessary, the Department of Labor will publish a list of the Agency forms under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The Departmental Clearance Officer will, upon request, be able to advise members of the public of the nature of any particular revision they are interested in. Each entry will contain the following information:

The Agency of the Department issuing this form.

The title of the form.

The Agency form number, if applicable.

How often the form must be filled out.  
Who will be required to or asked to report.

Whether small business or organizations are affected.

The standard industrial classification (SIC) codes, referring to specific respondent groups that are affected.

An estimate of the number of responses.

An estimate of the total number of hours needed to fill out the form.

The number of forms in the request for approval.

An abstract describing the need for and uses of the information collection.

**Comments and Questions:** Copies of the proposed forms and supporting documents may be obtained by calling the Departmental Clearance Officer, Paul E. Larson, Telephone 202-523-6331. Comments and questions about the items on this list should be directed to Mr. Larson, Office of Information Management, U.S. Department of Labor, 200 Constitution Avenue NW., Room S-5526, Washington, D.C. 20210.

Comments should also be sent to the OMB reviewer, Arnold Strasser, Telephone 202-395-6880, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3208, NEO B, Washington, D.C. 20503.

Any member of the public who wants to comment on a form which has been submitted to OMB should advise Mr. Larson of this intent at the earliest possible date.

Extension (Burden Change)  
Employment Standards Administration  
Wage Transcription and Computation  
Sheet

WH-55  
On occasion  
Business or Other Institutions  
Small Businesses or Organizations  
48,800 responses; 11,700 hours

WH-55 is normally used by Compliance Officers to compute back wages due employees who have not been paid in accordance with labor standards laws. WH-55 is also used by Compliance Officers to record transcriptions from payrolls. Occasionally, forms are left with employers for completion.

Mine Safety and Health Administration  
Hazardous Conditions Complaints  
On occasion

Businesses or other for-profit and small businesses or organizations  
SIC: Multiple  
500 respondents; 100 hours

A representative of miners, or if there is no representative of miners, an individual miner acting voluntarily may submit or give a written notification of

an alleged violation of the Mine Act or a mandatory standard or of an imminent danger. Such notification requires MSHA to make an immediate inspection.

Signed at Washington, D.C., this 15th day of September, 1983.

Richard Glesener,

Acting Departmental Clearance Officer.

[FR Doc. 83-25637 Filed 9-19-83; 8:45 am]

BILLING CODE 4510-27-M; 4510-43-M

## Employment and Training Administration

### Federal-State Unemployment Compensation Program; Certification of Interest Relief; Certification of States Qualifying for Partial Relief of Interest Due on Advances Under Title XII of the Social Security Act

Title XII of the Social Security Act provides for several forms of deferral of interest and a discounted rate of interest payable by States on advances received by them from the Federal unemployment account in the Unemployment Trust Fund if the States meet criteria set forth in the statute. The certification to the Secretary of the Treasury of specified States that meet the respective criteria with respect to interest due prior to October 1, 1983, is published below.

Dated: September 15, 1983.

Albert Angrisani,

Assistant Secretary of Labor.

September 13, 1983.  
Honorable Donald T. Regan,  
Secretary of the Treasury,  
Washington, D.C. 20220.

Dear Secretary Regan: The Department of Labor has reviewed States' applications for relief from interest payments which are due prior to October 1, 1983, and subsequent years. The interest relief options available to States are:

(1) **High Unemployment Deferral:** Section 1202(b)(3)(C) of the Social Security Act (SSA) allows a State to defer 75% of interest otherwise due if the rate of insured unemployment under the State law for the period consisting of the first six months of the preceding calendar year equaled or exceeded 7.5%. The State must pay 75 percent of interest otherwise due in three annual installments of at least 25 percent beginning with the year after the year in which it was due. The interest deferred does not accrue interest.

(2) **Legislative-Action Deferral:** Section 1202(b)(8) of the SSA allows a State to defer 80% of interest otherwise due if the State has taken no action since October 1, 1982, to reduce the State's tax effort or unemployment fund solvency and has taken action after March 31, 1982 which increases revenues to the State's unemployment fund and decreases benefits by at least 25 percent in the calendar year for which the first deferral is requested;

deferrals for the second and third years immediately following the year in which the first year change is effective are available if the State produces a solvency effort of at least 35 and 50 percent, respectively. The State must pay 80 percent of interest otherwise due in four annual installments of at least 20 percent beginning with the year after the year in which it was due. Interest does not accrue on deferred interest. This type of deferral is available for 1983, 1984, and 1985 only. Once a deferral is approved, a State must continue to maintain its solvency effort. Failure to do so will result in the State being required to make immediate payment of all deferred interest.

(3) **Average Tax Rate Deferral:** Section 1202(b)(8) of the SSA allows a State to defer 80% of interest otherwise due if the State has taken no action since October 1, 1982, to reduce the State's tax effort or unemployment fund solvency, and for taxable year 1982, total State unemployment compensation revenues to the unemployment fund equaled at least two percent of total wages paid by employers covered under the State unemployment compensation law. The State must pay 80 percent of interest otherwise due in four annual installments of at least 20 percent beginning with the year after the year in which it was due. Interest does not accrue on deferred interest. This type of deferral is available for 1983, 1984, and 1985 only.

(4) **High Unemployment Delay of Payment Due:** Section 1202(b)(9) of the SSA allows a State to delay up to nine months the payment of interest due September 30 of any calendar year after 1982 during which the average total unemployment rate (TUR) in the State was 13.5 percent or higher for the most recent 12-month period for which data are available.

(5) **Discounted Interest Rate:** Section 1202(b)(8)(D) of the SSA allows a State to receive a discounted interest rate that would be one percentage point below the interest rate that would otherwise apply. The discounted rate for interest due prior to October 1, 1983, would be 9.0 percent. This discounted interest rate is available to a State which has taken no action since October 1, 1982, to reduce the State's tax effort or unemployment fund solvency and has taken action since March 31, 1982 which produces a solvency effort of at least 50, 80, and 90 percent rather than 25, 35, and 50 percent, respectively, as specified under the legislative-action deferral. A discounted interest rate is available for 1983, 1984, and 1985 payments only.

I hereby certify that the States shown on the accompanying table meet all the criteria specified by law to qualify for the interest relief shown.

Sincerely,

Joyce A. Kaiser,  
Associate Assistant Secretary for  
Employment and Training.

State and Option

Dist. of Columbia—Leg. Act. Deferral

Discounted Rate

Illinois—Leg. Act. Deferral

Kentucky—Leg. Act. Deferral

Michigan—Leg. Act. Deferral  
Discounted Rate High Unem. Delay  
North Dakota—Leg. Act. Deferral  
Ohio—Leg. Act. Deferral Discounted  
Rate  
Pennsylvania—Leg. Act. Deferral  
Discounted Rate  
Wisconsin—Leg. Act. Deferral  
Discounted Rate  
West Virginia—Avg. Tax Rate Deferral  
High Unem. Delay

[FR Doc. 83-25039 Filed 9-19-83; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-14,456 & 14,457]

**ASARCO, Inc., Hayden Plant, Mission Unit, Hayden and Sahuarita, Arizona; Amended Certification, Regarding Eligibility To Apply for Worker Adjustment Assistance**

According to Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of labor issued a certification of eligibility to apply for worker adjustment assistance on August 18, 1983 to workers of ASARCO, Incorporated under petition numbers TA-W-14,456 and TA-W-14,457. The Notice of Certification was published in the Federal Register on August 26, 1983 (48 FR 38913).

Based on additional information furnished to the Office of Trade Adjustment Assistance on separation of ASARCO workers engaged in employment related to the production of copper concentrate at the Sahuarita, Arizona Facility, the Department is amending that portion of the certification applicable to TA-W-14,457 to cover the additional separated workers by changing the August 1, 1982 impact date to July 23, 1982.

The amended certification for TA-W-14,456 and TA-W-14,457 is hereby issued as follows:

All workers of ASARCO, Incorporated at the Hyden Plant, Hayden, Arizona who became totally or partially separated from employment on or after January 1, 1983 and all workers of ASARCO, Incorporated at the Mission Unit, Sahuarita, Arizona who became totally or partially separated from employment on or after July 23, 1982 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C., September 7, 1983.

Robert A. Schaerfl,  
Director, Office of Program Management,  
UIS.

[FR Doc. 83-25034 Filed 9-19-83; 8:45 am]

BILLING CODE 4510-30-M

**Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance; General Motors, Inc.**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period September 5, 1983-September 9, 1983.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated.

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

**Negative Determinations**

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increase imports did not contribute importantly to worker separations at the firm.

TA-W-14,398; *Pittsburgh Gear Co., Pittsburgh, PA*

TA-W-14,515; *Mercer Forge Co., Mercer, PA*

In the following cases the investigation revealed that criterion (3) has not been met. Increased imports did not contribute importantly to workers separations at the firm.

TA-W-14,158; *American Ship Building Co., Amship Div., Toledo, OH Shipyard*

TA-W-14,403; *Alco Power, Inc., Auburn, NY*

TA-W-14,308; *General Motors, Central Office, Warren, MI*

TA-W-14,309; *General Motors, Engineering Center, Warren, MI*

TA-W-14,327; *General Motors, GMWDD, Jacksonville, FL #26*

TA-W-14,328; *General Motors, GMWDD, Sante Fe Springs, CA #20*

TA-W-14,329; *General Motors, GMWDD, Portland, OR #19*

TA-W-14,330; *General Motors, GMWDD, Baltimore, MD #14*

TA-W-14,331; *General Motors, GMWDD, Buffalo, NY #12*

TA-W-14,332; *General Motors, GMWDD, Broadview, IL #11*

TA-W-14,333; *General Motors, GMWDD, Denver, CO #10*

TA-W-14,334; *General Motors, GMWDD, Sharonville, OH #09*

TA-W-14,335; *General Motors, GMWDD, Atlanta, GA #08*

TA-W-14,336; *General Motors, GMWDD, Dallas, TX #66*

TA-W-14,337; *General Motors, GMWDD, Lenexa, KS #05*

TA-W-14,338; *General Motors, GMWDD, Minneapolis, MN #04*

TA-W-14,339; *General Motors, GMWDD, St. Louis MO #03*

TA-W-14,340; *General Motors, GMWDD, Flint, MI #01*

TA-W-14,341; *General Motors, GMWDD, Bethpage, NY #27*

TA-W-14,342; *General Motors, GMWDD, Cleveland, OH #28*

TA-W-14,343; *General Motors, GMWDD, Houston, TX #30*

TA-W-14,344; *General Motors, GMWDD, Boston, MA #32*

TA-W-14,345; *General Motors, GMWDD, Memphis, TN #34*

TA-W-14,346; *General Motors, GMWDD, Richmond, VA #37*

TA-W-14,347; *General Motors, GMWDD, Philadelphia, PA #40*

TA-W-14,348; *General Motors, GMWDD, Sparks, NV #42*

TA-W-14,349; *General Motors, GMWDD, Livonia, MI #44*

TA-W-14,350; *General Motors, GMWDD, Newark, NJ #46*

TA-W-14,351; *General Motors, GMWDD, Atlanta, GA #72*

TA-W-14,352; *General Motors, GMWDD, Martinburg, WV #50*

TA-W-14,353; *General Motors, GMWDD, North Burnswick, NJ #51*

TA-W-14,354; *General Motors, GMWDD, Dallas, TX #07*

TA-W-14,355; *General Motors, GMWDD, Columbus, OH #54*

TA-W-14,356; *General Motors, GMWDD, Cheswick, PA #59*

TA-W-14,357; *General Motors, GMWDD, Chicago, IL #62*

TA-W-14,358; *General Motors, GMWDD, Dallas, TX #52*

TA-W-14,359; *General Motors, GMWDD, Denver, CO #68*

TA-W-14,360; *General Motors, GMWDD, Atlanta, GA #49*

TA-W-14,361; *General Motors, GMWDD, Kansas City, KS #73*

TA-W-14,362; *General Motors, GMWDD, Pontiac, MI #75*

TA-W-14,363; *General Motors, GMWDD, Lansing, MI #76*

TA-W-14,364; *General Motors, GMWDD, Drayton Plains, MI #78*

TA-W-14,365; *General Motors, GMWDD, Belleville, MI #87*

- TA-W-14,533; *General Motors, GMWDD, Louisville, KY #22*  
 TA-W-14,676; *General Motors, GMWDD, Portland, OR #87*  
 TA-W-14,677; *General Motors, GMWDD, Burton, MI #45*  
 TA-W-14,678; *General Motors, GMWDD, Elk Grove Village, IL #43*  
 TA-W-14,679; *General Motors, GMWDD, Carnegie, PA #13*  
 TA-W-14,680; *General Motors, GMWDD, Detroit, MI #77*

**Affirmative Determinations**

- TA-W-14,381; *Electra Co., Cumberland, IN*

A certification was issued covering all workers engaged in employment related to the production of cordless telephones separated on or after October 1, 1982 and before December 31, 1983.

- TA-W-14,201; *Grafton Apparel Manufacturing, Inc., Grafton, WV*

A certification was issued covering all workers producing blouses separated on or after December 7, 1981 and before August 1, 1982.

- TA-W-14,172; *Cyclops Corp., Universal-Cyclops Special Steel Div., Bridgeville, PA*

A certification was issued covering all workers separated on or after November 24, 1982.

- TA-W-14,162; *Jamesons' Shoe Corp., Somersworth, NH*

A certification was issued covering all workers separated on or after July 31, 1982.

- TA-W-14,477; *Main Line Fashions, Inc., New York, NY*

A certification was issued covering all workers separated on or after July 1, 1982 and before May 1, 1983.

- TA-W-14,372; *Electronic Interconnect Systems, Inc., South Hadley, MA*

A certification was issued covering all workers separated on or after May 5, 1982 and before January 1, 1983.

- TA-W-14,468 and TA-W-468A; *Niki-LU Industries, Inc., OPA Locka, FL*

A certification was issued covering all workers separated on or after May 15, 1982.

- TA-W-14,468B; *Niki-LU Industries, Inc., Hialeah, FL*

A certification was issued covering all workers separated on or after May 15, 1982.

- TA-W-14,468C; *Niki-LU Industries, Inc., Miami Lakes, FL*

A certification was issued covering all workers separated on or after May 15, 1982.

I hereby certify that the aforementioned determinations were

issued during the period September 5, 1983-September 9, 1983. Copies of these determinations are available for inspection in Room 9120, U.S. Department of Labor, 601 D Street, NW., Washington, D.C. 20213 during normal business hours or will be mailed to persons who write to the above address.

Dated: September 13, 1983.  
 Marvin M. Fooks,  
 Director, Office of Trade Adjustment Assistance.

[FR Doc. 83-25635 Filed 9-19-83; 8:45 am]

BILLING CODE 4510-39-M

**Occupational Safety and Health Administration**

[Docket No. T-100]

**Training Guidelines; Request for Comments and Information; Correction**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for written comments and information; correction.

**SUMMARY:** This document corrects a notice on proposed training guidelines which appeared at page 39317 in the *Federal Register* of Tuesday, August 30, 1983, (48 FR 39317). The action is necessary to correct the date for submission of comments and information.

**DATE:** Comments must be submitted by October 14, 1983.

**ADDRESS:** Materials should be submitted in quadruplicate to: Docket Officer, Room S-6212, Docket No. T-100, U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW., Washington, DC 20210. Phone: (202) 523-7894.

**FOR FURTHER INFORMATION CONTACT:** James Foster, Director, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3637, 200 Constitution Avenue, NW., Washington, DC 20210. Phone: (202) 523-8148.

The following correction is made in a notice (48 FR 39317) appearing on page 39317 in the issue of August 30, 1983:

1. The date for submission of comments and information is corrected to read "October 14, 1983".

**Authority:** This document was prepared under the direction of Thorne G. Auchter, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 14th day of September, 1983.

Thorne G. Auchter,  
 Assistant Secretary of Labor.

[FR Doc. 83-25629 Filed 9-19-83; 8:45 am]

BILLING CODE 4510-26-M

**NATIONAL TRANSPORTATION SAFETY BOARD****Availability of Recommendation Responses****Recommendation Responses From**

**Marine—International Association of Drilling Contractors (IADC):** Aug. 10: M-82-37 and M-83-37: Distributed recommendations to its Offshore Committee members which is examining exposure suit and lifeboat launching problems. Attachments to letter are IADC response to Coast Guard's Notice of Proposed Rulemaking on exposure suits and IADC testimony before subcommittees of the House Committee on Merchant Marine and Fisheries.

**Sun Marine Terminals, Inc.:** Aug. 11: M-80-63: Now requires that its portable radio equipment remain on board all vessels moored at its facilities until the vessels are boarded by a pilot to sail.

**Associated Branch Pilots:** Aug. 5: M-80-8 through 8: Pilots maintain bridge-to-bridge communication on the frequency (channel 67) while exchanging pilots at Pilotown. The recommendations regarding pilot exchange boarding and radiotelephone communications practices have been in effect.

**Texaco, U.S.A.:** Aug. 16: M-80-44: Will mark with warning signs pipeline crossings near its tank batteries, where heavy marine equipment might moor or work; crossings of its private canals by high-pressure lines, groups of flowlines, and gathering lines; and crossings of natural waterways that are used as navigational fairways by the public. This marking system is supported by the recent DOT rule change (48 FR 25206-25208) that deletes the requirement for marking locations where pipelines cross navigable waterways. M-80-45: Warning signs will be posted at its tank batteries where active pipelines cross navigable waters of the Mississippi River Delta to prohibit mooring with spuds or anchors. M-80-46: Its tank batteries are marked to prohibit smoking. M-80-48: Field operations involving contractor equipment receive proper supervision.

**American Pilots' Association (APA):** Aug. 19: M-79-111: Recommendation to prescribe procedures to ascertain vessel maneuvering characteristics before getting underway is unrealistic, unworkable, and should be withdrawn. A large percentage of pilot boardings are made with vessels underway. Particulars concerning the vessel and transit are routinely exchanged between the master and pilot upon the latter's arrival aboard. A port should have a sufficient number of pilots to service vessels so that pilots have adequate rest periods between assignments. Every effort is made by the APA associations to alleviate the fatigue problem. Physical

fitness for duty is a personal obligation of the individual pilot. Coast Guard currently has proposed rulemaking to implement the provision of the Port and Tanker Safety Act of 1978 to require yearly physical examinations of pilots to hold a valid license M-79-115: Because of the many variables that occur during transit, a predetermined passage plan is a illusion for accident prevention. Extremis conditions develop suddenly where prompt reaction is most effective in avoidance or minimizing damages, thus negating all well-intended pre-planning.

*Victory carriers, Inc.: Aug. 8: M-81-82:* Specific instructions were immediately issued to the vessels concerning the pumping of engine department bilgewater into the deck department controlled cargo spaces. Permanent piping, with non-return valves, was installed between the engineroom bilge pump and the deck department sloop tank. The practice of laying up a vessel with reduced crew was discontinued.

*Delaware Dept. of Natural Resources & Environmental Control: Aug. 5: M-79-16:* Recommendation to amend the National Association of State Boating Law Administrators' (NASBLA) model State Boating Act to require commercial, small passenger vessels operating exclusively on State waters to meet the U.S. Coast Guard stability criteria in 46 CFR Part 179 for small passenger vessels may be discussed with NASBLA members at its annual conference in Mobile, Alabama, Oct. 3-10.

*Trans-Atlas Marine Corporation: Aug. 4: M-81-81:* Has and is presently participating in the New Orleans Vessel Traffic System, and a notice to all pilots and crew of its vessels about the system is posted in the wheelhouse of all its vessels.

*Associated Federal Coast Pilots of Louisiana, Inc.: Aug. 10: M-82-15:* Notified its members of the recommendation regarding abuse of the bridge-to-bridge radiotelephone frequencies.

*Wilbur E. Dow, Jr. (New Orleans Steamboat Company): Aug. 11: M-81-34:* There was no need to upgrade the VHF radiotelephones on the NATCHEZ as they were the best quality available. M-81-35: Its masters and pilots have always fully participated in the Vessel Traffic System.

*Texaco, Inc.: Aug. 12: M-81-31:* Issued Notice 86/81 on July 15, 1983 to remind masters and second mates of their responsibility to ascertain upon joining a vessel that the weekly Notice to Mariners and applicable local Notice to Mariners have been received and that the vessel's name is placed on the mailing list of the various Coast Guard Districts for future local Notices.

*State of Washington Dept. of Transportation: Aug. 10: M-82-24:* Pilots are charged, under Coast Guard regulations, to have applicable charts on hand and to use them as deemed appropriate. M-82-25: Ferry routing information has been defined and submitted for inclusion of future Puget Sound navigation charts. Ferry system management maintains a close working relationship with the staff of the Puget Sound Vessel Traffic System. Ferry pilots are not ordered to operate on specific courses of travel, though conditions generally contribute toward

established courses between fixed ports on a fairly routine basis. M-82-26: Compliance with 33 CFR 164-35(g) is in various states throughout the fleet, and some additional time is required before maneuvering information is fully available and standardized. M-82-27: Annual magnetic compass servicing is standard maintenance programming for ferry vessels. Pilots have been encouraged to consider recording compass observations as a means of detecting deviations. M-82-28: Gyrocompasses have been installed on 9 ferries, with 10 more due for outfitting before the end of this year. Plotting heads are now installed on 14 radar sets aboard 7 vessels. Twelve-inch planned position indicators are now required for all replacement radars acquired for the fleet. A collision avoidance system is being tested. Use of compass and radar equipment is at pilot discretion. M-82-29: The recommendation to require ferry bridgeward personnel to observe proper vessel identification and communications procedures and to include course and speed information when exchanging communications with other vessels during close maneuvering encounters has been referred to ships' officers for their consideration. M-82-30: Instituting special schedules that allow for reduced speeds during periods of restricted visibility has been deemed impractical and unnecessary. No Washington State Ferries' officer will set aside safety considerations for any special emphasis on a ferry system timetable. M-82-31: A new brochure distributed to motorists prior to boarding ferries reflects special safety information and highlights Coast Guard regulations related to passenger vessels.

*American Bureau of Shipping: Aug. 12: M-80-62:* Issued Circular No. 327, Index 6.2.1 on Sep. 28, 1980, directing surveyors to be certain at all annual surveys and/or load line inspections that the flame screens fitted in vent systems of tankers at all locations, including those installed in flame arresters, are properly installed, and verify that they are in satisfactory condition.

*The American Waterways Operators, Inc.: Aug. 3: M-82-42:* Reminded its members of the importance, in the case of fire, of a remote shutdown control for engineroom ventilation systems.

*U.S. Coast Guard: Jul. 20: M-83-8:* Expects to publish soon a Notice of Proposed Rulemaking for revisions to 46 CFR Part 10 regarding licensing qualifications and examination requirements for masters, mates, chief engineers, and assistant engineers on mobile offshore units. M-83-9: Is initiating a regulatory project to revise 46 CFR Subchapter 1-A. Title 46 CFR 107.111 will be revised to indicate that the master of mobile offshore units shall be the person-in-charge. All mobile offshore units will be required to have a licensed master, either a master of mobile offshore units or a master with a conventional license. M-83-10: The 46 CFR Part 10 revision requires that licensed deck officers hold a Merchant Mariner's Document. The deck license examinations for service on mobile offshore units will cover those topics included in the lifeboatman examination, and will lead to a lifeboatman

certification. M-83-11: Published on Apr. 13, 1982, Navigation and Vessel Inspection Circular 7-82 which cancelled the old standard station bill format (forms CG-838 (a) through (e)) and substituted an improved sample format which includes identification of responsibilities by position on board the vessel. M-83-12: Policy guidance will be sent to all officers-in-charge of marine inspection directing them to require certificated lifeboatmen in accordance with 46 CFR 109.323. M-83-13: Under present statutory authority, the Coast Guard cannot require that the master or a mate be the control room operator nor certify the qualifications of a ballast control room operator in an unlicensed capacity. M-83-14: Will develop a Navigation and Vessel Inspection Circular to alert Coast Guard field units and industry of the need to include information on the ballasting system and measures to control downflooding and accidental flooding of empty compartments in the operating manuals for semisubmersible mobile offshore drilling units. M-83-15: Does not concur that the current damage stability standard be revised. Proposes to modify the mobile offshore drilling unit regulations to require vessels to have pumping systems which can transfer or dewater at excessive heel or trim angles under emergency operating conditions. M-83-16: Does not concur that the current damage stability standard be revised. Will initiate a discussion at the International Maritime Organization (IMO) concerning a mobile offshore drilling unit's ability to transfer or dewater at excessive heel or trim angles under emergency conditions. Will propose appropriate improved lifeboat launching equipment requirements when IMO considers a Mobile Offshore Drilling Units Code amendment based on changes to Chapter III of the 1974 SOLAS Convention. Published on Feb. 3, 1983, a Notice of Proposed Rulemaking (48 FR 4837) which would require exposure suits for personnel on mobile offshore drilling units and other types of vessels; Coast Guard feels that the proposed regulations for exposure suits would effectively comply with the intent of the recommendation to include in the lifesaving requirements for mobile offshore drilling units the assignment of a suitable vessel capable of retrieving persons from the water under severe weather conditions; published, on Feb. 14, 1983, (48 FR 6636) an Advance Notice of Proposed Rulemaking to require offshore supply vessels to be equipped with rescue boats capable of taking an unconscious person on board from the sea. Will initiate a discussion at IMO concerning the adequacy of existing information supplied to a mobile offshore drilling unit's operator in dealing with emergency situations such as flooding. M-83-17: Lifesaving systems including launching systems are under continuous Coast Guard evaluation. M-83-18: Has participated in the evaluation and testing of the *Ocean Ranger* liferafts being conducted for the Canadian Royal Commission by Technitrol, Ltd. of Dorval, Quebec. M-83-29: Believes that 46 CFR 160.055-7(g) and section 31-2-20 of the Coast Guard Marine Safety Manual, which clearly require that lifesaving equipment be

approved before it is so marked, are adequate. *M-83-20*: Published on Feb. 3, 1983, a Notice of Proposed Rulemaking (48 FR 4837) which would require exposure suits for personnel on mobile offshore drilling units and other types of vessels; Coast Guard believes that the proposed regulations would effectively comply with the intent of the recommendation to require a suitable vessel; capable of retrieving persons from the water under adverse weather conditions; be assigned to all mobile offshore drilling units. Also published, on Feb. 14, 1983, (48 FR 6636), an Advance Notice of Proposed Rulemaking, to require offshore supply vessels to be equipped with rescue boats capable of taking an unconscious person on board from the sea. *M-83-21*: The Marine Safety Information System will be able to determine when a vessel's Certificate of Inspection is about to expire and will be able to generate a notice for mailing to the owner/operator about the need to renew. However, nonreceipt of notification would not relieve the owner of his statutory responsibility to maintain a valid Certificate of Inspection on his vessel. *M-83-22*: The proposal to amend 16 CFR 107.269 to discontinue reinspections of mobile offshore drilling units in international service has been cancelled, and policy guidance is being revised to reinstate reinspections on all mobile offshore drilling units. *M-83-23*: Feels that existing standards for portlight installations in ballast control rooms and other critical locations in columns of semisubmersible mobile offshore drilling units are adequate.

**Pipeline—Northern Natural Gas Company.** *Aug. 8: P-83-12*: Believes its current procedures result in employees being fully informed of the information necessary to supervise a safe pipeline crossing excavation. Has established on a portion of its system a trial policy which requires a company inspector to be present for any excavation or backfilling that occurs within 50 feet of a pipeline. *P-83-13*: Is adding information to some of its public educational materials, regularly provided to excavating contractors, that one reason behind the excavation warning is that the pipeline depth may change abruptly in short distances. Is also developing for use by its inspectors, a form of "check sheet" to: (1) Remind the contractor of the precautions he is expected to observe when working near gas pipelines and (2) strengthen on-site communication between the company and contractors.

*The Pipelines of Puerto Rico, Inc.* *Jul. 28: P-80-75*: Has once again requested the help of the Public Service Commission to develop procedures to employ during pipeline emergencies. *P-80-76*: The list of parties to be contacted in an emergency was updated together with the contingency plan. Procedures to update the list annually have been implemented. *P-80-77*: To comply with 49 CFR 195.410, 900 new permanent pipeline markers were installed during 1981. *P-80-78*: To comply with 49 CFR 195.410(a)(2), the identification labels were redesigned and installed on all existing markers. *P-80-79*: Has once again requested the help of the Public Service Commission to establish an island-wide "one-call" excavation

notification service. *P-80-80*: Instructions to remain at the construction site and closely monitor the contractor's work as it approaches the pipeline were given in writing to all inspectors and were included in the updated contingency plan.

*Montana Power Company.* *Jul. 15: P-83-16*: Is formulating an inspection program to determine if a high-pressure gas service line is installed beneath a building.

*American Gas Association.* *Jul. 18: P-82-43*: Advised its member companies of the circumstances of the accident in Dublin, Georgia, on Sep. 7, 1983, and urged that they review their operating and maintenance procedures to discontinue any practices involving cutting gas mains while under pressure except in the case of an emergency when required for public safety or when a slight positive pressure is necessary to prevent the entry of air into the main. *P-82-44*: Reemphasized to its member companies the importance of using proper procedures when performing maintenance and/or construction work in which escaping gas may pose a safety hazard to the public or to employees. *Jul. 22: P-80-14*: Notified its member companies of the accident in Grand Island, Nebraska, on Aug. 28, 1978, and urged them to review their actual operating practices regarding proper installation and proper support of plastic mains and services per established company procedures, related industry guidelines, and Federal regulations. *P-80-43*: Notified its member systems of the circumstances of the accident in Cordele, Georgia, on Feb. 21, 1980, and advised them to review 49 CFR 191.5, Telephonic Reporting of Leaks, Accidents and Other Related Failures, to ensure that appropriate instructions have been issued to their employees regarding the reporting requirements. *P-80-44*: Advised its member systems to review and modify as necessary their procedures for maintaining odorization records and files in compliance with 49 CFR 192.625, Odorization of Gas. Does not consider it necessary to advise its member systems to review and modify their maintenance and operation procedures to ensure that all leaks resulting from excavation damage have been located and repaired because each company actively seeks to identify any gas leaks within their area of responsibility, regardless of cause, and because the new 49 CFR 192.614, Damage Prevention Programs, addresses utility company responsibilities regarding excavation damage. *P-80-45*: Advised its member companies to review and modify their procedures for maintaining maps and/or records to include all distribution services. An Advance Notice of Rulemaking issued by the Materials Transportation Bureau of the U.S. Department of Transportation in Nov. 1979 regarding maps and records is being withdrawn because an MTB study supported the conclusion that the existing regulations are adequate. *P-80-50*: Advised its member companies of the importance of including in their operating and maintenance plans specific procedures in compliance with all requirements applicable to service lines contained in 49 CFR Part 192, Irrespective of ownership. *P-80-51*: Two AGA letters of Apr.

1, 1982 provide the AGA's position on excess flow valves. *P-80-52*: Urged its member companies to participate in and encourage improvement in any "one-call" system in areas where their pipelines operate, and help organize and expand systems where they do not exist. *P-80-53*: Advised its member companies to review their emergency procedures with respect to those parts of 49 CFR 192.615(c) which deal with liaison with local emergency response agencies.

*Interstate Natural Gas Association of America.* *Jul. 18: P-83-19*: Notified its member companies of the circumstances of the accident in Bonicord, Tennessee, on Dec. 8, 1982, and urged them to identify compressor station building ventilation systems that have restrictive devices, which if fully or partially closed would allow accumulations of gas leaking from facilities within the building, and install a gas detection system that will detect and alert employees to hazardous gas accumulations and automatically open fully all restrictive devices when accumulations of gas are detected.

**Note.**—Single copies of these response letters are available on written request to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594. Please include respondent's name, date of letter, and recommendation number(s) in your request. The photocopies will be billed at a cost of 20 cents per page (\$2 minimum charge).

H. Ray Smith, Jr.,

Federal Register Liaison Officer.  
September 14, 1983.

[FR Doc. 83-25506 Filed 9-19-83; 8:45 am]  
BILLING CODE 4910-58-M

## OFFICE OF PERSONNEL MANAGEMENT

### Federal Prevailing Rate Advisory Committee; Open Committee Meetings

Pursuant to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, October 6, 1983  
Thursday, October 13, 1983  
Thursday, October 20, 1983  
Thursday, October 27, 1983

These meetings will convene at 10 a.m. and will be held in Room 5A06A, Office of Personnel Management Building, 1900 E Street, NW., Washington, D.C.

The Federal Prevailing Rate Advisory Committee is composed of a Chairman, representatives of five labor unions holding exclusive bargaining rights for Federal blue-collar employees, and

representatives of five Federal agencies. Entitlement to membership of the Committee is provided for in 5 U.S.C. 5347.

The Committee's primary responsibility is to review the prevailing rate system and other matters pertinent to the establishment of prevailing rates under subchapter IV, chapter 53, 5 U.S.C., as amended, and from time to time advise the Office of Personnel Management thereon.

These scheduled meetings will convene in open session with both labor and management representatives attending. During the meeting either the labor members or the management members may caucus separately with the Chairman to devise strategy and formulate positions. Premature disclosure of the matters discussed in these caucuses would impair to an unacceptable degree the ability of the Committee to reach a consensus on the matters being considered and disrupt substantially the disposition of its business. Therefore, these caucuses will be closed to the public on the basis of a determination made by the Director of the Office of Personnel Management under the provisions of Section 10(d) of the Federal Advisory Committee Act (Pub. L. 463) and 5 U.S.C. 552b(c)(9)(B). These caucuses may, depending on the issues involved, constitute a substantial portion of the meeting.

Annually the Committee publishes for the Office of Personnel Management, the President, and Congress a comprehensive report of pay issues discussed, concluded recommendations thereon, and related activities. These reports are also available to the public, upon written request to the Committee Secretary.

Members of the public are invited to submit material in writing to the Chairman concerning Federal Wage System pay matters felt to be deserving of the Committee's attention. Additional information concerning these meetings may be obtained by contacting the Committee Secretary, Federal Prevailing Rate Advisory Committee, Room 1340, 1900 E Street, NW., Washington, D.C. 20415 (202-632-9710).

Dated: September 12, 1983.

**William B. Davidson, Jr.,**  
Chairman, Federal Prevailing Rate Advisory Committee.

[FR Doc. 83-25503 Filed 9-19-83; 8:45am]  
BILLING CODE 6325-01-M

## SECURITIES AND EXCHANGE COMMISSION

### Agency Forms Under Review by OMB

Agency Clearance Officer—Kenneth

Fogash (202) 272-2142. Upon written request, copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549. Extension; Rule 17e-1 [17 CFR 270.17e-1] SEC File No. 270-224.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted for extension of approval rule 17e-1 under the Investment Company Act of 1940 which concerns the records required to be maintained and preserved by registered investment companies.

The potential respondents are all investment companies registered under the Investment Company Act of 1940 and certain affiliated brokers that maintain and preserve records on behalf of registered investment companies.

Submit comments to OMB Desk Officer: Robert Veeder, 202-395-4814.

Dated: September 13, 1983.

**George A. Fitzsimmons,**  
Secretary.

[FR Doc. 83-25500 Filed 9-19-83; 8:45 am]  
BILLING CODE 8010-01-M

### Agency Forms Under Review by OMB

Agency Clearance Officer—Kenneth Fogash (202) 272-2142. Upon written request, copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, Washington, D.C. 20549. Extension; Rule 12b-1 [17 CFR 270.12b-1]. SEC File No. 270-188.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted for extension of approval rule 12b-1 under the Investment Company Act of 1940 (15 U.S.C. 80a-1 *et seq.*) under which certain no-load, open-end management investment companies may distribute their own securities without the assistance of an underwriter.

The potential respondents are all no-load open-end management investment companies registered under the Investment Company Act of 1940.

Submit comments to OMB Desk Officer: Robert Veeder, 202-395-4814.

Dated: September 13, 1983.

**George A. Fitzsimmons,**  
Secretary.

[FR Doc. 83-25551 Filed 9-19-83; 8:45 am]  
BILLING CODE 8010-01-M

[Release No. 13496; (812-5619)]

### Capital Housing Partners—CLVIII, et al.; Filing of Application

September 12, 1983.

Notice is hereby given that Capital Housing Partners—CLVIII ("Partnership"), a District of Columbia limited partnership, and its general partners, C.R.I., Inc., William B. Dockser, Martin C. Schwartzberg, and H. William Willoughby, One Central Plaza, 11300 Rockville Pike, Rockville, MD, ("General Partners" and, together with the Partnership, "Applicants"), filed an application on July 28, 1983, for an order of the Commission, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act"), exempting the Partnership from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below, and to the Act and rules thereunder for the text of relevant provisions.

The application states that the Partnership will offer \$4,680,000 of limited partnership interests in 78 units of \$60,000 each for sale ("Units"). Purchasers of Units will become limited partners of the Partnership ("Limited Partners"). The Partnership will operate as a "two-tier" partnership, that is, the Partnership, as Limited Partner, will invest in the Local Limited Partnership, an Illinois limited partnership which is the beneficial owner of, and is developing, a government-assisted apartment project primarily for persons of low and moderate income in Chicago, Cook County, Illinois ("Development"). Applicants assert that that investment is in accordance with the purposes and criteria set forth in Investment Company Act Release No. 8456 (August 9, 1974) ("Release No. 8456"). Through its investment in the Local Limited Partnership, the Partnership intends to realize: (i) A potential increase in its equity in the Development through amortization of the Development mortgage indebtedness, (ii) cash flow from operations (iii) a potential increase in the value of the Development, (iv) cash distributions through potential refinancing of the Development, and (v) certain current tax benefits.

Applicants represent that the Partnership is organized as a limited partnership because a limited partnership is the only form of organization which provides investors with both: (1) The ability to claim on their individual tax returns the deductions, losses, credits and other tax

items arising from the Partnership's interest in the Local Limited Partnership and (2) liability limited to their capital investment. Applicants represent that counsel is rendering its opinion that, *inter alia*, the Partnership will be treated as a partnership for Federal income tax purposes.

Applicants state that the Partnership will be controlled by its General Partners pursuant to the Partnership Agreement. The Limited Partners, consistent with their status, will not be entitled to participate in the control of the Partnership's business. A majority in interest of the Limited Partners, however, will have the right to amend the Partnership Agreement, dissolve the Partnership and remove any General Partners and elect a replacement therefor, provided that such rights will not adversely affect the tax or limited partner status of the Limited Partners. Under the Partnership Agreement, each Limited Partner is entitled to review all books and records of the Partnership at any and all reasonable times.

Neither the Partnership nor its General Partners concede that the Partnership is an investment company, as that term is defined in the Act. Applicants assert that the Partnership's exemption from the provisions of, and the rules promulgated under, the Act is both necessary and appropriate in the public interest, because by investing in the Local Limited Partnership interest, the Partnership is implementing the national policy enunciated by Congress in Title IX of the Housing and Urban Development Act of 1968.

According to the application, the need for the exemption is clear; investment in low and moderate income housing is not economically suitable for private investors without the tax and organizational advantages of the limited partnership form. The limited partnership structure is the only way of bringing private equity capital into government-assisted housing. Applicants further assert that the limited partnership form of organization is incompatible with the operational framework of the Act.

In support of their request for exemptive relief, Applicants state that the Partnership believes that the suitability standards set forth in the Partnership Agreement are consistent with the requirements in Release No. 8456 and are consistent with the guidelines of those states which prescribe suitability standards. In addition, the Partnership Agreement and private placement memorandum contain numerous provisions designed to insure fair dealing by the General Partners with the Limited Partners. Applicants

further represent that all compensation to be paid to the General Partners and their affiliates is specified in the private placement memorandum and no compensation will be payable to the General Partners or any of their affiliates not so specified and that all such compensation is fair and on terms no less favorable to the Partnership than would be the case if such arrangements had been made with independent third parties. Further, the Partnership believes that such compensation meets all applicable guidelines necessary to permit the Units to be offered and sold in the various states which prescribe such guidelines.

Finally, Applicants state that the contemplated arrangement of the Partnership is not susceptible to abuses of the sort the Act was designed to remedy. The suitability standards described in the Partnership Agreement, the requirements for fair dealing provided by the Partnership's governing instruments, and pertinent governmental regulations imposed on the Local Limited partnership by various federal, state and local agencies, provide protection to investors in Units comparable to and in some respects greater than that provided by the Act. Exemption would therefore be entirely consistent with the protection of investors and the policies and purposes of the Act.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than October 7, 1983, at 5:30 p.m., do so by submitting a written request setting forth the nature of his interest, the reasons for his request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of the request should be served personally or by mail upon Applicant at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. After said date, an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-25644 Filed 9-19-83; 8:45 am]  
BILLING CODE 8010-01-M

[File No. 1-8154]

**Essex County Gas Company, Common Stock, \$5 Par Value; Application to Withdraw from Listing and Registration**

September 13, 1983.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the Boston Stock Exchange, Inc. ("BSE").

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

Essex County Gas Company ("Company") common stock is listed and registered on the BSE and is also traded over-the-counter through NASDAQ. The Company has determined that since the stock receives greater national exposure on NASDAQ continued listing on the BSE is not necessary. The BSE has not posed an objection to this matter.

Any interested person may, on or before October 4, 1983, submit by letter to the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-25332 Filed 9-19-83; 8:45 am]  
BILLING CODE 8010-01-M

[Release No. 13497; (812-5544)]

**The Mercantile Bank of Canada; Application**

September 12, 1983.

Notice is hereby given that the Mercantile Bank of Canada ("Applicant") 770 Sherbrooke West, Montreal, Quebec Canada, filed an application on May 20, 1983, and an amendment thereto on August 26, 1983, for an order of the Commission pursuant

to Section 6(c) of the Investment Company Act of 1940 ("Act") exempting Applicant from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below, and to the Act for the text of all applicable sections thereof.

Applicant represents that it performs all the functions of a typical commercial bank and that its most important commercial banking activities are the receipt of deposits and the extension of all types of credit. Applicant states that, as of October 31, 1982, its total assets were approximately \$3,539,724,000 (at the rate of exchange prevailing on October 31, 1982—\$1.2255 Canadian dollars to the United States dollar) and its total liabilities were approximately \$3,359,423,000, approximately 92 percent of which consisted of deposits. It is further represented that Applicant is the seventh largest bank in Canada as ranked by assets at October 31, 1982.

Applicant states that its principal focus of activity outside of Canada is the provision of specialized financial products and services to corporate entities in North America. Applicant represents that in the United States, its corporate lending activities are conducted by MBC Financial Services Corporation ("FSC"), an indirect wholly-owned Delaware subsidiary of the Applicant with offices in Dallas, Denver and Los Angeles. According to the Applicant, the principal activity of FSC is making loans to various United States borrowers, both on a secured and an unsecured basis. Applicant further represents that it currently has no branches, agencies or banking subsidiaries in the United States.

Applicant represents that the business of banking is regulated exclusively by the federal government of Canada pursuant to the Bank Act of Canada ("Bank Act"). The Bank Act contains provisions pertaining to all aspects of banking in Canada, including the kinds of business that banks may carry on, the types of loans and investments which they may make, the powers and qualifications of their directors and officers, the rights of their shareholders, the nature of their capital structure, the obligation to maintain reserves, compliance with specific auditing requirements, financial disclosure, and periodic inspection by the Inspector General of Banks (the "Inspector General"). According to Applicant, Canadian banks are specifically prohibited from carrying on the business of insurance and, in Canada, from

engaging in fiduciary activities, portfolio management or investment counselling. Applicant further represents that Canadian banks may engage in factoring and financial leasing only through subsidiaries.

Applicant states that further regulation of each Canadian bank is provided by the Inspector General, who is required to conduct no less frequently than annually an examination of each bank as may be necessary to insure that the provisions of the Bank Act have been complied with and that the bank is in a sound financial condition. Applicant further states that the Inspector General must certify annually to the Minister of Finance and to the Governor of the Bank of Canada whether, in the Inspector General's opinion, the monthly bank returns with respect to reserves are correct.

Applicant proposes to offer, from time to time, various types of its debt securities for sale in the United States in both public offerings and private placement transactions, the proceeds of which would be utilized by the Applicant in the ordinary course of its banking business in Canada. The debt securities which the Applicant contemplates offering may include short-term negotiable promissory notes of the type commonly referred to as "commercial paper", as well as notes or other debt securities with longer maturities. Applicant also contemplates issuing letters of credit or guarantees in support of debt securities issued in the United States by FSC or other of the Applicant's subsidiaries or affiliates, the Applicant's customers or other unaffiliated issuers. The types of debt securities which the Applicant contemplates supporting with its letters of credit and guarantees include short-term commercial paper, medium-term and long-term notes, industrial development bonds as defined in Paragraph 103(b)(2) of the United States Internal Revenue Code of 1954, as amended, and other revenue bonds and obligations issued by United States state or municipal governmental units and instrumentalities.

It is stated that any debt securities issued by Applicant in the United States and Applicant's obligations under any letters of credit or guarantees issued by Applicant in support of debt securities issued in the United States will rank *pari passu* among themselves and equally with all other unsecured, unsubordinated indebtedness of the Applicant, except for indebtedness of the Applicant which is given a statutory preference under the Bank Act or other statute. Applicant undertakes that it will

not issue or sell any of its debt securities in the United States or issue any of its letters of credit or guarantees in support of any debt securities of others issued and sold in the United States, unless Applicant has received an opinion of United States counsel or a "no-action" letter issued by the staff of the Commission to the effect that the proposed issuance and sale or issuance is in compliance with, or entitled to an exemption from, the registration requirement of the Securities Act of 1933 ("1933 Act") or unless the offering is made pursuant to a registration statement under the 1933 Act.

It is asserted that any offering of Applicant's debt securities and any offering of the debt securities of others supported by Applicant's letters of credit or guarantees will be effected on the basis of disclosure documents describing the business of the Applicant and providing the most recent annual audited financial statements for Applicant, together with a description of the material differences between the Canadian accounting principles utilized in the preparation of the financial statements of Applicant and generally accepted accounting principles as applied in the United States. Applicant undertakes to insure that each dealer used in effecting an offering of its debt securities as contemplated hereby will furnish the required disclosure document to each offeree of such debt securities. Applicant represents that the disclosure document utilized in connection with any offering will be updated as promptly as practicable to reflect material adverse changes in the business and financial condition of Applicant and will be at least as comprehensive as the disclosure documents customarily used in offering similar types of debt securities in the United States. In any offering made pursuant to a registration statement under the Securities Act, Applicant states that it will prepare, and deliver in accordance with the Securities Act and the rules and regulations promulgated thereunder, appropriate disclosure documents. Applicant consents to the inclusion, in any order granting the relief requested, of an express condition that the Applicant comply with these undertakings.

Applicant represents that, prior to their issuance, any debt securities of Applicant will have received one of the three highest investment grade ratings from at least one nationally recognized statistical rating organization and that Applicant's United States counsel shall have certified that the ratings has been received. In addition, Applicant states

that it will not issue its letters of credit or guarantees in support of the debt securities of another issuer unless, prior to the issuance of the debt securities with supporting the letters of credit or guarantees, the debt securities supported by Applicant's letters of credit or guarantees, as so supported, will have received one of the three highest investment grade ratings from at least one nationally recognized statistical rating organization and Applicant's United States counsel shall have certified that the rating has been received. Applicant asserts no rating shall be required, however, with respect to an issue of Applicant's debt securities or an issue of the debt securities or another issuer supported by Applicant's letters of credit or guarantees if, in the opinion of United States counsel to Applicant, such counsel having taken into account for the purposes thereof the doctrine of "integration," an exemption is available for the issue pursuant to Section 4(2) of the Securities Act or Regulation D promulgated thereunder.

Applicant represents that it will, in connection with any public offering of its debt securities in the United States or any issuance of its letters of credit or guarantees in support of offerings of the debt securities of others in the United States, appoint an agent to accept service of process in The City of New York, or such other location in the United States as may be satisfactory to the participants in such offering or issuance, in any suit, action or proceeding brought on the Applicant's obligations under its debt securities or its letters of credit or guarantees, and instituted in any State or Federal court by any holder of the Applicant's debt securities or of debt securities of others supported by the Applicant's letters of credit or guarantees. Applicant will expressly submit to the jurisdiction of any State or Federal court located in The City of New York, or such other location in the United States as may be satisfactory to the participants in such offering or issuance, with respect to any such suit, action or proceeding. It is further asserted that Applicant's appointment of an agent for service of process and consent to jurisdiction shall be irrevocable until all amounts due and to become due in respect of the Applicant's obligations under its debt securities or its letters of credit or guarantees have been paid by the Applicant.

Applicants assert that granting the relief requested would advance the policies underlying the International Banking Act of 1978 by furthering the principle established thereunder of

parity of treatment between foreign and domestic banks in like circumstances. Applicant further represents that it is subject to extensive regulation by Canadian banking authorities which affords protection to investors at least equal to that provided in the Act. Applicant submits further that it is not the type of entity to which the Act was intended to apply.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than October 7, 1983, at 5:30 p.m., do so by submitting a written request setting forth the nature of his interest, the reasons for his request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of the request should be served personally or by mail upon Applicant at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. After said date, an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority,

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-25643 Filed 9-19-83; 8:45 am]  
BILLING CODE 8010-01-M

[Rel. No. 23053; (31-795)]

**National Propane Corp., et. al.;  
Application**

September 12, 1983.

National Propane Corporation ("National"), a Delaware corporation and a wholly-owned subsidiary of DWG Corporation ("DWG"), an Ohio corporation, and National's wholly-owned subsidiaries Adirondack Bottled Gas Corporation of Vermont, Inc. ("ABG"), a Vermont corporation, and Good Housekeeping Gas Company of Florida, Inc. ("GHG"), a Florida corporation, together with Public Gas Company ("PGC"), a Florida corporation and a 99% owned subsidiary of Southeastern Public Service Company ("SPS") 6917 Collins Avenue, Miami Beach, Florida 33141, which is 63.1% owned by DWG, and Southeastern Gas Company ("SGC"), a Florida corporation and a wholly-owned subsidiary of SPS, have filed with this Commission a joint application pursuant to Section 2(a)(4) of the Public Utility Holding Company Act of 1935 for an order declaring each not

to be a "gas utility company" as therein defined.

National, ABG, GHG, and PGC is each primarily engaged in the business of the sale of liquefied petroleum gas ("LP gas"), principally by tank truck in bulk or in portable cylinders. These applicants also sell appliances and equipment which utilize LG gas, and are engaged in other non-utility businesses. LP gas is employed for various residential, agricultural, commercial and industrial uses. LP gas is not competitive with natural gas, and is typically used as a fuel in rural or suburban areas where natural gas is not available.

The greatest number of customers of National, ABG, GHG, and PGC are served on an interchangeable, portable cylinder basis. Under this method two 100 pound LP cylinders are installed by the applicant upon a customer's premises, and when one cylinder is exhausted it is either replaced or refilled by a tank truck. Practically all cylinders and ancillary equipment installed on a customer's premises remain the property of the applicant. Applicants also make regular bulk deliveries of LP gas to customers whose consumption is high enough to warrant this service. Under this method larger tanks are installed on the customer's premises, with tank truck delivery of the LP gas, a method analogous to arrangements for the supply of heating oil. These typical sales do not involve the distribution through mains owned and operated by applicants, but each does engage in some distribution of that kind.

National, through its Lehigh Gas Division, also delivers LP gas by truck to a central tank serving 27 tenants of a shopping plaza in Saybrook, Connecticut. National owns the central tank and pipes leading to the stores served. For its fiscal year ended April 30, 1983, National's total revenues were \$60,408,000, of which approximately \$111,000, or 0.184%, were from the Saybrook facilities. As of the same date National's net assets were approximately \$76 million, of which the Saybrook facilities comprised approximately \$7,000, or 0.009%.

ADG, in addition to its normal LP gas distribution, also delivers a small amount of LP gas by truck to a central tank serving 24 tenants of a shopping plaza at Rutland, Vermont. ADG owns the tank and all the pipes leading to the individual stores. For its fiscal year ending April 30, 1983, ADG's total revenues were \$4,820,000, of which approximately \$99,000, or 2.1%, were from the Rutland facilities. As of the same date ADG's net assets were \$4,094,000, of which the Rutland

facilities comprise approximately \$43,700, or 1.1%.

GHG, in addition to its normal LP gas distribution, also delivers LP gas by truck to a central tank or tanks in 12 housing projects in Florida. GHG owns the tanks and the pipes leading to the individual houses, and serves approximately 2400 customers. For its fiscal year ended April 30, 1983, GHG's total revenues were \$7,014,000, of which approximately \$875,000, or 12.48%, were from the 12 housing projects. As of the same date GHG's net assets were \$4,318,000, of which the housing project facilities comprised approximately \$283,900, or 6.6%.

PGC, in addition to its normal LP gas distribution, also delivers LP gas by truck to a central tank in several housing projects and mobile home courts in Florida. PGC owns the central tanks and all the pipes leading to the individual houses or mobile homes, and serves approximately 5000 customers. For its fiscal year ended February 28, 1983, PGC's total revenues were \$23,324,000, of which approximately \$1,456,000, or 6.24%, were from these housing projects and mobile home courts. As of the same date PGC's net assets were \$18,915,000, of which the housing projects and mobile home court facilities comprised approximately \$380,000, or 2.01%.

SGC is primarily engaged in the production of natural gas in Kentucky and West Virginia, which gas is sold to pipeline companies, public utilities and industrial customers. It also distributes a small amount at retail pursuant to: (1) "Tap" clause arrangements with customers who have granted it easements or rights-of-way; (2) Kentucky law, under which households within one-half mile of a gas pipeline may tap into that line; and (3) mineral right lease arrangements with certain landowners. For its fiscal year ended February 28, 1983, SGC's total revenues were \$5,229,000, of which approximately \$31,000, or 0.59%, were from distribution at retail pursuant to these arrangements. As of the same date, SGC's net assets were \$7,518,000, of which retail distribution facilities comprised approximately \$1,000, or 0.01%.

It is stated that none of the applicants has any franchise for the distribution of natural gas at retail, and that none is regulated as a public utility under local law.

National, ADG, GHG, PGC, and SGC have jointly applied for an order declaring each not to be a "gas utility company" pursuant to Section 2(a)(4) of the Act. Section 2(a)(4) provides that the Commission may declare a company not to be a "gas utility company" if it finds

that: "(A) Such company is primarily engaged in one or more businesses other than the business of a gas utility company, and (B) by reason of the small amount of natural or manufactured gas distributed at retail by such company it is not necessary in the public interest or for the protection of investors and consumers that such company be considered a gas utility company for the purposes of [the Act]."

The application and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by October 7, 1983, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants at the address specified above. Proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application, as filed or as it may be amended, may be granted.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-25641 Filed 9-19-83, 8:45 am]  
BILLING CODE 8010-01-M

[Release No. 13495; (812-5613)]

### Real Estate Associates Limited VII, et al.; Application for Order Granting Exemption

September 9, 1983.

Notice is hereby given that Real Estate Associates Limited VII, a California limited partnership ("REAL VII"), and its general partners, National Partnership Investments Corp. and National Partnership Investments Associates II ("General Partners") National Partnership Investments Corp., and National Partnership Investments Associates II, 1680 Century Park East, Los Angeles, California 90067, (REAL VII together with General Partners, collectively referred to hereinafter as "Applicants"), filed an application on July 25, 1983, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting REAL VII from all provisions of the Act. All interested persons are referred to the application on file with the Commission

for a statement of the representations contained therein, which are summarized below, and to the Act for the text of applicable statutory provisions.

Applicants state that REAL VII was formed under the California Limited Partnership Act of May 24, 1983, and is designed to implement the policy of Title IX of the Housing and Urban Development Act of 1968 of providing private investors with a means of acquiring equity interests in government-assisted low and moderate income housing. REAL VII will primarily acquire limited partnership interests in local limited partnerships ("Local Limited Partnerships") which own or lease government-assisted rental housing projects for low and moderate income persons. It is stated that REAL VII's investment in subsidized housing projects may also take the form of a joint venture interest, or a direct purchase of the project itself.

Applicants state further that REAL VII is organized as a limited partnership because a limited partnership is the only form of organization which provides an investor with both liability limited to his capital investment and the ability to claim on his individual tax return the deductions, losses, credits and other tax items a partnership can pass through to its partners. Therefore, REAL VII will operate as a "two-tier" partnership; i.e., REAL VII, a limited partnership, will invest primarily in other limited partnerships (Local Limited Partnerships) which, in turn, will be engaged in the development, building, ownership, or leasing of government-assisted housing for low and moderate income persons.

Applicants further represent that one of the primary objectives of REAL VII is to pass through to its partners during the early years of the partnership net losses which may be used to offset other taxable income. It is stated that other primary objectives of REAL VII are to invest in projects which will appreciate in value and to obtain reasonable protection for its capital investments.

Applicants further represent that REAL VII has filed a registration statement under the Securities Act of 1933, which will cover the sale of 240 to 2,600 Units at \$5,000 per Unit. Each Unit consists of two limited partnership interests and two warrants, each entitling the investor to purchase two additional limited partnership interests, exercisable in February 1984 (the "Warrants"). The Warrants will entitle an investor to purchase the related limited partnership interests for \$2,500 each, the equivalent price per limited

partnership interest acquired pursuant to the purchase of a Unit. It is also stated that in the event that any Warrant is not exercised, the respective limited partnership interests may be sold by REAL VII to other qualifying offerees. Offers to sell and sales of the Units to the public are proposed to be effected through E. F. Hutton & Company Inc. and other selected members of the National Association of Securities Dealers, Inc., none of which will own or owns any interests in either of the General Partners or will have or has any other material relationship with their directors, officers, or partners. Such broker-dealers will use their best efforts as agents for REAL VII to obtain subscriptions for Units in REAL VII and thereafter to sell any limited partnership interests available upon the non-exercise of the Warrants.

In addition, Applicants state that no subscription for Units will be accepted unless the subscribing investor represents in the Subscription Agreement for Units: (1) That he has a net worth (exclusive of home, furnishings, and automobiles), of at least \$30,000 and an annual gross income of at least \$30,000, or that he has a net worth (exclusive of home, furnishings, and automobiles) of at least \$200,000, or that he is purchasing in a fiduciary capacity for a person or entity which has such net worth and annual gross income; and (2) that he is aware of the risks involved in investing in REAL VII. He also must represent that some part of his annual income for 1983 will be taxable at the federal tax rate of 38 percent or more, and that he anticipates some part of his income for the next four years will, but for the effect of his investment in the Units or other tax shelters, be taxable at such 38 percent rate. In addition, the Restated Certificate and Agreement of Limited Partnership Agreement of REAL VII ("Partnership Agreement") will require that until January 1, 1989 each transferee of limited partnership interests must represent that he meets the suitability standards set forth above.

Applicants state that the General Partners will be entitled to receive 1% of REAL VII's profits, losses and distributions subject to the condition that their 1% shares of net cash flow will be reduced each year by the amount of annual management fees which are paid or payable to them in that year. In addition to their 1% participation in REAL VII's profits, losses and distributions, the General Partners will receive certain fees for overseeing the conduct of REAL VII's affairs and the continuing operation of each project. Applicants represent that these fees are

in substantial conformity with the standards imposed by the North American Securities Administrators Association, Inc. and the California Corporations Commissioner, and that to the best of their knowledge all such fees are in compliance with the current rules promulgated by such authorities.

During REAL VII's operational period, the General Partners will receive, in consideration for their management services rendered to the local limited partnership owning government-assisted housing projects, an annual fee in an amount equal to 0.5% of invested assets to be paid out of REAL VII's general funds to such local limited partnership. As noted above, this annual management fee will be applied against the General Partners' 1% shares of REAL VII's net cash flow. Finally, when a project is sold, the General Partners will receive a liquidation fee based upon the net proceeds only after payment to the limited partners of an amount equal to the greater of their invested capital in the project, or an amount sufficient to pay their federal and state taxes.

Applicants further note that REAL VII states that it will file with the Commission pursuant to Section 15(d) of the Securities Exchange Act of 1934 all required annual reports, quarterly reports, and current reports on Forms 10-K, 10-Q and 8-K, as well as any other reports required by such Act. The General Partners will also send each limited partner a year-end report containing financial statements audited by REAL VII's independent accountants and tax information necessary for the preparation of each limited partner's federal income tax return. In addition, each limited partner will receive a report at least semiannually of REAL VII's activities and the operational status of its investments, as well as interim reports regarding acquisitions.

Applicants state that under the California Limited Partnership Act, and under the terms of the Partnership Agreement, the corporate General Partner, which has registered as an investment adviser under the Investment Advisers Act of 1940, and the non-corporate General Partner, are fiduciaries of REAL VII and its limited partners. Applicants state that under the Partnership Agreement, the officers and directors of the corporate General Partner will be indemnified only when a court finds that such persons' conduct fairly and equitably merit indemnity in the amount claimed.

Without conceding that REAL VII is an investment company as defined in the Act, Applicants request that REAL VII be exempted from the provisions of

the Act pursuant to Section 6(c). Applicants contend that the exemption of REAL VII from all provisions of the Act is both necessary and appropriate in the public interest. Applicants assert that the form of organization of REAL VII, *i.e.*, a limited partnership, which is necessary to limit the liability of private investors investing in subsidized low and moderate income housing, is incompatible with the regulatory framework of the Act. Applicants contend that to discourage the two-tier limited partnership arrangement by application of the Act would eliminate the primary means of attracting private equity capital into government-assisted housing and would frustrate the national policy declared by Congress "to encourage the widest possible participation by private enterprise in the provision of housing for low and moderate income persons."

Notice is further given that any interested person wishing to request a hearing on the application may, not later than September 29, 1983, at 5:30 p.m., do so by submitting a written request setting forth the nature of his/her interest, the reasons for the request, and the specific issues, if any, of fact or law that are disputed, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20548. A copy of the request should be served personally or by mail upon Applicants at the address stated above. Proof of service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed with the request. After said date, an order disposing of the application will be issued unless the Commission orders a hearing upon request or upon its own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-25549 Filed 9-19-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 0172; SR-CBOE-83-20]

### Self Regulatory Organizations; Chicago Board Options Exchange, Inc.; Order Approving Proposed Rule Change

September 12, 1983.

The Chicago Board Options Exchange, Incorporated ("CBOE") LaSalle at Jackson, Chicago, IL 60604, submitted on June 30, 1983,<sup>1</sup> copies of a proposed rule

<sup>1</sup> On July 25, 1983, CBOE filed an amendment to the proposed rule change noting final action by the CBOE Board of Directors approving the proposed rule change.

change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, to revise CBOE's option exercise rule. Among other things, the proposal would establish exercise cut-off times in expiring options at 4:30 p.m. (5:30 p.m. for index options) Chicago time. Later exercises would be permitted only in certain cases of error, unmatched trades and communication failures. A filing requirement for memoranda of such exceptional exercises would be dropped. The rule change would also eliminate from CBOE's option exercise rule language redundant or unnecessary to the rule as revised.

Notice of the proposed rule change, together with the terms of substance of the proposed rule change, was given by the issuance of a Commission Release (Securities Exchange Act Release No. 20025, July 29, 1983) and by publication in the *Federal Register* (48 FR 36043, August 8, 1983). No comments were received with respect to the proposed rule filing.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6, and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,  
Secretary.

[FR Doc. 83-25548 Filed 9-19-83; 8:45 am]  
BILLING CODE 8010-01-M

[Release No. 20171; (SR-NYSE-83-8)]

**Self-Regulatory Organizations; New York Stock Exchange, Inc.; Order Extending the Time for Conclusion of a Proceeding to Determine Whether to Approve or Disapprove Proposed Rule Change**

September 12, 1983.

On March 13, 1983, the Commission published notice<sup>1</sup> of a proposed rule

change filed with the Commission by the New York Stock Exchange, Inc. ("NYSE") 11 Wall Street, New York, New York 10005, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>2</sup> and Rule 19b-4 thereunder.<sup>3</sup> The NYSE's proposed rule change would extend its Registered Representative Rapid Response Service ("R4") for a year, at the same time expanding the program in a number of aspects.<sup>4</sup>

On June 9, 1983, the Commission instituted a proceeding to determine whether to approve or disapprove the NYSE's proposed rule change,<sup>5</sup> pursuant to Section 19(b)(2)(B) of the Act. The Commission indicated at that time that it was instituting the proceeding so that interested commentators would have an opportunity to discuss the important questions raised by the R4 program, and so that the Commission could examine R4 more closely, particularly in the context of the broader concerns regarding derivative execution systems for small orders. In this connection, the R4 release asked commentators specifically to address a number of questions concerning the operation and effects of R4.

Because of the complexity and difficulty of the questions raised by the R4 release, thoughtful comments have been, and continued to be, submitted to the Commission even after the conclusion of the original comment period. The Commission believes that these comments deserve careful attention before final action is taken to approve or disapprove the R4 program. Under the requirements of Section 19(b)(2)(B) of the Act, the R4 proceeding is due to be concluded by September 10, 1983 (180 days from the date of publication of notice of the R4 rule change); however, the Commission for good cause may extend the proceeding for up to sixty days. In view of the recent submission of detailed comments by several commentators and the need to consider these comments fully before taking action on the R4 program, the Commission finds good cause to extend the proceeding to determine whether to approve or disapprove the R4 system until October 31, 1983.

The Commission also believes that it is appropriate to extend concurrently

299 shares in 30 stocks at the prevailing consolidated quotation, and then report the execution to the NYSE specialist in the stock who guarantees that price to the customer. On receiving this report, if the report is at the quotation when prevailing on the floor, the specialist is required to offer participation on the contra side of the trade to other existing interest at the quote price, including

the comment period on the R4 proceeding to October 1, 1983, to allow all commentators an equal opportunity to submit further comments on this proceeding. Persons desiring to submit written data, views, and arguments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Reference should be made to File No. SR-NYSE-83-8.

It is hereby ordered, pursuant to Section 19(b)(2) of the Act, that the time for conclusion of the proceeding to determine whether to approve or disapprove proposed rule change NYSE-83-8 be extended until October 31, 1983, and that the comment period be extended until October 1, 1983.

By the Commission.  
George A. Fitzsimmons,  
Secretary.  
[FR Doc. 83-25642 Filed 9-19-83; 8:45 am]  
BILLING CODE 8010-01-M

**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs  
Administration Materials  
Transportation Bureau**

**Grants and Denials of Applications for Exemptions**

**AGENCY:** Materials Transportation Bureau, DOT.

**ACTION:** Notice of grants and denials of applications for exemptions.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the exemptions granted in August 1983. The modes of transportation involved are identified by a number in the "Nature of Exemption Thereof" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Exemptions.

limit orders on the specialist's book and floor brokers. If the order is not at the then prevailing quotation, the specialist is responsible for the execution. The execution is then reported by the specialist to the consolidated transaction reporting system.

<sup>5</sup> Securities Exchange Act Release No. 19858 [June 9, 1983], 48 FR ("R4 Release").

<sup>1</sup> Securities Exchange Act Release No. 19573 (March 8, 1983), 48 FR 10788.

<sup>2</sup> 15 U.S.C. 78a(b)(1).

<sup>3</sup> 17 CFR 240.19b-4.

<sup>4</sup> The NYSE's R4, in present form, allows a registered representative in a participating broker-dealer firm to execute, in its office, an order of up to

## RENEWAL AND PARTY TO EXEMPTIONS

Applica- tions No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
2708-X	DOT-E 2708	Union Carbide Corp., Danbury, CT	49 CFR 173.315(a), 173.316	To authorize an additional new designed 13,620 gallon liquefied hydrogen cargo tank. (Mode 1.)
4400-X	DOT-E 4400	Airco Industrial Gases, Murray Hill, NJ	49 CFR 172.101, 173.315(a)	To authorize shipment of liquefied hydrogen and pressurized liquid helium, in non-DOT specification insulated cargo tanks. (Modes 1, 3.)
4459-X	DOT-E 4459	Allied Healthcare Products, Inc., St. Louis, MO.	49 CFR 173.302(a)(1), 173.304(a)(1), 173.328(a)(2), 173.359(a)(3), 173.3, 178.37	To authorize manufacture, marking and sale of non-DOT specification cylinders for shipment of flammable, nonflammable gases, Class A and B poison and mixtures thereof. (Modes 1, 2, 4.)
5248-X	DOT-E 5248	Rockwell International Corp., Anaheim, CA	49 CFR 173.369(g), 175.3	To authorize shipment of a certain quantity of polonium-210 in any DOT Specification approved outer Type A packaging. (Modes 1, 2, 4, 5.)
6092-P	DOT-E 6092	Hi-Pure Chemicals, Inc., Nazareth, PA	49 CFR 173.25(b)	To become a party of Exemption 6092. (Modes 1, 2.)
6538-X	DOT-E 6538	Wonder Corporation of America, Norwalk, CT.	49 CFR 173.304(d)(3)(i), 178.33	To modify exemption by reducing nominal thickness of metal containers from 0.31 mm to 0.26 mm. (Modes 1, 3.)
7035-X	DOT-E 7035	Owens-Illinois (Plastic Products Division) Toledo, OH	49 CFR 173.119, 173.128(a), 173.245(a)(26), 173.245(b)(a)(6), 173.249(a)(1), 173.250(a)(1), 173.256, 173.257(a)(1), 173.263(a)(26), 173.265(d)(6), 173.266(b)(6), 173.272(i)(9), 173.276(a)(10), 173.277(a)(6), 173.287(c)(1), 173.289(a)(1), 173.292(a)(1), 173.346, 173.348, 178.19	To authorize manufacture, marking and sale of non-DOT specification reusable, molded polyethylene containers, for transportation of corrosive liquids and solids, oxidizers, flammable liquids, and Class B poisonous liquids. (Modes 1, 2, 3.)
7051-X	DOT-E 7051	Ozark-Mahoning Co., Tulsa, OK	49 CFR 173.246(a), 175.3	To authorize use of non-DOT specification Teflon bottles overpacked with either a DOT Specification 12A or 12B fiberboard box, for transportation of a corrosive liquid. (Modes 1, 4.)
7458-X	DOT-E 7458	Ekohwerks Co., Eastlake, OH	49 CFR 173.304(a)(2), 178.42	To authorize manufacture, marking and sale of non-DOT specification seamless cylinders for transportation of nonflammable gases. (Modes 1, 2, 3.)
7574-X	DOT-E 7574	Rommers-Tomkins Flight Service, Inc., Burlington, IA.	49 CFR 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.302(b), Part 107, Appendix B.	To modify by removing restriction limiting carriage of Class A, B & C explosives for the Department of Defense only. (Modes 4.)
7835-P	DOT-E 7835	Big Three Industries Inc., Houston, TX.	49 CFR 177.846, Part 107 Appen. B(1)	To become a party to Exemption 7835. (Modes 1.)
7857-X	DOT-E 7857	Makhteshim Daron (Ramat Hovav) Ltd., Beer Sheva, Israel.	49 CFR 173.315	To authorize use of certain non-DOT specification portable tanks, for shipment of certain flammable gases. (Modes 1, 3.)
8009-P	DOT-E 8009	Tri-Energy, Inc., Prairie Village, KS	49 CFR 172.101, 173.301(d)(2), 173.302(a)(3)	To become a party to Exemption 8009. (Mode 1.)
8051-X	DOT-E 8051	Mausser-Werke GmbH, Brul, West Germany.	49 CFR 173, Subpart F, 178.19, 178.19	To authorize poison B liquids, n.o.s. and flammable liquids/poisonous, n.o.s. and other poisons or flammable liquids, as additional commodities. (Modes 1, 2, 3.)
8096-X	DOT-E 8096	Pressure-Pack Container Co. Inc., East Hampton, CT.	49 CFR 173.302(a)(1) 175.3, 178.42	To authorize manufacture, marking and sale of non-DOT specification steel cylinders, for shipment of certain nonflammable gases. (Modes 1, 2, 3, 4, 5.)
8119-X	DOT-E 8119	BJ-Hughes, Inc., Houston, TX	49 CFR 173.119(a), (m), 173.245(a), 173.263(a), 178.342-5, 178.343-5(b).	To authorize cargo tanks to be coated with kynar, pyroite, or plasite 4005, for shipment of various corrosive, flammable and poison B materials. (Modes 1.)
8167-X	DOT-E 8167	Manostat Corp., New York, NY	49 CFR 173.287, 175.3	To authorize shipment of a chromic acid solution in composite packaging consisting of a non-DOT specification fiberboard outer box and expanded polystyrene/glass bottle inner packaging. (Modes 1, 2, 3, 4.)
8177-X	DOT-E 8177	A.O. Smith-Intand, Inc., Little Rock, AR	49 CFR 173.245(a)(12), 175.3	To authorize the shipment of a material corrosive to the skin, but not to metal, in a non-DOT specification metal can, overpacked with a nonhazardous material in a DOT Specification 12B fiberboard box. (Modes 1, 2, 3, 4.)
8192-X	DOT-E 8192	Greif Bros. Corp., Springfield, NJ	49 CFR 173.154, 173.266, 173.272(g), 173.346, 173.348.	To authorize manufacture, marking and sale of DOT Specification 34 containers, for transportation of Class B poisons, corrosive materials and an oxidizer. (Modes 1, 2, 3.)
8228-X	DOT-E 8228	Bureau of Alcohol, Tobacco and Firearms, Washington, DC.	49 CFR 173.173.100(bb), 173.113(a)(1), 173.86.	To authorize transport of packages containing not in excess of 35 grams of one type of explosive material or one explosive device, not exceeding 35 grams, in a pasteboard carton packed in a DOT Specification 12H fiberboard box or a non-DOT specification corrugated fiberboard box. (Mode 1.)
8232-X	DOT-E 8232	Eurotainer S.A., Paris France	49 CFR 173.123(a), 173.315	To authorize use of a non-DOT specification portable tank, for transportation of certain compressed gases and a flammable liquid. (Modes 1, 2, 3.)
8232-X	DOT-E 8232	ANF Industries Paris, France	49 CFR 173.123(a), 173.315	To authorize use of a non-DOT specification portable tank, for transportation of certain compressed gases and a flammable liquid. (Modes 1, 2, 3.)
8232-X	DOT-E 8232	Societe Azellerie de Transports et d'Industries, Paris France.	49 CFR 173.123(a), 173.315	To authorize use of a non-DOT specification portable tank, for transportation of certain compressed gases and a flammable liquid. (Modes 1, 2, 3.)
8244-X	DOT-E 8244	Haliburton Services, Inc., Duncan, OK	49 CFR 173.119, 173.125, 173.245, 173.263, 173.264, 173.289, 46 CFR 64.0.	To authorize an additional 500 gallon vertical marine portable tank identical to those presently authorized except for a manway and different part numbers. (Modes 1, 3.)
8255-X	DOT-E 8255	Applied Environments Corp., Woodland Hills, CA.	49 CFR 173.302, 175.3	To authorize manufacture, marking and sale of non-DOT specification cylinders, for shipment of certain nonflammable gases. (Modes 1, 2, 4.)
8285-X	DOT-E 8285	Radian Corp., Austin, TX	49 CFR 100-199	To authorize transport of small quantities of flammable liquids and ORM-A materials in heat-sealed glass ampules. (Modes 1, 2, 3, 4, 5.)
8554-X	DOT-E 8554	Austin Powder Co., Cleveland, OH	49 CFR 173.114a, 173.93	To add oxidizing materials, n.o.s., as an additional commodity. (Mode 1.)
8609-X	DOT-E 8609	Nalco, Inc., Chicago, IL	49 CFR 177.841(e), 178.118	To authorize manufacture, marking and sale of non-DOT specification removable head metal drums, for transportation of poison B materials. (Mode 1.)
8614-X	DOT-E 8614	Arrow Airways, Inc., Minneapolis, MN	49 CFR 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.320(b), Part 107 Appendix B.	To authorize transport of Class A, B and C explosives not permitted for shipment by air, or in quantities greater than those prescribed for shipment by air. (Mode 4.)
8638-X	DOT-E 8638	Ethyl Corp., Baton Rouge, LA	49 CFR 172.101 column 7a, Part 107 Appendix B1.	To authorize stowage of drums containing motor fuel antiknock compound underdeck instead of on deck without marking of the exemption number on the drum. (Mode 3.)

## RENEWAL AND PARTY TO EXEMPTIONS—Continued

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8850-X	DOT-E 8650	Ethyl Corp., Baton Rouge, LA	49 CFR 173.354	To authorize use of a non-DOT specification steel portable tank, for shipment of motor fuel antiknock compound. (Modes 1, 2, 3.)
8671-X	DOT-E 8671	Allied Corp., Morristown, NJ	49 CFR 173.119(a)(23), 175.30, 178.24a-5.	To authorize shipment of various flammable liquids in non-DOT specification polyethylene bottles of 1000 ml capacity overpacked in a DOT Specification 12A fiberboard box. (Modes 1, 2, 3, 4, 5.)
8697-X	DOT-E 8697	ERA Helicopters, Inc., Anchorage, AK	49 CFR 172.101, Column (6)b, 175.30(a)(1).	To authorize carriage of propane in DOT Specification 4B240, 4BA240, 4BW240 cylinders via helicopter utilizing sling loads. (Mode 4.)
8709-X	DOT-E 8709	Delta Drum, Inc., Crete, IN	49 CFR 173 Subpart F, 178.19	To authorize shipment of certain flammable liquids/corrosive, n.o.s., classed as flammable liquids, as additional commodity. (Modes 1, 2, 3.)
8921-X	DOT-E 8921	Hoover Universal, Inc., Beatrice, NE	49 CFR Part 173, Subpart F	To authorize ethyl and methyl alcohols and aqueous solutions, classed as flammable liquids and 52% or less hydrogen peroxide solution, classed as an oxidizer, as additional commodities. (Modes 1, 2, 3.)
8995-P	DOT-E 8995	Worum Chemical Co., St. Paul, MN	49 CFR 173.315(a)(1)	To become a party to Exemption 8995. (Modes 1, 2.)

## NEW EXEMPTIONS

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
9002-N	DOT-E 9002	Pepsi Co, Inc., Purchase, NY	49 CFR 178.210-10(a)(2)	To authorize shipment of flavoring components in non-DOT specification fiberboard boxed with inside polyethylene bottles. (Modes 1, 2, 3.)
9029-N	DOT-E 9029	Hapag-Lloyd AG, Hamburg, Germany	49 CFR 172.101, 172.102 column 7, 178.11(f).	To authorize stowage of corrosive liquids "under deck", when transported aboard cargo vessels. (Mode 3.)
9043-N	DOT-E 9043	Ozella Harrington Trucking Co., Benson, AZ	49 CFR 173.154(a)(18)	To authorize shipment of ammonium nitrate solution, classed as an oxidizer in modified DOT Specification MC-306 cargo tanks. (Mode 1.)
9057-N	DOT-E 9057	Olympic Chemical Co., North Richland Hills, TX	49 CFR 173.315(i)(13), 173.33(f)(9), 173.33(h)(5)(i).	To authorize use of DOT Specification MC-331 cargo tanks equipped with angle valves and pressure relief valves not presently authorized, for transportation of a nonflammable gas. (Mode 1.)
9058-N	DOT-E 9058	Gearhart Industries, Ft. Worth, TX	49 CFR 173.304(a), 173.34(d), 175.3	To authorize use of a non-DOT specification pressure vessel, for transportation of certain flammable gases. (Mode 1, 4.)
9061-N	DOT-E 9061	The S. S. I. Group Ltd., Fairdale, KY	49 CFR 172.504, 173.178	To authorize shipment of small quantity of a flammable solid labeled Flammable Solid and Dangerous When Wet but without a Flammable Solid W placard on the vehicle. (Mode 1.)
9062-N	DOT-E 9062	UOP Process Division, Des Plaines, IL	49 CFR 173.245	To authorize use of DOT Specification 57 carbon steel portable tanks for transportation of a corrosive liquid. (Mode 1, 2.)
9063-N	DOT-E 9063	Hoechst Aktiengesellschaft, Frankfurt, West Germany	49 CFR 173.315, 178.245	To authorize use of non-DOT specification IMO Type 5 portable tanks, for transportation of non-flammable compressed gases. (Mode 1, 2, 3.)
9067-N	DOT-E 9067	Watco Truck Rigging, Inc., Odessa, TX	49 CFR 173.119, 173.245, 178.253	To authorize manufacture, marking and sale of non-DOT specification portable tanks manifolded together with a frame and securely mounted on a truck chassis, for transportation of flammable liquids and corrosive liquids (Mode 1.)
9074-N	DOT-E 9074	Reuter-Stokes, Inc., Cleveland, OH	49 CFR 173.302, 175.3	To authorize use of non-DOT specification metal, single trip, inside containers, for transportation of a nonflammable gas. (Mode 1, 2, 3, 4, 5.)
9082-N	DOT-E 9082	West-Tex Equipment Co., Midland, TX	49 CFR 173.119, 173.245, 178.253	To authorize manufacture, marking and sale of non-DOT specification portable tanks manifolded together within a frame and securely mounted on a truck chassis, for transportation of flammable liquids and corrosive liquids. (Mode 1.)
9094-N	DOT-E 9094	Chemical Tank Lines, Inc., Mulberry, FL	49 CFR 173.265	To authorize use of a DOT Specification MC312 stainless steel cargo tank, for transportation of a corrosive liquid. (Mode 1.)

## EMERGENCY EXEMPTIONS

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
EE 9103-N	DOT-E 9103	Ohio Fireworks Manufacturing Display Co., Inc., Bellare, OH	49 CFR 173.51(b), 173.86, Parts 171-178	To authorize a one-time shipment of fireworks (tentative Class B explosives) in freight container. (Mode 1.)
EE 9122-N	DOT-E 9122	Baker Sand Control, Houston, TX	49 CFR 172.101 column 6(b), 175.30, 175.320(a)	To authorize transportation of shaped charges, commercial. (Mode 4.)

## WITHDRAWALS

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
6971-X	PolyScience Corp, Niles, IL	49 CFR Parts 100-199	To authorize transport of small quantities of reagent chemicals in inside glass bottles packed in metal boxes, overpacked in a strong wooden or fiberboard box. (Modes 1, 2, 3, 4, 5.)

## Denials

8547-X—Request by Natico, Incorporated, Chicago, IL to authorize manufacture, marking and sale of a non-

DOT specification 55 gallon steel tight head drum incorporating a molded polyethylene top head, in lieu of a steel top head, for shipment of certain corrosive liquids denied August 12, 1983.

9111-N—Request by Matheson Gas Products, Inc., Secaucus, NJ to authorize shipment of hydrogen sulfide in DOT Specification 110A100W tanks denied August 12, 1983.

Note.—Inadvertently omitted from the 48 FR 161 publication of Exemptions issued during July 1983 is the following: 9071-N—Request by McCarthy Tank and Steel Company, Bakersfield, CA to manufacture replacement tanks only for existing cargo tanks that are no longer serviceable denied July 21, 1983.

Issued in Washington, DC, on September 12, 1983.

**J.R. Grothe,**

*Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.*

[FR Doc. 83-25812 Filed 9-19-83; 8:45 am]

BILLING CODE 4910-67-M

# Sunshine Act Meetings

Federal Register

Vol. 48, No. 183

Tuesday, September 20, 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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### COMMODITY FUTURES TRADING COMMISSION

**TIME AND DATE:** 10 a.m., Friday, September 23, 1983.

**PLACE:** 2033 K Street NW., Washington, D.C., fifth floor hearing room.

**STATUS:** Open.

#### MATTERS TO BE CONSIDERED:

National Futures Association Briefing

#### CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-1322-83 Filed 9-16-83; 2:25 pm]

BILLING CODE 6351-01-M

2

### COMMODITY FUTURES TRADING COMMISSION

**TIME AND DATE:** 11 a.m., Friday, September 23, 1983.

**PLACE:** 2033 K Street, NW., Washington, D.C., eighth floor conference room.

**STATUS:** Closed.

#### MATTERS TO BE CONSIDERED:

Surveillance Briefing

#### CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-1323-83 Filed 9-16-83; 2:25 pm]

BILLING CODE 6351-01-M

3

### COMMODITY FUTURES TRADING COMMISSION

**TIME AND DATE:** 11 a.m., Friday, September 30, 1983.

**PLACE:** 2033 K Street NW., Washington, D.C., eighth floor conference room.

**STATUS:** Closed.

#### MATTERS TO BE CONSIDERED:

Surveillance Briefing

#### CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-1324-83 Filed 9-16-83; 2:25 pm]

BILLING CODE 6351-01-M

4

### COMMODITY FUTURES TRADING COMMISSION

**TIME AND DATE:** 11 a.m., Friday, October 7, 1983.

**PLACE:** 2033 K Street NW., Washington, D.C., eighth floor conference room.

**STATUS:** Closed.

#### MATTERS TO BE CONSIDERED:

Surveillance Briefing.

#### CONTACT PERSON FOR MORE INFORMATION:

Jane Stuckey, 254-6314.

[S-1325-83 Filed 9-16-83; 8:45 am]

BILLING CODE 6351-01-M

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### FEDERAL COMMUNICATIONS COMMISSION

Closed Commission Meeting, Thursday, September 22, 1983

September 15, 1983.

The Federal Communications Commission will hold a Closed Meeting on the Subjects listed below on Thursday, September 22, 1983 following the Open Meeting, which is scheduled to commence at 9:30 a.m., in Room 856, at 1919 M Street, NW., Washington, D.C.

#### Agenda, Item No., and Subject

Hearing—1—Application for Review of a Review Board Decision granting the application of Roanoke Christian Broadcasting, Inc. in the Roanoke, Virginia comparative UHF proceeding (Docket Nos. 81-48, 81-47).

Hearing—2—Motion to Dismiss and Joint Request for Approval of Agreement filed in the Bryan, Texas comparative FM proceeding (Docket Nos. 80-103 and 80-104).

Hearing—3—Applications for review of a Review Board Decision in the Lansing, Michigan AM, FM, TV license renewal proceeding (Docket No. 20014).

These items are closed to the public because they concern Adjudication Matters (see 47 CFR 0.603 (j)).

The following persons are expected to attend this meeting:

Commissioners and their Assistants  
Managing Director and members of his staff

General Counsel and members of his staff

Chief, Office of Public Affairs and members of his staff

Action by the Commission:  
Hearing Items 1 and 2 September 14, 1983.  
Commissioners Fowler, Chairman; Quello, Dawson and Rivera voting to consider these items in Closed Session.  
Hearing Item 3 September 1, 1983.  
Commissioners Fowler, Chairman; Quello, Dawson and Rivera voting to consider this item in Closed Session.

This meeting may be continued the following work day to allow the commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7671.

Issued: September 15, 1983.

William J. Tricarico,  
Secretary, Federal Communications Commission.

[S-1330-83 Filed 9-16-83; 11:04 am]

BILLING CODE 6712-01-M

6

### FEDERAL COMMUNICATIONS COMMISSION

Open Commission Meeting, Thursday, September 22, 1983

September 15, 1983.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, September 22, 1983, which is scheduled to commence at 9:30 a.m., in Room 856, at 1919 M Street, NW., Washington, D.C.

#### Agenda, Item No., and Subject

General—1—Title: Third Notice of Proposed Rule Making in Gen. Docket No. 81-768, Use of Lotteries to Select Certain Initial Licenses, regarding preferences for women in mass media lotteries, and related "By Direction" letters. Summary: The Commission will consider whether to adopt a Third Notice in Gen. Docket No. 81-768, concerning award of preferences to women applicants in mass media lotteries, and whether to adopt related "By Direction" letters to Congress.

Private Radio—1—Title: Memorandum Opinion and Order in the Matter of Application for Review by RACOM Services Corporation regarding an action taken by Chief, Private Radio Bureau, reinstating the grant of 800 MHz band frequencies. Summary: The Commission will consider the merits of RACOM Services Corporation's Application for Review in light of the June 18, 1982 agreement between the United States and

Mexico for the shared use of frequencies in the 800 MHz band.

**Private Radio—2—Title:** Use of volunteers to prepare and administer operator examinations in the Amateur Radio Service. **Summary:** The Commission will consider whether to adopt a Report and Order to allow the use of volunteers to prepare and administer examinations for Amateur radio operator licenses above the Novice Class.

**Common Carrier—1—Title:** Application of Petroleum Communications, Inc. to construct a developmental Radio Telephone System in the Gulf of Mexico, File No. 29000-CL-P-83. **Summary:** The Commission will consider the proposal of Petroleum Communications, Inc. (Petro-Com) to install a cellular system using satellite circuits in the Gulf of Mexico and the Intracoastal Waterway from eastern Louisiana to Brownsville, Texas. The issues to be considered are: whether Petro-Com's application is properly developmental, whether authority to provide commercial cellular service to these areas should be granted, and whether Petro-Com's application is timely filed.

**Common Carrier—2—Title:** In the Matter of American Television Relay, Inc. Refunds resulting from the findings and conclusions in Docket No. 1960. **Summary:** The Commission will consider an order responding to the remand by the U.S. Court of Appeals of an earlier Commission decision ordering refunds to certain customers of American Television Relay.

**Video—1—Title:** "Petition for Special Relief" (CSR-2116) filed April 13, 1982, by Community Tele-Communications, Inc. d.b.a. Scotts Bluff Cable TV. "Petition for Initiation of Forfeiture Proceeding" (CF-34) filed May 12, 1982, by Duhamel Broadcasting Enterprises, licensee of Station KDUH-TV (NBC/ABC, Channel 4), Scottsbluff, Nebraska. **Summary:** Community Tele-Communications, Inc. d.b.a. Scotts Bluff Cable TV seeks a waiver of its requirement to provide Station KDUH-TV (NBC/ABC, Channel 4), Scottsbluff, Nebraska, with network program nonduplication protection. KDUH-TV seeks imposition of a forfeiture against the cable system for its alleged failure to provide such protection.

**Video—2—Title:** Petition for special relief (CSR-1786) filed June 19, 1980, and October 24, 1980, by Manhattan Cable TV Services, Inc. "Petition for Order to Show Cause" (CSC-239) filed September 24, 1980, by Studio Broadcasting System Division of Highwood Service, Inc., licensee of Television Broadcast Station KTSB (NBC, Channel 27), Topeka, Kansas. **Summary:** Manhattan Cable TV Service, Inc., operator of a cable television system serving Manhattan, Kansas, seeks waivers of Section 76.92 of the Commission's Rules vis-a-vis Stations WIBW-TV (CBS, Channel 13) and KTSB (NBC, Channel 27), both Topeka, Kansas. KTSB seeks issuance of an order to show cause against Manhattan Cable's alleged failure to provide required nonduplication protection to KTSB.

**Video—3—Title:** "Petition for Special Relief" (CSR-2018) filed October 26, 1981, by

Atchison Cablevision, Inc. **Summary:** Atchison Cablevision, Inc., operator of a cable television system serving Atchison, Kansas, seeks a waiver of its requirement to provide Station KQTV (ABC, Channel 2), St. Joseph, Missouri, with network program nonduplication protection pursuant to Section 76.92 of the Commission's Rules.

**Video—4—Title:** Petition for special relief (CSR-2087) filed February 9, 1982, by Vision Cable of Metrolina. **Summary:** Vision Cable of Metrolina seeks a waiver of the requirement to provide Station WPCQ-TV (NBC, Channel 36), Charlotte, N.C., with network program nonduplication protection, pursuant to Section 76.92 of the Commission's Rules.

**Video—5—Title:** In the Matter of the establishment of further processing procedures in the Direct Broadcast Satellite (DBS) service re the applications of eight DBS permittees. **Summary:** The Commission will consider adopting certain further procedures for the processing of proposals for the establishment of DBS systems, in view of the conclusion of the 1983 Region 2 Administrative Radio Conference.

**Video—6—Title:** Applications for interim authority to operate the facilities of former station KHOF-TV, Channel 30, San Bernardino, California. **Summary:** Eight applications were timely filed for interim operation of the channel, and four of them have entered into an agreement whereby they would dismiss their applications if the Commission would conditionally grant their merged application. The Commission will consider the manner in which the interim operator will be selected.

**Policy—1—Title:** Amendment of sections 73.35, 73.240, and 73.636 of the Commission's Rules Relating to Multiple Ownership of AM, FM and Television Broadcast Stations. **Summary:** The Commission will consider whether to adopt a Notice of Proposed Rule Making regarding the modification or elimination of its national broadcast station ownership restriction, the "seven station" rule.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Maureen Peratino, FCC Public Affairs Office, telephone number (202) 254-7674.

Issued: September 15, 1983.

**William J. Tricarico,**  
Secretary, Federal Communications  
Commission.

(S-1321-83 Filed 9-16-83; 11:04 am)  
BILLING CODE 6712-01-M

## 7

### FEDERAL RESERVE SYSTEM

**TIME AND DATE:** 10 a.m., Monday,  
September 26, 1983.

**PLACE:** 20th Street and Constitution  
Avenue NW., Washington, D.C. 20551.

**STATUS:** Closed.

### MATTERS TO BE CONSIDERED:

1. Proposed lease and purchase of check sorters and return item systems and purchase of a computer within the Federal Reserve System.

2. Proposals regarding contingency planning and purchase of computers within the Federal Reserve System.

3. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

4. Any items carried forward from a previously announced meeting.

### CONTACT PERSON FOR MORE

**INFORMATION:** Mr. Joseph R. Coyne,  
Assistant to the Board (202) 452-3204.

Dated: September 16, 1983.

**James McAfee,**

Associate Secretary of the Board.

(S-1327-83 Filed 9-16-83; 3:51 pm)

BILLING CODE 6210-01-M

## 8

### LEGAL SERVICES CORPORATION

Meeting of the Board of Directors

**PREVIOUSLY ISSUED:** September 13, 1983  
(to be published September 16, 1983.)

**PREVIOUSLY ANNOUNCED TIME AND DATE  
OF MEETING:** 8 a.m. to 6 p.m., Tuesday,  
October 4, 1983.

### CHANGE IN THE NOTICE:

Correction of Error. Under Item 5a, Matters to Be Considered, the items should read: Announcement of Instructions/Guidelines. The previously issued notice read: Announcement of Instructions/Guidelines—Published for Comment.

### CONTACT PERSON FOR MORE

**INFORMATION:** LeaAnne Bernstein,  
Office of the President (202) 272-4040.

Dated: September 15, 1983.

**LeaAnne Bernstein,**  
Corporate Secretary.

(S-1318-83 Filed 9-15-83; 4:56 pm)

BILLING CODE 6820-35-M

## 9

### NUCLEAR REGULATORY COMMISSION

**DATES:** Week of September 19, 1983.

**PLACE:** Commissioners' Conference  
Room, 1717 H Street NW., Washington,  
D.C.

**STATUS:** Open and closed.

**MATTERS TO BE DISCUSSED:** Wednesday,  
September 21:

10:00 a.m.:

Discussion of Management-Organization  
and Internal Personnel Matters (Closed—  
Exemptions 2 and 6)

2:00 p.m.:

Discussion of Public Comments on Waste  
Confidence Decision and Proposed

Revisions to Parts 50 and 51 (Public Meeting)

Thursday, September 22:

3:30 p.m.:

- Affirmation/Discussion and Vote (Public Meeting)
- Final Rule—10 CFR 50—Fitness for Duty of NPP Personnel
  - Final rule on Temporary Operating Licensing Authority
  - Washington Legal Foundation's Motion to Disqualify Commissioner Gilinsky

Friday, September 23:

3:00 p.m.:

- Discussion of Management-Organization and Internal Personnel Matters (Closed—Exemptions 2 and 6)

**AUTOMATIC TELEPHONE ANSWERING SERVICE FOR SCHEDULE UPDATE:** (202) 634-1498. Those planning to attend a meeting should reverify the status on the day of the meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Walter Magee (202) 634-1410.

September 14, 1983.

Walter Magee,

Office of the Secretary.

[S-1326-83 Filed 9-16-83; 2:51 pm]

BILLING CODE 7590-01-M

10

#### SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of September 19, 1983, at 450 5th Street, NW., Washington, D.C.

Open meetings will be held on Tuesday, September 20, 1983, at 9:30 a.m., at 3 p.m. and on Thursday, September 22, 1983, at 10 a.m., in Room 1C30. A closed meeting will be held on Tuesday, September 20, 1983 at 10 a.m.

The Commissioners, Counsel to the Commissioners, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9)(A) and (10) and 17 CFR 200.402(a) (4), (8), (9)(i) and (10).

Chairman Shad and Commissioners Longstreth and Treadway voted to

consider the items listed for the closed meeting in closed session.

The subject matter of the open meeting scheduled for Tuesday, September 20, 1983, at 9:30 a.m., will be:

Consideration of whether to grant proposed rule change submitted by the American Stock Exchange, Inc. ("Amex") to allow Amex' broad-based index options to expire in consecutive months, rather than quarterly as is the current requirement. In addition, the Commission will consider proposed rule changes submitted by the New York Stock Exchange, Inc. ("NYSE") that: (1) Would adopt a form of agreement that will have to be signed by non-members of the NYSE who seek to trade options products on the NYSE; (2) would authorize the NYSE to offer free three-year options trading rights to New York Futures Exchange, Inc. members and one year free options trading rights to members of other securities and commodities exchanges; and (3) would allow regular NYSE members to sell or lease the options trading rights that will attach to their regular memberships under the NYSE's proposal. For further information, please contact Alden Adkins at (202) 272-2418.

The subject matter of the closed meeting scheduled for Tuesday, September 20, 1983, at 10 a.m., will be:

- Formal orders of investigation.
- Settlement of injunctive actions.
- Institution of administrative proceedings of an enforcement nature.
- Regulatory matter bearing enforcement implications.
- Settlement of administrative proceedings of an enforcement nature.
- Institution of injunctive action.

The subject matter of the open meeting scheduled for Tuesday, September 20, 1983, at 3 p.m., will be:

The Commission will meet with representatives of the Financial Accounting Standards Board, as part of its active oversight of private sector standard-setting activities, regarding the Board's project on Employers' Accounting for Pensions and Other Post-employment Benefits. The purpose of the meeting is to provide a background briefing to the Commission about the project, which involves complex and controversial accounting and reporting issues. For further information, please contact Clarence M. Staubs at (202) 272-2130.

The subject matter of open meeting scheduled for Thursday, September 22, 1983, at 10 a.m., will be:

- Consideration of whether to issue orders: (1) Granting full registration to nine clearing agencies pursuant to the registration requirement of Sections 17A and 19 of the Securities Exchange Act of 1934 and rules thereunder, and (2) extending the temporary registration of two other clearing agencies until September 30, 1984. For further

information, please contact Stuart J. Kaswell at (202) 272-2371.

2. Consideration of whether to adopt Rule 158 under the Securities Act of 1933, which would define the terms "earning statement," "made generally available to its security holders" and "effective date of the registration statement" for purposes of the last paragraph of Section 11(a) of the Securities Act. For further information, please contact Steven L. Molinari at (202) 272-2589.

3. Consideration of whether to adopt a revised Item 402 of Regulation S-K dealing with the disclosure of executive compensation and to conditionally adopt certain conforming amendments to Item 20 of Form S-18. For further information, please contact Elliot M. Pinta at (202) 272-2589.

4. Consideration of whether to adopt amendments that would revise Form S-18 by: (1) Raising the offering price ceiling from \$5 million to \$10 million; (2) raising the offering price ceiling for securities sold for the account of persons other than the issuer from \$1.5 million to \$3 million; and (3) revising the requirements for disclosure of transactions with management. For further information, please contact Suzanne Brannan at (202) 272-2644.

5. Consideration of whether to issue a release adopting revisions to Rule 144 under the Securities Act of 1933 to remove, as a prerequisite to resales of restricted securities by non-affiliates after a three-year holding period, the requirement that current information be publicly available with respect to the issuer of such securities and to rescind Rule 237 and Form 237. The Commission will also consider whether to publish for comment a proposal to amend the resale restrictions in Rule 145(d) to remove, as a prerequisite to resales by non-affiliates after a three-year holding period, the requirement that the issuer of such securities be a reporting company. For further information, please contact Mary M. Jackley at (202) 272-2644.

6. Consideration of whether to issue a proposal to amend the Annual Report (Form U55) for registered holding companies under the Public Utility Holding Company Act of 1935. For further information, please contact Grant G. Guthrie at (202) 272-7677.

7. Consideration of whether to grant an order exempting John W. Buckley, John W. Buckley's agents, and Pantepec International, Inc.'s agents from the prohibitions of Section 9(a) of the Investment Company Act of 1940. For further information, please contact Gary Sundick at (202) 272-2344.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Dean V. Shahinian (202) 272-2467.

September 14, 1983.

[S-1319-83 Filed 9-16-83; 9:16 am]

BILLING CODE 8010-01-M

# **federal register**

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Tuesday  
September 20, 1983

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## **Part II**

### **Environmental Protection Agency**

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**4,4'-Methylenedianiline; Initiation of  
Regulatory Action; Advanced Notice of  
Proposed Rulemaking**

**ENVIRONMENTAL PROTECTION  
AGENCY****40 CFR Part 764**

[OPTS-64000A; TSH-FRL 2420-8]

**4,4'-Methylenedianiline; Initiation of  
Regulatory Action****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Advance notice of proposed rulemaking (ANPR).

**SUMMARY:** This notice announces a joint effort by the EPA and the Occupational Safety and Health Administration (OSHA) to initiate regulatory action to determine and implement the most effective means of controlling exposures to the chemical 4,4'-methylenedianiline (4,4'-MDA) under the Toxic Substances Control Act (TSCA) and/or the Occupational Safety and Health Act (OSH Act) of 1970. Recent bioassays have established that 4,4'-MDA causes cancer. EPA and OSHA, concerned about potential unreasonable risks posed by occupational exposures to 4,4'-MDA, have agreed to explore jointly, regulatory options to reduce or eliminate such risks. To this end, EPA and OSHA have initiated a series of activities to obtain the necessary information about these risks and exposures, and invite interested parties to submit any data and comments relevant to controlling 4,4'-MDA. Elsewhere in today's Federal Register, OSHA is announcing its commitment to join EPA in this action.

**DATE:** All comments, directed to either OSHA or EPA, must be received by November 21, 1983.

**ADDRESS:** Since some comments are expected to contain TSCA Confidential Business Information (CBI), all comments, directed to either OSHA or EPA, should be sent in triplicate to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, D.C. 20406.

Comments should include the docket control number OPTS-64000A. Commenters need not submit duplicate comments to both EPA and OSHA because all comments will be reviewed by both EPA and OSHA. Comments received on this ANPR, except those containing CBI, will be available for review and copying from 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays, in Room E-107 at the address given above.

**FOR FURTHER INFORMATION CONTACT:** Jack P. McCarthy, Director, TSCA Assistance Office (TS-799), Office of

Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M St., SW., Washington, D.C. 20460, Toll-Free: (800-424-9085), In Washington, D.C.: (554-1404), Outside the USA: (Operator 202-554-1404).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

In the Federal Register of April 27, 1983 (Ref. 1), the EPA issued its determination that there may be a reasonable basis to conclude that 4,4'-MDA presents a significant risk to humans of serious harm from cancer, and announced initiation of a 180-day review of 4,4'-MDA under section 4(f) of TSCA. That announcement committed EPA "to initiate appropriate action" or, alternatively, to publish a finding, on or before September 12, 1983, that the risk posed by 4,4'-MDA is not unreasonable. This ANPR represents EPA's initiation of appropriate action as required by section 4(f). OSHA is working jointly with EPA because available evidence indicates that exposure to 4,4'-MDA occurs primarily within the workplace, and OSHA has authority to establish permissible workplace exposure limits. The Agencies will decide in the course of rulemaking whether TSCA, OSH Act, or a combination of both, provides the most appropriate authority to control 4,4'-MDA exposures.

**II. Background**

In 1979, the Interagency Testing Committee (ITC), established under section 4(e) of TSCA, recommended that EPA consider testing 4,4'-MDA for carcinogenicity, mutagenicity, teratogenicity, other chronic effects, epidemiology, and environmental effects (Ref. 2). To assist in considering the ITC recommendation, EPA sought information from producers of 4,4'-MDA in rules issued under sections 8(a) and 8(d) of TSCA.

The section 8(a) rule, issued on June 22, 1982 (Ref. 3), required very general production figures, use information, and exposure estimates. Responses provided information on the amount of 4,4'-MDA manufactured and imported in 1981; the amount of 4,4'-MDA destroyed or lost to the environment; the number of workers associated with manufacturing 4,4'-MDA; and the number of worker hours involved in the manufacturing process. Little or no detailed information was requested or received regarding processing, consumer uses, or actual exposure levels.

The section 8(d) rule, issued on September 2, 1982 (Ref. 4), required unpublished health and safety studies related to 4,4'-MDA. Under that rule, manufacturers and processors have a

continuing obligation, for three years, to inform EPA of any newly initiated health and safety studies involving 4,4'-MDA. Thirty-two studies, dated from 1942 to 1982, were received. Most were acute toxicity studies using rats, dogs, and rabbits. No carcinogenicity studies were submitted.

Data received under the two section 8 rules provided useful, albeit general, background information which will help focus the regulatory investigation.

In June of 1982, EPA received a draft report of a bioassay study conducted by the National Toxicology Program (NTP) indicating that the dihydrochloride salt of 4,4'-MDA is carcinogenic in both sexes of rats and mice at two dose levels (Ref. 5). Under the conditions of this bioassay, 4,4'-MDA significantly increases incidence of cancer of the liver, thyroid gland, and the hematopoietic system. Several other very rare tumors were also observed in the test animals. On April 27, 1983 (Ref. 1), following preliminary evaluation of the NTP findings in conjunction with available data on production and uses of 4,4'-MDA under section 4(f) of TSCA. This finding was based upon: (1) The strong evidence that 4,4'-MDA causes cancer; (2) the lack of any mandatory workplace standard; (3) the apparent inadequacy of protection afforded at the American Conference of Governmental Industrial Hygienists (ACGIH) recommended threshold limit value of 0.1 ppm; and (4) evidence that some 4,4'-MDA processors may exceed even that limit, and that as many as 2,500 workers may be so exposed. Collectively, these factors indicated that there may be a reasonable basis to conclude that 4,4'-MDA presents a significant risk of serious harm to workers from cancer.

**III. Production and Uses**

4,4'-MDA is produced commercially by condensing formaldehyde and aniline in the presence of a catalyst such as hydrochloric acid. An estimated 200 to 400 million pounds (90 to 180 million kilograms) of 4,4'-MDA was produced in 1982 (Ref. 6, 7). (The 1982 estimates are provided, in lieu of the actual data reported for 1981 in response to the TSCA Section 8(a) rule, because of restrictions imposed by confidentiality considerations.) 4,4'-MDA is manufactured by at least five companies located in four States. Approximately 99 percent of 4,4'-MDA is used as an intermediate in the production of methylene diphenyl diisocyanate (MDI) or polymeric MDI (PMDI) which, in turn, is used to produce rigid or semi-rigid polyurethanes. Approximately 90 percent of the 4,4'-MDA produced is

converted to MDI on site, and approximately nine percent is shipped to other sites for MDI/PMDI production. The remaining one percent is purified for use as raw material for producing epoxy coatings, pharmaceuticals, herbicides, printed circuit parts, aircraft parts, antioxidants, dyestuff intermediates, corrosion prevention materials, and special polymers (Ref. 8).

#### IV. Potential for Occupational Risk

Available evidence indicates that the primary potential for exposure occurs in the workplace (Ref. 6). This potential exists at all stages of its commercial use.

There is no mandatory workplace exposure limit for 4,4'-MDA. Although few measurements of workplace air levels are available, manufacturers have indicated that they voluntarily adhere to the ACGIH recommended threshold limit value of 0.1 ppm (Ref. 7). Exposure at higher levels is likely during handling of purified 4,4'-MDA in processing. On the basis of a preliminary risk assessment based upon the NTP study, an exposure level of 0.1 ppm appears to pose a significant risk of cancer in humans (Ref. 9). Moreover, there are no assurances that the 0.1 ppm level is uniformly met by all users of 4,4'-MDA.

The Chemical Manufacturers Association (CMA) estimates that approximately 600 people are potentially exposed to 4,4'-MDA in the workplace during its manufacture (Ref. 7). In 1976, the National Institute for Occupational Safety and Health (NIOSH) estimated that about 2,500 workers (processing as well as manufacture) were potentially exposed to 4,4'-MDA (Ref. 10). NIOSH raised this estimate to 5,000 in 1979 (Ref. 11), and their most recent estimate indicates that 12,000 to 13,000 workers may be exposed (Ref. 12).

#### V. Potential for Exposure From Environmental Releases

Environmental fate predictions, based on mathematical models and using information on 4,4'-MDA and related chemicals (Ref. 13) indicate that 4,4'-MDA would not be likely to concentrate in organic-rich sediments, nor tend to bioaccumulate. 4,4'-MDA is not expected to significantly accumulate in sediments, soils, or plants.

#### VI. Regulatory Investigation

EPA has initiated studies in four areas in order to expeditiously develop the most appropriate regulatory response to risks posed by 4,4'-MDA.

To determine whether an unreasonable risk exists and what kind of controls might be needed, EPA will consider the costs, risks and benefits of

known 4,4'-MDA uses, including the suitability of substitutes, and the economic impact of any regulations which might be developed.

In addition to its own studies, described below, the Agency seeks views, arguments, and available data from interested parties in several major areas: production and uses of 4,4'-MDA; sources of, and levels of exposures to, 4,4'-MDA; current and alternative ways to control exposures; and substitutes for 4,4'-MDA.

1. *Human Exposures.* Exposure is an important component of the unreasonable risk determination. Potential exposures to 4,4'-MDA exist at every stage of manufacture and processing. Available data are limited but sufficient to establish that as many as 12,000 to 13,000 people may be exposed to 4,4'-MDA at potentially significant levels.

EPA, through an interagency agreement with NIOSH and in coordination with OSHA, will monitor levels of 4,4'-MDA in selected workplaces. To determine exposure levels at each stage of manufacturing and processing, EPA will monitor air levels and deposition in plants where 4,4'-MDA is manufactured—either for conversion to MDI or for shipment to other plants—as well as in plants that receive 4,4'-MDA for use in other products. This monitoring is scheduled to be completed in the fall of 1983.

To supplement this inquiry, EPA requests detailed information on the operations used to manufacture and process 4,4'-MDA. In particular, information is sought concerning the potential for exposure at each stage of manufacturing and processing. Workplace air monitoring data, detailed descriptions of workplace practices, and descriptions of precautions currently followed are requested. Of particular concern is the potential for dermal and respiratory exposure. Workplace air monitoring information should include the frequency and level of exposure and analytical methodology for both the vapor phase and particulate forms of 4,4'-MDA.

The Agency is also investigating and is interested in information on the potential for exposure to 4,4'-MDA during the use of other chemical substances which are derived from 4,4'-MDA. These substances, such as MDI, may hydrolyze during application to yield 4,4'-MDA itself. Other substances such as ketimine derivatives of 4,4'-MDA are designed to intentionally hydrolyze, yielding 4,4'-MDA which functions as the cross-linking agent.

The Agency has received TSCA section 8(a) information from industry

indicating small quantities of 4,4'-MDA were released to the environment. Industry has also submitted data indicating that 4,4'-MDA concentrations present in manufacturing plant effluent can be substantially reduced through treatment of the waste water. However, the Agency still lacks monitoring data for 4,4'-MDA concentrations in ambient waters. The Agency is therefore seeking data to document the presence (or absence) of 4,4'-MDA in ambient waters which receive manufacturing plant effluents, both near the plants and down stream. The data will be used to assess the potential for human exposure.

2. *Production and Use.* In 1982, EPA developed a preliminary analysis of production and uses of 4,4'-MDA in response to the ITC testing recommendation. The Agency is now updating and refining that analysis, with emphasis upon identifying uses and users of 4,4'-MDA, and upon obtaining the most recent estimates of the amounts produced for each use. The analysis will also identify any substitutes for 4,4'-MDA, including any methods of producing MDI without 4,4'-MDA. This analysis will be completed by the end of summer, 1983.

To further the effort, EPA requests certain information. The production figures received through section 8(a) were only for quantities manufactured and imported in 1981. The Agency requests any updated production figures, and particularly seeks information on quantities used for processes other than MDI/PMDI production.

The Agency also requests detailed descriptions of these non-MDI/PMDI uses of 4,4'-MDA (including military applications), and identification of consumer products that may have been processed with 4,4'-MDA, or which may, in their final form, contain 4,4'-MDA. In addition, EPA solicits information on the identity of 4,4'-MDA processors and users and where they are located.

3. *Comparative Analysis of Substitutes.* Following identification of possible substitutes, in the analysis above, EPA will analyze each to determine cost differentials and assess economic feasibility. Where possible, evaluations of the relative toxicity of potential substitutes will also be made. This effort will be completed in the late fall of 1983. To supplement the analysis, EPA solicits information on: the availability of substitutes for 4,4'-MDA, both as a captive intermediate and as a component of commercial products; the relative cost of substitutes, and the costs of conversion; the suitability of substitutes; the necessity of process changes to permit the use of substitutes;

the toxicological and environmental risks associated with the use of each substitute; and the benefits of continued 4,4'-MDA use.

**4. Regulatory Control Alternatives.** Upon completion of the foregoing studies, EPA and OSHA will conduct a regulatory options analysis to identify the most cost-effective means of bringing any unreasonable risks into acceptable bounds. The analysis will consider the relative merits of regulatory options available under TSCA and under the OSH Act, as well as various combinations involving both. Section 6 of TSCA provides a number of alternative controls for reducing exposures to humans or the environment. These alternatives include a total or partial ban of the manufacture, processing, use, or distribution in commerce of 4,4'-MDA, as well as other less stringent remedies. OSHA, among other things, can establish workplace exposure limits. The options analysis will be completed by the end of 1983. In the first quarter of 1984, unless the foregoing studies and analyses fail to confirm the presence of unreasonable risks, EPA will issue a notice of proposed rulemaking to carry the necessary regulatory process through to promulgation. OSHA will evaluate various options including whether to issue a notice of proposed rulemaking.

As part of the regulatory options analysis, EPA and OSHA will examine ways to reduce or control exposures, including restriction of certain uses, application of engineering controls, altered handling practices, and use of personal protective equipment. To this end, information is requested on control methods that are available or could be developed that would reduce exposures to 4,4'-MDA. In particular, information is sought on current controls and work practices, their application in various work settings, their costs and efficacy, and the time required to change from current practices to alternatives. This information should include the level of workplace exposure that could be attained with each control and the types and difficulties of necessary process modifications. The types of controls might include, but need not be limited to, the following: engineering controls, such as ventilation or filter devices, process changes, physical form changes, and equipment modifications; work practices, housekeeping, and management practices; protective clothing or devices; and the expected impact on the regulated industry of these possible control options. Information about, and examples of,

current labeling practices is also solicited.

Finally, information is requested on current controls and work practices in handling wastes.

#### VII. Confidential Business Information (CBI)

Information submitted as comments on this ANPR may be claimed confidential by marking any part or all of that information as "TSCA Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR Part 2. An edited copy of any material containing TSCA CBI must be provided by the submitter for inclusion in the public record. Information not marked confidential will be disclosed publicly by EPA without prior notice. Health and safety studies on 4,4'-MDA substitutes should not be claimed confidential except under the limited circumstances described in section 14(b)(1) of the TSCA.

#### VIII. Public Record

EPA and OSHA have established a public record for this proceeding (docket control number OPTS-64000A) which, along with a complete index, is available for inspection in the OPTS Public Information Office from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays. The Public Information Office is located in Rm. E-107, East Tower, 401 M Street, SW., Washington, D.C. 20460. This record includes basic information considered by the Agencies in developing this ANPR. The Agencies will supplement the record with additional information as it is received. The public record will include:

1. This notice and OSHA's notice.
2. All comments on, and data submitted pursuant to, this ANPR. Only edited versions of materials claimed to be TSCA CBI will be included.
3. All relevant support documents and studies which contain the factual information cited in this notice.
4. Records of all communications pertaining to the development of this notice between EPA and OSHA personnel and persons outside the Agencies. (This does not include inter- or intragovernmental memoranda unless specifically noted in the index of this record.)

#### IX. References

1. Federal Register, April 27, 1983, 48 FR 19078.
2. Federal Register, June 1, 1979, 44 FR 31866.

3. Federal Register, June 22, 1982, 47 FR 26992.

4. Federal Register, September 2, 1982, 47 FR 38780.

5. U.S. Department of Health and Human Services, NTP (National Toxicology Program), April 12, 1982. NTP technical report on the carcinogenesis bioassay of 4,4'-methylenedianiline dihydrochloride [CAS No. 13552-44-8] in F344/N rats and B6C3F1/N mice (Drinking Water Study). Draft, James Lamb (Chemical Manager).

6. U.S. Environmental Protection Agency, October 16, 1981. TSCA Section 4 Human Exposure Assessment: 4,4'-methylenedianiline. Prepared under Contract No. 68-01-4839 to JRB Associates.

7. CMA Chemical Manufacturers Association, 1982. Letter Summarizing current information on 4,4'-methylenedianiline. Submitted to the U.S. Environmental Protection Agency, November 4, 1982.

8. U.S. Environmental Protection Agency, 1983. Non-Isocyanate Uses of 4,4'-Methylenedianiline. Prepared for the Office of Pesticides and Toxic Substances, by Springborn Regulatory Services, Inc., February, 1983. Draft Report.

9. U.S. Environmental Protection Agency, 1983. Memo from Don R. Clay, Director, Office of Toxic Substances, to John A. Todhunter, Assistance Administrator for Pesticides and Toxic Substances, on the subject of the applicability of Section 4(f) [of TSCA] to [4,4'-]Methylenedianiline (4,4'-MDA). Signed March 16, 1983.

10. U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, 1976. Current Intelligence Bulletin 8. Background Information on 4,4'-Diaminodiphenylmethane (DDM), January 30, 1976.

11. U.S. Department of Health, Education, and Welfare, National Institute for Occupational Safety and Health, 1979. Estimated numbers of employees exposed to methylenedianiline, July 5, 1979.

12. U.S. Department of Health and Human Services, National Institute for Occupational Safety and Health, 1980. Aniline, 4,4'-methylene-NOHS [National Occupational Hazard Survey] Observed Exposures Weighted to National Estimates of Exposure for 1980, June 1, 1983.

13. U.S. Environmental Protection Agency, 1981. Environmental Assessment for 4,4'-Methylenedianiline (4,4'-MDA). Prepared for Test Rules Development Branch, Office of Toxic Substances, by Environmental Science and Engineering Inc.

#### List of Subjects in 40 CFR Part 764

Environmental protection, chemicals, Hazardous substances, Reporting recordkeeping requirements.

Dated: September 12, 1983.

William D. Ruckelshaus,  
Administrator.

[FR Doc. 83-25441 Filed 9-19-83; 8:45 am]

BILLING CODE 6560-SU-M

# **federal register**

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Tuesday  
September 20, 1983

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**Part III**

## **Department of the Interior**

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**Minerals Management Service**

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**Implementation of the Federal Oil and  
Gas Royalty Management Act of 1982,  
Proposed Rule**

## DEPARTMENT OF THE INTERIOR

## Minerals Management Service

30 CFR Parts 210, 212, 217, 218, 219, 228, 229, and 241

## Implementation of the Federal Oil and Gas Royalty Management Act of 1982

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Proposed rulemaking.

**SUMMARY:** This proposed rulemaking is intended to implement the Federal Oil and Gas Royalty Management Act of 1982, which was enacted to ensure that all oil and gas originated on the public lands and Outer Continental Shelf are properly accounted for under the direction of the Secretary of the Interior, and for other purposes. This rulemaking applies only to those sections of the Act that affect the responsibilities of MMS.

**DATE:** Comments by October 20, 1983.

**ADDRESS:** Send comments to: Deputy Associate Director for Royalty Management (Policy), Minerals Management Service (Mail Stop 860), 12203 Sunrise Valley Drive, Reston, Virginia 22091.

**FOR FURTHER INFORMATION CONTACT:** Orie L. Kelm (703) 860-7511, (FTS) 928-7511.

**SUPPLEMENTARY INFORMATION:** The principal author of this proposed rulemaking is Robert E. Boldt, Associate Director for Royalty Management, MMS.

The Federal Oil and Gas Royalty Management Act of 1982 (Pub. L. 97-451, 30 U.S.C. 1701), serves as the culmination of the efforts of the Department of the Interior (DOI) to improve the processes by which it collects and accounts for bonuses, rents, and royalties on Federal and Indian oil and gas leases. In mid-1981, the Secretary of the Interior appointed the Commission on Fiscal Accountability of the Nation's Energy Resources which produced a report in January of 1982, making 60 specific recommendations for improvement to DOI's royalty management effort including improved accounting, more strict penalty provisions for noncompliance, enhanced site security requirements on Federal and Indian leases, and new methods of seeking out and preventing potential oil theft.

The Commission recommended in its final report that the Administration introduce legislation to implement those Commission recommendations which did not have any statutory base and to update those statutory provisions which had become outmoded over the years.

The Federal Oil and Gas Royalty Management Act of 1982 provides the Secretary of the Interior with additional statutory authority to govern the lease management of Federal and Indian oil and gas leases and the collection and accounting for monies produced from those leases.

The purpose of this rulemaking is to establish regulations to implement provisions of the new Act. These regulations deal primarily with the collection, accounting, and distribution of royalty and rental payments from Federal and Indian lands. Other proposed regulations dealing with onshore lease management and site security will be issued by the Bureau of Land Management.

The Department has conducted extensive informal discussions with States, Indian tribes, and industry in the preparation of these regulations. Early drafts of this proposed rulemaking were circulated for general comment and many of the comment obtained from interest groups are incorporated herein.

A brief summary of the most significant provisions of these regulations are as follows:

**Part 212.** The provisions of Part 212, authorized by Section 103 of the Act, reaffirm required recordkeeping including requirements for the submission of certain data to MMS.

This part outlines the type of records which must be maintained in the lessee/operator's files, indicating that these records must be maintained for a period of 6 years since the Department feels that a 6-year retention period is the intent of Congress. These proposed regulations further indicate that records can be maintained in any reproducible fashion such as microfilm, microfiche, or electronic imagery which is available for inspection and review on a ready basis.

**Part 217.** This part is authorized by Section 101 of the Act and establishes the authority of the Secretary to carry out audits on all aspects of the conduct of lessees, operators, and other persons with rental, royalty, and other payment obligations, under the terms of Federal and Indian oil and gas leases. The part also establishes priority for the reconciliation of all lease accounts specifically identified by a State or Indian tribe as having a significant potential for underpayment.

**Part 218.** The provisions of Part 218, which are authorized by Sections 102, 103, and 111 of the Act, deal with the timing of royalty payments and establishment of proposed regulations for the submission of royalty payments under the new Auditing and Financial System (AFS) being operated by MMS

at its Royalty Management Accounting Center (RMAC) in Lakewood, Colorado.

To effectively implement the recommendations of the Commission on Fiscal Accountability of the Nation's Energy Resources, the reporting and paying time is extended to the end of the second month following the end of the production month in order to give adequate time for payors to make accurate reports and payments.

This part also requires the submission of a document disclosing division of interest in the lease within 60 days following the date of the first sale and indicates that only those portions of division orders dealing with Federal or Indian interests or which affect Federal or Indian leases need be submitted.

In addition, this part establishes the provisions for the payment of penalties for late royalty payments and rentals, and identifies the way in which interest charges will be calculated.

For late royalty management reports, a penalty of \$10.00 will be assessed for reports not received by MMS by the designated due date. For the purpose of the penalty assessment, the report is generally defined as each required transaction code identified in the new AFS.

This part further indicates that the States will be exempted from interest or penalties found to be payable by the Department of the Interior to small refiners for failure to comply with the Emergency Petroleum Allocation Act of 1973 with respect to crude oil taken by the Secretary in-kind as royalty oil and then sold to small refiners under the provisions of the Mineral Leasing Act or the Outer Continental Shelf Lands Act.

This part further clarifies, however, that when the Department, as a result of litigation or a negotiated settlement, pays a claim resulting from alleged failure to comply with the Emergency Petroleum Allocation Act of 1973, a certain portion of that claim which may have been paid to the State under the shared royalty provisions of the Mineral Leasing Act of 1920, will be deducted from funds to be paid to the State out of future shared royalties until the State's share of the claim has been satisfied.

**Part 219.** The proposed regulations for this part, authorized by Sections 104 and 105 of the Act, deal with the timing and payment to States and to Indian tribes of royalties, rents, and bonuses, and establish requirements for those receipts which are subject to the payment of interest under the provisions of the new Act.

This part also describes the types of reports which will be made available under the provisions of the new Act to

States and Indian tribes, identifying the source of and amounts distributed to the States and Indian tribes on a monthly basis.

**Part 228.** This part, authorized by Section 202 of the Act, establishes provisions by which States and Indian tribes may enter into Cooperative Agreements with DOI to conduct audit activities. Under the provisions of the proposed regulations, 50 percent of the cost of cooperative activities carried out under this Part would be reimbursed by the Department. The 50 percent share provided by the State or Indian tribes can be provided in cash or in the way of in-kind contributions as defined in normal Government accounting practices.

Significant comments concerning Sections 202 and 205 of the Act were received from those States who are already involved in cooperative audit agreements with MMS, some of which have been in existence for over 2 years. Many of the suggestions made by the States have been incorporated into the proposed regulations included in this rulemaking.

Under the proposed regulations, a Cooperative Agreement would be for a period of 3 years with a possible extension of an additional 3 years if mutually agreed to by both parties. The proposed regulations also indicate that a State may carry out activities under both Sections 202 and 205 of the Act.

The proposed regulations contain a provision allowing the Secretary to increase funding to a level of 100 percent for Cooperative Agreements with certain Indian Tribes showing extreme need.

The proposed regulations also indicate, as provided in Section 206 of the Act, that 50 percent of any civil penalty collected under the provisions of the Act will be shared with States or Indian tribes. However, the amount of that civil penalty will be deducted from the Federal share of any funding provided for in a Cooperative Agreement with a State or Indian tribe.

The regulations also established that funding under the provisions of Sections 202 and 205 of the Act is subject to the availability of appropriations on an annualized funding basis.

**Part 229.** This part, authorized by Section 205 of the Act, establishes proposed regulations dealing with the delegation of certain authorities to the States to conduct inspections, audits, and investigations with respect to all Federal lands within a State and to those Indian lands for which the State has received specific Delegation of Authority from the tribe or from individual Indian allottees.

The proposed regulations establish requirements for fact-finding and hearings on the part of the Department before a delegation is made to a particular State. The regulations propose that the term of delegation would be for a period of 3 years with a possible extension for an additional 3 years at the mutual agreement of both parties. Requirements for recordkeeping and reporting from States involved in a delegation are also included as well as a provision for an annual audit of the State's activities carried out under the provisions of the delegation.

As required by the statute, costs incurred by the State under the delegation of Authority will be reimbursed 100 percent by the Federal Government.

**Parts 228 and 229.** Section 203 of the Act outlines the proposed regulations relative to the type of information to be provided to States and Indian tribes to carry out activities under the provisions of Sections 202 and 205 of the Act. Specific parts of the regulations deal with the restrictions called for by the Act relating to the constraints making proprietary data available to States and Indian tribes.

**Part 241.** The proposed regulations for Part 241, authorized by Section 109 of the Act, establish the process for the assessment and collection of civil penalties authorized by the new Act.

The MMS intends to use a graduated system of assessing penalties taking into consideration the seriousness of the violation and the previous history of compliance of the lessee/operator, or royalty payor. The primary intent of the process is to elicit, to the greatest extent possible, voluntary compliance with MMS paying and reporting requirements.

#### Sections of the Act for which proposed regulations have been formulated

There are a number of provisions of the Act for which specific regulations have not been formulated because the statutory language itself is self-explanatory or the language of the statute is advisory and does not require regulatory language to implement it. In other instances, the Department will incorporate by reference its existing regulation or rulemaking as meeting the requirements or provisions of the Act.

**Relationships to other statutes and regulations.** Regulations are being issued by two separate bureaus of DOI, therefore, certain provisions of the Act will ultimately be implemented by regulations found in 43 CFR (the operating regulations) as well as in new Parts of 30 CFR which, when fully completed, will provide a compendium of

regulations relating to the royalty management process.

In each instance, the regulations pertaining to the new Act will clearly identify if they revise, amend, or add to existing regulations and the Subpart letter designations indicate applicability to onshore, offshore or both. The preamble herein contains references to the authorizing section of the Act for each part or subpart of the regulation.

#### Executive Order 12291

The Department has determined that this proposed rule is not a major action and does not require the preparation of a regulatory impact analysis under Executive Order 12291. Although the proposed rule establishes certain penalty provisions, the economic effect is minimal so long as there is compliance with the regulations.

Cooperative Agreements and delegations to States have minimal economic effect, as this arrangement only addresses who will perform the functions, the Secretary, State, or Indian tribe.

#### Regulatory Flexibility Act

The Department has also determined that this rule will not have a significant economic effect on a substantial number of small entities and does not, therefore, require a small entity flexibility analysis under the Regulatory Flexibility Act. Although the proposed rule establishes certain penalties, as long as the lessee complies with the rules, there will be no penalties. The cost or economic effect of this regulation is solely in the hands of the lessee.

#### Paperwork Reduction Act of 1980

Although information collection requirements are noted in several parts of this rule, it is done so only for reaffirmation. The purpose of the Act is stated to be, in part, to clarify, reaffirm, expand, and to define the responsibilities and obligations of lessees, operators and other persons involved in transportation or sale of oil and gas from the Federal and Indian lands and the Outer Continental Shelf.

The information collection requirements noted in this rule have been previously authorized or there is no need for authorization as discussed by Part/Section as follows:

**Sections 210.51, 212.50, and 212.51.** The information collection requirements contained in these Sections have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1010-0033.

**Section 210.52.** The information collection requirement contained in Section 210.52 has been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1010-0022.

**Section 210.53.** The division of interest documents-division order and sales contract, are industry documents which are required to be issued by State laws to all lease interest holders. The Federal Government receives its copy, which it also has signed, as an interest holder (royalty). For this reason, this is considered to be an information collection document which is received without invoking a Federal authority.

**Parts 228 and 229.** The information collection requirements contained in these Parts do not require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*, because there are fewer than ten respondents.

National Environmental Policy Act of 1969

It is hereby determined that this proposed rule does not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969 (43 U.S.C. 4332(2)(C)) is required.

#### List of Subjects

##### 30 CFR Part 210

Government contracts, Reporting and recordkeeping requirements, Mineral royalties, Continental shelf, Public lands—mineral resources, Geothermal energy.

##### 30 CFR Part 212

Coal, Reporting and recordkeeping requirements, Government contracts, Mineral royalties, Public land—mineral resources.

##### 30 CFR Part 217

Coal, Government contracts, Mineral royalties, Reporting and recordkeeping requirements.

##### 30 CFR Part 218

Government contracts, Mineral royalties, Continental shelf, Public lands—mineral resources, Coal, Geothermal energy.

##### 30 CFR Part 219

Mineral royalties, Intergovernmental relations, Penalties.

##### 30 CFR Part 228

Freedom of information, Intergovernmental relations, Investigations, Mineral royalties.

##### 30 CFR Part 229

Intergovernmental relations, Investigations, Mineral royalties.

##### 30 CFR Part 241

Government contracts, Reporting and recordkeeping requirements.

Under the authority of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1751) Chapter II, Title 30 of the Code of Federal Regulations is proposed to be amended as set forth below.

Dated: August 3, 1983.

Wilbert L. Dare,

Acting Assistant Secretary.

1. 30 CFR Part 210 is amended by adding Subpart B consisting of §§ 210.50, 210.51, and 210.52 to read as follows:

#### PART 210—FORMS AND REPORTS

\* \* \* \* \*

##### Subpart B—Oil and Gas, General

Sec.

210.50 Required Recordkeeping.

210.51 Pay or Information Form.

210.52 Report of Sales and Royalty Remittance.

##### Subpart B—Oil and Gas, General

###### § 210.50 Required recordkeeping.

Information required by the Minerals Management Service (MMS) shall be filed using the forms prescribed in this Subpart, copies of which are available from MMS. Records may be maintained in microfilm, microfiche, or other recorded media that is readily available and readable.

###### § 210.51 Payor information form.

The Payor Information Form (Form MMS 4025) must be filed for each Federal or Indian lease on which royalties are paid. Form MMS 4025 is also required for all Federal leases on which rent is due. The completed form must be filed by the party who is making the rent or royalty payment (Payor) for each revenue source. Form MMS 4025 must be filed no later than 30 days after issuance of a new lease or a change to an existing lease which changes the paying responsibility of the lease.

###### § 210.52 Report of sales and royalty remittance.

A completed Report of Sales and Royalty Remittance (Form MMS-2014) must accompany all payments for rents and royalties. Completed Form MMS-2014's for royalty payments including those made by electronic funds transfer, are due at the end of the second month following the production month. Where

applicable, completed Form MMS-2014's for rental payments are due no later than the anniversary date of the lease.

2. 30 CFR Part 212 is amended by adding Subpart B consisting of §§ 212.50 and 212.51 to read as follows:

#### PART 212—RECORDS AND FILES MAINTENANCE

\* \* \* \* \*

##### Subpart B—Oil and Gas, General

Sec.

212.50 Required Recordkeeping and reports.

212.51 Records and files maintenance.

\* \* \* \* \*

##### Subpart B—Oil and Gas, General

###### § 212.50 Required recordkeeping and reports.

Records required with respect to Federal and Indian oil and gas leases shall be maintained for 6 years after the records are generated unless notified, in writing, that such records must be maintained for a longer period. When an audit or investigation is underway, records shall be maintained until the record holder is released by written notice of the obligation to maintain records.

###### § 212.51 Records and files maintenance.

(a) *Records.* Each lessee, operator or other person subject to this subpart shall make and retain accurately and completely such records necessary to demonstrate that payments of rentals, royalties, net profit shares and other payments related to Federal and Indian oil and gas leases are in compliance with lease terms, regulations and orders. Records required include those under the lease terms and those which have been previously authorized by NTL-1, 1A and 5, as well as by Parts 210 and 223, of this chapter.

(b) *Period for keeping records.* Lessees, operators or other persons required to keep records under this Section shall maintain and preserve those records for 6 years after the day in which the relevant transaction or other events recorded in that record occurred, whichever is later, unless the Secretary notifies the record holder of an audit or investigation involving such records and that such records must be maintained for a longer period. When an audit or investigation is underway, records shall be maintained until the Secretary releases the record holder from the obligation to maintain such records. Lessees, operators or other persons shall be required to maintain records only for the period for which they have paying or operating responsibility on the lease.

except that lessees may be required to preserve records for a longer period as required by the Secretary.

(c) *Inspection.* The lessee, operator or other person required to keep records shall be responsible for and shall make available for inspection any records required to be kept in accord with this Section. Records shall be available at the business location of the lessee, operator or other person during normal business hours upon the request of any officer, employee or other party authorized by the Secretary.

3. 30 CFR Part 217 is amended by adding Subpart B consisting of §§ 217.50 and 217.51 to read as follows:

#### PART 217—AUDITS AND INSPECTIONS

##### Subpart B—Oil and Gas, General

Sec.  
217.50 Audits of records.  
217.51 Lease account and reconciliation.

##### Subpart B—Oil and Gas, General

###### § 217.50 Audits of records.

The Secretary, or his authorized representative, shall initiate and conduct audits relating to the scope, nature and extent of compliance of lessees, operators and other persons with rental, royalty, net profit share and other payment requirements pursuant to Federal and Indian oil and gas lease terms, regulations and orders.

###### § 217.51 Lease account and reconciliation.

Specific lease account audits and reconciliations shall be performed by the Secretary, or his authorized representative, with due priority being given to auditing those lease accounts specifically identified by a State or Indian tribe as having significant potential for underpayment.

4. 30 CFR Part 218 is amended by adding Subpart B consisting of §§ 218.50, 218.51, 218.52, 218.53, 218.54, 218.55, 218.56 and by adding §§ 218.103 and 218.104 to Subpart C to read as follows:

#### PART 218—COLLECTION OF ROYALTIES, RENTALS, BONUSES AND OTHER MONIES DUE THE FEDERAL GOVERNMENT

##### Subpart B—Oil and Gas, General

Sec.  
218.50 Timing of payment.  
218.51 Method of payment.  
218.52 Designated payor.  
218.53 Division of interests.

218.54 Late payments and underpayments.  
218.55 Interest payments to Indians.  
218.56 Penalties for late reports and failure to report.

##### Subpart B—Oil and Gas, General

###### § 218.50 Timing of payment.

(a) Royalty payments are due at the end of the second month following the month during which the oil or gas is produced and sold unless otherwise specified by the lease terms. Rental payments are due as specified by the lease terms. Payments made on a Bill for Collection are due as specified by the Bill. Bills for collection will be issued and payable as final collection actions.

(b) Payments for Federal leases shall be segregated from payments for Indian leases. Payments shall be made with the following information on the check, check stub, or Electronic Funds Transfer (EFT) deposit message:

(1) For Indian allotted leases, each payment shall be identified by each respective Bureau of Indian Affairs (BIA) agency office having jurisdiction over the lease(s) for which the payment is made.

(2) For Indian tribal leases, each payment shall be identified by each respective Indian tribe to whom the royalty is owed.

(3) When payments are made on an aggregated single check basis, the data shall be provided in format to be specified by MMS. When lease specific checks are presented for payment, the data shall accompany each check.

###### § 218.51 Method of payment.

(a) Any remittance of \$50,000 or more in payment to the Minerals Management Service at the Royalty Management Accounting Center (RMAC), Lakewood, Colorado, for royalties and rents (OCS bonuses and first year's rentals are separately considered in § 218.155 of this Part) must be made by EFT, utilizing the Treasury Financial Communications System (TFCS), unless otherwise directed by MMS. The RMAC will provide detailed instructions to each payor individually, when it is notified by the RMAC to begin remitting by EFT.

(b) Each payor for those items in paragraph (a) of this Section whose remittance on any given day is less than \$50,000, or who is otherwise directed to use an alternative payment method may use the following payment instruments made payable to the Department of the Interior—MMS:

- (1) Federal Reserve check.
- (2) Commercial check.
- (3) Money Order.

- (4) Bank Draft.
- (5) Cashier's check.
- (6) Certified check.

###### § 218.52 Designated payor.

The lessee shall notify MMS within 60 days of its assignment of paying responsibility or of any change in payment responsibility if any individual or company, other than the lessee, is to be responsible for paying the rentals or royalties, except for OCS assignments which are treated separately in Part 256 of this Title.

###### § 218.53 Division of interests.

(a) The lessee or designated agent shall submit to MMS a copy of all division of interest documents such as division orders, related to contracts for sale of products from leased land at the end of the second month following the date of the contract. The division of interest document sets forth the interest of each owner and serves as the basis on which the purchasing company pays each owner's respective share of the proceeds of the products sold. Only those portions of division of interest documents dealing with Federal or Indian interests or which directly or indirectly affect Federal or Indian leases need be submitted. MMS will review, approve, and reconcile all division of interest documents affecting Federal and Indian interests.

(b) Copies of such division of interest documents are presently required by the State laws to be issued to each interest holder. The Federal Government will receive its copy as an interest holder under the authority of the State laws.

###### § 218.54 Late payments and underpayments.

(a) An interest charge shall be assessed on accounts due and unpaid on the date such payments are due.

(b) The interest charge on such late payments and underpayments shall be at the rate applicable under Section 6621 of the Internal Revenue Code of 1954.

(c) The interest shall be computed and charged only on the amount of the deficiency and not on the total amount due and only for the number of days the payment is late.

(d) The interest charge collected shall be shared with the State that shares in the respective royalty payment and in the same pro-rata share.

###### § 218.55 Interest payments to Indians.

(a) All interest charges collected on Indian tribal or allotted leases because of nonpayment, late payment, or underpayment of royalties due and owing an Indian tribe or an Indian allottee shall be processed in the same

manner as are Indian royalties under the provisions of § 219.103 of this chapter.

(b) Any transfer to the appropriate Indian account of royalties and related monies received on Indian leases which is not made by the day required in § 219.103 of this chapter shall include an interest charge, payable to the appropriate Indian account.

(c) The interest charge shall be computed daily at the rate applicable under Section 6621 of the Internal Revenue Code of 1954.

(d) The interest shall be charged only for the number of days the payment is late.

**§ 218.56 Penalties for late reports and failure to report.**

(a) A penalty of \$10.00 may be assessed for monthly reports not received by MMS by the designated due date.

(b) For purposes of this penalty assessment, a report is generally defined as each required transaction code for each Accounting Identification Number (AID), Product Code and Selling Arrangement.

(c) This penalty assessment will not be shared with the State, Indian tribe or Indian allottee that shares in the respective royalty payment.

**Subpart C—Oil and Gas, Onshore**

**§ 218.103 Payments to States.**

(a) Any amount that is payable by MMS to a State but is not paid on the due date, as specified in § 219.100 of this chapter, or that is held in a suspense account pending resolution of a dispute as specified in § 219.101(a) of this chapter, shall include an interest charge payable to the State.

(b) The interest charge shall be computed daily at the rate applicable under Section 6621 of the Internal Revenue Code of 1954.

(c) The interest shall be computed only for the number of days a payment is late. In the case of suspended amounts subject to interest, it shall be computed beginning with the calendar day that the monies normally would have been paid to the State had they not been in dispute.

**§ 218.104 Exemption of States from certain interest and penalties.**

(a) States are exempt from being assessed for any interest or penalties found to be due against the Department of the Interior for failure to comply with the Emergency Petroleum Allocation Act of 1973, as amended, or any regulation of the Secretary of Energy thereunder

with respect to crude oil taken by the Secretary in-kind as royalty.

(b) Any State's share of an overcharge, resulting from failure to comply with the Emergency Petroleum Allocation Act of 1973 as amended, shall be deducted from monies owed the State as part of the disbursement of royalties due the State under the provisions of the Mineral Leasing Act as amended. State liability for payment shall exist for any damages assessed against the Secretary as the result of civil suit or as the result of settlement of a claim through a negotiated agreement. Such damages would be offset against future distributions to the State.

5. 30 CFR Part 219 is added consisting of Subpart C which contains §§ 219.100, 219.101, 219.102, 219.103 and 219.104 to read as follows:

**PART 219—DISTRIBUTION AND DISBURSEMENT OF ROYALTIES, RENTALS AND BONUSES**

**Subpart A—General Provisions [Reserved]**

**Subpart B—Oil and Gas, General [Reserved]**

**Subpart C—Oil and Gas, Onshore**

Sec.

219.100 Timing of payment to States.

219.101 Receipts subject to an interest charge.

219.102 Method of payment.

219.103 Payments to Indian accounts.

219.104 explanation of payments to States and Indian tribes.

**Authority:** The Federal Oil and Gas Royalty Management Act of 1982 (Pub. L. 97-451, 30 U.S.C. 1701).

**Subpart A—General Provisions [Reserved]**

**Subpart B—Oil and Gas, General [Reserved]**

**Subpart C—Oil and Gas, Onshore**

**§ 219.100 Timing of payment to States.**

(a) The State's share of royalty and related monies shall be paid to the State not later than the last business day of the month in which the United States Treasury issues a warrant authorizing the disbursement.

(b) Unless otherwise specified by the Secretary, the last business day of the month is the last calendar day of the month except when that day falls on a Saturday, Sunday, or holiday, in which case the last business day will be the next succeeding regularly scheduled work day in the following calendar month.

**§ 219.101 Receipts subject to an interest charge.**

(a) The MMS shall pay the State its proportionate share of any interest charge for royalty and related monies that are placed in a suspense account pending resolution of matters which will allow distribution and disbursement. Rules for computation of the interest charge are prescribed in § 218.55 of this chapter.

(b) Upon resolution, the suspended monies found due in paragraph (a) of this section, plus interest, shall be disbursed to the State under the provisions of § 219.100.

**§ 219.102 Method of payment.**

The MMS shall disburse monies to the State either by Treasury check or by EFT. Should the State desire to receive its payment by EFT, it should request this payment method in writing to the Minerals Management Service, Accounting Operations Division, P.O. Box 5760, Denver, Colorado 80217.

**§ 219.103 Payments to Indian accounts.**

Royalties and other monies received on Indian leases shall be transferred to the appropriate Indian accounts which are managed by BIA for allotted and tribal royalties. These accounts are specifically-designated Treasury accounts. Monies shall be transferred to the Indian accounts at the earliest practicable date after such funds are received, but in no case later than the last business day of the month in which such monies are warranted by the U.S. Treasury.

**§ 219.104 Explanation of payments to States and Indian tribes.**

(a) Payments to States and BIA on behalf of Indian tribes or Indian allottees discussed in §§ 219.100 and 219.103, shall be described in Explanation of Payment reports. These reports shall include a description of the type of payment being made, the period covered by such payment, the source of such payment, production amounts upon which the payment is based, the royalty rate, and the unit value.

(b) Explanation of Payment reports shall disclose, at the lease level, the information required under paragraph (a) of this section.

(c) Should any State or Indian tribe desire additional or more specific information pertaining to royalty payments, the State or tribe may request such information from MMS upon a specific request delineating the type of information requested.

(d) Explanation of Payment reports shall be provided to the States not later

than the last business day of the month in which MMS disburses the State's share of royalties and related monies. The last business day of the month is defined in § 219.100(b).

(e) Explanation of Payment reports shall be provided to BIA on behalf of tribes and Indian allottees not later than the last business day of the month in which distribution accounting is accomplished. Monies that cannot be distributed for the tribes or Indian allottees because the Payor/lessee provided incorrect, inadequate, or incomplete information, that prevents MMS from properly identifying the payment to the proper recipient, shall not be included in such reports until the problem is resolved.

6. 30 CFR Part 228 is added consisting of Subpart A which contains §§ 228.1, 228.2, 228.4, 228.5, 228.6, 228.10 and Subpart C which contains §§ 228.100, 228.101, 228.102, 228.103, 228.104, 228.105, 228.106, 228.107 and 228.108 to read as follows:

## PART 228—COOPERATIVE ACTIVITIES WITH STATES AND INDIAN TRIBES

### Subpart A—General Provisions

Sec.	
228.1	Purpose.
228.2	Policy.
228.4	Authority.
228.5	Delegation of authority.
228.6	Definitions.
228.10	Information collection requirements.

### Subpart B—Oil and Gas, General [Reserved]

### Subpart C—Oil and Gas, Onshore

Sec.	
228.100	Terms of agreement.
228.101	Establishment of standards.
228.102	Maintenance of records.
228.103	Availability of information.
228.104	Entering into an agreement.
228.105	Funding of Cooperative Agreements.
228.106	Funding of Cooperative Agreements for certain Indian tribes.
228.107	Eligible cost of activities.
228.108	Deduction of civil penalties accruing to the State or tribe from the Federal share of a Cooperative Agreement.

Authority: Federal Oil and Gas Royalty Management Act of 1982. (Pub. L. 97-451, 30 U.S.C. 1701).

### Subpart A—General Provisions

#### § 228.1 Purpose.

It is the express purpose of Cooperative Agreements to effectively utilize the capabilities of the States and Indian tribes in developing and maintaining an efficient and effective Federal royalty management system as contemplated under Section 2(b)(5) of

the Federal Oil and Gas Royalty Management Act of 1982.

#### § 228.2 Policy.

It shall be the policy of DOI to enter into Cooperative Agreements with States and Indian tribes to carry out eligible activities whenever a State or tribe initiates a request to enter into such an agreement and a finding is made that a State or tribe has the ability to carry out such cooperative activities in a timely and efficient manner.

#### § 228.4 Authority.

Under Section 202 of Title II of the Federal Oil and Gas Royalty Management Act of 1982, the Secretary of the Interior is authorized to enter into Cooperative Agreements with States and Indian tribes to share oil or gas royalty management information, and to carry out auditing, investigation or enforcement activities in cooperation with the Secretary, and to carry out any other activity described in Section 108 of the Act.

#### § 228.5 Delegation of Authority.

(a) Authority to enter into Cooperative Agreements to carry out audit and related investigation and enforcement activities with State and tribal Governments has been delegated to the Director of MMS.

(b) Authority to enter into Cooperative Agreements with State and tribal Governments to carry out inspection and related investigation and enforcement activities has been delegated to the Director of BLM and is not covered by this Part.

(c) The entry into a Cooperative Agreement with either MMS or BLM will not affect the ability of a State or Indian tribe to choose to enter into such an agreement with the other agency. A State may enter into a Delegation Agreement under Section 205 of Title II of the Federal Oil and Gas Royalty Management Act of 1982 to perform certain functions without affecting such State's ability to enter into a Cooperative Agreement with either MMS or BLM, or both, to cooperate in the performance of those functions which are not delegated.

#### § 228.6 Definitions.

For the purposes of this part, the following definitions are adopted in addition to those definitions included in Section 3 of the Act.

*Act* means the Federal Oil and Gas Royalty Management Act of 1982.

*Audit* means an examination of the financial accounting and lease related records of the lessee and other interest holders, who by lease or contract pay

royalties, rents or bonuses on Federal or Indian leases. Such examination is to be conducted in accordance with generally accepted audit standards as adopted by the American Institute of Certified Public Accountants. Activities to be examined which are considered to be an audit function include reconciliation of lease accounts under the Royalty Accounting System (RAS), lease activities related to Federal leases located within the boundaries of the State entering into this Cooperative Agreement, lease activities related to leases located on Indian lands, and the review and resolution of exceptions processed by the AFS and PAAS, the official accounting system for royalty reporters and payors maintained by MMS.

#### § 228.10 Information collection requirements.

The information collection requirements contained in this Part do not require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*, because there are fewer than ten respondents annually.

### Subpart B—Oil and Gas, General [Reserved]

### Subpart C—Oil and Gas, Onshore

#### § 228.100 Terms of agreement.

(a) Agreements entered into under this part shall be valid for a period of 3 years and shall be renewable for additional consecutive 3-year periods upon request of the State or Indian tribe which is a party to the agreement.

(b) An agreement may be terminated at any time and upon any terms and conditions as mutually agreed upon by the parties.

(c) A State or Indian tribe may terminate an agreement by giving a 120 day written notice of intent to terminate.

(d) The MMS may terminate an agreement by giving a 120 day written notice of intent to terminate. MMS shall provide the State or Indian tribe with the reasons for the proposed termination in writing if termination is proposed because of alleged deficiencies by the State or Indian tribe in carrying out the provisions of the agreement. The State or Indian tribe will be given 60 days to respond to the notice of deficiencies and to provide a plan for correction of those deficiencies. No final action on termination shall be taken until the submission of the State or Indian tribe has been reviewed by MMS for content or merit.

(e) Termination of a Cooperative Agreement shall not bar a later request

by a State or Indian tribe to enter into a subsequent Cooperative Agreement.

**§ 228.101 Establishment of standards.**

The MMS, after active consultation with States and Indian tribes, shall establish uniform minimum acceptable standards for carrying out the activities under the provisions of this part. The standards shall be no more stringent than those applicable to similar activities of MMS. Standards shall be promulgated within 60 days of the date of final issuance of these regulations. The States and Indian tribes shall coordinate their planned auditing activities with MMS.

**§ 228.102 Maintenance of records.**

The State and Indian tribe entering into a Cooperative Agreement under this Part must retain all records, reports, working papers, and any backup materials for a period as specified by MMS. All records and support materials must be available for inspection and review by appropriate personnel of DOI including the Office of the Inspector General.

**§ 228.103 Availability of information.**

(a) Under the provisions of this part, information necessary to carry out the activities authorized under the terms of a Cooperative Agreement will be provided by DOI to the States and Indian tribes entering into such agreements. The information will consist of data provided from all relevant sources on a lease level basis for leases located within the boundaries of the State and Indian tribe who has entered into the agreement. This information will include any records or data that are not submitted to MMS, but that affect Federal lease interests and could be required to be submitted under the lease terms of Federal regulations.

(b) None of the provisions in this regulation should be construed as limiting information already being provided to Indian tribes and allottees regarding their lease interests.

(c) The information will be provided by DOI on a monthly basis and will include data on royalties, rents, and bonuses collected on the lease, volumes produced, sales made, value of products disposed of as a sale and used as a basis for royalty calculation, history of site inspection activities on a lease, and other information necessary to allow the State or tribe to carry out its responsibilities under the Cooperative Agreement.

(d) Proprietary data will be made available to a State or tribe under the provisions of Section 203 of the Act

within the constraints of 18 U.S.C. 1905. To receive proprietary data, the State or tribe must:

(1) Demonstrate what audit, investigation or litigation under Section 204 of the Act is planned for or underway for which this data is essential;

(2) Demonstrate why this particular data is necessary; and

(3) Agree to safeguard proprietary data as provided.

**§ 228.104 Entering into an agreement.**

(a) A State or Indian tribe may request the Department to enter a Cooperative Agreement by sending a letter from the governor, tribal chairman, or other appropriate official with delegation of authority, to the Director of MMS.

(b) A request for an agreement should include at a minimum the following information:

(1) Type of eligible activities to be undertaken.

(2) Proposed term of the agreement.

(3) Evidence that the State or Indian tribe meets, or can meet by the time the agreement is in effect, the standards established by the Secretary for the types of activities to be conducted under the terms of the agreement.

(4) If the State is proposing to undertake activities on Indian lands located within the State, a resolution from the appropriate tribal council indicating their agreement to delegate to the State responsibilities under the terms of the Cooperative Agreement for activities to be conducted on tribal or allotted land.

**§ 228.105 Funding of Cooperative Agreements.**

The Federal share of funding of eligible activities under a Cooperative Agreement will be limited to not more than 50 percent share of the cost of eligible activities under the terms of the Cooperative Agreement either in cash or in-kind. In-kind contributions must be found eligible under the terms of the agreement and are subject to examination and evaluation by the Department. Agreements are subject to annual funding and the availability of appropriations specifically designated for the purpose of this part.

**§ 228.106 Funding of Cooperative Agreements for certain Indian tribes.**

(a) The Secretary, at his discretion and upon a showing of financial need by an Indian tribe, may increase the Federal share of activities funded under Section 202 of the Act to a level of up to 100 percent if it appears that full Federal

funding is required to accomplish the purposes of this section.

(b) The need for continuation of such funding will be reviewed at the end of a 3-year period and before any extension of an agreement is approved by the Secretary.

**§ 228.107 Eligible cost of activities.**

(a) Only costs directly associated with the activities undertaken by the State or Indian tribe under the terms of a Cooperative Agreement will be eligible for sharing. Cost of services or activities which cannot be directly related to the support of the Cooperative Agreement will not be eligible for Federal funding or for inclusion in the State's 50 percent share.

(b) Eligible activities shall include the cost of salaries and benefits associated with technical, support, and clerical personnel engaged in eligible activities; direct cost of travel, rentals, and other normal administrative activities in direct support of the project or projects, basic and specialized training for State or tribal participants; and cost of any contractual services which can be shown to be in direct support of the activities covered by the agreement. Each Cooperative Agreement shall contain detailed schedules identifying those activities and costs which qualify for funding and the procedures, timing and mechanics for implementing Federal funding.

**§ 228.108 Deduction of civil penalties accruing to the State or tribe from the Federal share of a Cooperative Agreement.**

As provided in Section 206 of the Act, 50 percent of any civil penalty collected under the provisions of the Act will be shared with the State or Indian tribe; however, the amount of the civil penalty shared will be deducted from the Federal share of any funding provided for a Cooperative Agreement. MMS shall maintain records of civil penalties collected and distributed to the States and tribes involved in Cooperative Agreements. Each quarterly payment of the 50 percent Federal share of a Cooperative Agreement will be reduced by the amount of the civil penalties paid to the State or tribe during the prior quarter.

7. 30 CFR Part 229 is added consisting of Subpart A which contains §§ 229.1, 229.2, 229.4, 229.6, 229.10, and Subpart C which contains §§ 229.100, 229.101, 229.102, 229.103, 229.104, 229.105, 229.106, 229.107, 229.108, 229.109, 229.110, and 229.120 to read as follows:

**PART 229—DELEGATION TO STATES****Subpart A—General Provisions**

- Sec.  
 229.1 Purpose.  
 229.2 Policy.  
 229.4 Authority.  
 229.6 Definitions.  
 229.10 Information collection requirements.

**Subpart B—Oil and Gas, General [Reserved]****Subpart C—Oil and Gas, Onshore**

- 229.100 Petition for delegation.  
 229.101 Fact-finding and hearings.  
 229.102 Hearings.  
 229.103 Terms of delegation.  
 229.104 Evidence of Indian agreement to delegation.  
 229.105 Recordkeeping requirements.  
 229.106 Standards for carrying out delegated authority.  
 229.107 Reports from States.  
 229.108 Examination of the State activities under delegation.  
 229.109 Reimbursement for costs incurred by the State under the delegation of authority.  
 229.110 Deduction of civil penalties accruing to the State or tribe under the delegation of authority.  
 229.120 Withdrawal of Indian lands from delegated authority.

Authority: The Federal Oil and Gas Royalty Management Act of 1982 (Pub. L. 97-451, 30 U.S.C. 1701).

**Subpart A—General Provisions****§ 229.1 Purpose.**

It is the express purpose of a Delegation of Authority to effectively utilize the capabilities of the States in developing and maintaining an efficient and effective Federal royalty management system as contemplated under Section 2(b)(5) of the Federal Oil and Gas Royalty Management Act of 1982.

**§ 229.2 Policy.**

It shall be the policy of DOI to honor any properly made petition from the Chief Executive or other appropriate official of a State to seek delegation of Authority under the provisions of this Section of the Act and to make such delegation when the Secretary finds that the provisions of Section 205 (b), (c), (d), and (e) of the Act have been complied with or can be complied with by the State seeking the delegation.

**§ 229.4 Authority.**

Section 205 of Title II of the Federal Oil and Gas Royalty Management Act of 1982 authorizes the Secretary of DOI to delegate authority to States to conduct audits and investigations with respect to all Federal lands within a State and to those Indian lands to which a State has received a delegation from the

respective Indian tribe or tribes to carry out activities under a delegation from the Secretary.

**§ 229.6 Definitions.**

The definitions contained in Section 3 of the Act and in Part 228 of this chapter apply to the activities carried out under the provisions of this Part.

**§ 229.10 Information collection requirements.**

The information collection requirements contained in this Part do not require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et. seq.*, because there are fewer than ten respondents annually.

**Subpart B—Oil and Gas, General [Reserved]****Subpart C—Oil and Gas, Onshore****§ 229.100 Petition for delegation.**

(a) The governor or other authorized officials of any State which contains Federal oil and gas leases or Indian oil and gas leases, wherein the Indian tribe or tribal allottees have given the State an affirmative indication of their desire for the State to undertake certain royalty management related activities on their lands, may petition the Secretary to assume responsibilities to conduct audits and investigations of royalty related matters affecting Federal or Indian oil and gas leases within the State.

(b) A State may enter into a Delegation of Authority under this Part without affecting such State's ability to enter into a Cooperative Agreement under Section 202 of the Act and Part 228 of this chapter.

(c) The Secretary shall have 120 days from the date of receipt of the petition from the State to carry out all fact-finding and hearings he may decide are necessary in order to approve or disapprove the petition.

(d) The Secretary must grant or deny the application within 120 days after the date of receipt of the petition. In the event that the Secretary denies the petition, the Secretary must provide the State with the specific reasons for denial of the petition. The State will then have an additional 60 days to either contest or correct said deficiencies and to reapply for a Delegation of Authority.

**§ 229.101 Fact-finding and hearings.**

(a) Upon receipt of the petition for delegation from the State, the Secretary shall appoint a representative to conduct a hearing or hearings to carry out fact-finding and determine the ability of the petitioning State to carry

out the delegated responsibilities requested in accordance with the provisions of this part.

(b) The Secretary's representative, after proper notice in the Federal Register and other appropriate media within the State, shall hold one or more public hearings to determine whether:

(1) The State has an acceptable plan for carrying out delegated responsibilities and if it is likely that the State will provide adequate resources to achieve the purposes of the Act;

(2) The State has the ability to put in place a process within 60 days of the grant of delegation which will assure the Secretary that the functions to be delegated to the State can be effectively carried out;

(3) The State has demonstrated that it will effectively and faithfully administer the rules and regulations of the Secretary under the Act in accordance with the requirements of Section 205 (c) and (d) thereof;

(4) The State's plan to carry out the delegated authority will be in accordance with MMS standards; and

(5) The State's plan to carry out the delegated authority will be coordinated with MMS audit efforts to eliminate added burden on any lessee or group of lessees operating Federal or Indian oil and gas leases within the State.

**§ 229.102 Hearings.**

A State petitioning for a Delegation of Authority shall be given the opportunity to present evidence and argument at a public hearing.

**§ 229.103 Terms of delegation.**

(a) Delegations of Authority shall be valid for a period of 3 years and shall be renewable for an additional consecutive 3-year period upon request of the State. Delegations are subject to annual funding and the availability of appropriations specifically designated for the purpose of this Part.

(b) A Delegation of Authority may be terminated at any time and upon any terms and conditions as mutually agreed upon by the parties.

(c) A State may terminate a Delegation of Authority by giving a 120-day written notice of intent to terminate.

(d) The Department may terminate a Delegation of Authority when it is determined, after opportunity for a formal hearing on the record, that the State has failed to substantially comply with the provisions of the Delegation of Authority. Any such hearing shall be conducted before an independent hearing officer appointed by the Secretary or his delegate.

(e) No action to initiate formal hearing proceedings shall be taken until the Department has notified the State in writing of alleged deficiencies and allowed the State 120 days to correct the noted deficiencies.

(f) Termination of a delegation shall not bar a subsequent request by a State to regain a Delegation of Authority.

**§ 229.104 Evidence of Indian agreement to delegation.**

In the case of a State seeking a Delegation of Authority to Indian lands as well as Federal lands, the State petition to the Secretary shall be supported by an appropriate resolution or resolutions of tribal councils joining the State in petitioning for delegation and evidence of the agreement of individual Indian allottees whose lands would be involved in a delegation. Such evidence shall specifically speak to having the State assume delegated responsibility for specific functions related to royalty management activities.

**§ 229.105 Recordkeeping requirements.**

The State shall maintain all records, working papers, reports and correspondence of individual leases, operators, and interest holders for review and inspection by representatives of the Secretary including the Office of the Inspector General. Under the provisions of Section 203(c) of the Act, all materials must be maintained for a period specified by the Department and shall be maintained by the State in a separate record or file maintenance system in a safe and secure fashion.

**§ 229.106 Standards for carrying out delegated authority.**

The Department, after active consultation with the States, shall establish uniform minimum acceptable standards for carrying out activities under the provisions of this Part. The standards shall be no more stringent than those applicable to similar activities of the Department. Standards shall be promulgated within 60 days of the effective date of final issuance of these regulations.

**§ 229.107 Reports from States.**

The State, acting under the authority of the Secretarial Delegation, shall submit quarterly reports which will summarize activities carried out by the State during the preceding quarter of the year the provisions of the delegation. The report shall include:

(a) A statistical summary of the activities carried out, e.g., number of audits performed, accounts reconciled,

inspections made on a lease by lease basis;

(b) A narrative of all specific enforcement action taken and the status of those actions;

(c) A summary of costs incurred during the previous quarter for which the State is seeking reimbursement; and

(d) A schedule of changes which the State proposes to make from its approved plan.

**§ 229.108 Examination of the State activities under delegation.**

The Department will carry out an annual examination of the State's delegated activities undertaken under the Delegation of Authority. The examination will consist of a management review and a fiscal examination and evaluation determine:

(a) That activities being carried out by the State under the Delegation of Authority meet the standards established by the Department and in particular the provisions of Section 205(a) and Section 205(b) of the Act; and

(b) That costs incurred by the State under the Delegation of Authority are eligible for reimbursement by the Department.

**§ 229.109 Reimbursement for costs incurred by the State under the Delegation of Authority.**

(a) The Department shall reimburse the State for 100 percent of the direct cost associated with the activities undertaken under the Delegation of Authority. The State shall maintain books and records in accordance with the standards established by the Department and will provide the Department, on a quarterly basis, a summary of costs incurred for which the State is seeking reimbursement. Only costs as defined under the provisions of Section 205 of the Act are eligible for reimbursement.

(b) The State shall submit a voucher for reimbursement of costs incurred within 30 days of the end of each calendar quarter.

**§ 229.110 Deduction of civil penalties accruing to the State or tribe under the Delegation of Authority.**

As provided in Section 206 of the Act, 50 percent of any civil penalty collected under the provisions of the Act will be shared with the State or Indian tribe; however, the amount of the civil penalty shared will be deducted from the Federal share of any funding provided for delegated authority under the provisions of Section 205 of the Act. MMS shall maintain records of civil penalties collected and distributed to the States and Indian tribes involved in delegations from Section 205 of the Act.

Each quarterly payment will be reduced by the amount of the civil penalties paid to the State or tribe during the prior quarter.

**§ 229.120 Withdrawal of Indian land from delegated authority.**

If at any time an Indian tribe or an individual Indian allottee determines that they wish to withdraw from the State Delegation of Authority in relation to their lands, they may do so by sending a petition of withdrawal to the State. Once the petition has been received, the State shall within 30 days cease all activities being carried out under the Delegation of Authority on the lands covered by the petition for the tribe or allottee.

8. 30 CFR Part 241 is amended by adding Subpart B consisting of § 241.50, and by adding 241.101, and 241.102 to Subpart C to read as follows:

**PART 241—PENALTIES**

\* \* \* \* \*

**Subpart B—Oil and Gas, General**

Sec.  
241.50 Civil penalties.

\* \* \* \* \*

**Subpart B—Oil and Gas, General**

**§ 241.50 Civil penalties.**

(a) Whenever a lessee, operator, or other authorized person fails to comply with any provisions of the applicable lease regulations, applicable orders or notices, or any other appropriate orders of the authorized officer or his representative, the authorized officer shall give the lessee, operator, or other authorized person notice in writing to remedy any violations. Failure by the lessee, operator, or other authorized person, or other party, to complete the necessary remedial action within the time and in the manner prescribed by the notice, may subject the lease to cancellation proceedings pursuant to 43 CFR Subpart 3108 for Federal leases, or provisions of 25 CFR for Indian leases. The lessee, operator, or other authorized person, shall be subject to a penalty of not more than \$500 per day for each day the violation continues beyond the date specified in the notice, or to both penalty and lease cancellation. No penalty under this paragraph (a) shall be assessed until the person charged with a violation has been given the opportunity for a hearing. Hearings under this paragraph (a) shall be held by the appropriate MMS official whose findings shall be conclusive unless appeal is taken pursuant to 433 CFR Part

4, 25 CFR Part 2, or Part 290 of this chapter.

(b) Whenever the lessee, operator or other authorized person fails or refuses to comply with any requirements of the Federal Oil and Gas Royalty Management Act of 1982 (Pub. L. 97-451), any mineral leasing law, any rule or regulation thereunder, or the terms of any lease or permit issued thereunder, the appropriate MMS official shall notify the lessee, operator, or other party in writing of the violation, unless the violation was discovered and reported to the appropriate MMS official by the liable person. If action is not taken to correct the violation within 20 days of such notice or report, the operator shall be liable for a penalty of up to \$500 per violation for each day such violation continues, dating from the date of such notice of report. If the violation is not corrected within 40 days of such notice or report, or a longer period as the Secretary may agree to, the operator or other authorized person shall be liable for a civil penalty of not more than \$5,000 per violation for each day the violation continues, dating from the date of such notice or report.

(c) Any person who:

(1) Knowingly or willfully fails to make any royalty payment by the date as specified by statute, regulations, order or terms of the lease;

(2) Knowingly or willfully submits false, inaccurate or misleading data to MMS in support of a royalty, rental, or bonus payment; or

(3) Knowingly or willfully prepares, maintains, or submits false, inaccurate, or misleading reports, notices, affidavits, records, data, or other written information shall be liable for a penalty up to \$10,000 per violation for each day such violation continues.

(d) No civil penalty under this Subpart shall be assessed until the person charged with a violation has been given the opportunity for a hearing on the record. Notice shall be by personal service by an authorized officer or by registered mail. Any person may, in the

manner prescribed by the Secretary, designate a representative to receive such notice. A person charged with a violation under this Subpart shall have 30 days after receipt of notice to request a hearing. Hearings shall be held by the appropriate MMS official whose findings shall be conclusive unless appeal is taken pursuant to 43 CFR Part 4, 25 CFR Part 2, or Part 290 of this chapter.

(e) On a case-by-case basis the Secretary may compromise or reduce civil penalties under this Subpart. In determining the amount, the Secretary shall state on the record the reasons for his determinations. The amount of any penalty under this Subpart, as finally determined, may be deducted from any sums owing by the United States to the person charged.

(f) Any person who has requested a hearing in accordance with paragraph (d) of this section within the time the Secretary has prescribed for such a hearing and who is aggrieved by a final order of the Secretary under this Part may seek review of such order in the United States District Court for the judicial district in which the violation allegedly took place. Review by the District Court shall be only on the administrative record and not *de novo*. Such action shall be barred unless filed within 90 days after Secretary's final order.

(g) If any person fails to pay an assessment of a civil penalty under this part after the order making the assessment has become a final order, and if such person does not file a petition for judicial review in accordance with this Subpart, or, after a court, in an action brought under this Subpart, has entered a final judgement in favor of the Secretary, the Court shall have jurisdiction to award the amount assessed plus interest under this Part. In determining the amount, the Secretary shall state on the record the reasons for his determinations. The amount of any penalty under this Part, as finally determined, may be deducted from any

sum owing by the United States to the person charged.

(h) Penalties provided by this Section shall be supplemental to, and not in derogation of, any other penalties or assessments for noncompliance provided by law or regulation.

#### Subpart C—Oil and Gas, Onshore

\* \* \* \* \*

##### § 241.101 Calculation of shared civil penalties.

(a) An amount equal to 50 per centum of any civil penalty, as defined in § 241.50, collected by MMS and resulting from activities conducted by a State or Indian tribe pursuant to a Cooperative Agreement, as defined in Section 202 of the Act and Part 228 of this chapter, or by a State under a Secretarial Delegation, as defined in Section 205 of the Act and Part 229 of this chapter, shall be payable to such State or tribe to the extent it is offset by Federal compensation for such agreements and delegations.

(b) The amount of the State or tribal share of the civil penalties shall offset any such compensation paid or due such State or tribe as defined in paragraph (a) of this section for the quarter following the quarter in which the penalties are collected.

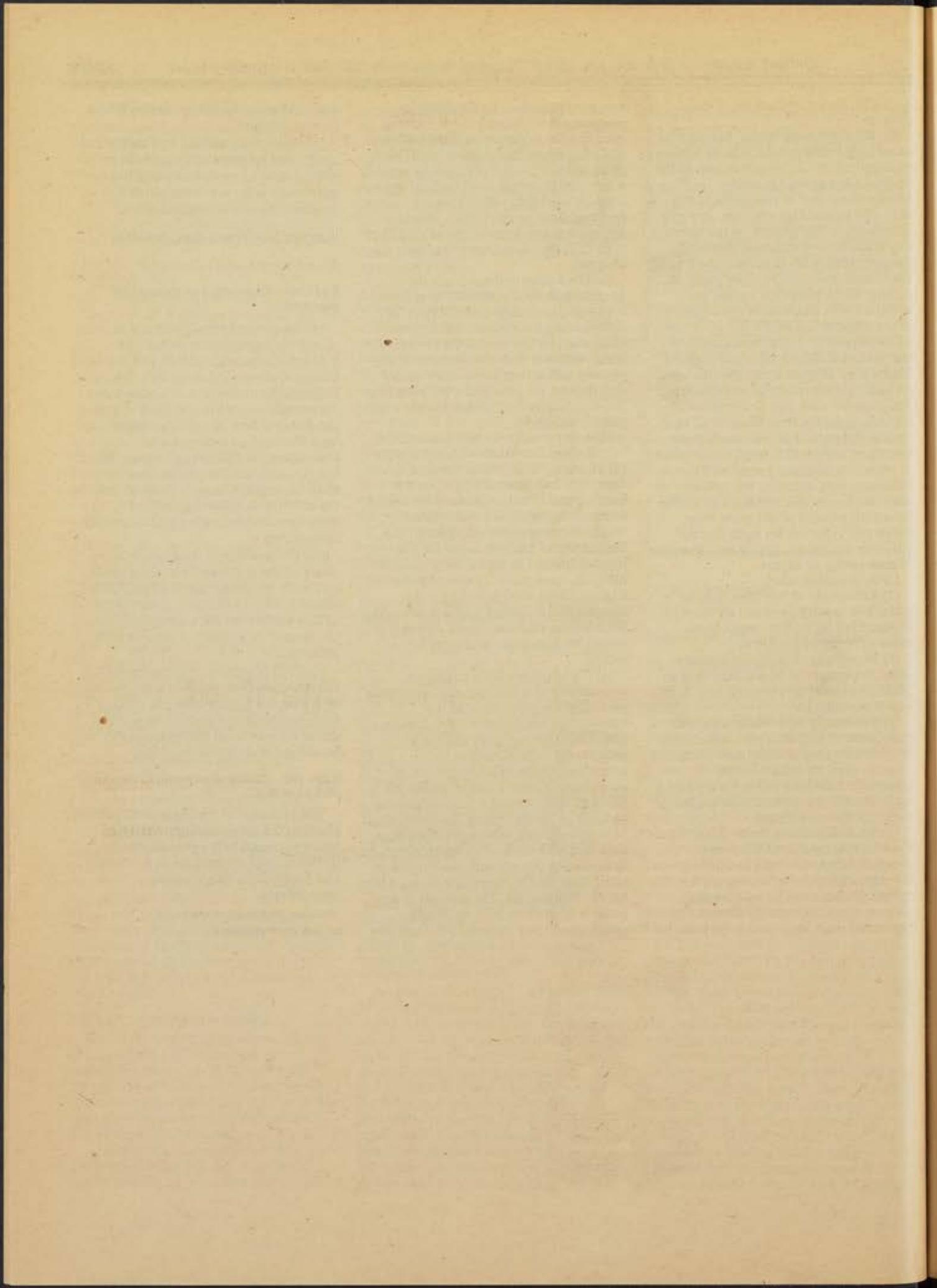
(c) Civil penalties, collected by MMS, not resulting from activities conducted by a State or Indian tribe pursuant to a Cooperative Agreement or by a State under a Secretarial Delegation shall not be shared with the State or tribe.

##### § 241.102 Timing of payment of shared civil penalties.

The payment of the State or tribal share of the civil penalties shall be made pursuant to the procedures for disbursement of royalties in § 219.100 and § 219.103 of this chapter, respectively.

[FR Doc. 83-25306 Filed 9-19-83; 8:45 am]

BILLING CODE 4310-MR-M



# **federal register**

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Tuesday  
September 20, 1983

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**Part IV**

**Department of  
Energy**

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**Federal Energy Regulatory Commission**

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**Natural Gas Policy Act; Jurisdictional  
Agency Determinations**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Volume 966]

**Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978**

Issued: September 13, 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: Geopressed 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.

NOTICE OF DETERMINATIONS  
ISSUED SEPTEMBER 13, 1983

VOLUME 966

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
CALIFORNIA DEPARTMENT OF CONSERVATION									
*****									
-DEPCO INC RECEIVED: 08/16/83 JA: CA									
8352328	83-6-0046	0401320204		103		STOLICH 835X-7	EAST BRENTWOOD	0.0	DOW CHEMICAL CO U
-HUSKY OIL COMPANY RECEIVED: 08/16/83 JA: CA									
8352327	83-5-0004	0403120247		102-2		KCDC 83-17	TULARE LAKE	300.0	PACIFIC GAS & ELE
-NATURAL GAS CORPORATION OF CALIF RECEIVED: 08/16/83 JA: CA									
8352329	83-6-0044	0401120243		102-4		ANDREOTTI 85	GRIMES (POUNDSTONE)	720.0	PACIFIC GAS & ELE
8352330	83-6-0045	0401120244		102-4		ANDREOTTI 84	GRIMES (POUNDSTONE)	1440.0	PACIFIC GAS & ELE
-WESTERN CONTINENTAL OPERATING CO RECEIVED: 08/16/83 JA: CA									
8352331	83-6-0047	0401320205		102-4		"NSG-CESA" #1	SOUTH OAKLEY GAS FIEL	750.0	PACIFIC GAS & ELE
*****									
LOUISIANA OFFICE OF CONSERVATION									
*****									
-DYNAMIC EXPLORATION INC RECEIVED: 08/18/83 JA: LA									
8352408	83-258	1704520667		102-4		KK-2 RA SUA BROWNELL KIDD-NO 1 WELL	BAYOU PIGEON	40.2	TEXAS GAS TRANSMI
-GOLDKING PRODUCTION COMPANY RECEIVED: 08/18/83 JA: LA									
8352399	83-1001	1710922591		102-4		W ELLENDER A #1	N MONTEGUT	313.0	
8352398	83-1002	1710922591		103		W ELLENDER A #1-D	N MONTEGUT	716.0	
*****									
MICHIGAN DEPARTMENT OF NATURAL RESOURCES									
*****									
-TRAVERSE OIL CO RECEIVED: 08/18/83 JA: MI									
8352390		2109935028		103		APPLE VALLEY 3-2	WASHINGTON 2	1495.0	MICHIGAN CONSOLID
8352389		2109934529		103		ARCHDIOCESE-DETROIT EDISON 2-2	WASHINGTON 2	740.0	MICHIGAN CONSOLID
8352391		2101035568		103		HILL 1-10	MAPLE GROVE 10	162.0	CONSUMERS POWER C
*****									
MISSISSIPPI OIL & GAS BOARD									
*****									
-MARATHON OIL COMPANY RECEIVED: 08/19/83 JA: MS									
8352395	36-83-53	2303500126		108		UNIT NE 11 #1-T	MAXIE	2.0	UNITED GAS PIPE L
8352396	37-83-53	2303500456		108		UNIT SE 42 #2-T	MAXIE	5.0	UNITED GAS PIPE L
-PRUET PRODUCTION CO RECEIVED: 08/19/83 JA: MS									
8352393	25-83-573	2309520368		102-2	103	HOLLEY 35-4 #1	GOODWIN	360.0	
8352394	29-83-570	2309520365		102-2	103	JAMES L CROSBY 9-11 #1	SOUTH ABERDEEN	360.0	
8352392	24-83-573	2309520381		102-2	103	YOUNG 35-2 #1	GOODWIN	180.0	
*****									
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES									
*****									
-ATLAS RESOURCES INC RECEIVED: 08/17/83 JA: PA									
8352382	20634	3706325018		108		G055 #1	MONTGOMERY	22.0	COLUMBIA GAS TRAN
8352383	20635	3706325019		108		G055 #2	MONTGOMERY	26.0	COLUMBIA GAS TRAN
8352384	20637	3706326688		108		MOORE #2	MONTGOMERY	36.0	COLUMBIA GAS TRAN
8352385	20638	3706326722		108		MOORE #3	MONTGOMERY	19.7	COLUMBIA GAS TRAN
-CASTLE GAS CO INC RECEIVED: 08/17/83 JA: PA									
8352355	20579	3706325309		108		A NASTASI #1 C-657 IND-25309	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352356	20580	3706325310		108		A NASTASI #2 C-658 IND-25310	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352357	20581	3706325241		108		F RICE #1 (30-A) C-594 IND-25241	GRANT TWP	44.0	COLUMBIA GAS TRAN

BILLING CODE 6717-01-M

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352358	20582	3706325276	108		F RICE #1 (50-A) C-653 IND-25276	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352359	20583	3706325277	108		F RICE #1 (51-A) C-654 IND-25277	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352360	20584	3706325278	108		F RICE #1 (94-A) C-659 IND-25278	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352361	20585	3706325420	108		F RICE #2 (145-A) C-626 IND-25420	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352362	20586	3706325709	108		F RICE #3 (145-A) C-726 IND-25709	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352363	20587	3706325708	108		F RICE #4 (145-A) C-727 IND-25708	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352367	20591	3706325150	108		G SAVASTA #1 C-585 IND-25150	GRANT TWP	44.0	COLUMBIA GAS TRAN
8352368	20592	3706325385	108		G SAVASTA #2 C-592 IND-25385	GRANT TWP	44.0	COLUMBIA GAS TRAN
8352372	20596	3706325266	108		H STONE BREAKER #1 C-660 IND-25266	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352373	20597	3706325267	108		H STONEBREAKER #2 C-661 IND-25267	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352374	20598	3706325268	108		H STONEBREAKER #3 C-662 IND-25268	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352364	20585	3706325470	108		J ROSSI #1 C-672 IND-25470	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352365	20589	3706325471	108		J ROSSI #2 C-673 IND-25471	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352366	20590	3706325472	108		J ROSSI #3 C-674 IND-25472	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352353	20578	3706325270	108		L MURRAY #4 C-647 IND-25270	GRANT TWP	4.4	COLUMBIA GAS TRAN
8352369	20593	3706325236	108		M SIMCHAK #1 C-650 IND-25236	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352370	20594	3706325237	108		M SIMCHAK #2 C-651 IND-25237	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352371	20595	3706325238	108		M SIMCHAK #3 (C-652) IND-25238	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352375	20599	3706325390	108		S WALLS #1 C-627 IND-25390	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352376	20600	3706325391	108		S WALLS #2 C-628 IND-25391	GREEN TWP	44.0	COLUMBIA GAS TRAN
8352377	20601	3706325216	108		W WALLS #1 C-598 IND-25216	GRANT TWP	44.0	COLUMBIA GAS TRAN
8352378	20602	3706325299	108		W WALLS #2 C-597 IND-25299	GRANT TWP	44.0	COLUMBIA GAS TRAN
-CONSOLIDATED GAS SUPPLY CORPORATION RECEIVED:					08/17/83	JA: PA		
8352380	20630	3706324032	108		LOY R VITE #3 WH-1675	BANKS	20.0	GENERAL SYSTEM PU
8352381	20631	3706324276	108		RHUEL STIFFLER WH-1679	GREEN	20.0	GENERAL SYSTEM PU
-DCC-NCC SERVICE CO RECEIVED:					08/17/83	JA: PA		
8352332	19799	3712922013	108		CLAYTON L UBER JR 829-2	EAST HUNTINGDON	22.1	TEXAS EASTERN TRA
-ENERGY PRODUCTION CO RECEIVED:					08/17/83	JA: PA		
8352379	20619	3706325863	108		N DICK #1	HOLD MOUNTAIN	32.0	COLUMBIA GAS TRAN
-ENVIROGAS INC RECEIVED:					08/17/83	JA: PA		
8352342	20673	3704922362	107-TF		A KLOBUSHNIK #1	ELK CREEK	18.0	
8352340	20669	3704922363	107-TF		D SHERMAN #1	ELK CREEK	18.0	
8352339	20668	3704922416	107-TF		E FLETCHER #1	ELK CREEK	18.0	
8352341	20670	3704922579	107-TF		L SHERMAN #1	ELK CREEK	18.0	
-FOX OIL & GAS INC RECEIVED:					08/17/83	JA: PA		
8352338	20649	3703321462	103		(282) EARL BUTERBAUGH #2	BURNSIDE	25.5	COLUMBIA GAS TRAN
-GULF OIL CORPORATION RECEIVED:					08/17/83	JA: PA		
8352336	20522	3703304029	108		BEATTY BILLIE #1	REED-DEEMER (UPPER DE	9.0	NATIONAL FUEL GAS
8352335	20521	3703320541	108		FEE "A" #33	REED-DEEMER (UPPER DE	9.0	NATIONAL FUEL GAS
8352333	20519	3703320591	108		FEE "A" #35	REED-DEEMER (UPPER DE	9.0	NATIONAL FUEL GAS
8352334	20520	3706521745	108		MCCLURE HARRIET #11	REED-DEEMER (UPPER DE	9.0	NATIONAL FUEL GAS
-J & J ENTERPRISES INC RECEIVED:					08/17/83	JA: PA		
8352348	19943	3706522616	103		R & P COAL CO #55 (595A)	WINSLOW	0.0	COLUMBIA GAS TRAN
8352346	20688	3706327458	103		SAMUEL B MURPHY #1	MONTGOMERY	0.0	CONSOLIDATED GAS
8352345	20685	3706327447	103		THOMAS BENAMATI #1	CENTER	0.0	T W PHILLIPS GAS
-JAMES F SCOTT RECEIVED:					08/17/83	JA: PA		
8352347	19785	3703321118	108		JAMES HOYT #2 PS-376	FERGUSON	13.0	CONSOLIDATED GAS
-HEA CROSS CO RECEIVED:					08/17/83	JA: PA		
8352351	20528	3704922701	102-2		KATHERINE OSTRYNIIEC #1	UN-NAMED	10.0	COLUMBIA GAS TRAN
8352352	20529	3704922701	107-TF		KATHERINE OSTRYNIIEC #1	UN-NAMED	10.0	COLUMBIA GAS TRAN
-US ENERGY DEVELOPMENT CORP RECEIVED:					08/17/83	JA: PA		
8352350	20527	3712332322	107-TF		G LAUGER #2	COLUMBUS	20.0	COLUMBIA GAS TRAN
8352349	20526	3712332322	102-2		G LAUGER #2	COLUMBUS	20.0	COLUMBIA GAS TRAN
-VICTORY ENERGY CO RECEIVED:					08/17/83	JA: PA		
8352357	20627	3703321571	102-2		BOYCE #4 CLE 21571	BURNSIDE	36.0	COLUMBIA GAS TRAN
-VINEYARD OIL & GAS CO RECEIVED:					08/17/83	JA: PA		
8352354	20533	3704921349	103		PIER #1	CONNEAUT	3.6	CONSOLIDATED GAS
-WAGNER & WAGNER RECEIVED:					08/17/83	JA: PA		
8352344	20683	3706322073	103		WALTER MCCAUSLAND #3	PLUMVILLE	35.0	EQUITABLE GAS CO
8352343	20682	3706322674	103		WALTER MCCAUSLAND #4	PLUMVILLE	30.0	EQUITABLE GAS CO
-WAYNE B SIMPSON RECEIVED:					08/17/83	JA: PA		
8352387	20651	3704500000	108		SIMPSON 14732	SIMPSON	1.3	PEOPLES NATURAL G
8352386	20650	3704500000	108		SIMPSON 15523	SIMPSON	1.3	PEOPLES NATURAL G
8352388	20652	3704500000	108		SIMPSON 15526	SIMPSON	1.3	PEOPLES NATURAL G
*****								
WEST VIRGINIA DEPARTMENT OF MINES								
*****								
-ALLEGHENY & WESTERN ENERGY CORP RECEIVED:					08/18/83	JA: WV		
8352408	4708703669		107-DV		S A HAY #1	HARPER DISTRICT	36.0	ROARING FORK GAS
-APPCO OIL & GAS CORP RECEIVED:					08/18/83	JA: WV		
8352403	4708505396		107-DV		LANGON #1	CLAY	0.0	CONSOLIDATED GAS
8352421	4708505622		107-DV		SMITH #3	GRANT	0.0	CONSOLIDATED GAS
8352402	4710701191		107-DV		W K WESTFALL #1	CLAY	1.0	GAS TRANSPORT INC
-ASHLAND EXPLORATION INC RECEIVED:					08/18/83	JA: WV		
8352406	4709501366		107-DV		COURTNEY CD #16 - 094112	SILER	63.0	COLUMBIA GAS TRAN
8352407	4709501367		107-DV		COURTNEY CD #17 - 094122	SILER	37.0	COLUMBIA GAS TRAN
-CABOT OIL & GAS CORP RECEIVED:					08/18/83	JA: WV		
8352411	4706700479		108		SOUTHERN LAND COMPANY #1	JEFFERSON	15.0	TENNESSEE GAS PIP
-CLINT HURT & ASSOCIATES INC RECEIVED:					08/18/83	JA: WV		
8352420	4707301385		107-DV		COX #1	ST MARYS	24.0	COLUMBIA GAS TRAN
8352419	4707301398		107-DV		NICHOLS #1	ST MARYS	24.0	COLUMBIA GAS TRAN
-COLUMBIA GAS TRANSMISSION CORP RECEIVED:					08/16/83	JA: WV		
8352238	4704303175		108		A B YOUNG 804920	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352190	4704302085		108		A BRILES L LD ASSOC - 802073	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352192	4704303176		108		A C BRUMFIELD - 802307	W VA FIELD AREA B	0.0	COLUMBIA GAS TRAN
8352250	4704300026		108		A I DOTSON 804200	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352246	4704300406		108		A I DOTSON 804201	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352295	4709900544		108		A J FINLEY 806291	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352207	4704301950		108		A T DOTSON 802140	W VA FIELD AREA B	0.6	COLUMBIA GAS TRAN
8352208	4704302114		108		A W MILLER 802359	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352201	4704301857		108		B C BOSTER 802302	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352038	4703901918		108		BLUE CK COAL & LAND - 809241	W VA FIELD AREA A	0.7	COLUMBIA GAS TRAN
8352036	4703901780		108		BLUE CK COAL & LAND CD 809094	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352040	4703901786		108		BLUE CK COAL & LAND CD 809097	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8352030	4703901723		108		BLUE CK COAL & LAND 808929	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352031	4703901753		108		BLUE CK COAL & LAND 809032	W VA FIELD AREA A	4.0	COLUMBIA GAS TRAN
8352033	4703901750		108		BLUE CK COAL & LAND 809034	W VA FIELD AREA A	6.0	COLUMBIA GAS TRAN
8352034	4703901779		108		BLUE CK COAL & LAND 809093	W VA FIELD AREA A	6.0	COLUMBIA GAS TRAN
8352039	4703901781		108		BLUE CK COAL & LAND 809095	W VA FIELD AREA A	6.0	COLUMBIA GAS TRAN
8352017	4703901787		108		BLUE CK COAL & LAND 809098	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8352018	4703901808		108		BLUE CK COAL & LAND 809121	W VA FIELD AREA A	0.8	COLUMBIA GAS TRAN
8352166	4703901893		108		BLUE CK COAL & LAND 809219	W VA FIELD AREA A	8.0	COLUMBIA GAS TRAN
8352019	4703901914		108		BLUE CK COAL & LAND 809231	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8352020	4703901916		108		BLUE CK COAL & LAND 809239	W VA FIELD AREA A	5.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352022		4703901947	108		BLUE CK COAL & LAND 809266	W VA FIELD AREA A	11.0	COLUMBIA GAS TRAN
8352023		4703901964	108		BLUE CK COAL & LAND 809285	W VA FIELD AREA A	11.0	COLUMBIA GAS TRAN
8352032		4703901754	108		BLUE CREEK COAL & LAND CO 809033	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8351980		4703902995	108		BROWN & GOSHORN & SWAN 802503	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352048		4701500540	108		BROWN GOSHORN & SWAN 808634	W VA FIELD AREA A	6.0	COLUMBIA GAS TRAN
8352053		4701501325	108		BROWN GOSHORN & SWAN - 803889	W VA FIELD AREA A	11.0	COLUMBIA GAS TRAN
8352049		4701500549	108		BROWN GOSHORN & SWAN 804952	W VA FIELD AREA A	0.5	COLUMBIA GAS TRAN
8351974		4703902987	108		BROWN GOSHORN & SWAN 800568	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8351986		4703902988	108		BROWN GOSHORN & SWAN 801015	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8351977		4703902992	108		BROWN GOSHORN & SWAN 801236	W VA FIELD AREA A	7.0	COLUMBIA GAS TRAN
8351975		4703902993	108		BROWN GOSHORN & SWAN 802501	W VA FIELD AREA A	7.0	COLUMBIA GAS TRAN
8352056		4701501319	108		BROWN GOSHORN & SWAN 803890	W VA FIELD AREA A	8.0	COLUMBIA GAS TRAN
8352054		4701501326	108		BROWN GOSHORN & SWAN 808861	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352051		4701500642	108		BROWN GOSHORN & SWAN 802594	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8352050		4703902996	108		BROWN-GOSHORN & SWAN 800994	W VA FIELD AREA A	4.0	COLUMBIA GAS TRAN
8351979		4703902990	108		BROWN-GOSHORN & SWAN 801015	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8351976		4703902991	108		BROWN-GOSHORN & SWAN 802536	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8351981		4703902997	108		BROWN-GOSHORN & SWAN 802584	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351982		4703902998	108		C A CURRY ETAL 802341	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352206		4704301859	108		C B HEADE 804923	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352240		4704300122	108		C F VICKERS 804370	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352242		4703900895	108		C J MUNT #52 806480	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8352273		4703901922	108		CAMPBELL CK COAL #12 809243	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352065		4703901932	108		CAMPBELL CK COAL #16 809326	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8352062		4703901995	108		CAMPBELL CK COAL #6 808976	W VA FIELD AREA A	8.0	COLUMBIA GAS TRAN
8352059		4703901727	108		CAMPBELL CK COAL #8 808987	W VA FIELD AREA A	14.0	COLUMBIA GAS TRAN
8352066		4703901732	108		CAMPBELL CK COAL #4 809251	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352067		4703901933	108		CAMPBELL CK COAL #5 809252	W VA FIELD AREA A	9.0	COLUMBIA GAS TRAN
8352057		4703901934	108		CAMPBELL CK COAL #1 808984	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352058		4703901735	108		CAMPBELL CK COAL #1 809070	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352046		4705900720	108		CENTRAL TRUST #34 808954	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8351990		4705900667	108		CENTRAL TRUST CO #21 806568	W VA FIELD AREA A	5.0	COLUMBIA GAS TRAN
8352014		4701500199	108		CHAS NATL BANK TRUST 808988	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352055		4701500585	108		CLEBY HAGER ETAL 809513	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352219		4704301436	108		COLE & CRANE #4 808432	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8351993		4705900608	108		COTIGA DEV #31 808725	WEST VA FIELD AREA B	33.0	COLUMBIA GAS TRAN
8351991		4705900359	108		COTIGA DEV CO #10 808090	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352088		4705900406	108		COTIGA DEV CO #19 808108	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352010		4705900413	108		COTIGA DEV CO #20 808213	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351989		4705900637	108		COTIGA DEV CO #20 808819	W VA FIELD AREA B	17.0	COLUMBIA GAS TRAN
8352011		4705900416	108		COTIGA DEV CO #21 808214	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8351997		4705900414	108		COTIGA DEV CO #22 808216	W VA FIELD AREA B	0.8	COLUMBIA GAS TRAN
8352004		4705900670	108		COTIGA DEV CO #22 808951	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352089		4705900424	108		COTIGA DEV CO #25 808211	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8351992		4705900482	108		COTIGA DEV CO #24 808107	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352012		4705900425	108		COTIGA DEV CO #24 808215	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8351998		4705900567	108		COTIGA DEV CO #27 808628	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8351999		4705900572	108		COTIGA DEV CO #28 808652	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352000		4705900584	108		COTIGA DEV CO #29 808701	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352002		4705900585	108		COTIGA DEV CO #31 808703	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352007		4705900594	108		COTIGA DEV CO #28 808934	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352067		4703901121	108		COURTNEY CO #2 805435	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352269		4704300741	108		COURTNEY CO NO 835 805872	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352198		4704300463	108		D G COURTNEY - 802306	W VA FIELD AREA B	0.9	COLUMBIA GAS TRAN
8352263		4704301866	108		DAVE MILLER 804929	W VA FIELD AREA A	12.0	COLUMBIA GAS TRAN
8351983		4703903001	108		DAVID K SMITH 803925	W VA FIELD AREA A	0.3	COLUMBIA GAS TRAN
8351988		4703903057	108		DAVID WARD 802454	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352170		4704301267	108		DEAN JACKSON - 806053	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352015		4705900668	108		DIXIE R FERRIS ETAL 808914	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352237		4704302034	108		E E ADKINS 804424	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352239		4704301868	108		E E SOWARDS 804922	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352245		4704300895	108		ELIAS E STOWERS 804337	W VA FIELD AREA B	16.0	COLUMBIA GAS TRAN
8352153		4704300843	108		F D CALDWELL #42 806809	W VA FIELD AREA A	5.0	COLUMBIA GAS TRAN
8352275		4703901093	108		F J YOUNG #1 806373	W VA FIELD AREA A	5.0	COLUMBIA GAS TRAN
8351973		4703903061	108		FANNIE D BOYD 801461	W VA FIELD AREA A	7.0	COLUMBIA GAS TRAN
8352174		4704301873	108		FRANK BAYES - 802297	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352233		4704301874	108		FRED EDWARDS 804407	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352234		4704302332	108		G S SITES 804409	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352182		4704301980	108		GUYAN LD ASSH - 802280	W VA FIELD AREA B	0.9	COLUMBIA GAS TRAN
8352204		4704301879	108		GUYAN LD ASSH - 802373	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352178		4704301850	108		GUYAN LD ASSH - 802377	W VA FIELD AREA B	0.2	COLUMBIA GAS TRAN
8352199		4704301952	108		H & H CARPER - 802304	W VA FIELD AREA A	0.3	COLUMBIA GAS TRAN
8351971		4703903063	108		H C DICKINSON 801547	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352201		4704301281	108		H H SPONAGLE - 802300	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352176		4704301283	108		H W MILLER - 802295	W VA FIELD AREA B	0.2	COLUMBIA GAS TRAN
8352205		4704301286	108		H W MILLER ETAL 802348	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8351987		4703903064	108		H Y DICKINSON 801956	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352001		4705900109	108		HARRISON BAIRDEN 805786	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8351994		4704500721	108		HARVEY HOLDING CO 808761	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8351956		4704301159	108		HERBERT ADKINS ETAL 808162	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352041		4704301145	108		HERBERT ADKINS ETAL 808266	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352043		4704301140	108		HERBERT ADKINS 808163	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352163		4700500698	108		HORSE CK COAL LD 68 805558	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352277		4700500654	108		HORSE CK COAL LD 64 805457	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8351955		4704300482	108		HORSE CK L & M CO 801917	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352282		4700500763	108		HORSE CK LAM CO #72 805869	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352062		4704300735	108		HORSE CK LAM CO 78 805067	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352161		4700500716	108		HORSE CREEK COAL LD 78 805684	W VA FIELD AREA B	19.0	COLUMBIA GAS TRAN
8352184		4704300579	108		HUNT DEV & GAS CO - 802287	W VA FIELD AREA B	21.0	COLUMBIA GAS TRAN
8352172		4704300185	108		HUNT DEV & GAS CO 804685	W VA FIELD AREA B	17.0	COLUMBIA GAS TRAN
8352270		4704300436	108		HUNT DEV & GAS CO 805285	W VA FIELD AREA B	0.5	COLUMBIA GAS TRAN
8352271		4704300500	108		HUNT DEV & GAS CO 805419	W VA FIELD AREA B	19.0	COLUMBIA GAS TRAN
8352272		4704300518	108		HUNT DEV & GAS CO 805461	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352302		4709900866	108		HUNT DEV & GAS CO 806129	W VA FIELD AREA B	20.0	COLUMBIA GAS TRAN
8352268		4704300576	108		HUNT DEV & GAS CO 805553	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352259		4704500709	108		J E PECK #12 808689	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352259		4704500690	108		J E PECK 808685	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352325		4704302001	108		J F SWANSON 805879	W VA FIELD AREA B	0.8	COLUMBIA GAS TRAN
8351995		4705900113	108		J L CALDWELL #37 805835	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352193		4704302011	108		J R BRANCH - 802225	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352246		4704301941	108		J S BURDETTE - 804149	W VA FIELD AREA B		

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352183		4704301896	108		JAMES D MILLER - 802393	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352241		4704300102	108		JANE MILLER 804926	W VA FIELD AREA B	13.0	COLUMBIA GAS TRAN
8352244		4704300072	108		JINK MILLER - 804332	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352251		4704300339	108		JOSEPH & JANE MILLER 804930	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8351954		4704301150	108		KIZZIE BAIRDEN #1 806262	W VA FIELD AREA B	15.0	COLUMBIA GAS TRAN
8352196		4704302064	108		L & C DAVIS 802222	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352202		4707900089	108		LAURA RIDDLE - 802299	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352197		4704301904	108		LEE HOLLAND WORTH - 802311	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352175		4704301903	108		LEE HOLLAND WORTH - 802296	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352203		4704301961	108		LEONIDAS HILL ETAL 802382	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352186		4704301962	108		LIN CO LD ASSN NO 11 802161	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352195		4704302066	108		LINCOLN LD ASSOC 804133	W VA FIELD AREA B	15.0	COLUMBIA GAS TRAN
8352247		4704301943	108		M C ROBERTS - 802285	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352185		4704301910	108		MAGGIE JAYNES 804012	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352249		4704300001	108		MARGARET 4 DICKINSON 3 8080977	W VA FIELD AREA A	8.0	COLUMBIA GAS TRAN
8352061		4703901733	108		MARION YEAGER - 802275	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352265		4704302052	108		MARY S JAMES 808989	W VA FIELD AREA A	1.0	COLUMBIA GAS TRAN
8352052		4701500589	108		MARY S JAMES 808990	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352084		4701500508	108		MINGO MARTIN GAS CORP 805827	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352194		4704302021	108		MINGO GAS CO #2 809101	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8351996		4705900111	108		MOHLER LUMBER CO #16 805496	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352013		4705900744	108		MOHLER LUMBER CO 13 805301	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352278		4703901038	108		MOHLER LUMBER CO 13 805403	WEST VIRGINIA FIELD A	6.0	COLUMBIA GAS TRAN
8352274		4703901035	108		MOHLER LUMBER CO 14 805404	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352303		4704300489	108		MOHLER LUMBER CO 15 805405	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352304		4704300490	108		MOHLER LUMBER CO 16 805406	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352305		4704300491	108		MOHLER LUMBER CO 17 805497	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352306		4704300504	108		MOHLER LUMBER CO 18 805498	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352279		4700900659	108		MOHLER LUMBER CO 804675	W VA FIELD AREA B	13.0	COLUMBIA GAS TRAN
8352260		4700900660	108		MOHLER LUMBER CO 805346	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352266		4704300184	108		MOHLER LUMBER CO 805499	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352276		4700900618	108		NANCY J MORGAN - 802273	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352281		4704301915	108		NIGHTBRET LAND CO #4 808103	W VA FIELD AREA A	5.0	COLUMBIA GAS TRAN
8352181		4705900366	108		O J MORRISON 801503	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8351972		4703903033	108		OCTAVA ADKINS 804615	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8352235		4703901690	108		OHLEY COAL CO #10 808858	W VA FIELD AREA A	7.0	COLUMBIA GAS TRAN
8352068		4703901698	108		OHLEY COAL CO #12 808897	W VA FIELD AREA A	6.0	COLUMBIA GAS TRAN
8352069		4703901479	108		OHLEY COAL CO #3 806453	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352065		4703901907	108		OLIVE CULPEPPER 809076	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352028		4704301946	108		P J THORNTON 804132	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352232		4703901741	108		PAINT CK COAL & LAND 2 808985	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8352044		4703901846	108		PAINT CK COAL & LAND 4 809159	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8352045		4703901847	108		PAINT CK COAL & LAND 4 809162	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352016		4703903072	108		PAINT CK COAL & LAND 801830	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8352164		4703901336	108		RAYMOND BLACK - 802378	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352177		4704301924	108		ROBSON & PRICHARD 809405	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352167		4703902076	108		ROBSON & PRITCHARD 809274	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352165		4703901950	108		ROBSON PRITCHARD 809406	W VA FIELD AREA A	6.0	COLUMBIA GAS TRAN
8352168		4703902077	108		S B LITTLEPAGE 801941	W VA FIELD AREA A	4.0	COLUMBIA GAS TRAN
8351985		4703903043	108		SALLIE J DICKINSON 808805	W VA FIELD AREA A	10.0	COLUMBIA GAS TRAN
8352027		4703901702	108		SALLIE J DICKINSON 809103	W VA FIELD AREA A	3.0	COLUMBIA GAS TRAN
8352026		4703901708	108		SALLIE J DICKINSON 809110	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352025		4703901804	108		SALLIE J DICKINSON 809215	W VA FIELD AREA A	2.0	COLUMBIA GAS TRAN
8352024		4703901855	108		SALLIE J DICKINSON 809216	W VA FIELD AREA A	22.0	COLUMBIA GAS TRAN
8352036		4703901856	108		SAM D LITTLEPAGE 802982	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351984		4703903044	108		SEITH MILLER 802394	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352180		4704301955	108		SOUTH PENN OIL CO 802157	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352187		4704302119	108		TCO FEE TR #13 808267	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352222		4704301273	108		TCO FEE TR #31 808292	W VA FIELD AREA B	17.0	COLUMBIA GAS TRAN
8352104		4709901043	108		TCO FEE TR #4 806360	W VA FIELD AREA B	16.0	COLUMBIA GAS TRAN
8352308		4704300849	108		TCO FEE TR #4 806365	W VA FIELD AREA B	17.0	COLUMBIA GAS TRAN
8352307		4704300582	108		TCO FEE TR #4 806367	W VA FIELD AREA B	13.0	COLUMBIA GAS TRAN
8352309		4704300855	108		TCO FEE TR #4 806444	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352310		4704300859	108		TCO FEE TR #4 806770	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8351941		4704300890	108		TCO FEE TR #4 806847	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8351969		4704301004	108		TCO FEE TR #4 806848	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8351963		4704301013	108		TCO FEE TR #4 808199	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8351961		4704301024	108		TCO FEE TR #4 808200	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352109		4705900397	108		TCO FEE TR #4 809229	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352110		4705900398	108		TCO FEE TR #4 809473	W VA FIELD AREA B	12.0	COLUMBIA GAS TRAN
8352107		4705900402	108		TCO FEE TR #4 809519	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352111		4705900792	108		TCO FEE TR #8 809175	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352112		4705900796	108		TCO FEE 808203	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352108		4705900797	108		TCO FEE 808400	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352092		4709901407	108		TCO FEE 808460	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352105		4709901026	108		TCO FEE 808481	W VA FIELD AREA B	0.0	COLUMBIA GAS TRAN
8352079		4709901100	108		TCO FEE 808734	W VA FIELD AREA B	0.9	COLUMBIA GAS TRAN
8352090		4709901092	108		TCO FEE 808735	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352155		4709901106	108		TCO FEE 809023	W VA FIELD AREA A	10.0	COLUMBIA GAS TRAN
8352076		4709901116	108		TCO FEE 809205	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352078		4709901114	108		TCO FEE 809270	W VA FIELD AREA B	20.0	COLUMBIA GAS TRAN
8352084		4709901467	108		TCO MIN TR #1 8080441	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352029		4703901871	108		TCO MIN TR #1 806155	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352086		4709901462	108		TCO MIN TR #1 806156	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352073		4704301211	108		TCO MIN TR #1 806161	W VA FIELD AREA B	21.0	COLUMBIA GAS TRAN
8352283		4709900455	108		TCO MIN TR #1 806185	W VA FIELD AREA B	0.1	COLUMBIA GAS TRAN
8352284		4709900456	108		TCO MIN TR #1 806186	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352285		4709900458	108		TCO MIN TR #1 806190	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN
8352286		4709900460	108		TCO MIN TR #1 806236	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352288		4709900479	108		TCO MIN TR #1 806259	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352289		4709900504	108		TCO MIN TR #1 806260	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352290		4709900512	108		TCO MIN TR #1 806280	W VA FIELD AREA B	12.0	COLUMBIA GAS TRAN
8352291		4709900513	108		TCO MIN TR #1 806281	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352292		4709900536	108		TCO MIN TR #1 806289	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352293		4709900537	108		TCO MIN TR #1 806290	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352294		4709900542	108		TCO MIN TR #1 806309	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352296		4709900547	108		TCO MIN TR #1 806315	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352298		4709900566	108		TCO MIN TR #1 806340	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352297		4709900553	108		TCO MIN TR #1 806341	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352300		4709900572	108					
8352301		4709900573	108					

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352299		4709900569	108			TCO MIN TR #1 806342	W VA FIELD AREA B	15.0	COLUMBIA GAS TRAN
8352316		4704301074	198			TCO MIN TR #1 806996	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352323		4704301257	108			TCO MIN TR #1 808003	W VA FIELD AREA B	0.0	COLUMBIA GAS TRAN
8352321		4704301252	108			TCO MIN TR #1 808017	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352324		4704301261	108			TCO MIN TR #1 808053	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352322		4704301254	108			TCO MIN TR #1 808065	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352320		4704301124	108			TCO MIN TR #1 808098	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352317		4704301116	108			TCO MIN TR #1 808111	W VA FIELD AREA B	23.0	COLUMBIA GAS TRAN
8352319		4704301123	108			TCO MIN TR #1 808112	WEST VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8351953		4704301248	108			TCO MIN TR #1 808189	W VA FIELD AREA B	16.0	COLUMBIA GAS TRAN
8352135		4704500547	108			TCO MIN TR #1 808241	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352261		4704500544	108			TCO MIN TR #1 808242	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352262		4704500393	108			TCO MIN TR #1 808249	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352123		4704500391	108			TCO MIN TR #1 808251	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352221		4704301146	108			TCO MIN TR #1 808263	W VA FIELD AREA B	12.0	COLUMBIA GAS TRAN
8352310		4704301263	108			TCO MIN TR #1 808270	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352154		4709900919	108			TCO MIN TR #1 808279	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352228		4704301291	108			TCO MIN TR #1 808285	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352227		4704301151	108			TCO MIN TR #1 808291	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352231		4704301153	108			TCO MIN TR #1 808293	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352218		4704301262	108			TCO MIN TR #1 808299	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352220		4704301156	108			TCO MIN TR #1 808324	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352114		4704500598	108			TCO MIN TR #1 808327	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352121		4704500609	108			TCO MIN TR #1 808329	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352122		4704500601	108			TCO MIN TR #1 808330	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352136		4704301238	108			TCO MIN TR #1 808332	W VA FIELD AREA B	17.0	COLUMBIA GAS TRAN
8352124		4704500597	108			TCO MIN TR #1 808334	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352132		4704500594	108			TCO MIN TR #1 808337	W VA FIELD AREA B	13.0	COLUMBIA GAS TRAN
8352120		4704500595	108			TCO MIN TR #1 808338	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352264		4704301242	108			TCO MIN TR #1 808335	W VA FIELD AREA B	0.0	COLUMBIA GAS TRAN
8352140		4704301243	108			TCO MIN TR #1 808339	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352127		4704500538	108			TCO MIN TR #1 808339	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352257		4704500619	108			TCO MIN TR #1 808326	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN
8352133		4704500612	108			TCO MIN TR #1 808434	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN
8352267		4704301214	108			TCO MIN TR #1 808438	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN
8352071		4704301213	108			TCO MIN TR #1 808439	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352212		4704301206	108			TCO MIN TR #1 808440	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352211		4704301215	108			TCO MIN TR #1 808443	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352210		4704301216	108			TCO MIN TR #1 808444	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352143		4704301222	108			TCO MIN TR #1 808445	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352142		4704301224	108			TCO MIN TR #1 808446	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352141		4704301225	108			TCO MIN TR #1 808447	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352149		4704301224	108			TCO MIN TR #1 808448	W VA FIELD AREA B	0.7	COLUMBIA GAS TRAN
8352145		4704301217	108			TCO MIN TR #1 808449	W VA FIELD AREA B	15.0	COLUMBIA GAS TRAN
8352148		4704301210	108			TCO MIN TR #1 808450	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN
8352137		4704301202	108			TCO MIN TR #1 808451	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352150		4704301204	108			TCO MIN TR #1 808453	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352129		4704500608	108			TCO MIN TR #1 808463	WEST VA FIELD AREA B	13.0	COLUMBIA GAS TRAN
8352130		4704500607	108			TCO MIN TR #1 808465	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352131		4704500605	108			TCO MIN TR #1 808471	WEST VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352256		4704500610	108			TCO MIN TR #1 808473	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352128		4704500635	108			TCO MIN TR #1 808521	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352138		4704301277	108			TCO MIN TR #1 808524	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8351960		4704301285	108			TCO MIN TR #1 808526	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352144		4704301286	108			TCO MIN TR #1 808528	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351952		4704301293	108			TCO MIN TR #1 808529	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352070		4704301279	108			TCO MIN TR #1 808530	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352253		4704500650	108			TCO MIN TR #1 808537	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352255		4704500647	108			TCO MIN TR #1 808540	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352254		4704500648	108			TCO MIN TR #1 808544	W VA FIELD AREA B	21.0	COLUMBIA GAS TRAN
8352069		4704301283	108			TCO MIN TR #1 808546	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352169		4704301289	108			TCO MIN TR #1 808547	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352263		4704500694	108			TCO MIN TR #1 808549	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352173		4704301288	108			TCO MIN TR #1 808555	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352258		4704500687	108			TCO MIN TR #1 808589	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352089		4709901068	108			TCO MIN TR #1 808601	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352088		4709901102	108			TCO MIN TR #1 808616	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352083		4709901094	108			TCO MIN TR #1 808662	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352077		4709901384	108			TCO MIN TR #1 809124	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352101		4709901405	108			TCO MIN TR #1 809155	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352102		4709901406	108			TCO MIN TR #1 809172	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352215		4704301341	108			TCO MIN TR #1 809173	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352093		4709901420	108			TCO MIN TR #1 809176	W VA FIELD AREA B	0.7	COLUMBIA GAS TRAN
8352091		4709901433	108			TCO MIN TR #1 809202	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352099		4709901437	108			TCO MIN TR #1 809220	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352097		4709901450	108			TCO MIN TR #1 809232	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352096		4709901456	108			TCO MIN TR #1 809263	W VA FIELD AREA B	14.0	COLUMBIA GAS TRAN
8352095		4709901455	108			TCO MIN TR #1 809264	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352081		4709901517	108			TCO MIN TR #1 809402	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352100		4709901521	108			TCO MIN TR #1 809407	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352119		4704500870	108			TCO MIN TR #1 809434	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352118		4704500879	108			TCO MIN TR #1 809461	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352229		4704301432	108			TCO MIN TR #1 809470	W VA FIELD AREA B	10.0	COLUMBIA GAS TRAN
8352159		4709901544	108			TCO MIN TR #1 809471	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN
8352157		4709901554	108			TCO MIN TR #1 809522	W VA FIELD AREA B	17.0	COLUMBIA GAS TRAN
8352156		4709901553	108			TCO MIN TR #1 809523	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352216		4704301451	108			TCO MIN TR #1 809524	W VA FIELD AREA B	19.0	COLUMBIA GAS TRAN
8352217		4704301456	108			TCO MIN TR #1 809609	W VA FIELD AREA B	13.0	COLUMBIA GAS TRAN
8352160		4709901559	108			TCO MIN TR #1 809610	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352158		4709901555	108			TCO MIN TR #1 809611	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352103		4709901557	108			TCO MIN TR #1 809613	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352214		4704301454	108			TCO MIN TR #1 809616	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352117		4705900790	108			TCO MIN TR #10 809447	W VA FIELD AREA B	12.0	COLUMBIA GAS TRAN
8352113		4705900427	108			TCO MIN TR #11 808317	W VA FIELD AREA B	15.0	COLUMBIA GAS TRAN
8351959		4704300751	108			TCO MIN TR #12 806159	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8351958		4704300833	108			TCO MIN TR #12 806302	W VA FIELD AREA B	1.8	COLUMBIA GAS TRAN
8351957		4704300960	108			TCO MIN TR #12 806657	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351962		4704300971	108			TCO MIN TR #12 806676	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8351970		4704301003	108			TCO MIN TR #12 806771	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8351965		4704301019	108			TCO MIN TR #12 806849	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8351964		4704301025	108			TCO MIN TR #12 806850	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8351966		4704301020	108			TCO MIN TR #12 806851	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351967		4704301022	108			TCO MIN TR #12 806853	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352139		4704301237	108			TCO MIN TR #13 808331	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352115		4705900403	108		TCO MIN TR #14 808230	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8352311		4704300861	105		TCO MIN TR #19 806382	W VA FIELD AREA B	16.0	COLUMBIA GAS TRAN
8351968		4704301045	108		TCO MIN TR #19 806922	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352252		4704500651	108		TCO MIN TR #2 808538	W VA FIELD AREA B	18.0	COLUMBIA GAS TRAN
8352089		4709901459	108		TCO MIN TR #2 809269	W VA FIELD AREA B	0.8	COLUMBIA GAS TRAN
8352313		4704300864	108		TCO MIN TR #20 806397	W VA FIELD AREA B	16.0	COLUMBIA GAS TRAN
8352326		4704300864	108		TCO MIN TR #20 806398	W VA FIELD AREA B	15.0	COLUMBIA GAS TRAN
8352315		4704300868	108		TCO MIN TR #23 806403	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352225		4704301420	108		TCO MIN TR #23 809441	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8351942		4704300891	108		TCO MIN TR #24 806445	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8351943		4704300892	108		TCO MIN TR #24 806446	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8351944		4704300879	108		TCO MIN TR #25 806484	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351945		4704300957	108		TCO MIN TR #26 806643	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8351946		4704300958	108		TCO MIN TR #26 806644	W VA FIELD AREA B	2.0	COLUMBIA GAS TRAN
8351947		4704300959	108		TCO MIN TR #26 806645	WEST VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8351948		4704300973	108		TCO MIN TR #26 806695	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8351949		4704301046	108		TCO MIN TR #26 806923	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8351950		4704301251	108		TCO MIN TR #26 806989	W VA FIELD AREA B	13.0	COLUMBIA GAS TRAN
8351951		4704301287	108		TCO MIN TR #26 808543	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352314		4704300865	108		TCO MIN TR #29 806399	W VA FIELD AREA B	12.0	COLUMBIA GAS TRAN
8352085		4709901311	108		TCO MIN TR #3 808974	W VA FIELD AREA B	0.4	COLUMBIA GAS TRAN
8352082		4709901304	108		TCO MIN TR #3 808975	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352094		4709901408	108		TCO MIN TR #3 809177	W VA FIELD AREA B	0.5	COLUMBIA GAS TRAN
8352087		4709901474	108		TCO MIN TR #3 809310	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352318		4704301121	108		TCO MIN TR #31 808109	W VA FIELD AREA B	7.0	COLUMBIA GAS TRAN
8352171		4704301239	108		TCO MIN TR #31 808416	W VA FIELD AREA B	20.0	COLUMBIA GAS TRAN
8352075		4704301290	108		TCO MIN TR #31 808554	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352106		4709901022	108		TCO MIN TR #4 808217	W VA FIELD AREA B	0.4	COLUMBIA GAS TRAN
8352114		4705900426	108		TCO MIN TR #4 808326	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352116		4705900791	108		TCO MIN TR #4 809468	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352179		4704301296	108		TCO MIN TR #6 - 802277	W VA FIELD AREA B	8.0	COLUMBIA GAS TRAN
8352151		4704301221	108		TCO MIN TR #7 808454	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352152		4704301220	108		TCO MIN TR #7 808455	W VA FIELD AREA B	4.0	COLUMBIA GAS TRAN
8352209		4704301219	108		TCO MIN TR #7 808457	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352213		4704301205	108		TCO MIN TR #7 808458	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352147		4704301208	108		TCO MIN TR #7 808459	WEST VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352146		4704301209	108		TCO MIN TR #7 808461	WEST VIRGINIA FIELD A	3.0	COLUMBIA GAS TRAN
8352224		4704301422	108		TCO MIN TR #7 809443	W VA FIELD AREA B	11.0	COLUMBIA GAS TRAN
8352098		4709901441	108		TCO MIN TR #8 809326	W VA FIELD AREA B	0.9	COLUMBIA GAS TRAN
8352125		4704500545	108		TCO MIN TR #808342	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352223		4704301431	108		TCO MIN TR #9 809460	W VA FIELD AREA B	16.0	COLUMBIA GAS TRAN
8352189		4704301181	108		TCO MIN TR NO 19 - 802199	W VA FIELD AREA B	15.0	COLUMBIA GAS TRAN
8352226		4704301255	108		TCO MINTR #1 808209	W VA FIELD AREA B	3.0	COLUMBIA GAS TRAN
8352126		4704500566	108		TCO MINTR #1 808339	W VA FIELD AREA B	19.0	COLUMBIA GAS TRAN
8352072		4704301229	108		TCO MINTR #1 808481	W VA FIELD AREA B	16.0	COLUMBIA GAS TRAN
8352162		4700500757	108		THOMAS J PRICE 805843	WEST VA FIELD AREA B	20.0	COLUMBIA GAS TRAN
8352035		4703902464	108		UNION CARBIDE CHEM CORP 809593	W VA FIELD AREA A	8.0	COLUMBIA GAS TRAN
8352312		4704300862	108		VERNIE PLUMLEY 806381	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
8352236		4704302056	108		VIOLA ADKINS 804417	W VA FIELD AREA B	1.0	COLUMBIA GAS TRAN
8352191		4704302030	108		W G HATFIELD 802072	W VA FIELD AREA B	6.0	COLUMBIA GAS TRAN
8352074		4704302083	108		WARD SPURLOCK-802172	W VA FIELD AREA B	9.0	COLUMBIA GAS TRAN
8352188		4704302084	108		WILBURN SPURLOCK - 802195	W VA FIELD AREA B	5.0	COLUMBIA GAS TRAN
-CONTINENTAL PETROLEUM CO			RECEIVED:	08/18/83	JA: WV			
8352413		4702103927	107-DV		KEITH #1-A	GLENVILLE NORTH	30.0	COLUMBIA GAS TRAN
8352417		4702103928	107-DV		KEITH #2-A	GLENVILLE NORTH	30.0	COLUMBIA GAS TRAN
8352416		4702103930	107-DV		KEITH #4-A	GLENVILLE NORTH	30.0	COLUMBIA GAS TRAN
8352418		4702103931	107-DV		KEITH #5-A	GLENVILLE NORTH	30.0	COLUMBIA GAS TRAN
-INLAND EXPLORATION INC			RECEIVED:	08/18/83	JA: WV			
8352405		4708505521	107-DV		REYNOLDS #1	GRANT	70.4	CONSOLIDATED GAS
8352404		4708505832	107-DV		REYNOLDS #2	GRANT	160.0	CONSOLIDATED GAS
-PETROLEUM DEVELOPMENT CORP			RECEIVED:	08/18/83	JA: WV			
8352412		4709100143	108		NUZUM-LEACH #1	PRUNTYTOWN	10.2	CONSOLIDATED GAS
-SPARTAN GAS COMPANY			RECEIVED:	08/18/83	JA: WV			
8352410		4709901791	107-DV		COLUMBIA GAS TRANS CORP 2-5-285	LINCOLN	6.0	COLUMBIA GAS TRAN
8352409		4709901766	107-DV		DREXALL SALMONS 3-5-286	LINCOLN	15.0	COLUMBIA GAS TRAN
8352401		4709901775	107-DV		THOMAS STROUD 6-5-289	LINCOLN	9.0	COLUMBIA GAS TRAN
8352414		4709901784	107-DV		WAYNE COUNTY LAND & MIN CO 1-5-284	LINCOLN	5.0	COLUMBIA GAS TRAN
8352415		4709901785	107-DV		WAYNE COUNTY LAND & MIN CO 10-5-293	LINCOLN	9.0	COLUMBIA GAS TRAN
*****								
** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, TULSA, OK								
*****								
-SHELL OIL CO			RECEIVED:	08/19/83	JA: OK			
8352397	OKA-00002-83	3512920091	108-ER		KIRBIE GOVERNMENT #2-26	BISHOP SOUTH	12.1	PANHANDLE EASTERN

[PR Doc. 83-25533 Filed 9-19-83; 8:45 am]

BILLING CODE 8717-01-C

[Volume 967]

**Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978**

Issued: September 13, 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.

NOTICE OF DETERMINATIONS

VOLUME 967

ISSUED SEPTEMBER 13, 1983

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
***** COLDRAO OIL & GAS COMMISSION *****								
-BIG FOUR PETROLEUM CO								
8352425	83-17	0509906201	102-2		KENDALL #2-32	BERRY PATCH	320.0	PEOPLES NATURAL G
-BURTON/HANKS INC								
8352422	82-1329	0506106537	102-4		STATE #1-16	WILDCAT	0.0	
-CABOT PETROLEUM CORP								
8352468	83-73	0512567990	107-TF		WEYERMAN #10-18	BONNY	54.0	NORTHWEST CENTRAL
8352469	83-74	0512506758	107-TF		WEYERMAN #16-13	BONNY	50.0	NORTHWEST CENTRAL
-CHANDLER & ASSOCIATES INC								
8352462	83-100	0508106521	103		MCWILLIAMS 4-31	CRAIG NORTH	638.0	MOUNTAIN FUEL SUP
8352463	83-101	0508106530	103		SCHIECK 11-31	CRAIG NORTH	456.0	MOUNTAIN FUEL SUP
-CITIES SERVICE COMPANY								
8352470	82-1321	0512109847	107-TF		MAGGARD "A" #1	WHITE EAGLE	30.0	NATURAL GAS PIPEL
8352471	82-1322	0512109849	107-TF		MAGGARD "A" #2	WHITE EAGLE	15.0	NATURAL GAS PIPEL
8352472	83-1320	0512109846	107-TF		MATHIES "A" #2	DENOVA	60.0	NATURAL GAS PIPEL
8352473	82-1319	0512109848	107-TF		SHYDER "A" #1	WILDCAT	30.0	NATURAL GAS PIPEL
-DAVIS DRILG INC								
8352517	82-992	0500900000	107-TF		GRIFFIN 1-17 #1	WALSH	0.0	GEDDYNE RESOURCES
-DOME PETROLEUM CORP								
8352426	82-1170	0507708381	102-2		DOME ALBERTSON 1-32	CAMEO	5621.0	NORTHWEST PIPELIN
8352475	83-69	0512310687	107-TF		FRANK #1-13	WATTENBERG	237.3	PANHANDLE EASTERN
8352474	83-70	0512310545	107-TF		MUIRHEAD #1-1	WATTENBERG	657.0	PANHANDLE EASTERN
-ENERGY MINERALS CORPORATION								
8352476	82-1324	0512310602	107-TF		ALVIN STATE #1	WATTENBERG	84.0	PANHANDLE EASTERN
8352477	82-1325	0512310528	107-TF		ASBURY #1	WATTENBERG	84.0	COLORADO INTERSTA
8352478	82-1326	0512310523	107-TF		NEWTON #1	WATTENBERG	84.0	COLORADO INTERSTA
-ENERGY OIL INC								
8352479	83-117	0512310723	107-TF		HANSCOME #11-1	WATTENBURG (CODELL)	100.0	PANHANDLE EASTERN
-J M HUBER CORPORATION								
8352480	83-81	0512506783	107-TF		BENEDICT #14-1	WILDCAT	20.0	KN ENERGY INC
8352481	83-82	0512506852	107-TF		EYESTONE #11-1	WILDCAT	20.0	KN ENERGY INC
8352482	83-196	0512506871	107-TF		HILLMAN #35-1	WILDCAT	20.0	KN ENERGY INC
8352483	83-83	0512506877	107-TF		NELSON #2-1	WILDCAT	20.0	KN ENERGY INC
8352484	83-195	0512568350	107-TF		PERLENFEIN #1-1	WHISPER	20.0	KN ENERGY INC
8352485	83-194	0512568530	107-TF		RICHARDSON #26-1	SHOUT	20.0	KN ENERGY INC
8352486	83-84	0512506775	107-TF		STONE #32-1	WILDCAT	20.0	KN ENERGY INC
-J-M OPERATING COMPANY								
8352487	83-79	0512506855	107-TF		M EDWARDS #1-31	BECCHER ISLAND	23.6	
8352427	83-121	0512506840	102-2		M MURRAIN #5-30	WAVERLY	142.0	KN ENERGY INC
8352428	83-170	0512506836	102-2		U S A #5-11	MILDRED	154.6	KN ENERGY INC
8352490	83-169	0512506836	107-TF		U S A #5-11	MILDRED	154.6	KN ENERGY INC
8352488	83-77	0512506793	107-TF		YUMA COUNTY OIL CO #4-3	OLD BALDY	10.6	KN ENERGY INC
8352429	83-78	0512506793	102-2		YUMA COUNTY OIL CO #4-3	OLD BALDY	10.6	KN ENERGY INC
8352489	83-75	0512506794	107-TF		YUMA COUNTY OIL COMPANY #5-3	OLD BALDY	72.6	KN ENERGY INC
8352430	83-76	0512506794	102-2		YUMA COUNTY OIL COMPANY #5-3	OLD BALDY	72.6	KN ENERGY INC
-JRC OIL								
8352497	82-1358	0512310686	107-TF		CALVIN #1	WILDCAT	152.0	PANHANDLE EASTERN

BILLING CODE 6717-01-M

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352441	82-1364	0512310686	103			CALVIN #1	WILDCAT	152.0	PANHANDLE EASTERN
8352442	83-13	0512310831	107-TF			CONNELL #1	WATTENBERG	149.0	PANHANDLE EASTERN
8352443	83-62	0512310831	103			CONNELL #1	WATTENBERG	149.0	PANHANDLE EASTERN
8352444	83-62	0512310829	107-TF			CONNELL #2	WATTENBERG	149.0	PANHANDLE EASTERN
8352445	83-60	0512310820	103			CONNELL #2	WATTENBERG	149.0	PANHANDLE EASTERN
8352504	83-24	0512310832	107-TF			CONNELL #3	WATTENBERG	151.0	PANHANDLE EASTERN
8352444	83-22	0512310832	103			CONNELL #3	WATTENBERG	151.0	PANHANDLE EASTERN
8352503	82-1369	0512310902	107-TF			DOMKE #1	WILDCAT	154.0	PANHANDLE EASTERN
8352445	82-1367	0512310902	103			DOMKE #1	WILDCAT	0.0	PANHANDLE EASTERN
8352509	83-21	0512310753	107-TF			DONES #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352446	83-19	0512310753	103			DONES #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352447	83-63	0512310836	103			ECKHARDT #1	WATTENBERG	148.0	PANHANDLE EASTERN
8352511	83-65	0512310836	107-TF			ECKHARDT #1	WATTENBERG	148.0	PANHANDLE EASTERN
8352500	83-38	0512310786	107-TF			ECKHARDT #2	WATTENBERG	149.0	PANHANDLE EASTERN
8352448	83-36	0512310786	103			ECKHARDT #2	WATTENBERG	149.0	PANHANDLE EASTERN
8352502	82-1371	0512310726	107-TF			GOLD #1	WILDCAT	152.0	PANHANDLE EASTERN
8352449	82-1366	0512310726	103			GOLD #1	WILDCAT	152.0	PANHANDLE EASTERN
8352508	82-1373	0512310737	107-TF			GOLD #2	WATTENBERG	152.0	PANHANDLE EASTERN
8352450	82-1365	0512310737	103			GOLD #2	WATTENBERG	152.0	PANHANDLE EASTERN
8352510	83-59	0512310933	107-TF			HERBST #1	WATTENBERG	152.0	PANHANDLE EASTERN
8352451	83-57	0512310933	103			HERBST #1	WATTENBERG	152.0	PANHANDLE EASTERN
8352452	83-66	0512310945	103			HERBST #2	WATTENBERG	151.0	PANHANDLE EASTERN
8352515	83-68	0512310945	107-TF			HERBST #2 (CONRAD #1)	WATTENBERG	150.0	PANHANDLE EASTERN
8352506	83-29	0512310837	107-TF			MEISSINGER #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352453	83-27	0512310837	103			MEISSINGER #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352498	83-16	0512310745	107-TF			MURPHY (WELD) #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352454	83-14	0512310745	103			MURPHY (WELD) #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352507	83-3	0512310679	107-TF			REINICK #1	WILDCAT	149.0	PANHANDLE EASTERN
8352455	83-1	0512310679	103			REINICK #1	WILDCAT	149.0	PANHANDLE EASTERN
8352501	83-35	0512310835	107-TF			REISTAD #1	WATTENBERG	147.0	PANHANDLE EASTERN
8352456	83-33	0512310835	103			REISTAD #1	WATTENBERG	147.0	PANHANDLE EASTERN
8352457	83-25	0512310819	103			SITZMAN #1	WATTENBERG	148.0	PANHANDLE EASTERN
8352516	8326	0512310819	107-TF			SITZMAN #1	WATTENBERG	148.0	PANHANDLE EASTERN
8352449	83-32	0512310834	107-TF			SITZMAN #2	WATTENBERG	148.0	PANHANDLE EASTERN
8352458	83-30	0512310834	103			SITZMAN #2	WATTENBERG	148.0	PANHANDLE EASTERN
8352509	83-10	0512310754	107-TF			WELCH #1	WILDCAT	148.0	PANHANDLE EASTERN
8352459	83-8	0512310754	103			WELCH #1	WILDCAT	148.0	PANHANDLE EASTERN
8352460	83-54	0512310833	103			WILMOTH #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352514	83-56	0512310833	107-TF			WILMOTH #1	WATTENBERG	150.0	PANHANDLE EASTERN
8352461	83-5	0512310762	103			WONENBERG #1	WATTENBERG	149.0	PANHANDLE EASTERN
8352512	83-7	0512310762	107-TF			WONENBERG #1	WATTENBERG	149.0	PANHANDLE EASTERN
-LUNDEVALL BROTHERS			RECEIVED:	08/18/83	JA: CO				
8352464	82-1362	0512310751	103			LUNDEVALL #3	WILDCAT	0.0	PANHANDLE EASTERN
8352491	82-1363	0512310751	107-TF			LUNDEVALL #3	WILDCAT	0.0	PANHANDLE EASTERN
8352492	82-1361	0512310761	107-TF			LUNDEVALL #4	WILDCAT	0.0	PANHANDLE EASTERN
8352465	82-1360	0512310761	103			LUNDEVALL #4	WILDCAT	0.0	PANHANDLE EASTERN
-MARLIN OIL CO			RECEIVED:	08/18/83	JA: CO				
8352431	82-1316	0509906133	102-2			CLARK #1-15	CLYDE	132.4	PEOPLES NATURAL G
8352432	82-1317	0509906125	102-2			CLYDE-STATE #1	CLYDE	706.6	PEOPLES NATURAL G
8352433	82-1315	0509906163	102-2			TOM & RAY #1	CLYDE	200.0	PEOPLES NATURAL G
-MGP OIL CORP			RECEIVED:	08/18/83	JA: CO				
8352423	83-41	0512307770	102-4			COLORADO STATE #14-16	BANNER LAKES	48.6	DAMSON OIL CORP
8352424	83-40	0512310247	102-4			LILLY #14-32	BASELINE	270.0	DAMSON OIL CORP
-ROMAC EXPLORATION CO INC			RECEIVED:	08/18/83	JA: CO				
8352434	83-18	0507508976	102-2			FINNIGSMIER #4-1	DAILEY	200.0	KN ENERGY INC
8352435	82-1359	0507508678	102-2			GODDARD #1	DAILEY	0.0	KN ENERGY INC
-STELBAR OIL CORP INC			RECEIVED:	08/18/83	JA: CO				
8352436	82-1338	0512109853	102-2			B MAGGARD #4-11	DENOVA	40.0	NATURAL GAS PIPEL
8352493	82-1337	0512109853	107-TF			B MAGGARD #4-11	DENOVA	40.0	NATURAL GAS PIPEL
8352494	82-1335	0512109852	107-TF			MATHIES #3-19	DENOVA	20.0	NATURAL GAS PIPEL
8352437	82-1336	0512109852	102-2			MATHIES #3-19	DENOVA	20.0	NATURAL GAS PIPEL
8352495	82-1333	0512109851	107-TF			PRICE #4-18	DENOVA	40.0	NATURAL GAS PIPEL
8352438	82-1334	0512109853	102-2			PRICE #4-18	DENOVA	40.0	NATURAL GAS PIPEL
-TENNECO OIL COMPANY			RECEIVED:	08/18/83	JA: CO				
8352439	82-1328	0504506427	102-2			DOUGLAS PASS UNIT YOUNG 32-3	DOUGLAS PASS	66.0	NORTHWEST PIPELIN
-TETON ENERGY CO INC			RECEIVED:	08/18/83	JA: CO				
8352440	82-1374	0507708422	102-2			DAVIS-DOLLEY 36-1	PLATEAU	266.8	NORTHWEST PIPELIN
-TUDEK PETROLEUMS INC			RECEIVED:	08/18/83	JA: CO				
8352466	83-46	0500108153	103			ELMS #12-4	SPINDLE	14.6	PANHANDLE EASTERN
-VESSELS OIL & GAS COMPANY			RECEIVED:	08/18/83	JA: CO				
8352467	83-102	0500107676	103			UPRR #3-12	BRITANNIA	22.0	VESSELS GAS PROCE
*****									
OHIO DEPARTMENT OF NATURAL RESOURCES									
*****									
-ALTHEIRS OIL INC			RECEIVED:	08/17/83	JA: OH				
8352561	3408924659	103				ROMINE #3	PERRY TOWNSHIP	4.5	NATIONAL GAS & OI
8352560	3400922104	107-TF				STATE OF OHIO - GIFFORD #1	BERN TOWNSHIP	6.0	COLUMBIA GAS TRAN
-APPALACHIAN EXPLORATION INC			RECEIVED:	08/17/83	JA: OH				
8352562	3412725011	D 107-TF				D MANES #2	THORN	54.8	
8352564	3415321075	107-TF				E BOUGHTON #1	COPLEY	36.5	YANKEE RESOURCES
8352563	3412725652	D 107-TF				M COOPERRIDER #1	THORN	1.8	
8352565	3415321395	107-TF				SHOLLEY UNIT #1	COPLEY	18.3	
-ATWOOD RESOURCES INC			RECEIVED:	08/17/83	JA: OH				
8352567	3403125114	103				107-TF HOLMES LIMESTONE #1	NEW BEDFORD	15.0	
8352566	3403125082	103				107-TF VICTOR CROFT #2	CLARK	15.0	
-BANDS COMPANY INC			RECEIVED:	08/17/83	JA: OH				
8352568	3407524013	103				MERWIN #3	RICHLAND	6.0	COLUMBIA GAS TRAN
8352569	3407524048	103				VARTSCO #2	HARDY	5.0	COLUMBIA GAS TRAN
-BARTLO OIL AND GAS COMPANY			RECEIVED:	08/17/83	JA: OH				
8352570	3410323341	103				107-TF E MIKAT #1	GRANGER	20.0	
8352571	3415321307	103				107-TF J SUMMERSVILLE #1	RICHFIELD	10.0	EAST OHIO GAS CO
8352572	3415321341	103				107-TF T MILLER #1	COPLEY	10.0	EAST OHIO GAS CO
8352573	3415321342	103				107-TF T MILLER #2	COPLEY	8.0	EAST OHIO GAS CO
-BELDEN & BLAKE & CO #1			RECEIVED:	08/17/83	JA: OH				
8352574	3416923468	103				107-TF J & L BILLMAN #2 - 341296	CHESTER	36.5	
8352575	3416923472	103				M & L FLINN #1 - 341290	CONGRESS	36.5	
-BELDEN & BLAKE OIL PRODUCTION			RECEIVED:	08/17/83	JA: OH				
8352579	3409921180	108				D & R MYERS #1 - 3028		3.0	
8352581	3409921224	108				D & R MYERS COMM #6 - 3034		3.0	
8352578	3409921152	108				J E MCELROY #1 - 3023		3.0	
8352580	3409921203	108				P MYERS COMM #3 - 3032		3.0	
8352576	3409921086	108				R MYERS #1 - 3018		3.0	
8352577	3409921095	108				R MYERS #2 - 3020		3.0	
-BERMAN J SHAFER			RECEIVED:	08/17/83	JA: OH				

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352582		3415321398		107	TF	LINK #2	COPLEY	7.5	EAST OHIO GAS CO
8352583		3415321399		107	TF	LINK #3	COPLEY	7.5	EAST OHIO GAS CO
-BRALCO ENERGY INC						RECEIVED: 08/17/83	JAI: OH		
8352584		3400721423		107	TF	A W HENDERSON # G P LANDWEHR #1	SHEFFIELD	0.0	EAST OHIO GAS CO
-C T DRILLING CORP						RECEIVED: 08/17/83	JAI: OH		
8352585		3416727419		107	DV	WEST ROCK OIL #1	LUDLOW	12.5	
-CENTRAL OIL FIELD SUPPLY CO						RECEIVED: 08/17/83	JAI: OH		
8352586		3412724891		103	107	TF IMLER-LEWIS #8	SALT LICK	4.0	COLUMBIA GAS TRAN
-CLARENCE K TUSSEL JR						RECEIVED: 08/17/83	JAI: OH		
8352587		3400722211		103	107	TF M MARUSEK #1	MONROE	30.0	
8352588		3400722213		103	107	TF T LEONARD #1	MONROE	28.0	
-CLINTON OIL CO						RECEIVED: 08/17/83	JAI: OH		
8352676		3405526419		107	TF	METRO MACHINE UNIT #1-810	AUBURN	10.0	
8352677		3411926705		107	TF	R PLETCHER #1-595	SALT LICK	10.0	
-COLLINS-MCGREGOR OPERATING COMPANY						RECEIVED: 08/17/83	JAI: OH		
8352589		3416727486		103		BROWN-COLLINS #1	GRANDVIEW	3.0	RIVER GAS CO
-CUYAHOGA EXPLORATION & DEVELOPMENT						RECEIVED: 08/17/83	JAI: OH		
8352591		3411122967		103		BLANEY REALTY #3	WASHINGTON	25.9	
-DAVID SHAFER OIL PRODUCERS INC						RECEIVED: 08/17/83	JAI: OH		
8352592		3415321340		107	TF	KORAN-SHULLE UNIT #2	BOSTON	7.5	EAST OHIO GAS CO
-DISCOVERY OIL LTD						RECEIVED: 08/17/83	JAI: OH		
8352593		3416923511		107	TF	MOSINSKI UNIT #1	DOYLESTOWN	20.0	
-DDE CREEK 2 LTD						RECEIVED: 08/17/83	JAI: OH		
8352594		3411521688		108		LOUIS HUCK #1		3.0	COLUMBIA GAS TRAN
-DONNELLY GAS & OIL CORP						RECEIVED: 08/17/83	JAI: OH		
8352595		3411925325		103	107	TF D FRENCH #1	BLUE ROCK	10.0	NATIONAL GAS & OI
8352596		3411925408		103	107	TF D FRENCH #2	BLUE ROCK	15.0	NATIONAL GAS & OI
-DORFMAN PRODUCTION CO						RECEIVED: 08/17/83	JAI: OH		
8352600		3409921585		103	107	TF BOYD #1	DAMASCUS	15.0	COLUMBIA GAS TRAN
8352599		3409920558		103	107	TF CONRAIL #2	DAMASCUS	15.0	COLUMBIA GAS TRAN
8352601		3409921586		103	107	TF HAWKINS UNIT A #2	DAMASCUS	15.0	COLUMBIA GAS TRAN
8352598		3409921557		103	107	TF STANLEY #3	DAMASCUS	12.6	COLUMBIA GAS TRAN
8352597		3409921500		103	107	TF WAGNER UNIT #4	DAMASCUS	12.0	COLUMBIA GAS TRAN
-EDWARD E ATHA						RECEIVED: 08/17/83	JAI: OH		
8352602		3400922621		107	TF	DAVID COEN #1	CARTHAGE TOWNSHIP	10.0	
-ENERGY DEVELOPMENT CORP						RECEIVED: 08/17/83	JAI: OH		
8352603		3405520214		107	TF	BYLER WELL #9	HUNTSBURG	18.0	COLUMBIA GAS TRAN
8352604		3405520214	D	103		BYLER WELL #9	HUNTSBURG	18.0	COLUMBIA GAS TRAN
8352603B		3405520192		107	TF	CRAIG WELL #1	MIDDLEFIELD	18.0	COLUMBIA GAS TRAN
8352603A		3405520192	D	103		CRAIG WELL #1	MIDDLEFIELD	18.0	COLUMBIA GAS TRAN
8352605B		3405520253		107	TF	MYERS #1-A	TROY	16.0	COLUMBIA GAS TRAN
8352605A		3405520253	D	103		MYERS #1-A	TROY	16.0	COLUMBIA GAS TRAN
-EVERFLOW EASTERN INC						RECEIVED: 08/17/83	JAI: OH		
8352606B		3415123866	D	107	TF	JOILET UNIT #1	OSNABURO	0.0	
8352606A		3415123866		103		JOILET UNIT #1	OSNABURO	0.0	
8352607B		3415723771	D	107	TF	THOMAS #7	SANDY	0.0	
8352607A		3415723771		103		THOMAS #7	SANDY	0.0	
-GENERAL ELECTRIC CO						RECEIVED: 08/17/83	JAI: OH		
8352608		3413323030		103	107	TF HUNT #1	RAVENNA	20.0	EAST OHIO GAS CO
8352609		3413323061		103	107	TF RAVENNA BOARD OF EDUCATION #2	RAVENNA	20.0	EAST OHIO GAS CO
-GIANT PETROLEUM CORPORATION						RECEIVED: 08/17/83	JAI: OH		
8352610		3400721640		107	TF	BENTON #1	ORWELL	20.0	
8352611		3400721661		107	TF	BENTON #2	ASHTABULA	20.0	
8352621		3400721730		107	TF	GRIFFEN #5	ORWELL	20.0	
8352620		3400721737		107	TF	GRIFFEN #6	ORWELL	20.0	
8352610		3400721294		107	TF	KOSENKO WELL #1	NEW LYME	20.0	EAST OHIO GAS CO
8352622		3400722007		107	TF	KOSENKO WELL #2	NEW LYME	20.0	EAST OHIO GAS CO
8352613		3400721656		107	TF	MOORE #1	ROME	20.0	PGI ENERGY INC
8352614		3400721657		107	TF	MOORE #2	ROME	20.0	PGI ENERGY INC
8352619		3400721665		107	TF	WATERS #1	ORWELL	20.0	
8352615		3400721658		107	TF	ZEVCHIK #1	COLEBROOK	20.0	
8352616		3400721659		107	TF	ZEVCHIK #2	COLEBROOK	20.0	
8352611		3400721608		107	TF	ZINGALE-HODGE #1	ORWELL	20.0	
8352612		3400721609		107	TF	ZINGALE-HODGE #2	ORWELL	20.0	
-HATFIELD JOHN J						RECEIVED: 08/17/83	JAI: OH		
8352627		3410323569		103		OTT #1	BAUGHMAN	11.0	
-HOPEWELL OIL AND GAS DEVELOPMENT CO						RECEIVED: 08/17/83	JAI: OH		
8352623		3412725077		107	TF	HILLIS/PEABODY/LEWIS #1	PIKE	12.0	
-I R D CORP						RECEIVED: 08/17/83	JAI: OH		
8352624		3407523205		103	107	TF FEIKERT #1	SALT CREEK	32.0	
-J P WHITE						RECEIVED: 08/17/83	JAI: OH		
8352625		3400722131		107	TF	NEWCOMB #1		50.0	OHIO GAS
-JOHN C MASON						RECEIVED: 08/17/83	JAI: OH		
8352626		3403123591		108		ELVIN R & WALTER BRILLHART 1A		15.0	COLUMBIA GAS TRAN
-KENDIL						RECEIVED: 08/17/83	JAI: OH		
8352628		3416923534		107	TF	KENNETH R MILLER UNIT #1	WOOSTER	1.0	
-LAKE REGION OIL INC						RECEIVED: 08/17/83	JAI: OH		
8352629		3407524050		103	107	TF MELVIN BARKMAN #1	CLARK	10.0	COLUMBIA GAS TRAN
-LEADER EQUITIES INC						RECEIVED: 08/17/83	JAI: OH		
8352630B 107 D		3407322847	D	107	TF	DICKEN #1	WASHINGTON	12.0	
8352630A 107 D		3407322847		103		DICKEN #1	WASHINGTON	12.0	
8352631		3411926684		103	107	TF LAUTZENHEISER #1	SALEM	12.0	
-LEONARD C COMAN						RECEIVED: 08/17/83	JAI: OH		
8352590		3400721533		103	107	TF C & J RHOADES #1	CONNEAUT	24.0	EAST OHIO GAS CO
-LESLIE OIL & GAS CO INC						RECEIVED: 08/17/83	JAI: OH		
8352632		3410322483		108		HANZE #7		20.0	COLUMBIA GAS TRAN
8352633		3415521403		107	TF	PETERSHEIM #2	MESOPOTAMIA	20.0	YANKEE RESOURCES
8352635		3415722917		108		QUILLON WELL #1		20.0	EAST OHIO GAS CO
8352634		3415522328		107	TF	ST JOHN UNIT #2	BRISTOL	20.0	YANKEE RESOURCES
-LIBERTY OIL&GAS CORP						RECEIVED: 08/17/83	JAI: OH		
8352636		3400922782		103		C W DALEY JR #1	TROY	19.0	COLUMBIA GAS TRAN
-LOMAK PETROLEUM INC						RECEIVED: 08/17/83	JAI: OH		
8352637		3405524010		107	TF	A DALE #1	CLARIDON	30.0	EAST OHIO GAS CO
-MAJ						RECEIVED: 08/17/83	JAI: OH		
8352639		3414520289		107	DV	WALTER & BETTY FOSTER #2	MADISON	0.7	
8352638		3414520275		107	DV	WILLARD & VIVIAN COLLEY #1	MADISON	0.5	
-MITCHELL ENERGY CORPORATION						RECEIVED: 08/17/83	JAI: OH		
8352640		3405328280		103	107	TF T SHEPARD UNIT #1 828	NORTH ARABIA	27.4	
-NEIL R. WYNN						RECEIVED: 08/17/83	JAI: OH		
8352644		3416727453		103		PERRY #2	BARLOW	2.0	RIVER GAS CO
-NORTH EAST NATURAL GAS CO INC						RECEIVED: 08/17/83	JAI: OH		
8352649		3415722312		108		CANFIELD-MUNTZ #2		1.0	M B OPERATING CO
8352645		3401920563		108		M W C D #A-1		1.0	M B OPERATING CO
8352646		3401920666		108		MAYDOCK-WOJCIK #2		0.7	M B OPERATING CO

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352648		3415721524	108		SEAR #B-1		0.3	M B OPERATING CO
8352647		3415721523	108		WM BELKNAP #B-1		1.6	M B OPERATING CO
-OXFORD OIL CO					RECEIVED: 08/17/83	JAI: OH		
8352678		3407524001	103		EMANUEL SCHROCK #1	MADISON	10.0	
8352679		3412725903	107-TF		JACOB KOSS #1	MADISON	10.0	
8352680		3415721285	108		U S CONCRETE #1		12.0	VESCOPE INDUSTRIE
8352681		3415721286	108		U S CONCRETE #2		12.0	VESCOPE INDUSTRIE
8352684		3415722364	108		U S CONCRETE #3		12.0	VESCOPE INDUSTRIE
8352683		3415722363	108		U S CONCRETE #4		12.0	VESCOPE INDUSTRIE
8352682		3415722362	108		U S CONCRETE #5		12.0	VESCOPE INDUSTRIE
-POI ENERGY INC					RECEIVED: 08/17/83	JAI: OH		
8352654		3421332888	105		107-TF CITY OF AURORA #C0-3	AURORA	48.0	
8352655		3413322889	105		107-TF CITY OF AURORA #C0-4	AURORA	45.0	
8352652		3405520512	105		107-TF HENRY #4	BAINBRIDGE	45.0	
8352653		3400722124	103		107-TF HILL #1	ANDOVER	38.0	
8352651		3405520497	103		107-TF KRAMER-PIOTROWSKI #1	BAINBRIDGE	37.5	
8352650		3405520484	103		107-TF SALMEN #2	BAINBRIDGE	40.0	
-POMINEX INC					RECEIVED: 08/17/83	JAI: OH		
8352657		3409921521	103		107-TF GEORGE #1	CANFIELD	18.0	
8352656		3409921357	103		107-TF JACOBS UNIT #1	BEAVER	18.0	
8352658		3409921591	103		107-TF PANNOZZO #1	BOARDMAN	18.0	
-POMSTONE CORP					RECEIVED: 08/17/83	JAI: OH		
8352659		3403124358	108		VEIGEL #1		4.0	
-REDMAN OIL CO INC					RECEIVED: 08/17/83	JAI: OH		
8352664		3411521407	D 103		CLARENCE R HESS #1	BRISTOL	6.0	COSHOCTON PIPE CO
8352661		3411521382	D 103		DEE DEE DUNKLE #1	BRISTOL	3.0	COSHOCTON PIPE CO
8352665		3411521396	D 103		DWIGHT HALL #2	BRISTOL	34.0	COSHOCTON PIPE CO
8352668		3411521517	D 103		JOHN PALMER #2	BRISTOL	24.0	COSHOCTON PIPE CO
8352663		3411521392	D 103		LEONA REX #1	BRISTOL	26.0	COSHOCTON PIPE CO
8352662		3411521390	D 103		LEONA REX #2	BRISTOL	25.0	COSHOCTON PIPE CO
8352664		3411521395	D 103		LUCILLE RICHEY #1	BRISTOL	30.0	COSHOCTON PIPE CO
8352667		3411521442	D 103		MABEL WILSON #2	BRISTOL	36.0	COSHOCTON PIPE CO
8352660		3411521344	D 103		WILLIS GARRETT #1	BRISTOL	34.0	COSHOCTON PIPE CO
-RPJ ENERGY FUND MANAGEMENT INC					RECEIVED: 08/17/83	JAI: OH		
8352669		3411926691	107-TF		BEATTY #1	BLUE ROCK	18.0	
-SANDHILL ENERGY INC (OH)					RECEIVED: 08/17/83	JAI: OH		
8352671		3416726838	103		107-TF LOGAN #1	LIBERTY	35.5	
8352672		3416774750	103		107-TF MILLER-MOORE #1	LIBERTY	14.6	
8352670		3416725279	103		SHIMP #2	FEARING	35.5	
-STRATA CORP					RECEIVED: 08/17/83	JAI: OH		
8352673		3400922745	107-TF		RODEHAVER #1	ROME	10.0	
-SWINGLE DRILLING INC					RECEIVED: 08/17/83	JAI: OH		
8352674		3400922453	103		SUNDAY CREEK COAL CO #4	TRIMBLE	1.0	
-THE BENATTY CORPORATION					RECEIVED: 08/17/83	JAI: OH		
8352675		3411523155	103		107-TF REX-NICHOLS #3	MANCHESTER	25.0	CLINTON AMERICAN
-THE MUTUAL OIL & GAS COMPANY					RECEIVED: 08/17/83	JAI: OH		
8352641		3411122611	107-DV		ROSSI #4M	SENECA	12.0	COLUMBIA GAS TRAN
8352642		3411122612	107-DV		ROSSI #5M	SENECA	10.0	COLUMBIA GAS TRAN
8352643		3411122902	107-DV		RUBEL/WYATT #1M	SUMMIT	24.0	NATIONAL PETROLEU
-TITAN ENERGY CORP					RECEIVED: 08/17/83	JAI: OH		
8352686		3411523102	103		107-TF HOOPER-LINSCOTT #4	MEIGSVILLE	20.0	COLUMBIA GAS TRAN
8352687		3411523104	103		107-TF HOOPER-LINSCOTT #5	MEIGSVILLE	0.0	COLUMBIA GAS TRAN
8352688		3415521725	103		107-TF LUCHETTE UNIT #1	SPOCKFIELD	20.0	COLUMBIA GAS TRAN
8352685		3411522534	103		107-TF MOORE-SHEETS UNIT #1	MEIGSVILLE	20.0	COLUMBIA GAS TRAN
8352689		3415522300	103		107-TF NEMETH UNIT #1	HARTFORD	20.0	COLUMBIA GAS TRAN
-TRANS UNION GAS CORP					RECEIVED: 08/17/83	JAI: OH		
8352690		3411122971	107-DV		BENNETT #2	MALAGA	72.0	SUPERIOR PETROLEU
-VIKING RESOURCES CORP					RECEIVED: 08/17/83	JAI: OH		
8352703		3416725118	108		ALLMAN #5	2.0	ASHLAND CHEMICAL	
8352707		3416726889	108		CECIL WIDLIN #1	3.0	ASHLAND CHEMICAL	
8352693		3408520441	103		107-TF CHRISTIAN/SPRING UNIT #1	PERRY	30.0	
8352704		3417626053	108		COUNTS #1	2.0	ASHLAND CHEMICAL	
8352702		3416725162	108		DENZIL SARGENT #5	1.0	ASHLAND CHEMICAL	
8352711		3416726707	108		DENZIL SARGENT #6	2.0	ASHLAND CHEMICAL	
8352708		3416726694	108		EDWARD MAZE #1	4.0	ASHLAND CHEMICAL	
8352705		3416726055	108		FORBES HIEHLE #1	2.0	ASHLAND CHEMICAL	
8352710		3416726697	108		FORBES HIEHLE #2	5.0	ASHLAND CHEMICAL	
8352709		3416726695	108		JAMES SNIDER #1	3.0	ASHLAND CHEMICAL	
8352706		3416726056	108		LESSE MAZE #1	3.0	ASHLAND CHEMICAL	
8352691		3408520359	103		107-TF LOSELY #5	PERRY	30.0	
8352694		3416724482	108		MARTIN #1	3.0	ASHLAND CHEMICAL	
8352695		3416724483	108		MARTIN #2	3.0	ASHLAND CHEMICAL	
8352696		3416724484	108		MARTIN #3	3.0	ASHLAND CHEMICAL	
8352692		3408520442	103		107-TF PADULA-KANE UNIT #2	PERRY	30.0	
8352698		3416724619	108		SARGENT #1	2.0	ASHLAND CHEMICAL	
8352697		3416724618	108		SARGENT #2	2.0	ASHLAND CHEMICAL	
8352700		3416724850	108		WINGROVE #1	2.0	ASHLAND CHEMICAL	
8352701		3416724851	108		WINGROVE #2	2.0	ASHLAND CHEMICAL	
8352699		3416724849	108		WINGROVE #3	2.0	ASHLAND CHEMICAL	
-W E SHRIDER CO					RECEIVED: 08/17/83	JAI: OH		
8352712		3412725894	103		V ANGLE #2	MONDAY CREEK	3.0	PARAMOUNT TRANSMI
-WHITACRE ENTERPRISES					RECEIVED: 08/17/83	JAI: OH		
8352715		3411121970	107-DV		CHARLES ZWICK #2	BETHEL	9.0	COLUMBIA GAS TRAN
8352714		3411121965	107-DV		CHARLES ZWICK #3	BETHEL	10.0	COLUMBIA GAS TRAN
8352713		3411121668	107-DV		P MEDDLE #2	WASHINGTON	9.0	COLUMBIA GAS TRAN
-WILLIAM N TIPKA					RECEIVED: 08/17/83	JAI: OH		
8352716		3412724707	108		CARL CAMPBELL #2		3.0	FORAKER GAS CO
8352717		3412725122	108		CARL CAMPBELL #3		6.0	FORAKER GAS CO
*****								
TEXAS RAILROAD COMMISSION								
*****								
-AMOCO PRODUCTION CO					RECEIVED: 08/19/83	JAI: TX		
8352864	F-8A-070434	4221933772	103		ELWOOD "A" #147	SMYER	1.0	AMOCO PRODUCTION
8352865	F-8B-070438	4213533990	103		W F COUDEN "A" #14	COUDEN N (STRAWN)	0.2	AMOCO PRODUCTION
-ARCO OIL AND GAS COMPANY					RECEIVED: 08/19/83	JAI: TX		
8352862	F-10-070420	4229530887	108		SORENSEN #2	KIOUA CREEK N (MORROW)	7.3	TRANSWESTERN PIPE
8352863	F-10-070421	4229530908	108		SORENSEN #3	KIOUA CREEK N (MORROW)	7.3	TRANSWESTERN PIPE
-ASTIN CORP					RECEIVED: 08/19/83	JAI: TX		
8352826	F-78-068020	4208331604	102-4		HEMPHILL #3	HEMPHILL (KING SAND)	960.0	EL PASO HYDROCARB
-AUSANKA OIL OPERATIONS					RECEIVED: 08/19/83	JAI: TX		
8352827	F-99-070571	4223733645	102-4		R H PETERSON "B" #3	SHANNON (CAADD)	3.5	TEXAS UTILITIES F
-BALLARD EXPLORATION CO INC					RECEIVED: 08/19/83	JAI: TX		
8352855	F-03-070235	4224130376	103		ARCO FEE #2	EAST CHAMPION	18.0	TENNECO POLYMERS
8352875	F-03-070635	4215731414	102-4		TEXAS DEPT OF CORRECTIONS # "A"2	JESTER (MURPHY-BULS 8	365.0	HOUSTON PIPE LINE

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-	BASS ENTERPRISES PRODUCTION CO		RECEIVED:	08/19/83	JA: TX			
8352883	F-08-070837	4210931669	103		GEORGE FRASER "5" #3	GERALDINE (DELAWARE 3	11.0	TEXACO INC
-	BERT FIELDS JR		RECEIVED:	08/19/83	JA: TX			
8352866	F-06-070680	4220300000	103	107-TF	ZACK ABNEY	WASKOM (COTTON VALLEY	0.0	TEJAS GAS CORP
-	BRACKEN EXPLORATION CO		RECEIVED:	08/19/83	JA: TX			
8352750	F-10-054112	4221131473	102-2		AITKENHEAD #2-20	ALLISON PARKS	3650.0	EL PASO NATURAL G
-	C & K PETROLEUM INC		RECEIVED:	08/19/83	JA: TX			
8352625	F-04-067987	4224731519	102-3		MESTENA H-11	MESTENA GRANDE (QUEEN	0.0	AMERICAN PIPELINE
8352785	F-08-064602	4232900000	102-4	103	PENROSE-OLDHAM #2	MID-MAR EAST FUSSELM	0.0	PHILLIPS PETROLEU
-	C F LAURENCE & ASSOC INC		RECEIVED:	08/19/83	JA: TX			
8352833	F-7C-068846	4210500000	103		HALF 62-82	HAFLAM (QUEEN)	12.8	APACHE GAS CORP
-	CADOT CORPORATION		RECEIVED:	08/19/83	JA: TX			
8352975	F-10-071629	4223331360	103		WM YAKE "CM" #11	PANHANDLE HUTCHINSON	9.8	PANHANDLE EASTERN
8352977	F-10-071428	4223331359	103		WM YAKE "CM" #12	PANHANDLE HUTCHINSON	9.0	PANHANDLE EASTERN
-	CALDWELL PRODUCTION CO INC		RECEIVED:	08/19/83	JA: TX			
8352847	F-10-069649	4206531280	103		WESTERN #1	PANHANDLE CARSON	40.0	GETTY OIL CO
-	COASTAL OIL & GAS CORP		RECEIVED:	08/19/83	JA: TX			
8352958	F-8A-071351	4216532519	103		50 HARRIS UNIT 10-6	HARRIS (GLORIETA)	15.0	PHILLIPS PETROLEU
8352951	F-8A-071353	4216532514	103		50 HARRIS UNIT 10-7	HARRIS (GLORIETA)	3.0	PHILLIPS PETROLEU
8352950	F-8A-071352	4216532517	103		50 HARRIS UNIT 7-5	HARRIS (GLORIETA)	15.0	PHILLIPS PETROLEU
8352959	F-8A-071352	4216532516	103		50 HARRIS UNIT 7-7	HARRIS (GLORIETA)	8.0	PHILLIPS PETROLEU
-	CONOCO INC		RECEIVED:	08/19/83	JA: TX			
8352790	F-04-064734	4247933456	102-2	107-TF	P M FROST #1	RAGTIME (LOBO - WAKE	511.0	
8352790	F-04-064734	4247933456	103		P M FROST #1	RAGTIME (LOBO - WAKE	511.0	
-	CORPUS CHRISTI OIL AND GAS CO		RECEIVED:	08/19/83	JA: TX			
8352858	F-04-070312	4260330218	102-4		STATE TRACT 829-5 WELL #2-L	CLEAR (MIOCENE 6450')	0.0	CHANNEL INDUSTRIE
8352859	F-04-070313	4260330218	102-4		STATE TRACT 829-5 WELL #2-U	CLEAR (MIOCENE 6200')	0.0	CHANNEL INDUSTRIE
8352857	F-04-070311	4260330216	102-4		STATE TRACT 830-5 WELL #3	CLEAR (MIOCENE 6200')	0.0	CHANNEL INDUSTRIE
-	COURSON OIL & GAS INC		RECEIVED:	08/19/83	JA: TX			
8352832	F-10-068791	4235700000	103		ELDON 1-747 T	DUDE WILSON (MORROW U	75.0	TRANSWESTERN PIPE
-	DELAWARE VISA ENERGY CORP		RECEIVED:	08/19/83	JA: TX			
8352869	F-09-070517	4207731955	103		ELSIE SANZENBACHER #2	LUTZ (CADD0)	1.0	FAGADAU ENERGY CO
8352870	F-09-070518	4207731493	103		GILBOW #1	LUTZ (CADD0)	1.2	FAGADAU ENERGY CO
8352868	F-09-070516	4207731750	103		J T LYLES #1	LUTZ (CADD0)	12.1	FAGADAU ENERGY CO
-	DELTA OIL & GAS CO		RECEIVED:	08/19/83	JA: TX			
8352992	F-7B-071519	4242900000	103		LINK RANCH "M" RRC #19572	JACKSON (STRAWN)	0.0	LONE STAR GAS CO
-	DIAMOND SHAMROCK CORPORATION		RECEIVED:	08/19/83	JA: TX			
8352804	F-8A-066298	4221932740	102-4		B C HAMILTON #1	HAMILTON	0.1	
8352805	F-8A-066299	4221932843	102-4		EULA MCCORKLE ESTATE #1-24	HAMILTON	1.0	
8352824	F-10-067964	4221131572	103		FRANK SHALLER "M" #3	CANADIAN SE	0.0	NORTHERN NATURAL
8352800	F-10-066046	4229531012	102-4		GEORGE E TRAVIS "M" #1	STUART RANCH	34.0	
8352806	F-8A-066300	4221932839	102-4		MCCORKLE EST #2-25	HAMILTON	0.0	
8352810	F-10-066607	4235730873	103		MORRISON SCOTT CONRAD "M" #1	PARSELL	0.0	
-	DHC OIL & GAS PRODUCERS		RECEIVED:	08/19/83	JA: TX			
8352819	F-09-067518	4249700000	102-4		HOLDER #1	GIRARD STRAWN	2.5	TEXAS UTILITIES F
8352820	F-09-067519	4249700000	102-4		R V HOPKINS #1	GIRARD STRAWN	2.5	TEXAS UTILITIES F
-	DONALD C SLAWSON		RECEIVED:	08/19/83	JA: TX			
8352811	F-10-066822	4221131508	103		CAMPBELL #1-42	CANADIAN SE/CANADIAN	450.0	WESTAR TRANSMISSI
8352807	F-10-066327	4221131508	103		CAMPBELL #1-42	CANADIAN SE/CANADIAN	450.0	WESTAR TRANSMISSI
-	EL PASO EXPLORATION CO		RECEIVED:	08/19/83	JA: TX			
8352986	F-7C-071489	4238300000	103		JALONICK #1	SPRABERRY TREND AREA	9.0	EL PASO NATURAL G
-	EL PASO NATURAL GAS COMPANY		RECEIVED:	08/19/83	JA: TX			
8352746	F-10-049577	4221130262	103-PB		CAMPBELL #1	S E MENDOTA UPPER MOR	0.0	EL PASO NATURAL G
8352737	F-10-047501	4217923702	103-PB		DARSEY #2	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352791	F-7C-064953	4243519197	103-PB		DAVIS B #1	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352732	F-7C-038781	4243519207	103-PB		DEBERRY A #2	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352719	F-7C-003274	4243519209	103-PB		DEBERRY A #4	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352782	F-7C-062723	4243530702	103-PB		DEBERRY A #5	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352760	F-7C-059278	4243519203	103-PB		DEBERRY-BOYETT UNIT #1	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352729	F-7C-033032	4243530555	103-PB		DEBERRY-BOYETT UNIT #2	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352752	F-10-054499	4217923711	103-PB		HANNER X #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8352751	F-10-054313	4217923712	103-PB		HERRINGTON #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8352721		4217923731	103-PB		KROUCH #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8352764	F-10-060462	4208726128	103		LAYCOCK #10	PANHANDLE EAST	29.1	EL PASO NATURAL G
8352762	F-10-060458	4208726158	103		MAGNOLIA #1	PANHANDLE EAST-BROWN	27.8	EL PASO NATURAL G
8352759	F-10-059277	4248326161	103-PB		MAGNOLIA A #3	PANHANDLE EAST	0.0	EL PASO NATURAL G
8352736	F-7C-045746	4243519213	103-PB		MARTIN #1	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352726	F-10-029850	4208726179	103-PB		MCDOWELL #5	PANHANDLE EAST	0.0	EL PASO NATURAL G
8352763	F-10-060460	4208726180	103-PB		MCDOWELL #6	PANHANDLE EAST	0.0	EL PASO NATURAL G
8352757	F-10-059015	4243532057	103-PB		MECKEL #12	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352730	F-7C-033181	4243519221	103-PB		MECKEL #5	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352735	F-7C-042712	4243530316	103-PB		MECKEL #7	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352749	F-10-052824	4221131217	103-PB		MEEK #1	BUFFALO WALLOW GRANIT	0.0	EL PASO NATURAL G
8352754	F-10-056119	4248326248	103-PB		RAU #1	PANHANDLE EAST	0.0	EL PASO NATURAL G
8352731	F-10-037519	4217923744	103-PB		REEVES #1	PANHANDLE WEST	0.0	EL PASO NATURAL G
8352725	F-7C-025897	4243532188	103-PB		SHURLEY #13	SANYER CANYON	0.0	EL PASO NATURAL G
8352745	F-7C-049574	4243500000	103-PB		STIMONS #1	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352720	F-7C-009196	4243530557	103-PB		THOMPSON C #4	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352727	F-7C-030872	4243519227	103-PB		THOMPSON C2 #1	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
-	EXXCEL PRODUCTION CO		RECEIVED:	08/19/83	JA: TX			
8352893	F-10-071233	4217931256	103		FELIX #11 (DOR 05118)	PANHANDLE GRAY	60.0	CABOT PIPELINE CO
-	EXXON CO USA		RECEIVED:	08/19/83	JA: TX			
8352733	F-08-040326	4232900000	103-PB		MARY E TURNER D #3	AZALEA DEVONIAN	0.0	
-	EXXON CORPORATION		RECEIVED:	08/19/83	JA: TX			
8352943	F-01-071318	4231100000	103		J C DILWORTH 15 (087193)	DILWORTH (EDWARDS LIM	19.0	TRANSCONTINENTAL
8352802	F-10-066171	4217900000	103		J M PALMER #5	PAIPA	11.0	PHILLIPS PETROLEU
8352910	F-04-071257	4227331388	102-4		KING RANCH CANELO 40-D (10245)	CANEO (E-83)	3.0	ARMCO STEEL CORP
8352944	F-04-071319	4204700000	103		MCGILL BROS 455 (084889)	KELSEY DEEP (21-I 5)	13.0	TRUNKLINE GAS CO
8352946	F-04-071321	4204700000	103		MRS A M K BASS 32-D (070973)	KELSEY DEEP (21-R E)	3.0	TRUNKLINE GAS CO
8352909	F-04-071256	4204731205	102-4		R J KLEBERG JR QUITERIA 103(105683)	VIBORAS (8500 SOUTH)	913.0	ARMCO STEEL CORP
8352911	F-04-071258	4204730760	102-4		R J KLEBERG JR QUITERIA 96(105682)	VIBORAS (8500 SOUTH)	912.0	ARMCO STEEL CORP
8352945	F-04-071320	4204700000	103		SCOTT & HOPPER 21 (068258)	SCOTT & HOPPER (7000-	7.0	TENNESSEE GAS PIP
-	FIRST MATAGORDA CORP		RECEIVED:	08/19/83	JA: TX			
8352961	F-03-071371	4233930550	102-4		PECKINPAUGH ESTATE #1	SPRING WORTH	600.0	HOUSTON PIPELINE
-	FIRST TRIAD CORP		RECEIVED:	08/19/83	JA: TX			
8352803	F-7B-066285	4236732426	102-4		WOODRUFF #6	DENNIS WEST (STRAWN)	43.0	INTRASTATE GATHER
-	FOUR WAY JOINT VENTURE		RECEIVED:	08/19/83	JA: TX			
8352848	F-7B-069694	4225332536	102-4		BERTHA GERGOY EST #5	FOUR WAY (FLIPPEN LIM	9.0	TEXAS UTILITIES F
-	FRAC INC		RECEIVED:	08/19/83	JA: TX			
8352941	F-08-071316	4200333377	103		UNIVERSITY "18" #2 #27312	GOLDSMITH W (SAN ANDR	5.5	PHILLIPS PETROLEU
8352940	F-08-071315	4200333407	103		UNIVERSITY "20" #1 #28124	FUHRMAN-MASCHO	1.4	TRANSWESTERN PIPE
8352942	F-08-071317	4200333131	103		UNIVERSITY "7" #2 #27234	FUHRMAN-MASCHO	10.9	PHILLIPS PETROLEU
-	GATHINGS OIL INC		RECEIVED:	08/19/83	JA: TX			
8352845	F-04-069485	4213136177	102-4		GATHINGS OIL INC #12-T R G DELUNA	DELUNA (YEGUA 5160')	225.0	UNITED TEXAS TRAN

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-GENERAL	PRODUCTION CO	INC	RECEIVED:	08/19/83	JA: TX			
8352983	F-03-071467	4228730786	102-2		KENNY LEHMANN #1	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
8352984	F-03-071468	4228730881	102-2		LLOYD STEGRUND UNIT 1	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
8352982	F-03-071466	4228730785	102-2		T K GANIT UNIT 1 #13672	GIDDINGS (AUSTIN CHAL	0.0	CLAJON GAS CO
-GULF OIL	CORPORATION		RECEIVED:	08/19/83	JA: TX			
8352932	F-09-071291	4223735063	103		I G YATES #23	BOONSVILLE (CADDON CON	9.6	NATURAL GAS PIPE
8352931	F-09-071290	4249732545	103		I G YATES #26	BOONSVILLE (CADDON CON	34.7	NATURAL GAS PIPE
8352836	F-09-069261	4249732534	103		L O FANCHER #5	BOONSVILLE (CADDON CON	36.0	NATURAL GAS PIPE
8352933	F-08-071292	4210333110	103		MCELROY RANCH CO "G" #20	MCELROY RANCH (WOLFCA	66.0	VALERO TRANSMISSI
8352914	F-08-071266	4258931392	102-4	103	TXL "BM" (NCT-B) #10	JESS BURNER (DELAHARE	66.0	COMOCO INC
8352934	F-08-071294	4258931390	102-4	103	TXL "BM" (NCT-B) #11	JESS BURNER (DELAHARE	88.0	COMOCO INC
8352798	F-10-065270	4221130916	108-PB		W CAMPBELL #3-56	RED DEER CREEK	0.0	TRANSWESTERN PIPE
-HARRISON	INTERESTS LTD		RECEIVED:	08/19/83	JA: TX			
8352835	F-7C-070900	4210532357	107-TF		UNIVERSITY LAND 3-32 #13	HOWARDS CREEK (PENN)	67.0	INTRATEX GAS CO
8352884	F-7C-070895	4210532363	107-TF		UNIVERSITY LAND 4-32 #14	HOWARDS CREEK (PENN)	59.0	INTRATEX GAS CO
-HENDON	EXPLORATION INC		RECEIVED:	08/19/83	JA: TX			
8352882	F-08-070789	4217331403	102-4		POWELL "32A" #1	POWELL (8300)	340.0	PHILLIPS PETROLEU
-HILL	PRODUCTION CO-WISCONSIN		RECEIVED:	08/19/83	JA: TX			
8352758	F-06-059205	4240131515	102-4	103	KINNEY-LINDSTROM #1	JAY PETTIT	73.0	UNITED GAS PIPE L
-MLM	PETROLEUM CORP		RECEIVED:	08/19/83	JA: TX			
8352846	F-06-069630	4236500000	102-4		L WERNER SAMMILL CO ST REGIS #1	BETHANY SW	285.0	TEXAS GAS TRANSMI
-HORN	J R		RECEIVED:	08/19/83	JA: TX			
8352835	F-09-069241	4223734697	102-4		GRAHAM #5	GRAHAM (CHAPPEL)	600.0	FAST-GAS INC
-HRUBETZ	OIL CO		RECEIVED:	08/19/83	JA: TX			
8352894	F-7B-071237	4208333399	102-4		EARNEST REEVES #1	REEVES (ELLENBURGER)	275.0	
8352898	F-7B-071241	4203333234	102-4		R C DAVIS #1	HRUBETZ (ELLEN)	110.0	
8352907	F-7B-071252	4208333278	102-4		R C DAVIS #2	HRUBETZ (ELLEN)	40.0	
8352899	F-7B-071243	4208333315	102-4		R C DAVIS #3	HRUBETZ (ELLEN)	40.0	
8352904	F-7B-071248	4208333314	102-4		R C DAVIS #4	HRUBETZ (ELLEN)	30.0	
8352900	F-7B-071244	4208333487	102-4		R C DAVIS #5	HRUBETZ (ELLEN)	40.0	
8352895	F-7B-071238	4208333033	102-4		RICHARD JOHNSON #1	HRUBETZ (ELLEN)	27.0	
8352906	F-7B-071251	4208333313	102-4		RICHARD JOHNSON #3	HRUBETZ (ELLEN)	30.0	
8352903	F-7B-071247	4208333273	102-4		RICHARD JOHNSON #4	HRUBETZ (ELLEN)	15.0	
8352908	F-7B-071253	4208333452	102-4		RICHARD JOHNSON #6	HRUBETZ (ELLEN)	115.0	
8352902	F-7B-071246	4208333467	102-4		RICHARD JOHNSON #7	HRUBETZ (ELLEN)	40.0	
8352905	F-7B-071250	4208333479	102-4		RICHARD JOHNSON #8	HRUBETZ (ELLEN)	40.0	
8352901	F-7B-071245	4208333453	102-4		SHIELDS #2	HRUBETZ (ELLEN)	205.0	LONE STAR GAS CO
8352897	F-7B-071240	4208333408	102-4		SHIELDS #3	HRUBETZ (ELLEN)	20.0	LONE STAR GAS CO
8352896	F-7B-071239	4208333541	102-4		SHIELDS #4	HRUBETZ (ELLEN)	40.0	LONE STAR GAS CO
-HUFFCO	PETROLEUM CORP		RECEIVED:	08/19/83	JA: TX			
8352830	F-04-068279	4240931684	102-4	103	J C WILSON #1	EDROY SOUTH (6320) FI	0.0	ESPERANZA TRANSMI
8352794	F-04-065324	4235532038	102-4	103	J DAVIS #1 WELL	STRATTON (K-41) FIELD	180.0	HOUSTON PIPE LINE
-HUGHES & HUGHES	OIL AND GAS		RECEIVED:	08/19/83	JA: TX			
8352844	F-02-069465	4202532946	102-4		DOUGHERTY PROPERTIES -B- #1	DOUGHERTY RANCH (10,3	548.0	HOUSTON PIPE LINE
8352856	F-04-070259	4235531589	102-4		HERBERT K SCHULZE #7	AGUA DULCE (8700) FIE	172.0	HOUSTON PIPE LINE
8352812	F-06-066857	4235531468	102-4		HEITJE E MILLER #1	COTTON (MILLER)	548.0	FERGUSON CROSSING
-HUMBLE	EXPLORATION CO INC		RECEIVED:	08/19/83	JA: TX			
8352822	F-03-067838	4228700000	102-2	103	RUBY TURNER #1	GIDDINGS (AUSTIN CHAL	0.0	PHILLIPS PETROLEU
-INDIAN	WELLS OIL CO		RECEIVED:	08/19/83	JA: TX			
8352915	F-7C-071270	4223532005	103		ATKINSON 10-5	TANKERSLEY (WOLFCAMP)	0.0	FARMLAND INDUSTRI
8352916	F-7C-071271	4223532048	103		ATKINSON 10-7	TANKERSLEY (WOLFCAMP)	0.0	FARMLAND INDUSTRI
-JUSTISS	OIL CO INC		RECEIVED:	08/19/83	JA: TX			
8352849	F-06-069727	4220331002	102-2	107-TF	FINKLEA GAS UNIT #1	BLOCKER	146.0	UNITED GAS PIPE L
-LADD	PETROLEUM CORPORATION		RECEIVED:	08/19/83	JA: TX			
8352969	F-7C-071386	4210534431	103	107-TF	IRA CARSON #10-5	OZONA (CANYON SAND)	386.0	AMERICAN PIPELINE
8352974	F-7C-071392	4210534432	103	107-TF	IRA CARSON #11-3	OZONA (CANYON SAND)	630.0	AMERICAN PIPELINE
8352972	F-7C-071390	4210534443	103	107-TF	MONTGOMERY #11-6	OZONA (CANYON SAND)	370.0	AMERICAN PIPELINE
8352971	F-7C-071389	4210534442	103	107-TF	MONTGOMERY #11-7	OZONA (CANYON SAND)	575.0	AMERICAN PIPELINE
8352970	F-7C-071387	4210534450	103	107-TF	MONTGOMERY #11-9	OZONA (CANYON SAND)	506.0	AMERICAN PIPELINE
8352973	F-7C-071391	4210534444	103	107-TF	MONTGOMERY #8-3	OZONA (CANYON SAND)	308.0	AMERICAN PIPELINE
-LULING	OIL AND GAS CO INC		RECEIVED:	08/19/83	JA: TX			
8352876	F-02-070661	4202500000	103		MILLER #1	CAESAR	0.0	VALERO TRANSMISSI
-MARTIN	OIL & GAS CO		RECEIVED:	08/19/83	JA: TX			
8352890	F-03-071001	4214900000	102-2		BRUNNER #1	GIDDINGS (AUSTIN CHAL	0.0	PHILLIPS PETROLEU
-MAURICE	L BROWN CO		RECEIVED:	08/19/83	JA: TX			
8352728	F-06-031578	4220300000	108-PB		NEWTON GAS UNIT #2	BETHANY TRAVIS PEAK	0.0	UNITED GAS PIPE L
-MAYCO	OIL		RECEIVED:	08/19/83	JA: TX			
8352956	F-09-071347	4207732991	103		WYNN #2 23021	LEDA CONGLOMERATE	36.0	TUFCO
-MCMURREY	PETROLEUM INC		RECEIVED:	08/19/83	JA: TX			
8352834	F-03-069159	4204130907	102-4	103	BRIGHT SKY RANCH #1 RRC #188675	KURTEN (BUDA)	0.0	FERGUSON CROSSING
8352842	F-03-069435	4204130921	102-4	103	FRONTIER #1 RRC PERMIT #93036	BRYAN	0.0	VANGUARD PIPELINE
8352843	F-03-069436	4204130917	102-4	103	HARPER #1 RRC PERMIT 190735	BRYAN	0.0	VANGUARD PIPELINE
8352841	F-03-069433	4204130916	102-4	103	SMYTHE #1 RRC PERMIT NO 190570	BRYAN	0.0	VANGUARD PIPELINE
-MEMBOURNE	OIL COMPANY		RECEIVED:	08/19/83	JA: TX			
8352743	F-10-048399	4229530760	107-TF		AKERS #1 ID #88311	MAMMOTH CREEK NORTH (	183.0	TRANSWESTERN PIPE
8352813	F-10-066914	4229531156	107-TF		AKERS #1 RRC ID # N/A	MAMMOTH CREEK NORTH (	985.0	TRANSWESTERN PIPE
8352748	F-10-052696	4229531155	107-TF		BURCHFIEL #2 RRC ID # N/A	MAMMOTH CREEK NORTH (	665.0	NORTHERN NATURAL
8352747	F-10-051045	4229531157	107-TF		BURCHFIEL "B" #2 RRC ID #	MAMMOTH CREEK NORTH (	164.0	NORTHERN NATURAL
8352739	F-10-048392	4229530879	107-TF		BURCHFIEL A-1 ID #88006	MAMMOTH CREEK NORTH (	60.0	NORTHERN NATURAL
8352740	F-10-048394	4229530881	107-TF		BURCHFIEL B-1 ID #88757	MAMMOTH CREEK NORTH (	109.0	NORTHERN NATURAL
8352960	F-08-071355	4210333167	103		CONDEN #4 RRC #026746	CRANE (DEVONIAN)	47.0	PHILLIPS PETROLEU
8352744	F-10-048400	4229530777	107-TF		CRONISTER #1 ID #88008	PEERY SOUTHEAST (CLEV	110.0	TRANSWESTERN PIPE
8352741	F-10-048395	4229530809	107-TF		G NOWLIN #2 ID #89327	S W LIPSCOMB (CLEVELA	100.0	NORTHERN NATURAL
8352773	F-10-061371	4235731093	107-TF		HARDY #2 RRC ID #04617	BULER NORTH (CLEVELAN	5.0	TRANSWESTERN PIPE
8352774	F-10-061372	4235731001	107-TF		HARDY #3 RRC ID #04617	BULER NORTH (CLEVELAN	0.0	TRANSWESTERN PIPE
8352772	F-10-061369	4235731045	107-TF		HARDY #5 RRC ID #04617	BULER NORTH (CLEVELAN	11.0	TRANSWESTERN PIPE
8352771	F-10-061368	4235731067	107-TF		HARDY #6 RRC ID #04617	BULER NORTH (CLEVELAN	13.0	TRANSWESTERN PIPE
8352770	F-10-061367	4235731113	107-TF		HARDY #7 RRC ID #04617	BULER NORTH (CLEVELAN	22.0	TRANSWESTERN PIPE
8352776	F-10-061374	4235731170	107-TF		HARDY "81-A" #1 RRC ID #04950	BULER NORTH (CLEVELAN	40.0	TRANSWESTERN PIPE
8352777	F-10-061375	4235731171	107-TF		HARDY "81-B" #1 RRC ID #04987	BULER NORTH (CLEVELAN	40.0	TRANSWESTERN PIPE
8352769	F-10-061366	4235731028	107-TF		HARDY "81" #1 RRC ID #04648	BULER NORTH (CLEVELAN	9.0	TRANSWESTERN PIPE
8352775	F-10-061373	4235731055	107-TF		HARDY "81" #2 RRC ID #04648	BULER NORTH (CLEVELAN	20.0	TRANSWESTERN PIPE
8352778	F-10-061376	4235731033	107-TF		JUDICE #5 RRC ID #04414	BULER NORTH (CLEVELAN	10.0	TRANSWESTERN PIPE
8352783	F-10-062831	4229530748	107-TF		PEERY #6 RRC #05161	PEERY (CLEVELAND)	23.0	TRANSWESTERN PIPE
8352786	F-10-063217	4229530749	103	107-TF	PEERY #7 RRC ID #	PEERY (CLEVELAND)	20.0	TRANSWESTERN PIPE
8352829	F-10-068164	4229531163	107-TF		PUNDT #2 RRC #085567	LIPSCOMB S W (CLEVELA	0.0	NORTHERN NATURAL
8352779	F-10-061379	4229531145	107-TF		RADAR #2 RRC ID #08207	GARROL (CLEVELAND)	34.0	TRANSWESTERN PIPE
8352815	F-10-067246	4229531191	107-TF		SCHULTZ "716" #5 RRC ID #05323	SKUNK CREEK (CLEVELAN	0.0	TRANSWESTERN PIPE
8352742	F-10-048397	4229530807	107-TF		TUBBS #23 #2 ID #89622	LIPSCOMB SW (CLEVELAN	15.0	NORTHERN NATURAL
-MINER	ROBERT C JR		RECEIVED:	08/19/83	JA: TX			
8352837	F-02-069309	4223931833	103		L RANCH #4 RRC LEASE #06484	LOLITA (WARD ZONE)	15.0	
-MIRAMAR	PETROLEUM INC		RECEIVED:	08/19/83	JA: TX			
8352879	F-04-070732	4221531323	102-4		THESEY GAS UNIT #2-C	HIDALGO EAST (PROPOSE	185.0	VALERO INTERSTATE
8352878	F-04-070731	4221531323	102-4		THESEY GAS UNIT #2-T	HIDALGO EAST (PROPOSE	402.0	VALERO INTERSTATE

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-MITCHELL ENERGY CORPORATION					RECEIVED: 08/19/83 JA: TX			
8352889	F-09-070974	4249732540	103		A L MONCRIEF #2	BOONSVILLE/BEND CONGL	308.6	NATURAL GAS PIPEL
8352756	F-02-056489	4228531496	107-TF		ASCHBACHER #1 8097343	VIENNA (MIDDLE WILCOX	547.0	UNITED TEXAS TRAN
8352724	F-09-025619	4249700000	108-PB		C P SMITH #1	BOONSVILLE/BEND CONGL	0.0	LONE STAR GAS CO
8352755	F-02-056487	4228531531	107-TF		L ALLEN JR #1	VIENNA (MIDDLE WILCOX	365.0	UNITED TEXAS TRAN
8352838	F-05-069311	4229330592	103	107-TF	LAURA HILL #1	FALLON (COTTON VALLEY	273.8	SOUTHWESTERN GAS
8352738	F-09-047773	4249700000	108-PB		M L WAGGONER #11	BOONSVILLE CONGLOMERA	0.0	LONE STAR GAS CO
8352975	F-09-071407	4249700000	108		R V PHILLIPS #3 8072019	BOONSVILLE/BEND CONGL	0.0	NATURAL GAS PIPEL
-MOBIL PRDGT TEXAS & NEW MEXICO INC					RECEIVED: 08/19/83 JA: TX			
8352989	F-04-071495	4224900000	108		BOERJAN UNIT #2	SHARP RANCH	16.2	TRANSCONTINENTAL
8352987	F-04-071495	4221933794	103		NORTH CENTRAL LEVELLAND UNIT #376	LEVELLAND	15.3	AMOCO PRODUCTION
8352988	F-04-071494	4221933798	103		NORTH CENTRAL LEVELLAND UNIT #385	LEVELLAND	4.7	AMOCO PRODUCTION
8352990	F-08-071494	4250130410	102-4		W D JOHNSON 34-N #2	DIMITT (CHERRY CANYON	42.7	INTRATEX GAS CO
-MORAN EXPLORATION INC					RECEIVED: 08/19/83 JA: TX			
8352980	F-08-071448	4200300000	108		GRUMP #1 (REC 20454)	BLOCK A-28 (WICHITA A	15.4	WARREN PETROLEUM
8352965	F-08-071380	4231731528	108		J L NUTT ESTATE "A" #1	BARBASAL (QUEEN)	16.2	PRODUCERS GAS CO
8352966	F-07-071381	4223530659	108		J R SCOTT "A" #2	SPRABERRY (TRENCH AREA	11.9	NORTHERN NATURAL
8352981	F-08-071449	4231731597	108		MABEE "D" #1	SPRABERRY (TRENCH AREA	6.9	NORTHERN NATURAL
8352968	F-07-071384	4238331396	108		ROCKER B "D" #9	SPRABERRY (TRENCH AREA	3.5	EL PASO NATURAL G
8352967	F-07-071383	4238300000	108		UNIVERSITY "5" #2	SPRABERRY (TRENCH AREA		
-NEUMIN PRODUCTION CO					RECEIVED: 08/19/83 JA: TX			
8352827	F-02-068145	4205731182	102-4	103	J W DORENUM UNIT #1	MAGNOLIA BEACH SOUTH	356.0	ALUMINUM COMPANY
8352852	F-02-069843	4229733172	102-4	103	L A REAGAN #1	DAKVILLE EAST	360.0	ALUMINUM CO OF AM
-NORTHEDGE EXPLORATION INC					RECEIVED: 08/19/83 JA: TX			
8352957	F-09-071349	4223735049	103		PRICE "D" #15	CLAY-RAY (CONGL)	0.0	CORANADO TRANSMIS
-OHL PETROLEUM CO					RECEIVED: 08/19/83 JA: TX			
8352874	F-03-070605	4248132463	102-4		GRESHAM ESTATE GAS UNIT #1	BLACK OHL	1000.0	HOUSTON PIPE LINE
-OXOCO EXPLORATION CORP					RECEIVED: 08/19/83 JA: TX			
8352809	F-04-066586	4242330612	103		FORD #2	CHAPEL HILL NE (TRAVI	120.0	ETEXAS PRODUCERS
-OZARK EXPLORATION INC					RECEIVED: 08/19/83 JA: TX			
8352768	F-07-060726	4210534069	102-4	107-TF	BEAN JOE "A" #2-50	UNIVERSITY 31 (STRAWN	875.0	INTRATEX GAS CO
-PATTERSON PETROLEUM INC					RECEIVED: 08/19/83 JA: TX			
8352801	F-03-066108	4214931449	102-2		M R URNER #1	GIDDINGS (AUSTIN CHAL	37.0	
-PENNZOIL PRODUCING COMPANY					RECEIVED: 08/19/83 JA: TX			
8352891	F-04-071021	4221500000	103		ADERHOLD UNIT #5-F	SAN CARLOS (FE-59-B)	135.0	TRUNKLINE GAS CO
-PEPPER OIL & GAS INC					RECEIVED: 08/19/83 JA: TX			
8352817	F-07-067324	4205900000	102-4		HEMPHILL 113 #1 ID #104750	LAKE COLEMAN (CADD)	150.0	CALLACOLE PIPELIN
-PETROLEUM EQUITIES CORP					RECEIVED: 08/19/83 JA: TX			
8352799	F-07-065920	4243532729	103	107-TF	VANDERSTUCKEN #8	SAWYER (CANYON)	72.0	LONE STAR GAS CO
-PHILLIPS PETROLEUM COMPANY					RECEIVED: 08/19/83 JA: TX			
8352991	F-08-071505	4213530296	108		CLYDE COMDEN #165 (02309)	GOLDSMITH (5600)	5.0	EL PASO NATURAL G
8352886	F-05-070936	4200318644	103		UNIVERSITY ANDREWS #112 (01268)	EBBAR (ELLENBURGER)	21.0	EL PASO NATURAL G
-PLUMB OPERATING CO					RECEIVED: 08/19/83 JA: TX			
8352839	F-02-069368	4212331277	102-4	103	SINAST-GOHLKE UNIT #1	PROPOSED BELITZ (9290	0.0	LONE STAR GAS CO
-POLK & PATTON INC					RECEIVED: 08/19/83 JA: TX			
8352831	F-01-068319	4217700000	102-2		TUCH-CAMPION UNIT #1	PEACH CREEK (AUSTIN C	0.0	ORECA GAS CORP
-PRECISION DRILLING CO INC					RECEIVED: 08/19/83 JA: TX			
8352930	F-07-071286	4208333382	103		HARDY BLUE 08673	COLEMAN COUNTY REGULA	30.0	LONE STAR GAS CO
-PRUDENTIAL ENERGY CO					RECEIVED: 08/19/83 JA: TX			
8352840	F-04-069425	4222530457	102-2		LARUE C #1	PEARSON CHAPEL (EDWAR	0.0	EXXON GAS SYSTEM
-PYRO ENERGY CORP					RECEIVED: 08/19/83 JA: TX			
8352851	F-04-069841	4204700000	103		ALTO COLORADO #1	ALTA MESA (6100)	55.0	AMERICAN PIPELINE
-RANKIN OIL CO					RECEIVED: 08/19/83 JA: TX			
8352850	F-07-069753	4208130714	108		CALLA MAE "A" #2	ARLEDGE	4.0	SUN OIL CO
8352939	F-08-071314	4200332170	103		PARKER "B" #1	FURMAN-MASCHO	1.0	PHILLIPS PETROLEU
8352947	F-08-071326	4200332205	103		STUCKERT #1	FURMAN-MASCHO	1.0	PHILLIPS PETROLEU
-RICKS EXPLORATION CO					RECEIVED: 08/19/83 JA: TX			
8352867	F-10-070515	4235731362	102-4		FAGG 146-D	RICKS (MORROW UPPER)	62.0	HIGH PLAINS NATUR
8352734	F-10-041227	4219530728	102-4		O'LOUGHLIN 9A	N E SPEARMAN	183.0	NORTHERN NATURAL
-SABINE PRODUCTION COMPANY					RECEIVED: 08/19/83 JA: TX			
8352747	F-07-060695	4210500000	107-TF		UNIVERSITY 52-14 #1	HOWARDS CREEK (PENN)	0.0	PRODUCER'S GAS CO
8352766	F-07-060694	4210533088	107-TF		UNIVERSITY 32-2 #1	HOWARDS CREEK (PENN)	0.0	PRODUCER'S GAS CO
8352765	F-07-060693	4210500000	107-TF		UNIVERSITY 32-5 #1	HOWARDS CREEK (PENN)	0.0	PRODUCER'S GAS CO
-SEELY OIL CO					RECEIVED: 08/19/83 JA: TX			
8352818	F-07-067468	4242933601	102-4		T P ROBERTSON-METCALF #2 #19656	ANN T (CADD)	22.0	GREAT WESTERN GAS
-SOUTHLAND ROYALTY CO					RECEIVED: 08/19/83 JA: TX			
8352723	F-07-025359	4243500000	108-PB		B M HALBERT #2	SONORA CANYON UPPER	0.0	EL PASO NATURAL G
8352718	F-07-000297	4243500000	108-PB		SHURLEY B-1 (CANYON)	SHURLEY RANCH CANYON	0.0	EL PASO NATURAL G
-SUN EXPLORATION & PRODUCTION CO					RECEIVED: 08/19/83 JA: TX			
8352929	F-04-071285	4224700000	108		A C JONES #72U	JONES	3.0	TRANSCONTINENTAL
8352877	F-07-070685	4210533994	107-TF		HUDSPETH "B" #1	ADAMS BAGGETT RANCH (	2.0	TEXAS INTRAMARK G
8352888	F-08-070968	4233532446	103		J F MCCABE "C" #4	JAMESON M (ODOM)	7.0	LONE STAR GAS CO
8352936	F-07-071305	4208131151	103		JAMESON REEF UNIT #11-71	JAMESON	33.0	LONE STAR GAS CO
8352913	F-08-071261	4222732882	103		M C HYDEN #6	LUTHER SE (SILURIAN-D	24.0	GETTY OIL CO
8352722	F-04-071571	4242700000	108-ER		MARRS MCLEAN #70	LOCKHART	0.0	TENNESSEE GAS PIP
8352937	F-08-071306	4213534111	103		O B HOLT ACCT #1 #24	COWDEN NORTH	24.0	AMOCO PRODUCTION
8352912	F-08-071260	4246131994	103		SOUTHWEST MCELROY UNIT #46	MCELROY	4.0	PHILLIPS PETROLEU
8352935	F-08-071301	4207931671	103		WRIGHT UNIT #9-18	LEVELLAND	4.0	CITIES SERVICE CO
-TAUBERT & STEED					RECEIVED: 08/19/83 JA: TX			
8352948	F-06-071329	4249931127	102-4		TURBEVILLE #3-T	NEUHOFF (MOODINGSPO	165.0	UNITED GAS PIPELI
8352949	F-06-071330	4249931127	102-4		TURBEVILLE 3-C	NEUHOFF (MOODSBINE)	65.0	UNITED GAS PIPELI
-TEE OPERATING CO					RECEIVED: 08/19/83 JA: TX			
8352814	F-03-066926	4248132440	102-4		LINDLEY TRUSTEE #1	CALAMITY CREEK (6550	0.0	LONE STAR GAS CO
-TENNECO OIL COMPANY					RECEIVED: 08/19/83 JA: TX			
8352816	F-07-067282	4210533755	103	107-TF	ARLEDGE 16-1	WATSON RANCH (CANYON)	0.0	
8352792	F-08-065020	4237133990	102-2		J A GREEN 4-2	PINON (CABALLOS)	0.0	LONE STAR GAS CO
8352793	F-04-065093	4250531589	102-4	107-TF	SLATOR RANCH #4	LAS OVEJAS	500.0	CHANNEL INDUSTRIE
-TEXACO INC					RECEIVED: 08/19/83 JA: TX			
8352753	F-04-056112	4242731683	102-3	103	GUERRA SHARE 180-A #25	ROMA	0.0	INTRASTATE GATHER
8352781	F-04-062530	4242731685	102-3		GUERRA SHARE 189 #23	ROMA	252.0	INTRA-STATE GATHE
8352917	F-07-071273	4210500000	108		L M HUDSPETH MEMORIAL HOSPITAL #1	DENISON CANYON	1.6	INTRATEX GAS CO
8352920	F-04-071276	4250100000	108		ROBERTS UNIT #2113	WASSON	5.7	SHELL OIL CO
8352921	F-04-071279	4250100000	108		ROBERTS UNIT #2116	WASSON	6.1	SHELL OIL CO
8352924	F-04-071280	4250100000	108		ROBERTS UNIT #2137	WASSON	1.3	SHELL OIL CO
8352922	F-04-071278	4250100000	108		ROBERTS UNIT #3647	WASSON	1.3	SHELL OIL CO
8352921	F-04-071277	4250100000	108		ROBERTS UNIT #4234	WASSON	9.6	SHELL OIL CO
8352925	F-04-071281	4250100000	108		ROBERTS UNIT #4314	WASSON	6.9	SHELL OIL CO
8352926	F-04-071282	4250100000	108		ROBERTS UNIT #4316	WASSON	2.7	SHELL OIL CO
8352928	F-04-071284	4250100000	108		ROBERTS UNIT #4332	WASSON	12.4	SHELL OIL CO
8352927	F-04-071283	4250100000	108		ROBERTS UNIT #4334	WASSON	2.8	SHELL OIL CO
8352918	F-04-071274	4250100000	108		ROBERTS UNIT #4343	WASSON	6.9	SHELL OIL CO
8352919	F-04-071275	4250100000	108		ROBERTS UNIT #5341	WASSON	0.9	SHELL OIL CO
-TEXOMA PRODUCTION CO					RECEIVED: 08/19/83 JA: TX			
8352892	F-03-071231	4232130964	108		FLORENCE TRULL #2	SIMPSONVILLE (9000)	10.0	NATURAL GAS PIPEL

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-TEXXON EXPLORATION CO								
8352823	F-10-067901	4229531249	103	RECEIVED: 08/19/83	JA: TX	KIOWA CREEK (TOKAWA)	0.0	TRANSWESTERN PIPE
-THOMPSON J CLEO & JAMES CLEO JR								
8352828	F-7C-068162	4210534065	103	RECEIVED: 08/19/83	JA: TX	DZONA (CANYON SAND)	180.0	SHELL OIL CO
8352780	F-7C-062524	4210534142	102-4	107-TF UNIVERSITY 32-1 #1	UNIVERSITY 31 (STRAWN)	360.0	PRODUCER'S GAS CO	
8352761	F-7C-060159	4210534143	102-4	107-TF UNIVERSITY 32-13 #1	UNIVERSITY 31 (STRAWN)	150.0		
8352784	F-7C-062881	4210500000	102-4	107-TF UNIVERSITY 32-6N #2	UNIVERSITY 31 (STRAWN)	0.0	PRODUCER'S GAS CO	
8352785	F-7C-062882	4210500000	102-4	107-TF UNIVERSITY 32-7 #1	UNIVERSITY 31 (STRAWN)	0.0	PRODUCER'S GAS CO	
-TOM BROWN INC								
8352881	F-7C-070737	4243500000	103	RECEIVED: 08/19/83	JA: TX	SAMYER (CANYON)	73.0	LONE STAR GAS CO
8352880	F-7C-070736	4243532936	103	107-TF HILL - RANDEE FAWCETT TRUST "C" #1	SAMYER (CANYON)	73.0	LONE STAR GAS CO	
8352821	F-7C-067531	4243532925	103	107-TF HILL-BEE COUNTY SCHOOL LAND #1	SAMYER (CANYON)	73.0	LONE STAR GAS CO	
8352860	F-7C-070377	4243532932	103	107-TF HILL-RANDEE FAWCETT "G"	SAMYER (CANYON)	73.0	LONE STAR GAS CO	
8352861	F-7C-070378	4243532931	103	107-TF VALLIANT L R "B" #1	SAMYER (CANYON)	73.0	LONE STAR GAS CO	
8352861	F-7C-070378	4243532931	103	107-TF VALLIANT L R "A" #1	SAMYER (CANYON)	73.0	LONE STAR GAS CO	
-TORTUGA OIL & MINERAL								
8352853	F-03-070148	4220131512	103	RECEIVED: 08/19/83	JA: TX	TOMBALL (PETRICH NW)	70.0	TOMBALL PIPELINE
8352854	F-03-070149	4220131512	103	W B SCHERER #9L	TOMBALL (KOBBS)	219.0	TOMBALL PIPELINE	
-TRIDENT CORP								
8352887	F-02-070942	4212300000	102-4	RECEIVED: 08/19/83	JA: TX	DIEBEL (YEGUA 4800)	73.0	TEXAS EASTERN TRA
-TRINITY RESOURCES INC								
8352787	F-03-063747	4214931299	102-4	RECEIVED: 08/19/83	JA: TX	GIDDINGS (EDWARDS GAS)	182.5	CLAYJON GAS CO
-TXO PRODUCTION CORP								
8352796	F-02-065486	4212321252	102-4	RECEIVED: 08/19/83	JA: TX	KOENIG (10,850')	0.0	DELHI GAS PIPELIN
8352797	F-02-065488	4223931843	102-4	KOENIG A-1	MORALES (3650')	0.0	DELHI GAS PIPELIN	
8352873	F-7B-070576	4241734708	102-4	MOORE J-1	ROCKWELL (CONGL)	35.0	DELHI GAS PIPELIN	
-UNION TEXAS PETROLEUM								
8352979	F-8A-071445	4207931648	103	RECEIVED: 08/19/83	JA: TX	SLAUGHTER	4.0	AMOCO PRODUCTION
-UNITED CO								
8352964	F-8A-071374	4207931492	103	RECEIVED: 08/19/83	JA: TX	LEVELLAND (SAN ANDRES)	15.0	EL PASO NATURAL G
8352963	F-8A-071373	4207931493	103	SLAUGHTER ESTATE H #1 099881	LEVELLAND (SAN ANDRES)	470.0	EL PASO NATURAL G	
8352962	F-8A-071372	4207931495	103	SLAUGHTER ESTATE J #1 100080	LEVELLAND (SAN ANDRES)	15.0	EL PASO NATURAL G	
8352962	F-8A-071372	4207931495	103	SLAUGHTER ESTATE L #1 099882	LEVELLAND (SAN ANDRES)	15.0	EL PASO NATURAL G	
-MAYMAR OIL & GAS CO								
8352795	F-09-065440	4249732416	103	RECEIVED: 08/19/83	JA: TX	ALVORD SOUTH/ATOKA	73.0	LONE STAR GAS CO
-MES-MOR OIL & GAS INC								
8352871	F-09-070554	4250335498	103	RECEIVED: 08/19/83	JA: TX	JOHNSTON "160" #1 RRC #23239	16.4	SUN GAS TRANSMISS
-MESSLEY ENERGY CORPORATION								
8352938	F-08-071310	4225332373	103	RECEIVED: 08/19/83	JA: TX	W L MITCHELL #2	15.0	TEXAS UTILITIES F
-WESTERN HILLS OIL & GAS CO INC								
8352808	F-7B-066468	4236732309	102-4	RECEIVED: 08/19/83	JA: TX	NETTLETON #1 ID NUMBER APPLIED FOR	14.0	TEXAS UTILITIES F
-WILSON ENERGY INC								
8352952	F-08-071342	4231732566	103	RECEIVED: 08/19/83	JA: TX	BOBBITT #1	25.0	NORTHERN GAS PROD
8352953	F-08-071343	4231732560	103	ESTES #1	SPRABERRY (TEND AREA)	12.0	NORTHERN GAS PROD	
8352976	F-7C-071415	4238332468	103	MASTERTSON #1	SPRABERRY (TEND AREA)	18.0	EL PASO NATURAL G	
8352955	F-08-071345	4231732638	103	SPRAWLS #2	SPRABERRY (TEND AREA)	0.5	NORTHERN GAS PROD	
8352954	F-08-071344	4231732635	103	SPRAWLS #3	SPRABERRY (TEND AREA)	0.5	NORTHERN GAS PROD	
-WOODS PETROLEUM CORPORATION								
8352789	F-10-064649	4221131530	102-4	RECEIVED: 08/19/83	JA: TX	RUSH SMYDER #15-1	1260.0	WESTAR TRANSMISSI
-WORLD PRODUCERS INC								
8352985	F-7B-071487	4236731597	103	RECEIVED: 08/19/83	JA: TX	CHARLES L R ALLISON #1	17.0	NATURAL GAS PIPEL
WEST VIRGINIA DEPARTMENT OF MINES								
-ALLEGHENY LAND & MINERAL COMPANY								
8352946	4708300640	103	RECEIVED: 08/19/83	JA: WV	A-1057	MIDDLE FORK DISTRICT	0.0	COLUMBIA GAS TRAN
8352945	4708300627	103	A-1066	ROARING CREEK DISTRICT	0.0	COLUMBIA GAS TRAN		
8352943	4704103191	103	A-1129	FREEMANS CREEK DISTRI	0.0	CONSOLIDATED GAS		
8352941	4704103168	103	A-1140	FREEMANS CREEK DISTRI	0.0	CONSOLIDATED GAS		
8352942	4704103183	103	A-1154	LEADING CREEK DISTRICT	0.0	CONSOLIDATED GAS		
8352948	4709100237	103	A-1167	BOOTH'S CREEK DISTRICT	0.0	CONSOLIDATED GAS		
8352949	4710500975	103	A-1168	CLAY DISTRICT	0.0	CONSOLIDATED GAS		
8352944	4704103207	103	A-1196	COURT HOUSE DISTRICT	0.0	CONSOLIDATED GAS		
8352947	4708300695	103	A-1200	MIDDLE FORK DISTRICT	0.0	COLUMBIA GAS TRAN		
8352940	4701502066	103	A-1239	UNION DISTRICT	0.0	COLUMBIA GAS TRAN		
-CONTINENTAL PETROLEUM CO								
8352536	4702103913	103	RECEIVED: 08/19/83	JA: WV	JACK LOWTHER #3-A	37.0	CONSOLIDATED GAS	
-DELTA-MIKE INC								
8352559	4701100789	103	RECEIVED: 08/19/83	JA: WV	ASHMORTH #1	8.0	CABOT CORP	
-DILLS OIL CO								
8352537	4710701145	103	RECEIVED: 08/19/83	JA: WV	NORRIS #1	0.0	CONSOLIDATED GAS	
-EASTERN AMERICAN ENERGY CORPORATION								
8352535	4704103122	103	RECEIVED: 08/19/83	JA: WV	HAYDEN #1	10.5	COLUMBIA GAS TRAN	
-ENERGEX OIL & GAS CORP								
8352558	4707301910	103	RECEIVED: 08/19/83	JA: WV	A E CORNELL 2	30.0	CONSOLIDATED GAS	
-HADDAD & BROOKS INC								
8352539	4710301244	103	RECEIVED: 08/19/83	JA: WV	CALVIN BARR #1	30.0	WASHINGTON	
-J & J ENTERPRISES INC								
8352551	4704103208	103	RECEIVED: 08/19/83	JA: WV	B-451	FREEMANS CREEK	0.0	CONSOLIDATED GAS
8352530	4700121768	103	B-468	PLEASANT	0.0	CONSOLIDATED GAS		
8352531	4700121636	103	J-565	BALLEEY	0.0	PETRO LEWIS CORP		
8352534	4708525580	103	J-643	CLAY	0.0	CONSOLIDATED GAS		
8352552	4708525573	103	J-644	CLAY	0.0	CONSOLIDATED GAS		
8352553	4708525574	103	J-645	CLAY	0.0	CONSOLIDATED GAS		
8352555	4708525579	103	J-685	CLAY	0.0	CONSOLIDATED GAS		
8352550	4703328130	103	J-693	SARDIS	0.0	CONSOLIDATED GAS		
8352529	4700121810	103	J-713	PHILIPPI	0.0	CONSOLIDATED GAS		
-NACARLAN OIL & GAS CO								
8352534	4708505589	107-DV	RECEIVED: 08/19/83	JA: WV	MCGREGOR HEIRS #1	18.5	COLUMBIA GAS TRAN	
-NRH PETROLEUM CORPORATION								
8352538	4709702377	103	RECEIVED: 08/19/83	JA: WV	CRAIG A #1	0.0	COLUMBIA GAS TRAN	
-PEAKE OPERATING CO								
8352532	4710900886	103	RECEIVED: 08/19/83	JA: WV	GEORGIA PACIFIC #4-AGP	(OCEANA DISTRICT)	5.0	
-PETROLEUM RESOURCES INC								
8352533	4704103187	103	RECEIVED: 08/19/83	JA: WV	GED ROHRBAUGH HRA #3A	30.0	CONSOLIDATED GAS	
-STONEWALL GAS CO								
8352557	4701703126	103	RECEIVED: 08/19/83	JA: WV	E MAY SUMMERS #2 150-5H	107.0	CONSOLIDATED GAS	
8352556	4701703102	103	GUY BROWN #2 143-5H	GREENBRIER DISTRICT	97.0	CONSOLIDATED GAS		
DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, CASPER, WY								
-MIDLANDS GAS CORPORATION								
8352524	M 469-2	2507121275	108	RECEIVED: 08/19/83	JA: MT 5	FEDERAL #1 1413	21.0	KN ENERGY INC
8352523	M 452-2	2507121780	103	FEDERAL 1 1021	BOWDOIN	114.0	KN ENERGY INC	
8352525	M 470-2	2507121262	108	FEDERAL 1 2251	WILDCAT	21.0	KN ENERGY INC	
8352522	M 451-2	2507121704	102-2	FEDERAL 1 2670	BOWDOIN	62.0	KN ENERGY INC	
-SHELL OIL CO								
8352522	M 451-2	2507121704	102-2	RECEIVED: 08/19/83	JA: MT 5			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8352521	M 449-2	2510921046	103		USA 41-22AR			
					RECEIVED: 08/19/83	JA: MT 5		
-TRICENTROL UNITED STATES INC						SOUTH PINE	18.2	MONTANA DAKOTA UT
8352519	M 295-2	2500522172	108		U S 2-16-T25H-R18E	SHERARD UNIT	8.0	NORTHERN NATURAL
8352518	M 294-2	2501521922	108		U S 9-8-T25H-R17E	SHERARD - HUEBSCHWERL	16.0	NORTHERN NATURAL
-TENNECO OIL COMPANY					RECEIVED: 08/19/83	JA: ND 5		
8352527	ND 482-2	3300700795	102-2		HAMILTON USA 2-29	ELKHORN RANCH	182.0	MONTANA DAKOTA UT
8352528	ND 483-2	3300700786	102-2		HAMILTON USA 3-29	ELKHORN RANCH	0.0	MONTANA DAKOTA UT
8352526	ND 481-2	3300700787	102-2		HAMILTON 1-29	ELKHORN RANCH	0.0	MONTANA DAKOTA UT
-JERRY A MCCUTCHIN JR					RECEIVED: 08/19/83	JA: SD 5		
8352520	SD 447-2	4006320305	102-4		HEIKKILA CARVER 2-19	WEST SHORT PINE HILLS	91.3	MONTANA-DAKOTA UT

[FR Doc. 83-25534 Filed 9-19-83; 8:45 am]

BILLING CODE 8717-01-C

[Volume 968]

**Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978**

Issued: September 14, 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: Geopressed 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.

NOTICE OF DETERMINATIONS  
Issued September 14, 1983

VOLUME 968

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
KANSAS CORPORATION COMMISSION								
-ALKAN PETROLEUM INC			RECEIVED:	08/23/83	JA: KS			
8353078	K 83-0196	1501720089	102-2		STAUFFER #1-35	ELM DALE	11.3	NORTHWEST CENTRAL
-TEXAS ENERGIES INC			RECEIVED:	08/23/83	JA: KS			
8353079	K-83-0394	1511920566	102-4		ADAMS 1-32	ADAMS RANCH	90.0	KANSAS POWER & LI
-TXO PRODUCTION CORP			RECEIVED:	08/23/83	JA: KS			
8353080	K-83-0351	1500721565	102-4		GANT "C" #1	BROOKS-YOUNGER	300.0	DELHI CORP
NORTH DAKOTA INDUSTRIAL COMMISSION								
-ADDBE OIL & GAS CORPORATION			RECEIVED:	08/23/83	JA: ND			
8353239	817	3305301603	102-2		FEDERAL STORM 13-6	BICEGEL	180.0	
-AMERADA HESS CORPORATION			RECEIVED:	08/23/83	JA: ND			
8353244	822	3310500000	108		TIOGA MADISON UNIT #1 115	TIOGA	1.7	MONTANA DAKOTA UT
-GETTY OIL COMPANY			RECEIVED:	08/23/83	JA: ND			
8353248	826	3302500356	102-2		BOB CREEK 17-13	LONE BUTTE	10.0	KOCH HYDROCARBON
8353241	819	3300700909	102-2		LITTLE KNIFE #36-7	LITTLE KNIFE	40.0	WILLISTON GAS CO
-PETRO-LEWIS CORPORATION			RECEIVED:	08/23/83	JA: ND			
8353246	824	3301100291	108		CHAPMAN 1-32	LITTLE MISSOURI	10.0	MONTANA DAKOTA UT
8353245	823	3301100293	108		JOHNSON 3-9	LITTLE MISSOURI	10.0	MONTANA-DAKOTA UT
-SUN EXPLORATION & PRODUCTION CO			RECEIVED:	08/23/83	JA: ND			
8353240	818	3310501034	102-2		AUNE #1	EIGHTMILE	27.0	PHILLIPS PETROLEU
-TEXACO INC			RECEIVED:	08/23/83	JA: ND			
8353247	825	3305301169	103		BLUE BUTTES MADISON UNIT #E432	BLUE BUTTES	21.0	AMERADA HESS CORP
8353243	821	3305301629	102-3		E C OLSON #3	BLUE BUTTES	104.0	MONTANA-DAKOTA UT
-TXO PRODUCTION CORP			RECEIVED:	08/23/83	JA: ND			
8353242	820	3301300844	103		HERMANSON #1	RIVAL	16.0	NORTHWEST CENTRAL
NEW MEXICO DEPARTMENT OF ENERGY & MINERALS								
-AMOCO PRODUCTION CO			RECEIVED:	08/22/83	JA: NM			
8353064		3004525523	103		MCCOY GAS COM "B" #1	BLANCO-PICTURED CLIFF	40.0	
8353066		3004525477	103		STATE GAS COM "BX" #1	MT NEBO - FRUITLAND	70.0	EL PASO NATURAL G
8353065		3004525619	103		TRUJILLO GAS COM "A" #1	ARMENTA - GALLUP	21.3	UNCOMMITTED
-CONOCO INC			RECEIVED:	08/22/83	JA: NM			
8353067		3002528179	103		STATE E #11	JALMAT LANOLIE MATTIX	9.1	PHILLIPS PETROLEU
-GETTY OIL COMPANY			RECEIVED:	08/22/83	JA: NM			
8353069		3002525312	108		BAKER "B" #16	DRINKARD	5.8	NORTHERN NATURAL
-L & B OIL CO INC			RECEIVED:	08/22/83	JA: NM			
8353061		3002527987	102-4		STATE #I-II	E GRAMA RIDGE - MORRO	260.0	LLANO INC
-M & G OIL COMPANY			RECEIVED:	08/22/83	JA: NM			
8353062		3004100000	103		STATE #1	ALLISON PENN	73.0	WARREN PETROLEUM
-READ & STEVENS INC			RECEIVED:	08/22/83	JA: NM			
8353068		3001524189	103		SUPRON #2	BUNKER HILL PENROSE	41.0	PHILLIPS PETROLEU
-SANDERS OIL & GAS INC			RECEIVED:	08/22/83	JA: NM			
8353070		3000561844	107-TF		KILLGORE #1	UNDESIGNATED ABO	182.0	TRANSWESTERN GAS
-UNION TEXAS PETROLEUM			RECEIVED:	08/22/83	JA: NM			

BILLING CODE 6717-01-M

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8353063		3004524556	103		NEW MEXICO 'B' COM 1-E	BASIN DAKOTA	708.5	EL PASO NATURAL G
*****								
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION								
*****								
-ANGELA P HOPKINS RECEIVED: 08/22/83 JA: NY								
8353050	5067	3101316688	108		HOPKINS CARL WELL #4152	LAKESHORE	9.0	NATIONAL FUEL GAS
8353049	5050	3101315517	108		HOPKINS YERICO WELL #4099	LAKESHORE	6.6	NATIONAL FUEL GAS
-AZEL R FORD								
8353044	5061	3100313549	102-2		WILDCAT 6213 (J O) E G S P H Y #1	ALMOND	73.0	NATIONAL FUEL GAS
-BENNETT PETROLEUM CORP								
8353029	5078	3105115592	107-TF		KENNETH M CURRY #1 - 31-051-15592	UNNAMED	8.0	COLUMBIA GAS TRAN
8353011	5070	3105100000	107-TF		MILLO PATRICK & SONS #2 31-051-15784	UNNAMED	8.0	COLUMBIA GAS TRAN
-BOUNTY OIL & GAS INC								
8353046	2189	3101336431	107-TF		OVEREND #1	BUSTI	8.0	NATIONAL FUEL GAS
-CHAUTAUQUA ENERGY INC								
8353025	5323	3101318147	103		107-TF DEMARK #1	SHERMAN	30.0	COLUMBIA GAS TRAN
-DESERT GAS EXPLORATION CO INC								
8353028	5230	3101316251	107-TF		TRI-VAL #2 DG8126	LAKESHORE	21.9	NATIONAL FUEL GAS
-DOMINION PETROLEUM DRLO FUND 81-1								
8353020	4169	3103716187	102-2		BARON #801	WILDCAT	20.0	NATIONAL FUEL GAS
-DORAN & ASSOCIATES INC								
8353034	5065	3100917950	102-2		107-TF E KUREK UNIT #5 KX-22	CONEWANGO	25.0	COLUMBIA GAS TRAN
8353053	5063	3100917973	102-2		107-TF E KUREK UNIT #6 KX-23	CONEWANGO	25.0	COLUMBIA GAS TRAN
8353052	5056	3100917948	102-2		107-TF KUREK UNIT #1 KX-24	CONEWANGO	30.0	COLUMBIA GAS TRAN
8352998	5055	3100917972	102-2		107-TF KUREK UNIT #3 KX-25	CONEWANGO	30.0	COLUMBIA GAS TRAN
-ENVIROGAS INC								
8353057	4780	3101317951	107-TF		B BUNCE #1	WILDCAT	18.0	COLUMBIA GAS TRAN
8353022	4781	3101317815	102-2		107-TF B BUNCE #2	WILDCAT	18.0	COLUMBIA GAS TRAN
8353016	4779	3101317954	107-TF		B HINSDALE #1	WILDCAT	18.0	COLUMBIA GAS TRAN
8353060	4803	3101317932	107-TF		E KIDDER #2	WILDCAT	18.0	NATIONAL FUEL GAS
8353013	4783	3101317896	107-TF		G PRINGLE #1	STEBBINS CORNERS	18.0	COLUMBIA GAS TRAN
8353015	4784	3101317903	107-TF		M RICE #2	STEBBINS CORNERS	18.0	COLUMBIA GAS TRAN
8353056	4804	3101316620	102-2		107-TF NORDLAND #2	WILDCAT	18.0	NATIONAL FUEL GAS
8353023	4783	3101317957	107-TF		P PERO #1	WILDCAT	18.0	COLUMBIA GAS TRAN
8353059	4777	3101317943	107-TF		R DENNISON #1	WILDCAT	18.0	COLUMBIA GAS TRAN
8353058	4778	3101317956	102-2		107-TF R MARIATT #1	WILDCAT	18.0	COLUMBIA GAS TRAN
8353034	4785	3101317958	107-TF		W STANTON #1	WILDCAT	18.0	COLUMBIA GAS TRAN
-HAYWARD OIL COMPANY								
8353045	3992	3102915625	102-4		RECEIVED: 08/22/83 JA: NY	WILDCAT	18.0	NATIONAL FUEL GAS
-NATIONAL FUEL GAS SUPPLY CORP								
8352993	3412	3100960321	108		RECEIVED: 08/22/83 JA: NY	TOWN OF FERRYSBURG	0.7	GENERAL SYSTEM PU
8352997	3362	3102908225	108		BISHOP #1678	TOWN OF HAMBURG	0.5	GENERAL SYSTEM PU
8352996	3361	3102908234	108		BRODBECK #26-I	TOWN OF ORCHARD PARK	2.1	GENERAL SYSTEM PU
8352994	3282	3145102914	108		HOLMWOOD #129	TOWN OF NORTH COLLINS	1.5	GENERAL SYSTEM PU
8352995	3391	3102903558	108		REILLER #451	TOWN OF NORTH COLLINS	0.2	GENERAL SYSTEM PU
-P & S DRILLING INC								
8353055	5053	3101318005	107-TF		RECEIVED: 08/22/83 JA: NY	WILDCAT	2.5	NATIONAL FUEL GAS
-SHAWNEE EXPLORATION INC								
8353026	5323	3102918222	107-TF		VANSTROM #1	BRANT	15.0	SCG GAS QUEST INC
8353048	4593	3102917856	103		C LEONE #1	BRANT	15.0	SCG GAS QUEST INC
-SUBSEA ASSOCIATES 82								
8353012	5291	3102917761	103		RECEIVED: 08/22/83 JA: NY	BRANT	18.0	NATIONAL FUEL GAS
-TEMPLETON ENERGY INC								
8353034	5313	3101311809	108		RECEIVED: 08/22/83 JA: NY	LAKESHORE	4.0	NATIONAL FUEL GAS
8353047	5303	3101311684	108		BERNETT - #1284	LAKESHORE	3.2	NATIONAL FUEL GAS
8353033	5312	3101313579	108		BIXBY - #1271	LAKESHORE	3.9	NATIONAL FUEL GAS
8353024	5321	3101312091	108		BULL - #1212	LAKESHORE	5.1	NATIONAL FUEL GAS
8353039	5318	3101311683	108		BUSH - #1306	LAKESHORE	2.5	NATIONAL FUEL GAS
8353038	5317	3101311811	108		COBB - #1270	LAKESHORE	15.9	NATIONAL FUEL GAS
8353002	5299	3101312311	108		DAVIDSON - #1256	LAKESHORE	3.4	NATIONAL FUEL GAS
8353037	5316	3101312169	108		DORMAN - #1373	LAKESHORE	11.2	NATIONAL FUEL GAS
8352999	5302	3100912461	103		FAFINSKI - #1356	LAKESHORE	0.0	NATIONAL FUEL GAS
8353000	5301	3100912505	108		FARNER ZOAR VALLEY #3 - #1184	LAKESHORE	22.9	NATIONAL FUEL GAS
8353040	5319	3101312175	108		FARNER-ZOAR VALLE #2-A #1163-A	LAKESHORE	0.0	NATIONAL FUEL GAS
8353036	5315	3101312262	108		FOREMAN #2 - #1342	LAKESHORE	13.1	NATIONAL FUEL GAS
8353006	5306	3101310371	108		FROST - #1365	LAKESHORE	2.7	NATIONAL FUEL GAS
8353021	5304	3101310448	108		GUILLO - #1221	LAKESHORE	5.5	NATIONAL FUEL GAS
8353007	5305	3101310377	108		GULLO - #1117	LAKESHORE	2.5	NATIONAL FUEL GAS
8353030	5309	3101310342	108		HANS - #1220	LAKESHORE	7.7	NATIONAL FUEL GAS
8353032	5311	3101311421	108		HAMMOND - #1167	LAKESHORE	9.1	NATIONAL FUEL GAS
8353061	5320	3101312173	108		KAWSKI - #1208	LAKESHORE	18.6	NATIONAL FUEL GAS
8353035	5314	3101311682	108		LESCH ESTATE - #1340	LAKESHORE	6.7	NATIONAL FUEL GAS
8353159	5322	3101310946	108		MARSH - #1263	LAKESHORE	13.2	NATIONAL FUEL GAS
8353081	5300	3100911049	108		METZ - #1179	LAKESHORE	0.0	NATIONAL FUEL GAS
8353003	5293	3101311537	108		NANNEN ZOAR VALLEY #3 #1159	LAKESHORE	3.5	NATIONAL FUEL GAS
8353005	5307	3101310841	108		PACOS - #1236	LAKESHORE	6.3	NATIONAL FUEL GAS
8353031	5310	3101304948	108		W BURGON - #1166	LAKESHORE	5.7	NATIONAL FUEL GAS
8353004	5308	3101310499	108		WHEELER - #1171	LAKESHORE	2.0	NATIONAL FUEL GAS
-YERICO #1154								
-TIMBERLAY PETROLEUM CO								
8353010	5328	3105117409	107-TF		RECEIVED: 08/22/83 JA: NY	AVON	18.3	TENNESSEE GAS PIP
-TRAHAN PETROLEUM INC								
8353008	5331	3101318215	107-TF		HANOVER AVON #1	ELLINGTON	36.0	COLUMBIA GAS TRAN
-WILLANOVA NATURAL GAS CORP								
8353009	5144	3101304356	108		RECEIVED: 08/22/83 JA: NY	0.0	COLUMBIA GAS TRAN	
8353062	2356	3101316361	102-2		BURSLES #2	LAKESHORE	0.0	COLUMBIA GAS TRAN
8353043	2358	3101316362	102-2		JAMES BAER #1	LAKESHORE	0.0	COLUMBIA GAS TRAN
8353051	2354	3101316465	102-2		JOHN KOEHL #1	LAKESHORE	0.0	COLUMBIA GAS TRAN
-WELL RESOURCES								
8353027	4858	3102945532	107-TF		RECEIVED: 08/22/83 JA: NY	HAMBURG	5.0	NATIONAL FUEL GAS
-WOODMERE ENERGY DRILLING PROGRAM 82								
8353019	4988	3103717351	102-2		JULIANA #1	WILDCAT	20.0	NATIONAL FUEL GAS
8353017	4990	3103717349	102-2		BARON #2	WILDCAT	20.0	NATIONAL FUEL GAS
8353018	4989	3103717350	102-2		KING #1	WILDCAT	20.0	NATIONAL FUEL GAS
*****								
OHIO DEPARTMENT OF NATURAL RESOURCES								
*****								
-ALTHERS OIL INC								
8353180		3400922105	107-TF		RECEIVED: 08/26/83 JA: OH	BERN TOWNSHIP	6.0	COLUMBIA GAS TRAN
-APPALACHIAN EXPLORATION INC								
8353161		3415321077	107-TF		RECEIVED: 08/26/83 JA: OH	COPLEY	36.5	YANKEE RESOURCES
8353162		3415321407	107-TF		E BOUGHTON #3	COPLEY	54.8	YANKEE RESOURCES
-B I B ENTERPRISES								
8353164		3408924752	103		RECEIVED: 08/26/83 JA: OH	GLENFORD BOWLING GREE	50.0	
8353163		3408924744	103		DAUGHERTY #1-A	GLENFORD BOWLING GREE	50.0	
					OYSTER #1			

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-	BANDS COMPANY INC				RECEIVED: 08/26/83 JA: OH			
8353165		3407523716	103		MERWIN #2	RICHLAND	6.0	COLUMBIA GAS TRAN
-	BEREA OIL AND GAS CORPORATION				RECEIVED: 08/26/83 JA: OH			
8353166		3415722379	108		H MILLER #2	GNADENHUTTEN	7.0	ATLANTIC RICHFIEL
-	CAMERON BROS				RECEIVED: 08/26/83 JA: OH			
8353169		3411925242	103	107-TF	GERALD WAGNER #2	ADAMS	0.0	COLUMBIA GAS TRAN
8353168		3411925211	103	107-TF	SARAH FLIOGER #2A	ADAMS	5.0	COLUMBIA GAS TRAN
8353167		3411922852	103	107-TF	SPRING & WAGNER #2	ADAMS	5.0	COLUMBIA GAS TRAN
-	CLARENCE SHERMAN				RECEIVED: 08/26/83 JA: OH			
8353171		3415723848	103	107-TF	FLOYD & EDNA MILLER #1	BUCKS	5.5	EAST OHIO GAS CO
8353170		3407524043	103		POPE #1	CLARK	5.5	EAST OHIO GAS CO
-	CLINTON OIL CO				RECEIVED: 08/26/83 JA: OH			
8353217		3415723813	107-TF		C NELSON UNIT #1-752	MILL	10.0	
8353215		3408924724	103		FLINT RIDGE ENTERPRISES #3-818	HOPEWELL	10.0	
8353216		3412726000	107-TF		H LINDAMOOD #1-791	BEARFIELD	10.0	
8353214		3405520421	107-TF		SUKLE UNIT #1-808	AUBURN	10.0	
-	COLLINS-MCGREGOR OPERATING COMPANY				RECEIVED: 08/26/83 JA: OH			
8353172		3407322839	103		CONNOR #1	STARR	4.5	
-	ENERGY DEVELOPMENT CORP				RECEIVED: 08/26/83 JA: OH			
8353175		3405520195	107-TF	RT	BARTKO WELL #1	MIDDLEFIELD	17.0	COLUMBIA GAS TRAN
8353176		3405520201	107-TF	RT	BYLER #7	HUNTSBURG	18.0	COLUMBIA GAS TRAN
8353174		3405520191	107-TF	RT	CRAIG WELL #2	MIDDLEFIELD	17.0	COLUMBIA GAS TRAN
8353173		3405520178	107-TF	RT	FISHER WELL #3	GEAUGA	16.0	COLUMBIA GAS TRAN
8353177B		3405520215	107-TF	RT	KUNCZ #1	HUNTSBURG	16.0	COLUMBIA GAS TRAN
8353177A		3405520215	D 103		KUNCZ #1	HUNTSBURG	16.0	COLUMBIA GAS TRAN
-	FUTURE ENERGY CORPORATION				RECEIVED: 08/26/83 JA: OH			
8353179		3411513063	103	107-TF	H MURPHEY #1	MALTA	30.0	
8353178		3411523011	103	107-TF	HOSOM #1	MALTA	30.0	
8353181		3411523207	103	107-TF	R SEES #2	MALTA	30.0	
8353180		3411523064	103	107-TF	R SEES #3	MALTA	30.0	
-	GASEARCH INC				RECEIVED: 08/26/83 JA: OH			
8353182		3400722218	103	107-TF	GREENE #1	MALTA	20.0	AMERICAN ENERGY S
-	HOOVER PRODUCING & OPERATING				RECEIVED: 08/26/83 JA: OH			
8353183		3412725631	103		L WALTERS #4-B	HOPEWELL-PERRY	9.0	NATIONAL GAS & OI
8353184		3412725937	103		L WALTERS #5-B	HOPEWELL-PERRY	9.1	NATIONAL GAS & OI
-	LAKE REGION OIL INC				RECEIVED: 08/26/83 JA: OH			
8353185		3407524087	103	107-TF	MONROE MILLER #1	BERLIN	10.0	COLUMBIA GAS TRAN
-	M B OPERATING CO INC				RECEIVED: 08/26/83 JA: OH			
8353195		3407521563	108		BEACHY U #2		0.0	RESOURCE EXPLORAT
8353196		3407521586	108		R TROYER U #4		0.0	RESOURCE EXPLORAT
-	MAJ				RECEIVED: 08/26/83 JA: OH			
8353191		3414520300	103	107-DV	AUTIE & ELIZA CONLEY #5	MADISON	0.4	
8353192		3414520305	103		AUTIE & ELIZA CONLEY #6	MADISON	0.6	
8353187		3414520266	103	107-DV	CLETIS DUMMITT #1	MADISON	0.4	
8353189		3414520298	103	107-DV	DAVID & IRENE CONLEY #1	MADISON	0.7	
8353194		3414520308	103	107-DV	FLORENCE MAE WHEELER #1	MADISON	0.6	
8353190		3414520299	103	107-DV	FORREST & WILLA CONLEY #2	MADISON	0.6	
8353186		3407922030	103	107-DV	GERALD & ADALINE FANNIN #1	SCIOTO	0.5	
8353193		3414520307	103	107-DV	RUSSELL & WILMA KUNTZMAN #2	MADISON	1.1	
8353188		3414520278	103	107-DV	U B & NINA SMITH #1	MADISON	0.4	
-	NEIL R. WYNN				RECEIVED: 08/26/83 JA: OH			
8353197		3416727454	103		HIEHLE #1	FAIRFIELD	2.0	RIVER GAS CO
-	NOBLE OIL CORP				RECEIVED: 08/26/83 JA: OH			
8353200		3411922950	108		BEDNARCZUK #1		20.0	YANKEE RESOURCES
8353201		3411922943	108		D GREEN #1		20.0	YANKEE RESOURCES
8353203		3411923006	108		F PATTON #1		20.0	YANKEE RESOURCES
8353198		3411922944	108		PAUL #1		20.0	YANKEE RESOURCES
8353199		3411922945	108		PAUL #2		20.0	YANKEE RESOURCES
8353202		3411922999	108		PAUL #3		20.0	YANKEE RESOURCES
-	OXFORD OIL CO				RECEIVED: 08/26/83 JA: OH			
8353218		3411523158	103	107-TF	JACK WYATT #1	YORK	12.0	
8353219		3411926673	103	107-TF	JAMES PORTER #1	PERRY	11.0	
8353220		3412725904	103	107-TF	WILLIAM BELLVILLE #1	MADISON	10.0	
-	PINETOP ESTATES				RECEIVED: 08/26/83 JA: OH			
8353205		3415321366	107-TF		HINTON UNIT #1	BATH	6.0	EAST OHIO GAS CO
8353204		3415321344	103	107-TF	MCCLEARY UNIT #1	BATH	6.0	EAST OHIO GAS CO
-	QUAKER STATE OIL REFINING CORP				RECEIVED: 08/26/83 JA: OH			
8353206		3407322799	103		SUNDAY CREEK COAL CO #79	WARD	11.0	COLUMBIA GAS TRAN
-	REDMAN OIL CO INC				RECEIVED: 08/26/83 JA: OH			
8353207		3411521413	D 103		MCGONAGLE-SNYDER #1	BRISTOL	1.0	COSHOCTON PIPE CO
-	REC ENERGY CORP				RECEIVED: 08/26/83 JA: OH			
8353210		3409921574	103	107-TF	AMERICAN FIRE CLAY CORP - A F C #13	BEAVER	36.5	REPUBLIC STEEL CO
8353208		3409921514	103	107-TF	AMERICAN FIRE CLAY CORP - A F C #6	GREEN	36.5	REPUBLIC STEEL CO
8353209		3409921568	103	107-TF	AMERICAN FIRE CLAY CORP - A F C #7	BEAVER	36.5	REPUBLIC STEEL CO
-	SAHTA FE DRILLING CO INC				RECEIVED: 08/26/83 JA: OH			
8353211		3416724467	107-DV		RICHARD KNOCH #2	SALEM	50.0	COLUMBIA GAS TRAN
-	SHONGM OIL & GAS INC				RECEIVED: 08/26/83 JA: OH			
8353212		3410323374	107-TF		BASHAM #2	MONTVILLE	0.0	
-	SINGLE DRILLING INC				RECEIVED: 08/26/83 JA: OH			
8353213		3400922156	103		SUNDAY CREEK COAL CO #3	TRIMBLE	6.0	
-	UNIVERSAL EXPLORATION				RECEIVED: 08/26/83 JA: OH			
8353221		3410323430	107-TF		JONES 2	WADSWORTH	0.0	YANKEE RESOURCES
-	VALENTINE OIL PROPERTIES				RECEIVED: 08/26/83 JA: OH			
8353222		3416727505	103	107-DV	LUCILLE TETZEL #1	GRANDVIEW	7.3	
8353223		3416727506	103	107-DV	LUCILLE TETZEL #2	GRANDVIEW	7.3	
-	VICTOR PETROLEUM CORP				RECEIVED: 08/26/83 JA: OH			
8353224		3411125002	103		G W DYE #3	ANTIOCH	5.5	RIVER GAS CO
-	WENNER PETROLEUM CORPORATION				RECEIVED: 08/26/83 JA: OH			
8353225		3416923405	107-TF		E W FETTER #1	MILTON-WAYNE POOL	36.5	COLUMBIA GAS TRAN
8353226		3416923510	107-TF		R GASSER #4	MILTON-WAYNE POOL	18.5	COLUMBIA GAS TRAN
-	WILLIAM F HILL				RECEIVED: 08/26/83 JA: OH			
8353234		3407523159	108		BOWER ACRES #1		3.0	COLUMBIA GAS TRAN
8353229		3407522152	108		BRADY #1		3.0	COLUMBIA GAS TRAN
8353237		3407523498	108		CARL W SNOODY #1		3.0	COLUMBIA GAS TRAN
8353235		3407523161	108		CHARLES R BALOG #1		3.0	COLUMBIA GAS TRAN
8353238		3407523673	108		CLAUDE SAGE #1		3.0	COLUMBIA GAS TRAN
8353231		3407522556	108		FERNANDO MATA #1		3.0	COLUMBIA GAS TRAN
8353233		3407523158	108		GEORGE J LUKAC #1		3.0	COLUMBIA GAS TRAN
8353230		3407522555	108		HAL FRANKS #1		3.0	COLUMBIA GAS TRAN
8353228		3407522150	108		HOOD #1		3.0	COLUMBIA GAS TRAN
8353236		3407523162	108		JAMES SPECK #1		3.0	COLUMBIA GAS TRAN
8353232		3407523157	108		ROBERT STARNER #2		3.0	COLUMBIA GAS TRAN
8353227		3407522104	108		SHEPLER #1		3.0	COLUMBIA GAS TRAN
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WEST VIRGINIA DEPARTMENT OF MINES								
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-	ALLEGHENY & WESTERN ENERGY CORP				RECEIVED: 08/22/83 JA: WV			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8353088		4708703647	103			B FERRELL #1	HARPER DISTRICT	36.0	ROARING FORK GAS
8353086		4708703656	103			J KEE #2	HARPER DISTRICT	36.0	ROARING FORK GAS
8353087		4708703648	103			O RAY #1	WALTON DISTRICT	36.0	ROARING FORK GAS
8353106		4708505552	103	RECEIVED:	08/22/83	JA: WV	UNION DISTRICT	0.0	CONSOLIDATED GAS
8353094		4701900479	103	RECEIVED:	08/22/83	JA: WV	EASTERN GAS & FUEL #75 - 092991	10.0	COLUMBIA GAS TRAN
8353093		4708100597	103	RECEIVED:	08/22/83	JA: WV	KANAWHA VALLEY BANK #4 - 093261	92.0	
8353104		4700121644	103	RECEIVED:	08/22/83	JA: WV	F PRICE #1	24.3	BROOKLYN UNION GA
8353130		4709702477	103	RECEIVED:	08/22/83	JA: WV	SEE #1	10.0	COLUMBIA GAS TRAN
8353103		4703301142	103	RECEIVED:	08/22/83	JA: WV	CONSOLIDATION COAL CO 12358	0.5	GENERAL SYSTEM PU
8353105		4703302803	103	RECEIVED:	08/22/83	JA: WV	G W CAYNOR 12772	4.0	GENERAL SYSTEM PU
8353109		4701303404	103	RECEIVED:	08/22/83	JA: WV	LOUIS BENNETT HRS 12752	5.0	GENERAL SYSTEM PU
8353107		4703302752	103	RECEIVED:	08/22/83	JA: WV	MARY M SAYLER 12742	6.0	GENERAL SYSTEM PU
8353110		4700101777	103	RECEIVED:	08/24/83	JA: WV	RALPH L JONES 12762	14.0	GENERAL SYSTEM PU
8353143		4700101790	103	RECEIVED:	08/22/83	JA: WV	DALLAS WHITE 12759	55.0	GENERAL SYSTEM PU
8353144		4709702459	103	RECEIVED:	08/22/83	JA: WV	ROY M SMITH 12760	60.0	GENERAL SYSTEM PU
8353142		4703302753	103	RECEIVED:	08/22/83	JA: WV	STEPHEN E BENNETT 12753	10.0	GENERAL SYSTEM PU
8353103		4702103905	103	RECEIVED:	08/22/83	JA: WV	B S MESSENGER #5	12.0	GLENVILLE
8353102		4702103906	103	RECEIVED:	08/22/83	JA: WV	FRASHURE #6	12.0	GLENVILLE
8353100		4704103179	103	RECEIVED:	08/22/83	JA: WV	JACOB #2	12.0	COURTHOUSE
8353101		4704103093	103	RECEIVED:	08/22/83	JA: WV	LOUDIN #3	10.0	COLUMBIA GAS TRAN
8353099		4704103154	103	RECEIVED:	08/22/83	JA: WV	MCLAUGHLIN #4	10.0	COLUMBIA GAS TRAN
8353157		4704103260	103	RECEIVED:	08/26/83	JA: WV	BONVILLIAN #1	24.0	COLUMBIA GAS TRAN
8353153		4704103215	103	RECEIVED:	08/26/83	JA: WV	COPLY #4	30.0	COLUMBIA GAS TRAN
8353154		4704103226	103	RECEIVED:	08/26/83	JA: WV	COPLY #5	375.0	COLUMBIA GAS TRAN
8353152		4704103213	103	RECEIVED:	08/26/83	JA: WV	KENNEY HEIRS #1	54.0	COLUMBIA GAS TRAN
8353158		4704103261	103	RECEIVED:	08/26/83	JA: WV	L BUSH #1	25.0	COLUMBIA GAS TRAN
8353155		4704103234	103	RECEIVED:	08/26/83	JA: WV	MULLOOLY #6	0.0	COLUMBIA GAS TRAN
8353156		4704103242	103	RECEIVED:	08/26/83	JA: WV	SHEARER #2	34.7	COLUMBIA GAS TRAN
8353151		4702103903	103	RECEIVED:	08/26/83	JA: WV	WOLFE #8	10.0	GLENVILLE
8353138		4702103939	103	RECEIVED:	08/22/83	JA: WV	FLING #1	4.5	CONSOLIDATED GAS
8353140		4707301421	103	RECEIVED:	08/24/83	JA: WV	RODNEY FITZWATER #1	20.0	HAUGHT INC
8353090		4701502115	103	RECEIVED:	08/22/83	JA: WV	PAULEY #7	73.0	CABOT CORP
8353091		4701502116	103	RECEIVED:	08/22/83	JA: WV	PAULEY #8	73.0	CABOT CORP
8353089		4701502117	103	RECEIVED:	08/22/83	JA: WV	PAULEY #9	73.0	CABOT CORP
8353139		4708505840	103	RECEIVED:	08/22/83	JA: WV	WADE #3	0.0	CARNEGIE NATURAL
8353127		4701702964	103	RECEIVED:	08/22/83	JA: WV	J-390	0.0	CONSOLIDATED GAS
8353126		4703302576	103	RECEIVED:	08/22/83	JA: WV	J-442	0.0	CONSOLIDATED GAS
8353125		4703302780	103	RECEIVED:	08/22/83	JA: WV	J-612	0.0	CONSOLIDATED GAS
8353124		4703302789	103	RECEIVED:	08/22/83	JA: WV	J-613	0.0	CONSOLIDATED GAS
8353121		4709500988	103	RECEIVED:	08/22/83	JA: WV	J-653	0.0	CONSOLIDATED GAS
8353123		4708505678	103	RECEIVED:	08/22/83	JA: WV	J-680	0.0	CONSOLIDATED GAS
8353122		4708525733	103	RECEIVED:	08/22/83	JA: WV	J-681	0.0	CONSOLIDATED GAS
8353131		4701703119	103	RECEIVED:	08/22/83	JA: WV	ALLEN HEIRS #1 5-396	15.0	COLUMBIA GAS TRAN
8353132		4701703118	103	RECEIVED:	08/22/83	JA: WV	ALLEN HEIRS #2 5-426	0.3	COLUMBIA GAS TRAN
8353133		4701703116	103	RECEIVED:	08/22/83	JA: WV	WILLIAM BATES 5-416	0.1	COLUMBIA GAS TRAN
8353084		4702102570	103	RECEIVED:	08/22/83	JA: WV	BROWN #1	30.0	GLENVILLE SOUTH
8353085		4702126240	103	RECEIVED:	08/22/83	JA: WV	POMELL #1	30.0	GLENVILLE SOUTH
8353116		4704103231	103	RECEIVED:	08/22/83	JA: WV	S STUTLER #JX 1-5 "SECOND HOLE"	35.0	CONSOLIDATED GAS
8353082		4708505520	103	RECEIVED:	08/22/83	JA: WV	ANDREW D FOITTY KEM #209	12.4	CONSOLIDATED GAS
8353081		4708505582	103	RECEIVED:	08/22/83	JA: WV	ANDREW D FOITTY KEM #216	33.5	CONSOLIDATED GAS
8353141		4707301518	107-DV	RECEIVED:	08/24/83	JA: WV	STEWART #3	20.0	UNION
8353145		4702103904	103	RECEIVED:	08/22/83	JA: WV	C P SHIDER #4	10.0	GLENVILLE
8353120		4710900879	103	RECEIVED:	08/22/83	JA: WV	GEORGIA PACIFIC #1-AGP	5.0	CONSOLIDATED GAS
8353118		4710900889	103	RECEIVED:	08/22/83	JA: WV	MELCHLANDS #16 AM	5.0	CONSOLIDATED GAS
8353119		4710900887	103	RECEIVED:	08/22/83	JA: WV	MELCHLANDS #18 AM	5.0	CONSOLIDATED GAS
8353117		4710900901	103	RECEIVED:	08/22/83	JA: WV	MELCHLANDS #21-AM	0.0	CONSOLIDATED GAS
8353129		4717022950	103	RECEIVED:	08/22/83	JA: WV	H J SHAHAN #2	34.0	CONSOLIDATED GAS
8353128		4708505144	103	RECEIVED:	08/22/83	JA: WV	J B TAFT #1	0.0	CONSOLIDATED GAS
8353115		4704103256	103	RECEIVED:	08/22/83	JA: WV	D LOUDIN #1	27.0	CONSOLIDATED GAS
8353113		4710900897	103	RECEIVED:	08/22/83	JA: WV	ANNE W COOK 92-5-294	55.0	COLUMBIA GAS TRAN
8353114		4710900892	103	RECEIVED:	08/22/83	JA: WV	Y & O COAL 88-5-279	55.0	COLUMBIA GAS TRAN
8353112		4710900896	103	RECEIVED:	08/22/83	JA: WV	Y & O COAL 90-5-281	36.0	COLUMBIA GAS TRAN
8353146		4709901784	103	RECEIVED:	08/24/83	JA: WV	WAYNE COUNTY LAND & MIN CO 1-5-284	11.0	COLUMBIA GAS TRAN
8353147		4709901785	103	RECEIVED:	08/24/83	JA: WV	WAYNE COUNTY LAND & MIN CO 10-5-293	15.0	COLUMBIA GAS TRAN
8353098		4701502023	103	RECEIVED:	08/22/83	JA: WV	SPINKS #589	19.3	UNDEDICATED
8353097		4701502160	103	RECEIVED:	08/22/83	JA: WV	SPINKS #676	4.5	UNDEDICATED
8353148		4700501400	103	RECEIVED:	08/24/83	JA: WV	APPALACHIAN POWER CO #673-REV	29.5	SCOTT DISTRICT
8353149		4701502034	103	RECEIVED:	08/22/83	JA: WV	BRAGG #622	26.3	BROOKLYN UNION GA
8353150		4701502046	103	RECEIVED:	08/22/83	JA: WV	SPINKS #650	7.2	BROOKLYN UNION GA
8353137		4701703045	103	RECEIVED:	08/22/83	JA: WV	BARNETT #1	17.0	CONSOLIDATED GAS
8353134		4701703120	103	RECEIVED:	08/22/83	JA: WV	BARNETT #1 148-5	125.0	CONSOLIDATED GAS
8353135		4701703087	103	RECEIVED:	08/22/83	JA: WV	COX #1 125-5	107.0	CONSOLIDATED GAS
8353136		4701703046	103	RECEIVED:	08/22/83	JA: WV	J A STATLER #2 94-5	21.0	CONSOLIDATED GAS
8353085		4702103842	103	RECEIVED:	08/22/83	JA: WV	HENDERSON "A" #1	50.0	GLENVILLE NORTH
8353111		4705500084	103	RECEIVED:	08/22/83	JA: WV	MCCREARY COAL LAND CO #1 1818	0.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-UNITED PETRO LTD					RECEIVED: 08/22/83 JA: WV			
8353092		6704103224	103		G E WILFONG #2 - UPL	COPLY GAS	10.0	CONSOLIDATED GAS
-WATKINS & WATKINS					RECEIVED: 08/22/83 JA: WV			
8353095		4701703074	103		MCCLAIN #1 (STOKES-HURST)	NEW MILTON	9.0	
8353096		4701703066	103		MCCLAIN #2 (STOKES-HURST)	NEW MILTON	75.0	
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** DEPARTMENT OF THE INTERIOR, MINERALS MANAGEMENT SERVICE, DENVER, CO								
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-AMERICAN RESOURCES MANAGEMENT CORPO					RECEIVED: 08/22/83 JA: CO 1			
8353073	CD-0111-82	0504506092	103		B G 30-4		126.0	NORTHWEST PIPELIN
8353074	CD-0112-82	0504506385	103		C C 25-3		100.8	NORTHWEST PIPELIN
8353076	CD-0114-82	0504506386	103		C C 26-1		73.0	NORTHWEST PIPELIN
8353075	CD-0113-82	0510308204	103		T C 3-4		63.7	NORTHWEST PIPELIN
-BEARTOOTH OIL & GAS CO					RECEIVED: 08/22/83 JA: CO 1			
8353077	CD-0591-82	0510308837	102-9		FEDERAL #33-2	COTTONWOOD CREEK	15.0	
-CELSIUS ENERGY CO					RECEIVED: 08/22/83 JA: CO 1			
8353071	CD-0143-83	0508106518	102-2		MIAMATHA DEEP UNIT WELL #3	MIAMATHA	1327.0	MOUNTAIN FUEL SUP
-TEXACO INC					RECEIVED: 08/22/83 JA: CO 1			
8353072	CD-0148-83PB	0506705307	108-PB		SOUTH UTE TRIBE OF INDIANS #1	IGNACIO-MESAVERDE	0.0	EL PASO NATURAL G

(PR Doc. 83-25804 Filed 9-19-83; 8:45 am)

BILLING CODE 6717-01-C

[Volume 969]

### Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: September 14, 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 100, 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.

#### NOTICE OF DETERMINATIONS Issued September 14, 1983

VOLUME 969

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
KANSAS CORPORATION COMMISSION								
*****								
-IMPERIAL OIL COMPANY			RECEIVED:	08/26/83	JA: KS			
8353533	K-82-0428	1509720658	108-PB		BURTSFIELD #3-19	VOD	0.0	KN ENERGY INC
-SOUTHLAND ROYALTY CO			RECEIVED:	08/26/83	JA: KS			
8353530	K-82-0844	1511920378	108-PB		ADAMS #6-11 (TORONTO)	CIMMARRON BEND	0.0	COLORADO INTERSTA
-TEXACO INC			RECEIVED:	08/26/83	JA: KS			
8353532	K-79-0608	1511910213	108-PB		A D SANDERS B #1	SINGLEY-SANDERS	0.0	PANHANDLE EASTERN
8353529	K-79-0608	1511910213	108-PB		A D SANDERS B #1	SANDERS	0.0	PANHANDLE EASTERN
8353531	K-79-0608	1511910213	108-PB		A D SANDERS B #1	SINGLEY-SANDERS	0.0	PANHANDLE EASTERN
*****								
TEXAS RAILROAD COMMISSION								
*****								
-ADAMS EXPLORATION CO			RECEIVED:	08/26/83	JA: TX			
8353564	F-05-069478	4216130746	102-2	107-TF	D P FULTON #1	BEAR GRASS (TRAVIS PE	272.0	TEXAS UTILITIES F
-AM QUEST CORP			RECEIVED:	08/26/83	JA: TX			
8353402	F-10-070744	4229530690	107-TF		H C BRILLHART "A" #1	KIOWA CREEK (CLEVELAN	450.0	NORTHERN NATURAL
-AMERICAN OPERATING CO			RECEIVED:	08/26/83	JA: TX			
8353335	F-03-068166	4216730903	102-4		COL WM E LOBIT 1-A	LEAGUE CITY TOWNSITE	657.0	AMOCO GAS CO
-AMOCO PRODUCTION CO			RECEIVED:	08/26/83	JA: TX			
8353458	F-10-071486	4235731322	103		B C HURNS #2	PARSELL - UPPER MORRO	120.0	
8353481	F-08-071649	4200333492	103		FRANK COWDEN R/A "T" #29	COWDEN NORTH	5.0	AMOCO PRODUCTION
8353482	F-08-071656	4200333503	103		FRANK COWDEN R/A "T" #30	COWDEN NORTH	37.0	AMOCO PRODUCTION
8353483	F-08-071658	4200333504	103		FRANK COWDEN R/A "T" #32	COWDEN NORTH	1.0	AMOCO PRODUCTION
8353407	F-06-070771	4240131609	102-4		R F RUSSELL OIL UNIT #1	DVERTON N E (PETTIT)	978.0	EXXON CO USA
-ANCHOR ENERGY CO			RECEIVED:	08/26/83	JA: TX			
8353521	F-10-071737	4206530904	103		SANFORD #1-10	PANHANDLE CARSON COUN	63.0	PANHANDLE EASTERN
8353520	F-10-071736	4206530906	103		SANFORD #2-10	PANHANDLE CARSON COUN	90.0	PANHANDLE EASTERN
8353519	F-10-071735	4206530904	103		SANFORD #3-11	PANHANDLE CARSON COUN	72.0	PANHANDLE EASTERN
8353518	F-10-071734	4206530910	103		SANFORD #4-12	PANHANDLE CARSON COUN	105.0	PANHANDLE EASTERN
8353517	F-10-071733	4206530968	103		SANFORD #5-10	PANHANDLE CARSON COUN	90.0	PANHANDLE EASTERN
8353516	F-10-071732	4206530965	103		SANFORD #5-13	PANHANDLE CARSON COUN	95.0	PANHANDLE EASTERN
-ANCIL T FULLER			RECEIVED:	08/26/83	JA: TX			
8353278	F-03-065126	4215731386	102-4	103	BERT F WINSTON A-1	S W CLODINE (7250' YE	180.0	DOW CHEMICAL CO
-ANDCO OIL			RECEIVED:	08/26/83	JA: TX			
8353467	F-10-071577	4217931329	103		GEORGIA #2 (05269)	PANHANDLE GRAY COUNTY	150.0	GETTY OIL CO
8353468	F-10-071578	4217931330	103		GEORGIA "B" #2 (05382)	PANHANDLE GRAY COUNTY	52.0	GETTY OIL CO
-ARCADIA REFINING CO			RECEIVED:	08/26/83	JA: TX			
8353512	F-06-071716	4240130638	102-4		CARL MESSE #1 #10027	CHAPMAN (TRAVIS PEAK)	0.0	TUFCO
8353514	F-06-071718	4240108000	102-4		J L PHILLIPS #1 #072923	CHAPMAN (TRAVIS PEAK)	0.0	TUFCO
8353513	F-06-071717	4240130926	102-4		L C HAND #1 #038048	CHAPMAN (TRAVIS PEAK)	0.0	TUFCO
-ARCO OIL AND GAS COMPANY			RECEIVED:	08/26/83	JA: TX			
8353392	F-10-070526	4217931284	103		COMBS-MORLEY "C" #3	PANHANDLE GRAY COUNTY	36.5	PHILLIPS PETROLEU
8353522	F-08-071753	4200333440	103		UNIVERSITY 11 SECTION 12 A-5	MARTIN	22.0	PHILLIPS PETROLEU
-AUSTEX ENERGY CO INC			RECEIVED:	08/26/83	JA: TX			
8353334	F-78-068019	4236332928	102-4		E C RINGO #1	BIG SALINE (STRANN)	50.0	TEXAS UTILITIES F
-B M L INC			RECEIVED:	08/26/83	JA: TX			
8353500	F-10-071694	4206531217	103		MOBIL FEE (05325) #1	PANHANDLE CARSON COUN	12.0	GETTY OIL CO

BILLING CODE 6717-01-M

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8353499	F-10-071693	4206531345	103		MOBIL FEE (05325) #2-A	PANHANDLE CARSON COUN	11.0	GETTY OIL CO
8353498	F-10-071692	4206531219	103		MOBIL FEE (05325) #3	PANHANDLE CARSON COUN	16.0	GETTY OIL CO
8353497	F-10-071691	4206531220	103		MOBIL FEE (05325) #4	PANHANDLE CARSON COUN	7.0	GETTY OIL CO
-BECKER & G/O INTERNATIONAL INC					RECEIVED: 08/26/83			
8353261	F-04-058670	4227331658	103		GULF OIL CORP #9	KINGSVILLE (2850')	175.0	TEXAS EASTERN TRA
-BILL FENN INC					RECEIVED: 08/26/83			
8353488	F-03-071677	4228731272	102-2		JENNY P #1	GIDDINGS AUSTIN CHALK	0.0	CLAJON GAS CO
8353487	F-03-071676	4228700000	102-2		MAMIE S #1	GIDDINGS - AUSTIN CHA	0.0	CLAJON GAS CO
-BISHOP PETROLEUM INC					RECEIVED: 08/26/83			
8353409	F-05-070819	4216130110	102-4		ALDERMAN #1	HOLLMAN (7777)	365.0	LONE STAR GAS CO
-BTA OIL PRODUCERS					RECEIVED: 08/26/83			
8353450	F-7C-071311	4238332526	103		JACKSON "A" #8	SPRABERRY (TREND AREA	24.0	EL PASO NATURAL G
-BURNETT OIL CO INC					RECEIVED: 08/26/83			
8353438	F-01-071114	4231100000	102-4	103	T MORGAN ET AL #1	AMP (OLMOS)	0.0	HPI TRANSMISSION
-C & K PETROLEUM INC					RECEIVED: 08/26/83			
8353275	F-08-064092	4232931090	102-4	103	MCALISTER #1	MID-MAR E (FUSSELMAN)	44.0	PHILLIPS PETROLEU
-C F LAURENCE & ASSOC INC					RECEIVED: 08/26/83			
8353477	F-7C-071634	4210532821	102-4		HAFLOW 62-1 07991	HAFLOW (QUEEN)	0.0	APACHE GAS CORP
8353476	F-7C-071633	4210533315	102-4		HALFF 62-4 07991	HAFLOW (QUEEN)	0.0	APACHE GAS CORP
8353475	F-7C-071632	4210533316	102-4		HALFF 62-5 07991	HAFLOW (QUEEN)	0.0	APACHE GAS CORP
8353474	F-7C-071631	4210533525	102-4		HALFF 62-6 07991	HAFLOW (QUEEN)	0.0	APACHE GAS CORP
8353342	F-08-068542	4237134220	103		IRT 61-2	LEHN-APCO	0.0	
8353341	F-08-068541	4237134221	103		IRT 61-3	LEHN-APCO	6.0	
-C. J. WOFFORD					RECEIVED: 08/26/83			
8353340	F-02-068537	4202531984	102-4		PORTER L SPARKMAN #1	MINERAL NORTH (9750)	122.0	TEXAS EASTERN TRA
-CARPENTER WALTER G					RECEIVED: 08/26/83			
8353319	F-7B-066959	4236300000	102-4		W J LANGFORD #3	ROSS (MARBLE FALLS LD	27.0	LONE STAR GAS CO
-CHAFFLIN PETROLEUM COMPANY					RECEIVED: 08/26/83			
8353283	F-04-066663	4235500000	102-4	103	J W DRYDEN # 8-U	WILDCAT	0.0	TENNESSEE GAS PIP
8353255	F-04-053158	4235532013	102-4	103	J W DRYDEN # 8-U	STRATTON (G-15-2)	752.0	TENNESSEE GAS PIP
8353260	F-08-058405	4217331297	107-TF		P L CRAVENS #2	CONGER SW (PENN)	52.0	NORTHERN NATURAL
-CHARLES H BENTLEY					RECEIVED: 08/26/83			
8353272	F-09-063521	4250300000	108-ER		IOLA HAZELTON #2	GRAHAM SOUTH (CADDO)	21.0	LONE STAR GAS CO
-CHITAL PETROLEUM CORP					RECEIVED: 08/26/83			
8353427	F-7B-071049	4244700000	102-4	103	JOHN T DAVIS "C" #1	GALPIN (MIDDLE CADDO)	72.0	H S T GATHERING C
-CIRCLE SEVEN PRODUCTION CO					RECEIVED: 08/26/83			
8353431	F-09-071079	4223735184	102-4		D C CRAMFORD ESTATE 'A' 2	DEE CEE (CONGLOMERATE	0.0	LONE STAR GAS CO
-CLOVER ENERGY CORP					RECEIVED: 08/26/83			
8353307	F-02-066642	4205731226	102-4		WENMEYER ESTATE #2-T	SHERIFF EAST (8560)	280.0	UNITED TEXAS TRAN
-CNR RESOURCES INC					RECEIVED: 08/26/83			
8353289	F-02-066082	4223931422	102-4		FRANEK #1 PERMIT #053751	CORDELE FIELD FRANEK	108.0	CFH GATHERING CO
-COASTAL OIL & GAS CORP					RECEIVED: 08/26/83			
8353417	F-8A-070904	4216532518	103		50 HARRIS UNIT 10-5	HARRIS	4.0	PHILLIPS PETROLEU
8353423	F-8A-070985	4216532580	103		50 HARRIS UNIT 5-8	HARRIS (GLORIETA)	3.0	PHILLIPS PETROLEU
-COLOGNE PRODUCTION CO					RECEIVED: 08/26/83			
8353463	F-02-071546	4246931649	102-4		J HORNSTEIN "A" WELL#4	COLOGNE (4650)	10.0	HOUSTON PIPELINE
-CONOCO INC					RECEIVED: 08/26/83			
8353443	F-08-071169	4213534186	103		J L JOHNSON #29 ID 01554	FOSTER	365.0	EL PASO HYDROCARB
8353523	F-08-071759	4210333165	103		UNIVERSITY "CM" #7 ID 11210	DUNE	54.8	PHILLIPS PETROLEU
-CURTIS HANKAMER CORP					RECEIVED: 08/26/83			
8353390	F-03-070483	4214930535	102-2		JACK W MILLS #1	GIDDINGS (AUSTIN CHAL	12.0	PHILLIPS PETROLEU
-D L WHITAKER OIL CO					RECEIVED: 08/26/83			
8353352	F-7B-068985	4242900000	102-4		CORBETT WELL #1 "A"	CORBETT MIDDLE CONGLO	2145.1	SUN GAS TRANSMISS
-DANIEL OIL COMPANY					RECEIVED: 08/26/83			
8353271	F-03-062996	4231300000	102-4		G F MATHIS #1	MADISONVILLE N W (830	0.0	LONE STAR GAS CO
-DELRAY OIL INC					RECEIVED: 08/26/83			
8353321	F-7B-066967	4208300000	103		EDGAR HERRING #5	COLEMAN COUNTY REGULA	72.0	LONE STAR GAS CO
8353320	F-7B-066966	4208333457	103		EDGAR HERRING #6	COLEMAN COUNTY REGULA	6.5	LONE STAR GAS CO
-DIAMOND SHAHROCK CORPORATION					RECEIVED: 08/26/83			
8353319	F-10-068535	4229531251	103		GEORGE EARL TUBB #1-335	LIPSCOMB SW	0.0	
8353279	F-10-065260	4234100000	108-ER		YOUNG #2	PANHANDLE WEST	0.0	NORTHERN NATURAL
-DYAD ASSOCIATES					RECEIVED: 08/26/83			
8353445	F-7C-071193	4208131141	103		CROWN #1	JAMESON (STRAWN)	1.4	KOCH INDUSTRIES I
-E T S ENTERPRISES INC					RECEIVED: 08/26/83			
8353367	F-10-069669	4221131533	107-DP		RAY ROGERS #1	ROGERS ("A" CHERT ZON	365.0	
-EDWIN L COX					RECEIVED: 08/26/83			
8353358	F-04-069304	4247935498	102-4		ARMSTRONG #1 WELL	AMATORS W	425.0	HOUSTON PIPE LINE
-ELAINE MAGRUDER OIL & GAS					RECEIVED: 08/26/83			
8353446	F-08-071195	4200333038	103		CONDEN "F" #4	BLOCK 11 (WICHITA)	42.0	WESTAR TRANSMISSI
-ENRE CORP					RECEIVED: 08/26/83			
8353452	F-7B-071360	4205934137	102-4		JACKSON 21 #1	JACKSON DUFFER	0.0	BENGAL GAS TRANSM
-ENSOURCE INC					RECEIVED: 08/26/83			
8353254	F-06-052254	4222530404	103		SOUTHERN PINES GAS UNIT #2 #1	WHITE OAK CREEK (TRAV	0.0	TEJAS GAS CORP
-EUGENE FUHRMAN OIL CO					RECEIVED: 08/26/83			
8353336	F-09-068218	4223733330	103		J S EVETT #3	OZIE WEST CADDO (CONG	110.0	LONE STAR GAS CO
-EXCEL PRODUCTION CO					RECEIVED: 08/26/83			
8353454	F-10-071367	4217931367	103		CLINT #1	PANHANDLE GRAY	40.0	CABOT PIPELINE CO
8353453	F-10-071366	4217931373	103		CLINT #2	PANHANDLE GRAY	69.0	CABOT PIPELINE CO
-EXXON CORPORATION					RECEIVED: 08/26/83			
8353317	F-03-066792	4237330544	103		C B GRANBURY #82-F	LIVINGSTON (2020)	120.0	UNITED TEXAS TRAN
8353410	F-03-070893	4207131437	103		C G JOHNSON A/C 1 #56	ANAHUAC	0.2	CITY OF ANAHUAC
8353480	F-03-071646	4233930572	103		CONROE FIELD UNIT #1015	CONROE FIELD	95.0	MORAN UTILITIES C
8353478	F-03-071644	4233930576	103		CONROE FIELD UNIT #111	CONROE	350.0	MORAN UTILITIES C
8353479	F-03-071645	4233930577	103		CONROE FIELD UNIT #1940	CONROE	44.0	MORAN UTILITIES C
8353356	F-02-069149	4228531216	102-4		EINKAUF GAS UNIT #1	HALLETTSVILLE SOUTH (	17.1	ARMCO STEEL CORP
8353489	F-04-071678	4235532104	102-4		FLOUR BLUFF STATE "A" 6-D	FLOUR BLUFF (H-70)	63.1	ARMCO STEEL CORP
8353484	F-03-071659	4248132439	103		H C COCKBURN #121	MAGNET WITNERS	25.0	ARMCO STEEL CORP
8353465	F-04-071575	4226130420	103		K R SAN JOSE DE LA PARRA 18 105421	CALANDRIA (H-73)	180.0	ARMCO STEEL CORP
8353466	F-04-071576	4226130810	102-4		KING RANCH BADENO 11 (105657)	SAN JOSE SOUTH (G-35	813.0	ARMCO STEEL CORP
8353397	F-8A-070649	4216532539	103		ROBERTSON CLEARFORK UNIT #9301	ROBERTSON N (CLEAR PD	15.0	PHILLIPS PETROLEU
8353405	F-10-070764	4229531261	103		ROLAND IMBODEN #2	HIGGINS WEST (TONKANA	9.0	
8353380	F-06-070323	4234730755	103		RUTH H FRANK #1	DOUGLASS W (TRAVIS PE	283.0	ARMCO STEEL CORP
8353442	F-7B-071167	4215131633	103		W DUKE #5	DIXON-LAWLIS (CANYON)	9.0	
-FORUM ENERGY INC					RECEIVED: 08/26/83			
8353361	F-7B-069406	4236333093	102-4		W J BELDING #2	FORUM (BEND CONGL)	200.0	LONE STAR GAS CO
-FRED G BROWN INC					RECEIVED: 08/26/83			
8353525	F-7C-071781	4252730303	102-2	103	SPECK ESTATE #2	BAR-F (CROSS CUT)	619.2	CIBOLO GAS INC
-FROST OIL CO INC					RECEIVED: 08/26/83			
8353464	F-7C-071551	4208131181	102-4		JOHN DOUGLAS THORN # 2-270	RAY	0.0	LONE STAR GAS CO
-GATHINGS OIL INC					RECEIVED: 08/26/83			
8353385	F-04-070385	4215136159	102-4		GATHINGS OIL INC #10 R G DELUNA	DELUNA (YEGUA 5030')	100.0	UNITED TEXAS TRAN
-GETTY OIL COMPANY					RECEIVED: 08/26/83			
8353528	F-09-071804	4249732276	103		CAUGHLIN UNIT #38	CAUGHLIN (STRAWN)	3.0	CITIES SERVICE CO
8353436	F-7B-071104	4235331435	103		LAKE TRAMMEL UNIT #104	WEST LAKE TRAMMEL (CA	6.2	EL PASO NATURAL G

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8353324	F-03-067253	4205100000	102-2		SANTA FE "A" #2	GIDDINGS (AUSTIN CHAL	0.0	FERGUSON CROSSING
-GRR ENERGY CORP			RECEIVED:		08/26/83 JA: TX			
8353337	F-04-068240	4247933441	102-2	107-TF	DERBY #1	CATTO (LORO 10,200)	350.0	NATURAL GAS PIPEL
8353386	F-04-070404	4250531613	102-4		M FLORES #3	FLORES (PERDIDO)	300.0	NATURAL GAS PIPEL
-GILLERIGH OIL CO			RECEIVED:		08/26/83 JA: TX			
8353358	F-04-056853	4235500000	102		OLITE PURL #2 ID #098911	AGUA DULCE/5200'	12.0	TENNESSEE GAS PIP
-GOLDKING PRODUCTION COMPANY			RECEIVED:		08/26/83 JA: TX			
8353429	F-04-071077	4221500000	102-4		C WERNER #1	WHITTED	370.0	INTRASTATE GATHER
8353430	F-04-071078	4235500000	102-4		ST 746 #2	WUECES BAY	396.0	HOUSTON PIPE LINE
-GULF OIL CORPORATION			RECEIVED:		08/26/83 JA: TX			
8353459	F-08-071497	4210333131	103		W N WADDELL #1246	SAND HILLS (JUDKINS)	0.5	H & T GATHERING C
8353259	F-08-057726	4210301183	108-ER		W N WADDELL #326	WADDELL	0.0	EL PASO NATURAL G
-GULF SANDS OIL CO			RECEIVED:		08/26/83 JA: TX			
8353264	F-02-060677	4202531441	102-4		RUTH HARTZENDORF #1 ID NO PENDING	TYNAN (1265)	36.0	GULF STATES EQUIT
-GUPTON GAS CO			RECEIVED:		08/26/83 JA: TX			
8353462	F-78-071544	4236732451	102-4		ADDISON #1 (105175)	DENNIS SW (2700) FIEL	0.0	NORTHERN GAS PROD
8353461	F-78-071543	4236732452	102-4		MARTIN #1 (105176)	DENNIS SW (2700)	0.0	NORTHERN GAS PROD
8353460	F-78-071542	4236732142	102-4		MARTIN-MOSS #1 (099152)	DENNIS SW (2700) FIEL	0.0	NORTHERN GAS PROD
-HAILEY ENERGY			RECEIVED:		08/26/83 JA: TX			
8353444	F-78-071189	4213334667	102-4		CONNER #1	LOYCE (STRAWN)	150.0	SOUTHWESTERN GAS
-HARGIS EXPLORATION & PRODUCTION INC			RECEIVED:		08/26/83 JA: TX			
8353333	F-78-068009	4236732483	102-4		M SCARBOROUGH #3	DENNIS WEST (STRAWN)	192.0	TEXAS UTILITIES F
-HARRISON INTERESTS LTD			RECEIVED:		08/26/83 JA: TX			
8353414	F-7C-070898	4210533501	107-TF		UNIVERSITY LAND 18-33 GU #1 #23	HOWARDS CREEK (PENN)	25.0	INTRATEX GAS CO
8353412	F-7C-070896	4210533502	107-TF		UNIVERSITY LAND 19-33 #12	HOWARDS CREEK (PENN)	45.0	INTRATEX GAS CO
8353411	F-7C-070894	4210533502	107-TF		UNIVERSITY LAND 20-33 #20	HOWARDS CREEK (PENN)	37.0	INTRATEX GAS CO
8353415	F-7C-070899	4210533502	107-TF		UNIVERSITY LAND 20-33A #24	HOWARDS CREEK (PENN)	60.0	INTRATEX GAS CO
8353416	F-7C-070901	4210532707	107-TF		UNIVERSITY LAND 21-30 #19	HOWARDS CREEK N (PENN)	35.0	INTRATEX GAS CO
8353413	F-7C-070897	4210532388	107-TF		UNIVERSITY LAND 9-32 #16	HOWARDS CREEK (PENN)	30.0	INTRATEX GAS CO
-HAIN BROTHERS			RECEIVED:		08/26/83 JA: TX			
8353379	F-04-070310	4221551318	103		EDINBURG GAS UNIT #1	EDINBURG (7600 CARLSO	182.5	TENNESSEE GAS PIP
-HILLIARD OIL & GAS INC			RECEIVED:		08/26/83 JA: TX			
8353428	F-04-071069	4213136140	102-4		LEO J WELDER #2	SEVEN SISTERS (E REAG	216.0	UNITED TEXAS TRAN
-HINTON PRODUCTION COMPANY			RECEIVED:		08/26/83 JA: TX			
8353383	F-08-070364	4240131574	102-4		WHITEHEAD #1	MINDEN (RODESSA 6350)	500.0	TEXAS UTILITIES F
-HUGG OIL COMPANY			RECEIVED:		08/26/83 JA: TX			
8353318	F-7C-066851	4243500000	103	107-TF	ASKEM "46" #2	SAWYER (CANYON)	100.0	INTRATEX GAS CO
8353302	F-7C-066297	4243500000	103	107-TF	BRAY "42" #1	SAWYER (CANYON)	46.0	INTRATEX GAS CO
8353338	F-7C-068245	4243500000	103	107-TF	MAYFIELD "46" #5	SAWYER (CANYON)	180.0	INTRATEX GAS CO
8353309	F-7C-066660	4243500000	103	107-TF	SHURLEY "141" #6	SAWYER (CANYON)	125.0	INTRATEX GAS CO
8353301	F-7C-066294	4243500000	103	107-TF	VANDERSTUCKEN "51" #5	SAWYER (CANYON)	37.0	INTRATEX GAS CO
-HORIZON OIL & GAS CO OF TEXAS			RECEIVED:		08/26/83 JA: TX			
8353401	F-10-070733	4219530885	103		MCCLELLAN "A" #1-13	GRUVER NW (MORROW)	18.0	PHILLIPS PETROLEU
-HUNT OIL COMPANY			RECEIVED:		08/26/83 JA: TX			
8353382	F-7C-070359	4246132005	102-4		V T AMACKER 79 #4	AMACKER-TIPPETT S W (	100.0	EL PASO NATURAL G
8353441	F-7C-071163	4246132024	102-4		V T AMACKER 79 #5	AMACKER-TIPPETT S W (	150.0	EL PASO NATURAL G
-INDIAN WELLS OIL CO			RECEIVED:		08/26/83 JA: TX			
8353359	F-7C-069400	4223531963	102-2		ROCKER B 1934-1	ROCKER B - EAST PENN	0.0	NORTHERN NATURAL
8353360	F-7C-069403	4223532037	102-2		SMITH 56-1	PROBANDT (CANYON)	0.0	NORTHERN NATURAL
-ITR PETROLEUM INC			RECEIVED:		08/26/83 JA: TX			
8353426	F-01-071046	4217731422	102-4		HALARICEK #5	PEACH CREEK (AUSTIN C	52.0	TIPPERARY CORP
-J E W RESOURCES			RECEIVED:		08/26/83 JA: TX			
8353381	F-05-070337	4249500000	103		LIE C #1	KEYSTONE (COLBY)	0.0	CABOT PIPELINE CO
-J M HUBER CORPORATION			RECEIVED:		08/26/83 JA: TX			
8353256	F-10-053555	4235700000	108-ER		BLOSSOM #1	PERRYTON (MORROW UPPE	0.0	PHILLIPS PETROLEU
-J N SHELTON DRILLING INC			RECEIVED:		08/26/83 JA: TX			
8353472	F-78-071598	4208332778	102-4		J J CROWDER #1 (105491)	SHELTON (FRY SAND) FI	73.0	SOUTHWESTERN GAS
-JOHNSON F T JR			RECEIVED:		08/26/83 JA: TX			
8353490	F-09-071680	4248731468	103		DOCKERY #2	WILBARGER COUNTY REGU	3.7	KIBO COMPRESSOR C
8353491	F-09-071681	4248731605	103		DOCKERY 3	WILBARGER COUNTY REGU	3.7	KIBO COMPRESSOR C
8353492	F-09-071682	4248731313	103		ROY JUDD #1	WILBARGER COUNTY REGU	3.7	KIBO COMPRESSOR C
8353493	F-09-071683	4248731421	103		ROY JUDD #2	WILBARGER COUNTY REGU	3.7	KIBO COMPRESSOR C
8353494	F-09-071685	4248731444	103		ROY JUDD #3	WILBARGER COUNTY REGU	3.7	KIBO COMPRESSOR C
-JONES CO			RECEIVED:		08/26/83 JA: TX			
8353496	F-78-071690	4205933997	102-4		TOM WINDHAM #1	OPLIN NE (CADD0)	180.0	UNION TEXAS PETRO
-KAISER-FRANCIS OIL COMPANY			RECEIVED:		08/26/83 JA: TX			
8353305	F-10-066548	4229531127	103		BDOOTH-LOBO #1-594	BRADFORD SE (CLEVELAN	37.2	PHILLIPS PETROLEU
-KEITH D GRAMM			RECEIVED:		08/26/83 JA: TX			
8353424	F-03-070988	4205130677	102-2		SCHULTZ ESTATE #1	CLAYTON (TAYLOR)	247.1	CHAMPLIN PETROLEU
-KEY PRODUCTION COMPANY			RECEIVED:		08/26/83 JA: TX			
8353357	F-02-061903	4246931920	103		MAKER UNIT #1	COLETTO CREEK (2800)	150.0	HOUSTON PIPE LINE
8353471	F-06-071587	4241930470	103		RUSHING UNIT #1	JOAQUIN (TRAVIS PEAK)	600.0	SOUTHERN NATURAL
-KIM PETROLEUM CO INC			RECEIVED:		08/26/83 JA: TX			
8353418	F-10-070934	4217931334	103		CARROLL #3	PANHANDLE GRAY COUNTY	72.0	CABOT PIPELINE CO
-LAMBERT HOLLUB DRILLING CO			RECEIVED:		08/26/83 JA: TX			
8353432	F-03-071080	4205132457	102-4		STANLEY #1	HOOKER CREEK (NAVARRO	0.0	FERGUSON CROSSING
-LAWLESS ENERGY INC			RECEIVED:		08/26/83 JA: TX			
8353369	F-03-070143	4204130901	102-2		JOE MARINO #1	KURTEN FIELD	0.0	FERGUSON CROSSING
-LENTEX PETROLEUM INDUSTRIES INC			RECEIVED:		08/26/83 JA: TX			
8353398	F-78-070660	4204933441	102-4		LENTEX-MAY #1	HEIDENREICH (UPPER MA	40.2	STOUX PIPELINE CO
-LIMARK CORP			RECEIVED:		08/26/83 JA: TX			
8353903	F-08-071698	4237133931	103		MILDRED JEFFERIES STATE #2	MALICKY (QUEEN SAND)	25.0	INTRATEX GAS CO
8353502	F-08-071697	4237134031	103		MILDRED JEFFERIES STATE #3	MALICKY (QUEEN SAND)	25.0	INTRATEX GAS CO
8353501	F-08-071696	4237134267	103		MILDRED JEFFERIES STATE #4	MALICKY (QUEEN SAND)	25.0	INTRATEX GAS CO
-LINDEMANN JAMES D			RECEIVED:		08/26/83 JA: TX			
8353439	F-09-021137	4223700000	102-4		S PEAVY #1	JENKIFER CADD0	182.5	LONE STAR GAS CO
-LOUISIANA CAMPBELL ENERGY CORP			RECEIVED:		08/26/83 JA: TX			
8353365	F-03-069522	4248132274	102-4		JEFFERSON #1	SPANISH CAMP (FRIO 46	120.5	NATURAL GAS PIPEL
-MARSHALL EXPLORATION INC			RECEIVED:		08/26/83 JA: TX			
8353288	F-06-066016	4220331013	103	107-TF	MICHELL #1	MASKOM (COTTON VALLEY	220.0	ARKANSAS-LOUISIAN
-MATZINGER PETROLEUM CO			RECEIVED:		08/26/83 JA: TX			
8353408	F-02-070785	4228500000	102-4	103	JACOBS RANCH #1	SARTHILLE WEST (YEGUA	400.0	REATA INDUSTRIAL
-MAYNARD OIL COMPANY			RECEIVED:		08/26/83 JA: TX			
8353506	F-78-071707	4208300000	108		STONE "A" #2	COLEMAN (PALO PINTO L	4.5	LONE STAR GAS CO
-MCCLYMOND BROTHERS			RECEIVED:		08/26/83 JA: TX			
8353456	F-78-071416	4242933379	103		A J JENSEN #1 - RRC#19870	STEPHENS CO REGULAR	10.0	WARREN PETROLEUM
-MCMILLAN OPERATING CO			RECEIVED:		08/26/83 JA: TX			
8353274	F-78-063894	4236332990	102-4		IRSFELD #2	IRSFELD (3820)	174.0	SOUTHWESTERN GAS
-MCG 1 INC			RECEIVED:		08/26/83 JA: TX			
8353131	F-03-071714	4204100000	102-4		ADKINS UNIT #1	KURTEN (BUDA)	100.0	VANGUARD PIPELINE
8353473	F-03-071611	4204100000	102-3		INTERNATIONAL SHOE CO #1	BRYAN (WOODBINE)	115.0	VANGUARD PIPELINE
-MEADCO PROPERTIES			RECEIVED:		08/26/83 JA: TX			
8353434	F-7C-071083	4223531656	102-2		UT-3064 #1 RRC# - 10178	ANDREW A (CANYON)	0.0	NORTHERN NATURAL
8353433	F-7C-071082	4223531691	102-2		UT-7 #1 RRC# - 10142	ANDREW A (CANYON)	0.0	NORTHERN NATURAL

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-MERCURY EXPLORATION CO	8353495	F-7B-071688	4213334458	RECEIVED:	08/26/83 JA: TX			
-MENDOURNE OIL COMPANY	8353251	F-10-048393	4229530879	RECEIVED:	08/26/83 JA: TX	NANKEYE (ADAMS BRANCH	20.0	SOUTHWESTERN GAS
8353267	F-10-061380	4229530961	107-TF	BURCHFIELD A-2 ID #91067		MAMMOTH CREEK NORTH (	200.0	NORTHERN NATURAL
8353252	F-10-048398	4229530808	107-TF	RADAR #1 RRC ID #05007		CARROLL (CLEVELAND)	10.0	TRANSWESTERN PIPE
-MILESTONE PETROLEUM INC	8353406	F-08-070768	4222733051	RECEIVED:	08/26/83 JA: TX	LIPSCOMB S W (CLEVELA	190.0	NORTHERN NATURAL
-MITCHELL ENERGY CORPORATION	8353485	F-09-071662	4249732550	RECEIVED:	08/26/83 JA: TX	GRIFFIN (PENN REEF)	50.0	GETTY OIL CO
8353329	F-09-067990	4249700000	103	ALICE PRYOR #3-U #18789		ALVORD (CADD CONGL)	157.6	TEXAS UTILITIES F
8353440	F-09-071145	4225700000	108	B W GOODGER #1 078134		BOONSVILLE (BEND CONG	0.0	NATURAL GAS PIPEL
8353273	F-09-063802	4225700000	108	G F WIMBERLY #2 8093765		RICHARD W R (MARBLE F	0.0	NATURAL GAS PIPEL
8353455	F-09-071412	4249700000	108	G F WIMBERLY #2 095765		RICHARD W R (MARBLE F	0.0	NATURAL GAS PIPEL
-MOBIL PRDG TEXAS & NEW MEXICO INC	8353387	F-03-070453	4232130221	RECEIVED:	08/26/83 JA: TX	BOONSVILLE/BEND CONGL	0.0	NATURAL GAS PIPEL
8353510	F-08-071712	4200333455	103	MICHALIK MAIL GAS UNIT #1		PHEASANT S W (FRIO 99	3.6	TENNESSEE GAS PIP
8353509	F-08-071711	4200333454	103	SHAFTER LAKE SAN ANDRES UNIT #325		SHAFTER LAKE (SAN AND	0.4	PHILLIPS PETROLEU
-MORAN EXPLORATION INC	8353447	F-7C-071230	4238330258	RECEIVED:	08/26/83 JA: TX	SHAFTER LAKE SAN ANDR	0.4	PHILLIPS PETROLEU
-MULLINS EQUIPMENT CO	8353323	F-7B-067086	4204931630	RECEIVED:	08/26/83 JA: TX	ROCKER B "C" #4		SPRABERRY (TREND AREA
-MUJ PRODUCING COMPANY	8353316	F-08-066735	4217300000	RECEIVED:	08/26/83 JA: TX	MULLINS EQUIPMENT CO #1		WILDCAT
-NELSON & TUCKER OPERATING CO	8353449	F-03-071255	4248100000	RECEIVED:	08/26/83 JA: TX	TXL 3 "A" #1		SPRABERRY (TREND ARE
-NORTH CENTRAL OIL CORPORATION	8353276	F-03-064729	4204130812	RECEIVED:	08/26/83 JA: TX	J D HUGGINS #4		WEST BERNARD (BOETTCH
8353350	F-03-068000	4204130875	102-2 103	A P MENMEYER #1-16104		NORTH BRYAN	164.0	FERGUSON CROSSING
8353352	F-03-068002	4204139879	102-2 103	BRYAN MUNI GOLF COURSE UNIT 1 #1		BRYAN (HOODBINE)	146.0	VANGUARD PIPELINE
8353331	F-03-068001	4204130903	102-2 103	BRYAN MUNI GOLF COURSE UNIT 2 #1		BRYAN (HOODBINE)	146.0	VANGUARD PIPELINE
-NORTHERN NATURAL GAS PRODUCING CO	8353505	F-10-071706	4206500000	RECEIVED:	08/26/83 JA: TX	BRYAN (HOODBINE)	146.0	VANGUARD PIPELINE
-PHILLIPS PETROLEUM COMPANY	8353292	F-10-066168	4242130288	RECEIVED:	08/26/83 JA: TX	MCHEEN #1		PANHANDLE WEST
8353281	F-10-065483	4219500000	108	EGL 1 #2		TEXAS-HUGGTON	0.0	MICHIGAN WISCONSI
8353249	F-08-003951	4213506421	108-ER	GARNETT A #2		HANSFORD - MISSISSIPP	0.0	NORTHERN NATURAL
8353326	F-10-067429	4236130926	103	NORTH PENWELL UNIT #104		PENWELL	0.0	EL PASO NATURAL G
-POWCO OIL & GAS INC	8353400	F-06-070727	4245900000	RECEIVED:	08/26/83 JA: TX	PORTER-PITTHAM #4		PANHANDLE (MOORE)
-Q E D EXPLORATION INC	8353355	F-7C-069089	4223532071	RECEIVED:	08/26/83 JA: TX	SOUTH BRANLEY #1		OLENWOOD (COTTON VALL
-QUANAH PETROLEUM INC	8353378	F-08-070299	4213553997	RECEIVED:	08/26/83 JA: TX	FARNAR-SUGG #6		ROCK PEN (CANYON)
-R A W ENERGY CORP	8353396	F-7B-070585	4236732481	RECEIVED:	08/26/83 JA: TX	PARKER TRUST 20 WELL #1		MONAHANS DRAM (ELLENB
8353366	F-7B-069642	4236732489	102-4	DAVENPORT #1		B R A (STRAIN)	200.0	SOUTHWESTERN GAS
-RANKIN OIL CO	8353370	F-7C-070171	4241330828	RECEIVED:	08/26/83 JA: TX	B R A (STRAIN)	300.0	SOUTHWESTERN GAS
8353371	F-7C-070172	4208130758	108	HUNT #1		W J B	11.0	PRODUCERS GAS CO
8353372	F-08-070193	4200332564	108	JO ELLA #1		ARLEDGE	4.0	SUN OIL CO
8353486	F-08-071674	4200332592	103	SAVAGE STATE #1		SHAFTER LAKE	1.0	PHILLIPS PETROLEU
-RICHARD B BERRY	8353389	F-7B-070482	4213331964	RECEIVED:	08/26/83 JA: TX	SHAFTER LAKE	1.0	PHILLIPS PETROLEU
8353308	F-7B-070481	4213332005	108	TUCKER #1		EASTLAND COUNTY REGUL	8.0	ODESSA NATURAL CO
-RID BRAVO OIL CO INC	8353250	F-03-016636	4215730964	RECEIVED:	08/26/83 JA: TX	TUCKER #2	16.0	ODESSA NATURAL CO
-RID PETROLEUM INC	8353277	F-10-065038	4217931170	RECEIVED:	08/26/83 JA: TX	R R SHANSON 83100		FOSTER FARMS NORTH (4
-ROCKHODD RESOURCES INC	8353526	F-03-071784	4208931352	RECEIVED:	08/26/83 JA: TX	DEBBIE #1		PANHANDLE GRAY COUNTY
-ROSEWOOD CORPORATION	8353465	F-08-071582	4238930493	RECEIVED:	08/26/83 JA: TX	SCHUURRING #1 (ID NO 103720)		BUCK SNAO (FRIO 3990)
-S A J OPERATING CO	8353403	F-09-070745	4200934889	RECEIVED:	08/26/83 JA: TX	HILL 18-1		NINE MILE DRAW (FUSSE
8353494	F-09-070747	4200935352	103	T B WILSON #1		ARCHER CITY SE (MISS)	18.3	PRONTO COMPRESSION
-SAGE ENERGY CO	8353306	F-03-066627	4228700000	RECEIVED:	08/26/83 JA: TX	T B WILSON #2-U	2.0	PRONTO COMPRESSION
-SHA-JAM CORP	8353314	F-03-066667	4228730838	RECEIVED:	08/26/83 JA: TX	MATT #2 RRC #16236		GIDDINGS (AUSTIN CHAL
8353312	F-03-066665	4228730488	102-2	DOROTHY #1		GIDDINGS (AUSTIN CHAL	105.0	PHILLIPS PETROLEU
8353311	F-03-066664	4228730549	102-2	HANN #1		GIDDINGS (AUSTIN CHAL	54.7	PHILLIPS PETROLEU
8353310	F-03-066663	4228730660	102-2	HANN #2		GIDDINGS (AUSTIN CHAL	36.5	PHILLIPS PETROLEU
8353313	F-03-066666	4228730657	102-2	KEYS #1		GIDDINGS (AUSTIN CHAL	18.2	PHILLIPS PETROLEU
-SHELL OIL CO	8353286	F-01-065778	4231131780	RECEIVED:	08/26/83 JA: TX	SHORTY #1	91.2	PHILLIPS PETROLEU
8353293	F-10-066173	4217900000	102-4	BRACKEN #5			100.0	HOUSTON PIPE LINE
-SKLAR & PHILLIPS OIL CO	8353362	F-06-049429	4242330654	RECEIVED:	08/26/83 JA: TX	MCCONNELL #7		PANHANDLE WEST
-SOUTHEASTERN RESOURCES CORP	8353308	F-7B-064651	4213334602	RECEIVED:	08/26/83 JA: TX	HILLIARD WARREN ESTATE #1		CHAPEL HILL (TRAVIS P
-SOUTHERN UNION EXPLORATION COMPANY	8353504	F-7C-071659	4209530643	RECEIVED:	08/26/83 JA: TX	M K COURTNEY "C" #1		JMJ (MARBLE FALLS)
8353508	F-7C-071709	4246100000	102-4 103	MALCORINE W STASNEY #2-28		FUZZY CREEK	43.8	J-W OPERATING CO
8353507	F-08-071708	4249500000	108	MARY K SHIRK #1		AMACKER TIPPETT	1.0	PHILLIPS PETROLEU
-SULPHUR RIVER EXPLORATION INC	8353393	F-05-070551	4228900000	RECEIVED:	08/26/83 JA: TX	SUN JENKINS B #8	1.5	TRANSWESTERN PIPE
-SUN EXPLORATION & PRODUCTION CO	8353315	F-04-066694	4242700000	RECEIVED:	08/26/83 JA: TX	THORNE BARKLEY #2-RRC#92850		MCBEE/TRAVIS PEAK
8353419	F-04-070962	4242731711	102-4	C I DE GARZA #28		SUN NORTH (H-4-3)	4.0	
8353327	F-04-067485	4242731712	102-4	C M HALL -A- #7		LYDA	175.0	FLORIDA GAS TRANS
8353266	F-04-061880	4227300000	108-ER	C V DELOPEZ "A" #5		LA REFORMA	105.0	UNDEDICATED
8353257	F-04-054922	4242700000	108-ER	E G CANALES #21		T-C-B	0.0	FLORIDA GAS TRANS
8353422	F-7C-070972	4244300000	108	GEORGE H SPEER STATE B #14		SUN (VICKSBURG 6560)	0.0	TRANSCONTINENTAL
8353435	F-04-071089	4242731635	102-4	MCKAY CREEK C #1A		MCKAY CREEK (CABALLOS	15.0	EL PASO NATURAL G
8353470	F-08-071084	4213500000	103	MDHTALVO #12		SUN NORTH	306.0	FLORIDA GAS TRANS
8353527	F-08-071803	4200333330	108	MRS L E WIGHT EST "C" #11		COWDEN NORTH (HOLT)	2.0	AMCO PRODUCTION
8353421	F-08-070971	4200300000	108	WELLIE C MARTIN #13		MARTIN (TUBB)	137.0	PHILLIPS PETROLEU
8353291	F-8A-064166	4221933426	103	D B HOLT #3		COWDEN NORTH	0.7	AMCO PRODUCTION
8353420	F-8A-070970	4221900000	108	RALNS CO SCHOOL LAND A-C-7 #34		LEVELLAND	71.0	CASOT CORP
8353515	F-7C-071721	4238300000	108	SOUTHEAST LEVELLAND UNIT #268		LEVELLAND	2.0	AMCO PRODUCTION
-SUNDAANCE OIL CO	8353449	F-03-071255	4248100000	RECEIVED:	08/26/83 JA: TX	BIG LAKE SPRABERRY	7.0	DORCHESTER GAS PR

JD NO	JA DKT	API NO	D SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8353254	F-05-053065	4216130656	102-4	107-TF	F L HALL #1	M FARRAR	67.7	DELHI GAS PIPELIN
-SUPERIOR OIL CO			RECEIVED:		08/26/83	JA: TX		
8353328	F-03-067986	4228731345	102-2	103	EDMOND-CAMERON WELL #8	GIDDINGS (AUSTIN CHAL	139.8	PHILLIPS PETROLEU
-T A D ENERGY			RECEIVED:		08/26/83	JA: TX		
8353303	F-78-066541	4236332972	103		C P CLAYTON #2	PALO PINTO COUNTY REG	0.0	LONE STAR GAS CO
-TARINA OIL CO			RECEIVED:		08/26/83	JA: TX		
8353262	F-01-060011	4212732220	103		BRISCOE RANCHES INC "B" #2900	CATARINA S W (OLMOS)	72.0	DELHI GAS PIPELIN
-TEE OPERATING CO			RECEIVED:		08/26/83	JA: TX		
8353269	F-03-062606	4216700000	102-4		MOBIL FEE #2	GREENSLAKE EAST (MIOC	0.0	AMOCO GAS CO
-TELSTAR CORP			RECEIVED:		08/26/83	JA: TX		
8353391	F-78-070493	4236732336	102-4		DOBSON-SHOAF #1-C	DENNIS WEST (STRAWN)	170.0	TEXAS UTILITIES F
-TEXACO INC			RECEIVED:		08/26/83	JA: TX		
8353322	F-04-067077	4226130487	103		YTURRIA L & C CO NCT-1 #41	CABAZOS	365.0	TENNESSEE GAS PIP
-THOMPSON J CLEO & JAMES CLEO JR			RECEIVED:		08/26/83	JA: TX		
8353395	F-70-076542	4210534663	103		CHILDRESS "F" #1	OZONA (CANYON SAND)	1000.0	PHILLIPS PETROLEU
8353270	F-70-062818	4210534220	102-4	107-TF	UNIVERSITY 32-5 #1	UNIVERSITY 31 (STRAWN	300.0	PHILLIPS PETROLEU
8353268	F-70-062457	4210534208	102-4	107-TF	UNIVERSITY 32-8 #1	UNIVERSITY 31 (STRAWN	175.0	PRODUCERS GAS CO
8353425	F-70-071008	4210534459	102-4		UNIVERSITY 32-8-E UNIT #2	BLK 32 (ELLENBURGER)	205.0	PHILLIPS PETROLEU
-THOMPSON-MONTEITH			RECEIVED:		08/26/83	JA: TX		
8353448	F-03-071235	4232931102	103		WINDHAM 33 #1	PARKS (SPRABERRY)	18.1	MOBIL PROD TEXAS
-TOLTEC OIL AND GAS INC			RECEIVED:		08/26/83	JA: TX		
8353265	F-10-061041	4229500000	103		HANKER 1-591	NORTHROP (CLEVELAND)	110.0	DIAMOND SHAMROCK
-TOM BROWN INC			RECEIVED:		08/26/83	JA: TX		
8353437	F-70-071107	4243532897	103	107-TF	HILL-EDWIN S MAYER JR "II" #1	SAWYER (CANYON)	75.0	LONE STAR GAS CO
8353384	F-70-070936	4243532924	103	107-TF	HILL-RANDEE FAUCETT TRUST "B" #1	SAWYER (CANYON)	75.0	LONE STAR GAS CO
-TXO PRODUCTION CORP			RECEIVED:		08/26/83	JA: TX		
8353354	F-70-069082	4238332135	103		BANKHEAD	BENEDUM (SPRABERRY)	18.0	PHILLIPS PETROLEU
8353294	F-04-066211	4213100000	102-4		BARRERA B-2	J R (5618)	0.0	VALERO TRANSMISSI
8353304	F-04-066412	4226130745	102-4		ERCK 24	MCGILL (9840)	0.0	DELHI GAS PIPELIN
8353290	F-06-064101	4240131599	102-4		HARMAN #1	TALIAFERRO (PETTIT UP	0.0	DELHI GAS PIPELIN
8353283	F-10-065618	4235731298	107-TF		NELSON "E" #1	ELLIS RANCH (CLEVELAN	550.0	DELHI GAS PIPELIN
8353282	F-10-065564	4235731328	103	107-TF	NELSON "E" #2	ELLIS RANCH (CLEVELAN	500.0	DELHI GAS PIPELIN
8353287	F-06-065811	4231930603	102-4		SIMPSON "D" #3	AVINGER (PETTIT)	0.0	DELHI GAS PIPELIN
8353325	F-10-067354	4229531122	103		SMITH "RR" #1	KICHA CREEK NE (TOHKA	255.0	PHILLIPS PETROLEU
8353363	F-10-069466	4229500000	102-4		STABEL #05	DUKE-MAY	100.0	DELHI GAS PIPELIN
-U S OPERATING INC			RECEIVED:		08/26/83	JA: TX		
8353399	F-03-070686	4228731343	103		FLORENCE #2 RRC ID# N/A	GIDDINGS (AUSTIN CHAL	0.0	PERRY PIPELINE CO
8353368	F-03-069754	4228731340	102-4		JANETTE #1 RRC ID# N/A	GIDDINGS (AUSTIN CHAL	0.0	PERRY PIPELINE CO
-UNION OIL COMPANY OF CALIF			RECEIVED:		08/26/83	JA: TX		
8353349	F-08-068950	4213500000	108		ARGO-MOSS #10	HARPER	0.4	PHILLIPS PETROLEU
8353350	F-08-068991	4213500000	108		ARGO-MOSS #11	HARPER	0.4	PHILLIPS PETROLEU
8353343	F-08-068938	4213500000	108		ARGO-MOSS #5	HARPER	0.4	PHILLIPS PETROLEU
8353348	F-08-068949	4213500000	108		ARGO-MOSS #9	HARPER	0.4	PHILLIPS PETROLEU
8353351	F-08-068953	4210300000	108		INGLERTIGHT #1	BAYVIEW (GLORIETA)	0.1	PHILLIPS PETROLEU
8353347	F-08-068948	4210300000	108		INGLERTIGHT #2	BAYVIEW (GLORIETA)	0.3	PHILLIPS PETROLEU
8353280	F-08-065465	4213534072	103		MOSS UNIT #18-7A	COLDEN SOUTH	10.0	ODESSA NATURAL CO
8353344	F-08-068945	4210900000	108		TXL "A" #6	SCREBEAN (DELAWARE)	1.5	CONOCO INC
8353346	F-08-068947	4210300000	108		UNIVERSITY "A" #1	DUKE	0.2	PHILLIPS PETROLEU
8353345	F-08-068946	4210300000	108		UNIVERSITY "A" #5	DUKE	0.5	PHILLIPS PETROLEU
8353284	F-08-065689	4210332957	103		UNIVERSITY "H" #2	BLOCK 31 (DEVONIAN)	900.0	
8353394	F-01-070560	4210534420	102-2		WAYNE WEST RANCH "B" #3	MASSIE (STRAWN)	300.0	INTRATEX GAS CO
-VENUS OIL COMPANY			RECEIVED:		08/26/83	JA: TX		
8353300	F-04-066266	4235500000	102-4		CRYER	BALDWIN	0.0	VALERO TRANSMISSI
-VINSON EXPLORATION			RECEIVED:		08/26/83	JA: TX		
8353205	F-70-065774	4210500000	102-4		URIV "EZ" #1	UNIVERSITY 31 STRAWN	70.0	SOUTHWESTERN GAS
-W J WHITT			RECEIVED:		08/26/83	JA: TX		
8353296	F-78-066258	4241733457	102-2		CARTER ESTATE #1	RATTLESNAKE MOUNTAIN	171.0	DELHI GAS PIPELIN
8353299	F-78-066264	4241733456	102-2		CARTER ESTATE #2	RATTLESNAKE MOUNTAIN	141.0	DELHI GAS PIPELIN
8353295	F-78-066257	4241734856	102-2		CARTER ESTATE #3	RATTLESNAKE MOUNTAIN	45.0	DELHI GAS PIPELIN
8353298	F-78-066263	4241734006	102-2		CARTER HEIRS #1	SHACKELFORD COUNTY RE	36.0	DELHI GAS PIPELIN
8353297	F-78-066260	4241734011	102-2		CARTER HEIRS #2	SHACKELFORD COUNTY RE	1.0	DELHI GAS PIPELIN
8353376	F-78-070227	4204937836	102-4		4-W RANCH "A" #17	DUDLEY (CADD0)	25.0	EL PASO HYDROCARB
8353375	F-78-070226	4204933356	102-4		4-W RANCH "A" #18	DUDLEY (CADD0)	20.0	EL PASO HYDROCARB
8353374	F-78-070225	4204933476	102-4		4-W RANCH "A" #20	DUDLEY (CADD0)	10.0	EL PASO HYDROCARB
8353373	F-78-070224	4204933535	102-4		4-W RANCH "A" #23	DUDLEY (CADD0)	10.0	EL PASO HYDROCARB
8353377	F-78-070228	4204933522	102-4		4-W RANCH "A" #25	DUDLEY (CADD0)	15.0	EL PASO HYDROCARB
-WAGNER & BROWN			RECEIVED:		08/26/83	JA: TX		
8353524	F-08-071760	4243131309	103		FLINT "A" #4-50	CONGER (PENN)	102.3	TEXAS UTILITIES F
-WESTDALE INC			RECEIVED:		08/26/83	JA: TX		
8353457	F-09-071484	4207700000	103		J T LYLES #1 20332	LUTZ (CADD0)	0.0	FAGADAU ENERGY CO
-WILSON ENERGY INC			RECEIVED:		08/26/83	JA: TX		
8353451	F-08-071346	4231732642	103		SPRANLS I-R	SPRABERRY (TREND AREA	0.5	NORTHERN GAS PROD
-WINN EXPLORATION/DULCE CO			RECEIVED:		08/26/83	JA: TX		
8353353	F-01-069054	4250731824	102-4		FRYOR RANCH #164	WINN-DULCE	0.0	VALERO TRANSMISSI

[FR Doc. 83-25805 Filed 9-19-83; 8:45 am]

BILLING CODE 6717-01-C

# **federal register**

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Tuesday  
September 20, 1983

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**Part V**

## **Department of Education**

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**Office of Postsecondary Education**

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**Publication of Sample Cases and  
Expected Parental Contributions for the  
National Direct Student Loan, College  
Work-Study and Supplemental  
Educational Opportunity Grant Programs**

## DEPARTMENT OF EDUCATION

## Office of Postsecondary Education

## Publication of Sample Cases and Expected Parental Contributions for the National Direct Student Loan, College Work-Study and Supplemental Educational Opportunity Grant Programs

**AGENCY:** Department of Education.

**ACTION:** Notice of publication of sample cases and expected parental contributions for the approval of need analysis systems and notice of closing date for transmittal of information.

**SUMMARY:** The Secretary gives notice that the sample cases and expected parental contributions provided in the tables below will be used in approving systems of need analysis for award year 1984-85 for the National Direct Student Loan (NDSL), College Work-Study (CWS), and Supplemental Educational Opportunity Grant (SEOG) Programs. These programs are known collectively as the Campus-Based Programs. The Secretary takes this action under the authority of Section 4 of the Student Financial Assistance Technical Amendments Act of 1982 (Pub. L. 97-301), Section 4 of the Student Loan Consolidation and Technical Amendments Act of 1983 (Pub. L. 97-79) and 34 CFR 674.13, 675.13, and 676.13 of the NDSL, CWS, and SEOG Program Regulations, respectively.

Institutions of higher education must use these approved systems of need analysis in determining the financial need of dependent and independent students under the respective Campus-Based Programs.

**Closing Date for Transmittal of Information:** An individual or organization wishing to have a system of need analysis approved must submit to the Secretary on or before October 20, 1983.

A complete description of its system of need analysis for dependent and independent students;

Its student application form(s) for undergraduate, and graduate and professional students;

Either the expected parental contributions for undergraduate students produced by an individual's or organization's system using the sample cases provided in Table 1 which are based on dependent undergraduate students, or the expected parental contributions for graduate and professional students produced by an individual's or organization's system using the sample cases provided in

Table 2 which are based on dependent graduate and professional students; and

A complete calculation of how each expected parental contribution was derived including enough information to allow the Secretary to duplicate these calculations and results.

The Secretary will not accept this information in the form of computer programs, software, or mechanical devices. The Secretary will not accept this information after the closing date and will return information received after the closing date to the sender.

**Documents Delivered by Mail:** Descriptions of systems, application form(s), expected parental contributions, and calculations that are sent by mail must be postmarked on or before October 20, 1983 and addressed to Paula Husselmann, Department of Education, Office of Student Financial Assistance, 400 Maryland Avenue, SW., [Room 4018, ROB-3], Washington, D.C. 20202.

An individual or organization must show proof of mailing these documents. Proof of mailing consists of one of the following: (1) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service, (2) legibly dated U.S. Postal Service postmark, or (3) any other proof of mailing acceptable to the Secretary of Education.

If these documents are sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service. An individual or organization should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an individual or organization should check with its local post office. An individual or organization is encouraged to use certified or at least first-class mail.

**Documents Delivered by Hand:** Descriptions of systems, application form(s), expected parental contributions and calculations that are hand-delivered must be taken on or before October 20, 1983 to Paula Husselmann, Department of Education, Office of Student Financial Assistance, 7th and D Streets, SW. [Room 4018, ROB-3], Washington, D.C. 20202. The Campus and State Grant Branch will accept these hand-delivered documents between 8:00 a.m. and 4:30 p.m. daily (Washington, D.C. time), except Saturdays, Sundays and Federal holidays.

These documents will not be accepted after 4:30 p.m. October 20, 1983.

**Program Information:** This notice provides the sample cases and the

expected parental contributions that the Secretary will use to approve need analysis systems for award year 1984-85 under the Campus-Based Programs. In order to be approved, a system must meet the requirements provided in this notice.

If the majority of students served by a system are undergraduate students, an individual or organization must submit to the Secretary expected parental contributions for dependent undergraduate students which increase incrementally as the parents' financial strength (measured in constant dollars) increases, are equal for families of equal financial strength, and are within \$50 of the expected parental contributions in 75 percent of the sample cases supplied by the Secretary in Table 1.

If the majority of students served by a system are graduate and professional students, an individual or organization must submit to the Secretary expected parental contributions for dependent graduate and professional students which increase incrementally as the parents' financial strength (measured in constant dollars) increases, are equal for families of equal financial strength, and are within \$50 of the expected parental contributions in 75 percent of the sample cases supplied by the Secretary in Table 2.

An individual or organization that wishes to have its system of need analysis approved for dependent students must also submit its system of need analysis for independent students.

If the Secretary approves an individual's or organization's system for dependent undergraduate students, the Secretary will also approve that individual's or organization's system for dependent graduate and professional students, and independent undergraduate, and graduate and professional students. If the Secretary approves an individual's or organization's system for dependent graduate and professional students, the Secretary will also approve that individual's or organization's system for dependent undergraduate students, and independent undergraduate, and graduate and professional students.

The expected parental contributions in this notice are based on the following assumptions: A 6-percent inflation rate for 1983; families of varying sizes with two parents and either one dependent undergraduate student (Table 1) or one dependent graduate or professional student (Table 2); the adjusted gross income of that student's older parent who is the family's sole wage earner and

is 45; an asset protection allowance of \$29,600; an 8-percent allowance for State and other taxes; and the use of 1983 U.S. income tax schedules for a joint return with standard deductions. The expected parental contributions in this notice do not take into account—

Business or farm assets;

Nontaxable income (including Social Security benefits for education);  
Unusual medical or dental expenses;  
Other unusual expenses; and  
Elementary and secondary tuition expenses.

The following tables contain the sample cases and the expected parental

contributions that the Secretary will use in determining the approval of need analysis systems for dependent undergraduate, and graduate and professional students under the Campus-Based Programs. The approved systems will be used for making awards to students under the Campus-Based Programs for award year 1984-85.

TABLE 1.—(UNDERGRADUATE)

[Sample cases and expected parental contributions for the NDSL, CWS, and SEOG programs—award year 1984-85]

Net assets:	\$30,000				\$40,000				\$50,000				\$60,000				
	Family size:				3	4	5	6	3	4	5	6	3	4	5	6	
Adjusted gross income:																	
\$12,000	0	0	0	0	270	0	0	0	530	70	0	0	800	340	0	0	
\$16,000	620	160	0	0	860	430	0	0	1,150	600	260	0	1,410	950	520	40	
\$20,000	1,210	760	330	0	1,480	1,030	600	120	1,780	1,290	860	380	2,100	1,560	1,130	650	
\$24,000	1,830	1,350	920	450	2,170	1,630	1,190	710	2,530	1,930	1,450	870	2,940	2,280	1,740	1,240	
\$28,000	2,560	1,960	1,480	1,010	2,970	2,300	1,780	1,280	3,440	2,680	2,100	1,550	3,960	3,120	2,460	1,850	
\$32,000	3,430	2,690	2,110	1,590	3,950	3,120	2,470	1,880	4,520	3,600	2,870	2,200	5,080	4,150	3,330	2,570	

TABLE 2.—(Graduate and Professional)

[Sample cases and expected parental contributions for the NDSL, CWS and SEOG programs—award year 1984-85]

Net assets:	\$30,000				\$40,000				\$50,000				\$60,000				
	Family size:				3	4	5	6	3	4	5	6	3	4	5	6	
Adjusted gross income:																	
\$12,000	0	0	0	0	120	0	0	0	240	30	0	0	360	150	0	0	
\$16,000	260	70	0	0	400	190	0	0	520	310	120	0	640	430	240	20	
\$20,000	550	350	150	0	670	470	270	50	840	590	390	170	1,040	720	510	290	
\$24,000	870	610	420	200	1,060	750	540	320	1,330	920	680	440	1,630	1,150	820	500	
\$28,000	1,350	940	670	460	1,850	1,170	840	580	2,050	1,450	1,040	710	2,540	1,780	1,270	890	
\$32,000	2,040	1,440	1,040	720	2,520	1,770	1,260	880	3,090	2,180	1,580	1,100	3,850	2,720	1,960	1,350	

FOR FURTHER INFORMATION CONTACT: Margaret O. Henry or Paula M. Husselmann, telephone (202) 245-9720.

(Catalog of Federal Domestic Assistance No. 84.039, National Direct Student Loan Program; 84.033, College Work-Study Program; and 84.007, Supplemental Educational Opportunity Grant Program)

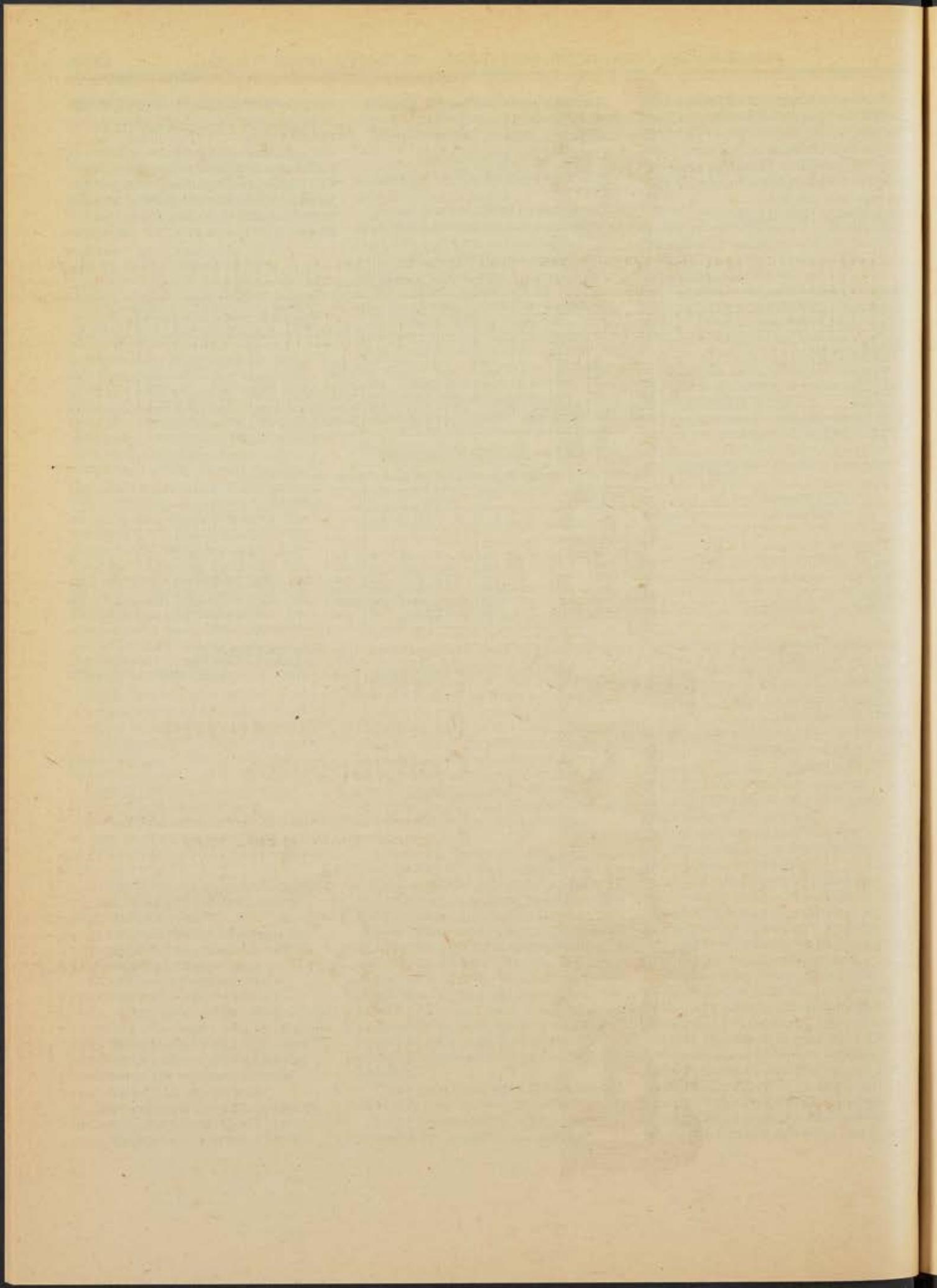
Dated: September 15, 1983.

Edward M. Elmendorf,

Assistant Secretary for Postsecondary Education.

[FR Doc. 83-25601 Filed 9-19-83; 8:45 am]

BILLING CODE 4000-01-M



# **federal register**

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Tuesday  
September 20, 1983

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**Part VI**

**Federal  
Communications  
Commission**

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**Hours of Operation of Daytime-Only AM  
Broadcast Stations; Final Rule**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[BC Docket No. 82-538; RM-3983; FCC 83-412]

#### Hours of Operation of Daytime-Only AM Broadcast Stations.

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This action amends § 73.99 of the Commission's rules in several particulars relating to extended hours of operation for AM stations. It enlarges the categories of Class II full-time stations that are eligible for pre-sunrise operating authority; it allows most Class II and Class III daytime-only stations for the first time to operate during the post-sunset period, and finally it adopts diurnal curves of use in calculating interference protection requirements during the pre-sunrise and post-sunset periods. This action is necessary to expand available radio services needed to better serve the public interest.

**EFFECTIVE DATE:** October 20, 1983.

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

**FOR FURTHER INFORMATION CONTACT:** Wilson La Follette, Mass Media Bureau, (202) 632-5414 or Jonathan David, Mass Media Bureau, (202) 632-7792.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

#### First Report and Order

In the matter of hours of operation of daytime-only AM broadcast stations (BC Docket No. 82-538 and RM-3983).

Adopted: September 9, 1983.

Released: September 20, 1983.

By the Commission

#### Introduction

1. The Commission has before it the *Notice of Proposed Rule Making and Notice of Inquiry* in this proceeding adopted August 4, 1982 (September 3, 1982, 47 FR 38937).<sup>1</sup> This proceeding was begun in response to petitions for rule making filed by the National Telecommunications and Information Administration ("NTIA") and the National Radio Broadcasters Association ("NRBA"). The focus of the NTIA petition was on the limitations placed on the hours of operation of

<sup>1</sup> This *Report and Order*, addresses the issues raised in the rule making section of the document. Consideration will be given to the issues raised in the inquiry section of the document at a latter date.

daytime-only stations.<sup>2</sup> As the NTIA petition pointed out, these stations are licensed to operate only during daytime hours, that is, from local sunrise to local sunset. Although in certain instances they may be able to operate with reduced power during pre-sunrise hours, NTIA noted that beginning at 6:00 a.m. local time, a significant number of daytime-only stations are unable to obtain the benefits of pre-sunrise operation. Moreover, none of these daytime-only stations has the authority to operate after local sunset.<sup>3</sup> NTIA believed that the current rules regarding the hours of operation of daytime-only stations impose excessive limitations, and it argued that these limitations can be and should be eased. This position was supported in many of the filings made in response to the NTIA petition. A number of these parties called for a review of this subject so that the Commission could take into account the important changes that have taken place in AM listening patterns. The Commission agreed that the subject warranted exploring, and this proceeding was begun with the goal of relieving current restrictions to the maximum extent possible consistent with sound engineering practice.<sup>4</sup>

#### Background

2. Before discussing these proposals, it is desirable to provide some background material regarding AM signal propagation in order to place this subject in better perspective. Signals with different frequencies (or wavelengths) in the AM broadcast band<sup>5</sup> have unique characteristics, the

<sup>2</sup> The NRBA petition did not deal with this subject but with the criteria used by the Commission in determining the acceptability for filing of applications for AM nighttime operation. NRBA urged the Commission to amend § 73.37(e) of the rules so that daytime-only stations could obtain nighttime operation without having to meet allocations acceptance criteria. This proposal was included in the *Notice of Inquiry* section of the document.

<sup>3</sup> The subject daytime-only stations are not the only ones affected by these limitations. There also are full-time stations which have different modes of operation during daytime and nighttime hours. Pre-sunrise authority is available to some of these full-time stations, thus enabling them to begin operation with daytime or critical hours antenna systems at 6:00 a.m. local time.

<sup>4</sup> International agreements also place limitations on the hours of operation of daytime-only stations. As discussed later, these agreements must be taken into account in formulating any new rules governing pre-sunrise or post-sunset operation by these stations. The principal agreements are: (1) The 1950 North American Regional Broadcasting Agreement ("NARBA"); (2) the 1967 Exchange of Notes between the United States and Canada; (3) the 1968 United States-Mexican Agreement; and (4) the 1947 Pre-Sunset Agreement with the Bahama Islands.

<sup>5</sup> Although there are differences in the signal propagation characteristics of the 107 channels in the AM broadcast band (535-1605 kHz), they share

most important of which for the present purposes is that they produce different effects during daytime and nighttime hours. During all periods of the day, AM broadcast stations transmit signals that travel in two basic directions. Those signals which travel parallel to the surface of the Earth are referred to as "groundwaves". Those which travel upward, away from the station are referred to as "skywaves". Although groundwave signal values vary depending on frequency and ground conductivity, they do not change from day to night. Because of this continuity and the absence of "fading", groundwave signals are relied on to provide "primary" service. Skywave signals behave quite differently. During the day, most of the skywave signals are not reflected back to the Earth and have no significant effect on the Earth.<sup>6</sup> At night, however, the ionosphere acts like a mirror, reflecting these signals back to earth, hundreds or even thousands of miles away, where they have the potential for causing serious interference to the signals of other stations. By way of contrast, at these great distances, groundwave signal values would be too low to cause interference problems. Because of the greater skywave potential for interference at night, AM allocations decisions must take into account the difference between daytime and nighttime signal propagation. The change from one propagation condition to the other is a gradual one. The transition from daytime to nighttime conditions can be said to begin two hours before sunset and to continue until two hours after sunset. A similar transition from nighttime to daytime conditions takes place during the period from two hours before sunrise until two hours after sunrise.<sup>7</sup> Although these two transitional periods are equivalent, the changes do not occur at the same rate in the two periods. Reliable diurnal curves are the only way to take these matters into proper account. There is one final complication which the Commission has to take into account in making its

in common a capacity to produce high skywave fields at nighttime.

<sup>6</sup> Some signals are reflected back to Earth even during daytime hours. This phenomenon is referred to as "daytime skywave." In certain cases, the potential for interference from daytime skywave signals requires a station to reduce its power during the "critical hours" following sunrise and preceding sunset.

<sup>7</sup> Although most of the change from one propagation condition to the other takes place during these transitional periods, there are minor shifts during other hours as well. For purposes of the Commission's rules, full daytime conditions are considered to occur two hours after sunrise and full nighttime conditions two hours after sunset.

allocations and licensing decisions, viz., the Earth's rotation. As the Earth rotates, the areas of daylight and darkness shift constantly. Thus, in examining the impact of one station on another, it is crucial to know if both are subject to the same conditions (of darkness or light) or if one is in darkness when the other is in light.

3. As is clear from the above discussion, many stations that were able to operate during the day because their groundwave signals did not cause objectionable interference would cause such interference if they operated with the same facilities at night.<sup>8</sup> Unless this difference was taken into account, there would have been vast areas of mutually interfering signals dotted with small islands of service.<sup>9</sup> Clearly, this was an unacceptable allocations approach. On the other hand, the Commission long ago realized that it would have been wasteful to authorize only those stations that could operate on a full-time basis. Because even the most efficient nighttime arrangement would have left an enormous amount of unused space during daytime hours, the Commission concluded that it was necessary to provide the opportunity to operate on a daytime-only basis, even if the station could not be accommodated at night.

4. Recognizing the fact that in many cases daytime operation was the only opportunity for bringing desired AM service, many parties took advantage of the opportunity to obtain daytime-only authorizations. In fact, the demand by these parties was so great that there are now more than 2,400 stations which are licensed for operation only during daytime hours. This is approximately half of the total of U.S. AM stations. While easing current engineering standards governing the granting of nighttime authorizations could give some daytime stations the opportunity for nighttime operation, no feasible change could affect more than a small portion of daytime-only stations. For the remaining stations, any relief would have to come during the pre-sunrise or post-sunset periods.

5. Before 1940, the Commission permitted daytime-only stations to sign on regularly at 6:00 a.m. Since 1940, however, the regular hours of operation

for daytime-only stations have been considered to be the hours between local sunrise and local sunset. Each station license contains the specific times of sign-on and sign-off. These times are determined for each month based on the times of local sunrise and sunset as of the fifteenth of the month, with the time being rounded to the nearest quarter-hour.

6. Years ago, the Commission permitted daytime-only AM stations to operate during the pre-sunrise period, and it allowed unlimited-time stations to commence operating using their daytime facilities starting at 4:00 a.m. In both cases, such operations were subject to discontinuance upon complaint by protected stations that objectionable interference was being caused within their protected service areas. Because of the small number of stations then on the air, this did not cause serious problems.

7. By the early 1960's, the number of AM stations broadcasting on the 107 AM channels had exceeded 3,500, of which over 1,500 were daytime-only stations. The substantial increase in the number of daytime-only stations coupled with their extensive use of the early morning sign-on privilege under the rules adopted in 1940 caused interference conflicts to proliferate to such an extent that the Commission decided to explore the subject again.

8. After considerable study by the Commission, the rule making proceeding in Docket 14419 culminated in a landmark *Report and Order* adopted June 28, 1967 (8 F.C.C. 2d 698) which established the basis for pre-sunrise operations.<sup>10</sup> The Commission focused on providing appropriate pre-sunrise arrangements for Class III stations, but Class II stations which operated on Class I-B Clear Channels were included as well. Since then, the Commission has extended the pre-sunrise rule to cover Class II stations operating on Class I-A Clear Channels.

9. Section 73.99 of the Commission's rules governs pre-sunrise operation by both daytime-only as well as full-time stations which operate with different day and night facilities. Different regulations apply to the various categories of stations involved depending on such matters as the class of station, hours of operation and the frequency on which they operate. Under the provisions of § 73.99, pre-sunrise authority is available to two groups of stations. The first group consists of

Class III stations operating on Regional channels. The second group consists of Class II stations which operate on clear channels and provide protection to the dominant Class I stations on these channels.<sup>11</sup>

10. Generally, Class III stations are able to obtain pre-sunrise authority to begin operation with their daytime antenna systems starting at 6:00 a.m. local time at a maximum power of 500 watts, reduced where necessary to provide full treaty protection to co-channel foreign stations. For Class II stations, the restrictions applied to pre-sunrise operations vary according to several circumstances. In the case of those assigned to the seven Clear channels on which Canada is accorded Class I-A priority under NARBA, pre-sunrise operation generally is not permitted. For those operating on the Mexican Class I-A Clear Channels, interference calculations are required pursuant to § 73.99(d)(2). For Class II stations operating on the Bahamian Class I-A Clear Channel, § 73.99 specifies that the Commission will determine the power and hours of operation that are consistent with international agreement. Also, operation on foreign Class I-B Clear Channels is permitted.

11. Class II stations generally are eligible to apply for authority to operate pre-sunrise with a maximum power of 500 watts, reduced, where necessary, to provide the requisite protection to domestic and foreign stations. However, Class II stations located east of co-channel U.S. Class I-A stations are not permitted to operate during the pre-sunrise period. Those west of a co-channel Class I-A station may commence operating at the time of sunrise at the Class I-A station. Those within the 0.5 mV/m 50% skywave contour of co-channel Class I-B stations to their east may sign on at sunrise at the easterly Class I-B station, but they must protect the Class I-B station to the west. Class II stations operating on United States Class I-B Clear Channels but not within the latter's 0.5 mV/m 50% skywave contours, may sign on at 6:00 a.m., so long as this does not cause interference to the Class I-B stations.

12. The Commission's rules do not make any provision for the authorization

<sup>8</sup> The degree of this effect varies as a consequence of a number of factors, including the station's power, frequency, directional pattern (if any) and the distances to the other stations on the channel.

<sup>9</sup> The two principal ways this was taken into account was through power reductions or directionalization at night so that radiation was sufficiently reduced in order to avoid objectionable interference. In some cases, of course, even these reductions were not sufficient. Where such reduction were inadequate, nighttime operation was not possible.

<sup>10</sup> In addition to establishing the domestic conditions for pre-sunrise operations by daytime-only stations, § 73.99 incorporates limitations found in agreements between the United States and neighboring countries.

<sup>11</sup> There are three categories of Class II stations. Although all operate on Clear Channels, there are differences in the facilities which are available to the full-time categories of Class II-A and Class II-B stations, and there are Class II-D stations which operate on these channels only during daytime hours. This proceeding includes consideration of changes in the requirements governing pre-sunrise operations by all three of these groups of stations.

of post-sunset operation with daytime facilities. Thus, with the exception of those stations able to obtain pre-sunrise service authorizations pursuant to § 73.99 of the Commission's rules, operation with daytime facilities is limited to daytime hours.

Notwithstanding the limitations on their license and in the Commission's rules, AM stations are permitted to use their daytime facilities during nighttime hours to broadcast emergency information. Such operations are governed by § 73.1250 of the Commission's rules and in particular, by paragraph (f) of that rule. Under this provision, daytime facilities may be used to broadcast emergency information when necessary to protect the safety of life and property, provided that regular, unlimited-time service is non-existent or inadequate. This response to emergency situations is not limited to pre-sunrise hours but is permissible whenever the emergency arises and the terms of Section 73.1250 are met. Although this rule provides a way for these stations to respond to the need for the broadcast of emergency information, it does not offer any means that could be used to respond to the day-to-day need for service during important hours of the day. Addressing that need is the key focus of this proceeding.

#### Overview of the Notice of Proposed Rulemaking

13. Although it was unrealistic to expect complete relief from the problems affecting daytime-only AM stations, the Commission did believe that it might be able to relieve many of the current restrictions. To this end it invited comments on the desirability of a series of changes in existing rules. Two of the proposed changes involved relieving current restrictions on pre-sunrise operations; two concerned the authorization of post-sunset operation and the final proposed change dealt with the use of diurnal curves<sup>12</sup> for both pre-sunrise and post-sunset interference calculations. The specific proposals were as follows:

(1) Permit pre-sunrise operation by Class II stations located east of co-channel Class I-A stations;

(2) Permit Class II stations located outside the 0.5 mV/m 50% skywave contour of co-channel Class I-A stations located to the east of them to begin pre-sunrise operation at 6:00 a.m. local time;<sup>13</sup>

<sup>12</sup> "Diurnal", meaning "daily", here refers to the effects on signal propagation characteristics that accompany the change from daytime to nighttime conditions or vice versa.

<sup>13</sup> Section 73.99(b)(3) of the Commission's rules currently permits pre-sunrise operation by these

(3) Permit Class II-D (Daytime) stations located outside the 0.5 mV/m 50% skywave contour of co-channel Class I stations to operate past sunset until 6:00 p.m. local time, with a maximum power of 500 watts;<sup>14</sup>

(4) Permit Class III daytime-only stations to operate past sunset until 6 p.m. local time, without protecting other Class III stations, using 500 watts power; and

(5) Adopt the use of diurnal curves for calculating protection requirements for both pre-sunrise and post-sunset periods.

14. *Pre-Sunrise Operation*—The pre-sunrise proposals were designed to explore removing some of the current restrictions on such operations contained in § 73.99. In particular, the restrictions affect Class II daytime or unlimited-time stations on U.S. Class I-A Clear Channels. These Class II stations have to provide greater protection to the dominant Class I-A stations on the channel than has to be provided to the dominant U.S. Class I-B stations on their channels. Moreover, § 73.99(a)(f) actually precludes pre-sunrise operation of the Class II station if it is located to the east of the dominant<sup>15</sup> co-channel Class I-A station. The original premise for this limitation was that Class I-A stations were designed to have exclusive use of their channels at night. Now that this exclusivity has come to an end, the Commission proposed to amend Section 73.99 to allow pre-sunrise operation so long as appropriate protection to the Class I-A station was provided.

15. In addition, Class II stations to the west of the Class I-A station also faced a limitation, albeit a lesser one. They could not begin pre-sunrise operation until sunrise at the Class I-A station east of them. Depending on the time of year and the east-west distance between the stations, this limitation could have a small or large impact on

stations, but such operations cannot begin until sunrise at the Class I station to the east if that occurs after 6:00 a.m.

<sup>14</sup> Those inside of the 0.5 mV/m 50% skywave contour of Class I stations located to the west of the daytime-only station would have to cease operations at 6:00 p.m. local time or sunset at the Class I station, whichever is earlier. Protection to co-channel Class I stations would be required, using diurnal curves, but the Class II-D stations would not be required to provide post-sunset protection to other Class II stations, nor would they be entitled to post-sunset protection from other stations.

<sup>15</sup> Originally, pre-sunrise authority was not available to these stations at all regardless of their respective locations. However, this aspect of the rule was eased by the *Report and Order* in Docket Nos. 17562 et al. (18 F.C.C. 2d 705, 1969). Because more than one rule making proceeding was involved, that decision also carries the designation of "Second Report and Order in Docket No. 18023".

the pre-sunrise operation. Instead of the current limitation, the Commission proposed to allow all Class II stations outside the 0.5 mV/m 50% skywave contour of co-channel Class I-A stations to begin pre-sunrise operation at 6:00 a.m. local time so long as no interference were caused to the 0.5 mV/m 50% contour of the dominant station. If adopted, these changes would end up treating Class II stations on Class I-A channels in a manner consistent with their treatment on Class I-B channels.

16. *Post Sunset Operation*—The Commission's current rules make no provision for post-sunset operation. With this in mind, the Commission decided to explore the possibility of providing post-sunset relief for daytime-only stations by adopting an approach that paralleled the one employed during the pre-sunrise period. Under this proposal, Class II-D (daytime) and Class III stations would be allowed to operate until 6:00 p.m. local time with a maximum of 500 watts power. Protection to co-channel Class II or Class III stations would not be required, but Class II stations would be required to accord protection to the dominant Class I station on their channel. This would mean that Class II-D stations located outside the 0.5 mV/m 50% skywave contour of the dominant Class I-A or Class I-B station would be permitted to obtain post-sunset authority enabling the station to operate from sunset until 6:00 p.m. local time. Other Class II-D stations could operate (with daytime or critical hours facilities) from sunset until 6:00 p.m. local time or sunset at the nearest Class I station located west of the Class II station, whichever is earlier. In so doing the Class II-D station would have to provide protection to the 0.5 mV/m 50% skywave contour of Class I stations to the east of the Class II station. Finally, the Commission sought comments on providing similar relief to full-time Class II stations so that they could operate with daytime mode and 500 watts power.<sup>16</sup>

17. *Diurnal Curves*—In addition to the proposed changes in the rules directly affecting hours of operation, the Commission invited comments on the

<sup>16</sup> Various Class II full-time stations operate with different modes day and night and critical hours were required. Typically, these stations operate with greater power during the day, often without having to employ a directional antenna pattern. At night, power is reduced and the station is forced to directionalize. Thus, the proposal would be advantageous to full-time Class II stations by allowing them to use their non-directional daytime pattern, albeit limited to 500 watts power or such lesser figure as is necessary in order to avoid interference.

use of diurnal curves in making the calculations that would be involved in determining whether interference would be caused during the pre-sunrise and post-sunset operating periods. Diurnal curves depict the changing propagation conditions that obtain as night changes into day and as day changes into night. In this regard, it is important to recognize that the rate of increase in skywave propagation as dusk approaches is not the same as the rate of reduction as dawn approaches. Thus, two entirely different sets of curves would be required to depict the propagation conditions obtaining during the particular segment of the two hour periods immediately before and after sunrise and sunset.

18. The diurnal curve proposal originated from a suggestion made by NTIA in its petition where it urged the adoption of the curves contained in CCIR Recommendation 435-3.<sup>17</sup> Sections 73.187 and 73.190 rules already contain a provision used in computing daytime skywave interference to Class I stations. The use of diurnal curves in connection with pre-sunrise operations previously was rejected by the Commission in Docket 14419 as unnecessary for the pre-sunrise rules being adopted. However, in light of the proposals for extended hours of operation, particularly during the post-sunset period, the Commission believed that diurnal curves could perform a useful service, and two sets of curves (one each for sunrise and sunset) were proposed. Although based on earlier curves considered by the Commission, the newly proposed curves had been refined and made more accurate. As proposed by the Commission, the curves would be used by Class II-D and Class III daytime stations in determining permissible power during the proposed post-sunset operating period and would be used as appropriate during the pre-sunrise period as well. Although there are changes in permissible power during the year, the Commission did not believe that it was feasible to have different operating power for each month of the year. Instead, use of a "worst case" approach was proposed, with that power being applied year-round.

<sup>17</sup>The diurnal curves recommended by CCIR, the International Radio Consultative Committee, are normalized with respect to the reference hour at Midnight, whereas the curves proposed by the Commission are normalized with respect to the second hour past sunset (SS+2). Additionally, the curves proposed by the Commission are further refined, for example, by taking into account the effects of frequency.

### Discussion

19. After careful review of the entire record of this proceeding, the Commission has concluded that important relief from current restrictions on hours of operation can be provided consistent with sound engineering practice.<sup>18</sup> First of all, some of the Class II stations now excluded from pre-sunrise operation with daytime antenna systems will be able to conduct such operations. Second, Class II and Class III daytime-only stations will be able to operate during the post-sunset transitional period (which extends until two hours after sunset) subject to limitations designed to avoid interference. Finally, diurnal curves are adopted for use in making pertinent interference calculations. Because the use of diurnal curves is central to several of the changes being adopted, we will turn first to that subject. After that discussion, we shall turn to a consideration of the groups of stations affected by our actions, first the Class III stations and then the Class II.

20. *Diurnal Curves*—From our review of the record it is clear that diurnal curves should be used in making pertinent interference calculations under the protection standards being adopted. The curves offer the clear advantage of more accurately depicting the conditions that prevail during the transitional periods. In this regard, CCBS took exception to the Commission's proposal not to use diurnal factors greater than one.<sup>19</sup> It proposed that diurnal factors greater than one should be used for those portions of the two hour period preceding sunrise when the factor exceeds one. This suggestion fails to recognize that the propagation curves which are contained in Section 73.190 of the Commission's rules represent average conditions existing during the second hour following sunset (SS+2), which is used as the reference hour. The Commission's rules have relied upon these curves to determine interference throughout the nighttime hours. Not only in CCBS's argument inconsistent with

<sup>18</sup>In addition to reviewing the filings in this proceeding, the Commission made extensive use of its computer capacity to examine the impact of the various proposals so that their respective gains and losses could be compared. A Summary of the Comments is contained in Appendix 3 and a list of the parties filing them is found in Appendix 4. In the discussion below, particular reference is made to several of the filings, namely those of the Daytime Broadcasters Association ("DBA"), the Clear Channel Broadcasting Service ("CCBS"), the Association for Broadcast Engineering Standards ("ABES"), and Cox Communications, Inc. ("Cox").

<sup>19</sup>The diurnal factor of one is the level of skywave propagation used for calculations under full nighttime conditions. Thus, a factor greater than one would represent a value in excess of this level.

long established practice, it would lead to providing greater protection during transitional hours than is not provided during full nighttime hours. We see no justification for such a result and are, therefore, adopting diurnal curves that have been redrafted to show no diurnal factor greater than one.

21. Finally, in adopting the diurnal curves the Commission has recognized the need to facilitate calculations by use of computer programs. Thus, polynomial equations have been developed for each diurnal curve, and the polynomial with a table of constants is being included in the rules. Although the curves themselves are included for reference purposes, the rules have been written to make calculations using the equations controlling. By so doing, ambiguities and questions of accuracy in reading the curves can be eliminated.

22. *Regional Channels*—The Commission did not propose changes in the rules concerning pre-sunrise operation by Class III stations and none are included here. The thrust of our Notice affecting Class III daytime-only stations dealt with the matter of post-sunset operation by these stations. Class III daytime-only stations represent the largest single category of daytime-only stations that would stand to benefit from rules permitting post-sunset operation. In fact, nearly 1300 of the daytime-only stations (more than 50% of the total) operate on the Regional Channels. As proposed in the Notice, these stations would be able to operate during the post-sunset period (until 6:00 p.m.) with 500 watts power; and they would not have to provide interference protection to full-time Class III stations.

23. DBA believed that the Commission's proposal did not provide sufficient relief for the problems faced by daytime-only stations. It argued in favor of permitting post-sunset operation to continue until two hours past sunset, except in cases where there was a showing by a full-time station that such operation would unduly interfere with its broadcast signal. DBA also recommended that daytime-only stations be permitted to operate with power in excess of 500 watts if the protection standards were met. However, DBA did not include any studies to demonstrate the nature of the public benefits it expected to flow from following its recommendations, nor did it submit any interference studies to show gains versus losses which would occur if its recommendations were adopted. Without such support we are unable to conclude that such an approach would serve the public interest. Moreover, as discussed below,

even the Commission's own proposal poses serious problems in this regard as has been shown by Commission studies regarding the effects of post-sunset operation. Thus, some modification is necessary in order to avoid excessive loss of service. With this in mind, there is no choice but to reject the DBA proposals.

24. Although most of the commenting parties generally supported the concept of post-sunset operation by Class III daytime-only stations, many said that it was important to provide interference protection to full-time stations. In fact, some parties such as ABES asserted that adoption of the Commission's proposal which does not include such protection could result in massive new interference to existing nighttime primary services. Moreover, many listeners to these stations are said to rely on such service to provide vital information and entertainment services. Thus, the Commission is urged to require daytime-only stations operating during the post-sunset period to deredirectionalize or reduce power sufficiently to provide protection to full-time stations.

25. The Commission's staff has performed extensive additional analysis of the proposal to permit daytime-only stations to operate with 500 watts until 6:00 p.m. without regard to co-channel protection. These studies were performed on 600 kHz and 1380 kHz because they were believed to be representative Regional Channels to use in examining operations at opposite ends of the AM broadcast band. The results of these studies are shown in Appendix 1, Figures 1-2. From this analysis it is clear that the original proposal carries with it the potential for causing very substantial interference to existing primary services. This can be seen especially during the months of December and January, when the daytime only stations would be operating the longest period of time past sunset. The studies show that a number of full-time stations would receive significant interference resulting in substantial loss of primary service. For example, it is estimated that WMT, Cedar Rapids, Iowa, and WREC, Memphis, Tennessee, would lose 4,859.12 square miles and 9,711.40 square miles of service, respectively. Overall it is further estimated that on these two channels alone, 25,766.48 square miles of service would be lost by full-time stations, whereas only 4,493.34 square miles of service would be provided by the daytime-only stations operating post-sunset.

26. Even more important than the loss itself is where it would take place.

Often, it could lead to the loss of the only local service available to listeners. Moreover in many cases the service to be provided by the daytime-only station would not provide a substitute for the areas of service that are lost by the full-time station. Multiplying these findings by the overall number of Regional Channels leads us to conclude that our initial proposal for across the board 500 watts post-sunset operation by daytime-only stations would result in unacceptable levels of interference and attendant losses of primary service to local communities and surrounding rural areas.

27. This concern about the impact of the original proposal led us to explore other alternatives, including the recommendation made by several commenting parties that full-time stations receive full protection. In order to study the benefits and effects of such an approach the Commission computed the maximum operating power for each of the daytimers on 600 kHz and 1380 kHz that would fully protect co-channel full-time stations. The results of these studies are shown in Appendix 1, Figure 3. In performing these studies it was assumed that each daytime-only station would be operating until 2 hours past sunset at its location. Moreover, in making the interference calculations diurnal factors for the path mid-points were used.

28. In examining the service areas available to the stations using the particular power level required to avoid interference, it should be understood that the estimated service areas shown in the Appendix represent the "worst case" service that would be provided at 2 hours past sunset. Service at other times would be notably better immediately after sunset when received interference is at a minimum. From that point until two hours after sunset the service areas would steadily decrease until the "worst case" condition is reached 2 hours past sunset.

29. As a practical matter, it is expected that the daytime-only stations would provide some degree of additional "useful" service greater than that recognized by the Commission's rules. The Commission has no technical standards to describe such additional "useful" service, but it would not be unreasonable to expect that service would be provided out to the groundwave contour limited by interfering signals calculated using 50% propagation curves rather than 10% curves as is the Commission standard. As a point of interest, use of 50% curves for calculating interference is the standard in most of the countries in the

western hemisphere. An RSS limit based upon 50% curves is approximately 8 dB less than a limit based upon 10% curves (e.g., a 15 mV/m RSS limit calculated using 10% curves equates approximately to 6 mV/m using 50% curves). Such additional service beyond that predicted by the FCC rules is subject to greater interference, but if the daytimer is providing important information or programming of particular interest to listeners, such interference might be tolerated by listeners.

30. The results of our studies have led us to conclude that daytime-only stations will be able to provide meaningful service to their communities when operating with power reduced sufficiently to provide full protection to co-channel full-time stations. To exemplify this, we have included Figures 4 and 5 in Appendix One showing typical service that would be provided by KZUL, Parker, Arizona and WRAB, Arab, Alabama, at 1 hour and 2 hours post-sunset. These exhibits show that even with the considerable reductions in power required for these two stations, they will be able to provide significant coverage. Because operation with 500 watts is not a prerequisite to effective coverage, there is all the more reason to adopt a system that takes the serious interference potential into account. Under the approach we are adopting, proper attention can be paid to both concerns: the need for extended hours of operation and the need to avoid the loss of existing services. Accordingly, we are adopting rules that will require full protection of full-time stations.<sup>20</sup> For this purpose the existing nighttime RSS limit of the full-time station, together with the 50% exclusion rule, will be used in determining permissible power for the daytimer during post-sunset hours.

31. Use of full protection standards offers the opportunity to provide additional relief to the daytime-only stations. Under the original proposal, post-sunset operation was to extend from sunset until 6:00 p.m. During some times of the year, sunset occurs after 6:00 p.m. local time so that the station

<sup>20</sup> Although protection would be offered to full-time stations on these channels, the new rules do not contemplate protection for the daytime-only stations operating on these channels during the post-sunset period. If the daytime stations all operated with the same power level of 500 watts, there would be a balance in their impact on one another. However, in light of the fact that many of the daytime-only stations on these channels will have to reduce power below 500 watts, we believe that it is inappropriate to permit other daytime-only stations to use power in excess of 500 watts as has been suggested. Adopting such an approach could result in increased interference to stations operating at reduced levels, thereby depriving them of the very benefits the rule was designed to provide.

would have received no benefit from the rule during those months of the year. In other months, the period from sunset to 6:00 p.m. would be quite short, so the station would receive only minimal benefit. Such a restriction made sense if the effects of interference were not to be taken into account. Now that we have decided to accord full interference protection to full-time stations, we see no reasonable basis for denying daytime-only stations the opportunity to further serve the public by extending their operation until 2 hours past sunset throughout the year.

32. Although we have received several other suggestions in regard to extended hours for Class III stations, we do not believe that they warrant adoption. NAB has suggested that daytimers be permitted to apply for and use directional antennas specifically designed to provide protection during the period of extended hours. We do not think that this would be practical because extended hours must be considered a secondary type of operation, one which is not protected and which is subject to modification to eliminate objectionable interference. Furthermore, it is anticipated that the power daytime-only stations use during extended hours operations will have to be recalculated periodically to reflect the necessary adjustments in power needed to protect newly authorized full-time stations and other changes occurring on the channel.

33. With regard to the suggestion that was made by several commenting parties that post-sunset power be calculated for consecutive 15 minute or 30 minute periods and that stations be permitted to readjust their power for each of these periods, we do not think that this is feasible. This increases both the technical and operational complexity during extended hours and increases the potential that objectionable interference could be caused either by technical malfunction, misadjustment, or operator error. Also, the rules for Class III stations will be made based on calculations reflecting the most restrictive time of the year when it is 2 hours past sunset at the daytime-only station site, and this power will be used throughout the year.<sup>77</sup> Finally, the calculations will take into account the diurnal factors determined at the path mid-points.

34. *Class II-D Stations*—We next turn to our proposals concerning extended

hours of operation by Class II-D (daytime) stations on the Clear Channels. We will consider first the matter of post-sunset operation. In addition to the proposals in our Notice, the Commission received other suggestions arguing in favor of greater or lesser protection for Clear Channel stations than had been proposed.

35. DBA proposes that the FCC should simply allow all daytime-only stations to operate from two hours before sunrise until two hours past sunset. However, DBA did not submit any technical data to support its proposal. Moreover, the system DBA advocated would cause the loss of very important signals to a large audience in many parts of the country. In good measure, these are people who are unable to receive primary service from any station and thus must depend on the skywave service provided by Clear Channel stations. We cannot ignore such an impact, nor in the absence of any data on the point, can we conclude that the impact would be otherwise.

36. DBA also suggested several alternatives concerning the degree of protection to be provided skywave service. It is clear from the nature of the DBA proposals that they would have the effect of seriously degrading the nighttime skywave service of Class I stations. Because of this impact, we do not believe that these proposals merit further consideration or detailed discussion. In this regard it is instructive to note the Commission's *Report and Order* in Docket 20642.<sup>78</sup> In that proceeding, after many years of study which included many of the same issues now being raised by DBA concerning the need for and protection of nighttime skywave service provided by Class I stations, the Commission reached a carefully balanced decision that preserved nighttime skywave service of Class I-A stations out to the 0.5 mV/m 50% skywave contour. Since DBA did not include in its comments any supporting data that would lead us to believe that the basis of our decision in Docket No. 20642 has changed in the short time since our decision was reached, we are still persuaded that the public interest continues to require protection to the 0.5 mV/m 50% skywave contours of Class I stations.

37. On the other side of the issue, CCBS, among others, expressed concern about the cumulative effects of multiple interfering signals at the 0.5 mV/m 50% contour, even if each individual signal is

adjusted to protect the contour in accordance with § 73.182 of the FCC rules. Therefore, it recommended that multiple interfering signals be combined using the root-sum-square principle (RSS) and that the RSS would not be permitted to exceed 0.5 mV/m at the protected contour.<sup>79</sup> Multimedia noted that the same situation exists under the current rules for pre-sunrise operation, but it thought the impact was less there because the use of full nighttime protection principles provides an extra margin of safety. While Multimedia asserted that similar considerations apply also to full-time Class II stations, it acknowledged that there could only be a relatively few full-time Class II stations that could be accommodated on each channel.

38. In considering whether to use the RSS in calculating interference to the skywave contour, it is enlightening to review the manner in which the skywave contour of a Class I station develops in intensity during the transitional period.<sup>80</sup> For illustrative purposes, we have calculated the extent of the 50% skywave contours for Stations KOA, Denver, Colorado, along several azimuths and for different times of the day during the transitional period beginning at sunset (SS) at its transmitter site and ending at sunset plus 2 hours (SS+2). Curves resulting from these calculations are shown in Figures 6 through 8 of Appendix 1. As can be seen, the 0.5 mV/m 50% contour does not exist at sunset. It gradually builds up, increasing its reach, until at SS+2 the contours on eastern azimuths essentially will be fully developed and their full nighttime predicted distances reached.

39. In recognition of the phenomenon described above, NTIA proposed that determination of permissible power for Class II-D stations should take into account the actual location of the 0.5 mV/m 50% contour at a particular point in time. Through use of computerized techniques this would not be an impossible task. Nonetheless, it is too complex and impracticable to implement. It would be necessary to perform multiple power adjustments throughout the transitional period to reflect the fact that the 0.5 mV/m 50%

<sup>77</sup> Our studies have shown that variations in the permissible power from month to month is not significant. Thus, use of the most restrictive month has the advantages of simplicity and certainty while at the same time avoiding any significant impact on daytime-only stations.

<sup>78</sup> 78 F.C.C. 2d 1345 (1980); reconsideration granted in part, denied in part, 63 F.C.C. 2d 216 (1980); affirmed *sub nom. Loyola University v. F.C.C.*, 670 F. 2d 1222 (D.C. Cir.) (1982)

<sup>79</sup> Section 73.182 of the rules does not provide for application of the RSS rule at the skywave contour of Class I stations. Rather, the rules restrict each interfering signal to a maximum of 25  $\mu$ V/m. Thus, the rules now permit interference to be caused which exceeds an RSS of 0.5 mV/m at the protected contour.

<sup>80</sup> In this regard it should be noted that the diurnal curves which we are adopting could be used in the calculation of 50% skywave signals of Class I stations during the transitional period.

contour is expanding outward. Earlier in this *Report and Order* we expressed our concern about permitting the use of multiple power levels during the transition period for Regional stations, and that concern applies in this instance as well.

40. We are, therefore, adopting rules which assume that the 0.5 mV/m 50% contour of a Class I station is fully developed after sunset occurs at the Class I transmitter site. We recognize that there is a greater potential for cumulative interference when daytimers are operating post-sunset along with authorized full-time operations. This is so because during such periods there are a greater number of potential interfering sources on the channel than would be normally accommodated during the nighttime hours. Thus, we believe there is a need to provide a margin of safety in protecting the skywave service of the Class I stations during periods of post-sunset operation. Daytime-only stations will be required to protect the location of this contour, thereby providing a margin of safety in protection of the actual 0.5 mV/m contour as it develops during the transitional period. By the time the protected skywave contour of the Class I station is fully developed, daytime-only stations having the greatest potential for causing interference will already be off the air. Where a 0.5 mV/m 50% signal is not produced, e.g. in the null of some directional antennas, the 0.5 mV/m groundwave contour will be protected on the same basis. We believe that these rules sufficiently provide for protection of the Class I's nighttime service and find no need to further consider use of the RSS in calculating permissible interference to skywave contours.

41. Cox objected to any extended hours of operation by daytime-only stations located with the protected skywave contour of a Class I station. We do not see merit in this objection as long as it is still daytime at the dominant station. Sections 73.7 and 73.182 of the rules make it clear that nighttime is the period between the hours of sunset and sunrise and secondary service is provided during nighttime at which time protection is provided to the 0.5 mV/m 50% skywave contour. Therefore, until sunset occurs at the dominant station, it is deemed to be providing daytime, not nighttime service. If daytime-only stations east of the dominant station and within the protected nighttime skywave contour are permitted to operate until sunset at the dominant station, the issue becomes one concerning the degree of protection to be given the daytime contour of the

dominant station. This is an issue that was of concern to several commenting parties and it is discussed in detail below.

42. The Commission recognized in adopting Section 73.187 of the rules that full protection would not be provided to the daytime contours of Class I stations during the critical hours.<sup>25</sup> In fact, in its *Proposed Report and Order Notice of Further Rule Making and Order* in Docket 8333, 10 R.R. 1541 (1954), the Commission stated: "We are aware that such a rule condones a considerable amount of interference in the transitional periods but believe that this interference should be tolerated in view of the overall objectives."

43. To exemplify permissible interference that is already being caused to the 0.1 mV/m groundwave contours of class I stations, Figure 9 in Appendix 1 was prepared using KOA, Denver, Colorado, as the subject station. The levels of interference shown for each station was that occurring at the particular point on KOA's contour that receives the greatest interference from that station. From this it can be seen that interfering limits approaching 1 mV/m are not atypical when it is at sunset at the Class II station.

44. Another phenomenon that we should also take note of is the skywave interference that a Class I station causes to its own daytime service contour. At a distance from a station such that the groundwave and skywave are similar in strength, considerable distortion in the received program is experienced because of the cancellation from moment to moment of first one side-band frequency then another, including the carrier. This creates the so called "distortion zone" which by usual convention extends from the inner edge, where the ratio of the groundwave signal to instantaneous skywave signal is 2 to 1 to the outer edge, where the ratio of the instantaneous skywave signal to groundwave signal is 2 to 1. This matter was studied in the Hearing in Docket 6742<sup>26</sup> and was included in Exhibit 109 of that Hearing.

45. The Commission performed studies concerning self interference and the results using KOA, Denver, Colorado, as the subject station, are shown in Figures 10 and 11. These figures demonstrate the degree to which KOA's groundwave signal is limited by its own 50% and 10% skywave signals at different times of the day. The 0.1 mV/m

daytime contour of KOA along the 65° azimuth extends approximately 309 miles. At sunset (SS) at KOA it is seen that the 50% skywave signal has limited the groundwave service along this azimuth to approximately 208 miles and 0.37 mV/m. Similarly, the 10% skywave signal at sunset has limited the groundwave service to approximately 144 miles and 1.1 mV/m. At sunset minus one hour (SS-1), it is seen that the 10% skywave has already limited the groundwave service to 226 miles and 0.280 mV/m.

46. Because the Commission has recognized that considerable interference occurs at the daytime contour of Class I's, we did not propose additional protection standards for this contour in the *Notice*. However, CCBS and others urged the Commission to restrict interference at the 0.1 mV/m from daytimers operating extended hours to 5 uV/m. In view of the substantial interference already caused, as discussed in foregoing paragraphs, we do now believe that such a high degree of protection is justified, especially since it would unduly restrict post-sunset operation. We not believe, however, that some degree of additional protection is warranted to guard against the creation of any new serious interference. We have considered several alternatives ranging from (1) computing the interference limited contour for protection purposes, (2) permitting interference from each daytime-only station during extended hours to equal interference it caused during critical hours, to (3) permitting the daytime-only station to continue operating with its daytime or critical hours facilities, limited to 500 watts, until sunset at the dominant station.

47. The first of these alternatives would be excessively complex for this application and the other two alternatives would potentially create new interference since multiple interfering signals would be reaching peak levels simultaneously (this would occur at sunset at the dominant station). We have concluded that the solution is to limit the amount of skywave radiation at the 0.1 mV/m contour from any one station operating post-sunset hours to 25 uV/m. This provides a sufficient margin of safety to guard against any new serious interference in two significant respects. First, any single limit will be at most half of the typical levels of interference being caused. Thus, even if multiple interference occurred at any point on the contour, the RSS will remain within typical levels of interference that can occur. Second, as sunset approaches at the dominant

<sup>25</sup> Critical hours are the two hours following sunrise and the two hours preceding sunset at each Class II station.

<sup>26</sup> See figure 4, *National Coverage of Standard Broadcast Stations During Nighttime Hours*; T. R. R. Report No. 2, 3, 5, October 1, 1957.

station, the dominant station's own skywave signal increasingly limits its groundwave service to distances closer than the 0.1 mV/m contour.

48. Once sunset occurs at the daytime-only station, it will be required to reduce power, using daytime facilities or critical hours facilities if required, sufficiently so that at the time sunset occurs at the dominant station, the daytime-only station is not producing a skywave signal of more than 25 uV/m at any point on the 0.1 mV/m contour of the dominant station. If the daytime-only station is outside the 0.5 mV/m 50% contour, then a further power reduction may be required to protect the skywave contour. Daytime-only stations east of a dominant station and within its protected skywave contour must go off the air at sunset at the Class I. Those west of the dominant station and within its protected skywave contour will not qualify for post-sunset operation.<sup>27</sup>

49. For the purposes of these rules, sunset and sunrise times will be calculated using the coordinates of the transmitter sites involved, and the 0.1 mV/m contour is to be determined on the basis of FCC figure M3, Estimated Effective Ground Conductivity in the U.S. The periods of extended operation will be rounded to the nearest 15 minutes. Using this convention, no daytime-only station will be authorized for extended hours on Clear Channel frequencies unless its extended period, rounded off, is calculated to be 15 minutes or more. In no event will operation beyond 2 hours past local sunset be permitted and in no case may the power exceed 500 watts or daytime power, whichever is lower. Class II-D stations also will be required to fully protect full-time Class II stations in the same way that daytime-only stations on the Regional Channels are required to protect full-time stations. The reasoning for requiring this protection is the same as that given in our discussion concerning the Regional Channels. Thus, further discussion is not warranted here.

50. *Pre-sunrise Operations, Class II Stations*—The primary intent of the Commission's proposals concerning pre-sunrise operations by Class II stations on the Class I-A Clear Channels was to conform the rules in order to provide the same treatment of Class II stations on the Class I-A Clear Channels as that provided on the Class I-B Clear Channels, and to permit use of the diurnal curves for interference

calculations. One of the reasons for this lack of conformity until now is that at the time the rules in § 73.99 were adopted, the Class I-A Clear Channel stations were afforded a degree of protection that derived from the exclusivity of the Class I-A nighttime priority within the North American Region. However, as indicated in the *Notice*, we eliminated such nighttime exclusivity in 1980 and opened up all 25 of the Class I-A Clear Channels for the assignment of unlimited-time Class II stations that would protect the 0.5 50% skywave contours of co-channel Class I-A stations during nighttime hours. As noted earlier in this *Report*, limited comments were received expressing concern about the Commission's presunrise proposals. However, these arguments were not persuasive and based upon the experience that has been gained over the years with Class II stations operating pre-sunrise on the Class I-B Clear Channels, we believe that it is appropriate to adopt the proposed pre-sunrise rule changes. Although DBA urged the Commission to adopt rules that would permit pre-sunrise operation 2 hours before sunrise year-round, we are persuaded that the listening habits and the justification for more uniform higher power during the early morning hours during the winter months makes our different treatment of pre-sunrise and post-sunset operation justified. Therefore, we must reject DBA's recommendation. Otherwise, we would be compelled to require all stations operating pre-sunrise to provide full protection, something which we believe would be to the detriment of listeners depending upon current pre-sunrise service.

51. *International Considerations*—As we indicated earlier, before the Commission can fully implement most of the changes in the rules relating to extended hours of operation it must take into account several pertinent international agreements and understandings.<sup>28</sup> In fact, except for the proposals to extend pre-sunrise authority to additional Class II stations on U.S. Class I-A Clear Channels, none of the proposals can be fully implemented without reaching agreement with neighboring countries. We are hopeful that the necessary agreements can be reached and that the rule changes we are adopting can be at least partially implemented in the near future, but until this happens, only limited relief can be provided. To clarify the matter, the following is a description of the status of the negotiations and their impact on the rule changes being

made. Tentative agreement has been reached with Canada regarding extended hours operations and it will be possible to allow post-sunset operation of Class II-D (daytime) and Class III stations upon exchange of Notes implementing the agreement. Such exchange is now imminent. Protection will be required to Canadian full-time stations by the new agreement. In addition, the tentative agreement provides for the use of diurnal curves in making pertinent interference calculations. Not only does this mean that overall fuller use of the channels will be possible during the post-sunset period, it can make it possible for a number of stations now operating during pre-sunrise hours to employ greater power than has been possible before. Finally, and most importantly, the Canadians have agreed to the use of Canadian Clear Channels for both pre-sunrise and post-sunset operation, using diurnal curves for pertinent calculations. By virtue of this tentative agreement, there no longer appears to be any Canadian impediment to full implementation of the new rules.

52. Unfortunately, it has not yet been possible to obtain agreement with Mexico or the Bahama Islands. Mexican negotiations are actively underway and the Commission is quite hopeful that the negotiations can be brought to a prompt and successful conclusion. In the meantime, however, there is no choice but to delay implementation in several regards. First, it will not be possible to calculate permissible powers using diurnal factors. Also, there is no agreement yet for post-sunset operation extending beyond 6:00 p.m. local time. This means that, except on the U.S. I-A Clear Channels, where the United States has treaty priorities under both the United States/Mexican AM Agreement as well as NARBA, post-sunset operations will be possible for U.S. Class II-D (daytime) and Class III daytime stations only until 6:00 p.m. local time. Finally, negotiations are planned with the government of the Bahama Islands, but until such agreement is reached, no changes can be made in the extended hours use of the Bahamian Clear Channel (1540 kHz).

53. *Procedural Matters*—Although the changes we are making today rest on the simple premise that important relief can be provided consistent with sound engineering practice, the calculations involved are not so simple in all respects. Several parties recommended that the Commission perform the necessary calculations to determine times of extended hours of operation and the maximum power that could be

<sup>27</sup> Reference to east/west relationship is intended to reflect the relationship of sunrise/sunset of the stations involved rather than a true east/west orientation. Taking this into account, it is estimated that 110 stations will not qualify.

<sup>28</sup> The agreements are listed in footnote 4, *supra*.

utilized by each station. Because such calculations had to be made by the Commission as part of the decision making process, it was necessary to develop various computer programs needed for making these large scale calculations. With this in mind we have concluded that it is appropriate for the Commission to perform the necessary computations. Doing so could help expedite the bringing of these services to the public and it would reduce the administrative burden on the Commission by eliminating the need to have applications filed for processing. Also, because extended hours operations are secondary, the Commission plans to do periodic recomputations to determine what adjustments are necessary to protect newly authorized stations or other changes in licensed operations. Current planning suggests that a yearly review would be appropriate. In any case, affected stations would receive a new attachment for their licenses. Here, too, the Commission will not require the station to perform any of its own calculations.

54. Based on the above calculations, the Commission will produce a complete list of daytime-only stations along with the powers they can employ and extended hours periods during which operation will be permitted. In addition to maintaining a master list, the Commission will advise each affected station individually. For all stations that will be able to operate during the pre-sunrise and post-sunset periods, the Commission will provide material to be attached to the station's basic authorization which will set forth the specific operating periods and powers to be employed. However, as noted above, full implementation has to await a final agreement with Mexico. Until that agreement is put into effect, post-sunset operation cannot extend beyond 6:00 p.m. local time. Accordingly, the authorizations will specify that such operation is not to be conducted until advised by the Commission that the Mexican agreement has been implemented. At that point the station will be able to use the full operation as specified in the authorization it is to receive. Also, no operation under the new rules may be conducted until the effective date for the rule changes specified in paragraph 57, below.

55. Because of the nature of the calculation process involved in authorizing extended hours of operation, it is not feasible for the Commission to undertake individual recalculations, nor do we believe that any such recalculations is necessary since the

computer programs have been carefully created and fully tested to ensure accurate results. Accordingly, the Commission does not intend to entertain requests from individual stations seeking additional pre-sunrise or post-sunset time or power. The only feasible way for the Commission to handle this subject is through the routinely scheduled periods of review. On the other hand, there may be licensees which believe that specific authorizations would lead to impermissible interference to their service areas. In order for any such objection to be considered, it must be accompanied by a technical showing including all the following: the amount of interference (including the areas and populations affected), how the interference was calculated, where the alleged error in the Commission's calculations occurred, and an explanation as to why the interference involved is not *de minimis*, including maps showing how station coverage is affected. Failure to provide all of this information will result in dismissal of the objection. In addition, any such objection must be served on the offending station which may in turn file a responsive pleading.

56. *Economic Structural Benefits*—Daytime-only AM stations have always been subjected to limitations in their ability to compete with full-time stations. In fact, these limitations on the hours when they can operate effectively eliminates them from the market during some of the most lucrative portions of the broadcast day. These effects are most pronounced during the winter months when the daylight hours are shortest. As a result of our action relieving many of these restrictions, daytime-only stations will be able to compete more effectively, thus also helping to implement the Commission's mandate to establish a competitive environment within the industry. We believe that such relief is especially important to these stations now that the marketplace of electronic media is expanding and developing new kinds of services and media forms and formats.

57. Accordingly, it is ordered that, §§ 73.99, 73.185, 73.190, 73.1870, and 73.1735 of the Commission's Rules are amended, effective October 20, 1983 as set forth in the attached appendix.

58. Authority for this action is contained in Sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended.

#### 59. *Regulatory Flexibility Analysis.*

##### *I. Need for and Purpose of the Rule.*

The rule is designed to provide relief for the more than 2400 AM stations that

are limited in their hours of operation. These are the stations which are limited to operation during the hours between local sunrise and local sunset. Although many of these stations are able to operate during at least some of the pre-sunrise hours, none of them are able to operate during the post-sunset period. This can have a serious detrimental impact on these stations, especially during winter hours when the hours of daylight are few. The absence of such authority imposes a serious burden on these small entities and on their communities.

#### *II. Summary of Issues Raised by Public Comment in Response to the Initial Regulatory Flexibility Analysis, Commission Assessment, and Changes Made as a Result.*

##### *A. Issues Raised.*

As discussed in the body of this Report and Order, the major issues related to whether pre-sunrise authority could be extended to an additional group of stations and post-sunset operation by daytime-only stations (or to certain categories of full-time stations) could be permitted consistent with sound engineering practice. The Commission was offered several approaches to a resolution of the matter. Daytime-only stations argued in favor of full relief regardless of the service to be lost by other stations. Full-time stations stressed the need for full protection to existing service.

##### *B. Assessment.*

As discussed above, the Commission agreed that daytime-only stations do face serious handicaps in being able to compete with full-time stations and in being able to bring needed service to their communities. Likewise, it was clear that the potential for interference from unrestricted extension of the hours of operation of these stations was serious. As a consequence, the Commission decided to adopt a system that made full provision for both of these concerns.

##### *C. Changes Made as a Result.*

The Commission's decision follows the suggestions of the full-time stations in regard to the need to provide protection against interference. As a result, the Commission decided against its original proposal that generally would have allowed daytime-only stations to operate with 500 watts power using daytime antenna facilities until 6:00 p.m. local time. Although some protection for Class I stations would have been provided, this was considered to be insufficient. On the other hand, the Commission concluded that it would be possible to provide more relief than had been proposed originally. Thus, it allowed daytime-only

stations to operate until two hours after local sunset. This extends the period of operation well beyond 6:00 p.m. in many months of the year, Operation is to be with 500 watts power, reduced as necessary to avoid interference.

III. Significant Alternatives Considered and Rejected

The only significant alternatives were those discussed above regarding uniform operating schedule throughout the year and the appropriateness of taking interference calculations into account in determining the power which should be employed during the extended hours of operation. Although the Commission was not able to follow all of the urgings of the daytime-only stations, little of the essence of what it sought was rejected; in fact, in some ways it received even more and without the need for the submission of engineering in most cases.

60. For further information concerning this proceeding, contact Wilson La Follette, Mass Media Bureau, (202) 632-5414 or Jonathan David, Mass Media Bureau, (202) 632-7792.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix 1

FIGURE 1.—ESTIMATED SERVICE OF FULLTIME STATIONS WITH AND WITHOUT DAYTIMERS OPERATING AT 500 WATTS

Call, city, and State	Square miles		
	Existing night service	Service with DT at 500	Lost service
600 kHz			
KCLS Flagstaff, AZ	305.32	305.32	0
KSXO Redding, CA	632.47	632.47	0
KOGO San Diego, CA	5314.98	2712.56	2602.42
WICC Bridgeport, CT	664.36	576.49	87.87
WOKV Jacksonville, FL	599.63	562.54	7.09
WMT Cedar Rapids, IA	11,700.35	6841.23	4859.12
WCAO Baltimore, MD	2780.93	1154.21	1626.72
WTAC Flint, MI	417.93	338.77	79.16
KGEZ Kalispell, MT	225.36	225.36	0
WSJS Winston-Salem, NC	978.86	575.25	403.63
KSJB Jamestown, ND	4218.79	4218.79	0
WREC Memphis, TN	12,615.86	2904.46	9711.40
KROD El Paso, TX	903.89	903.89	0
KTBB Tyler, TX	351.06	351.06	0
Total	41,709.83	22,332.42	19,377.41
1380 kHz			
KAUL N. Little Rock, AR	80.71	69.62	11.09
KGMS Sacramento, CA	2322.25	1279.52	1042.73
KTOM Salinas, CA	1569.01	840.09	728.92
WNVF Naugatuck, CT	11.68	11.68	0
WAMS Wilmington, DE	135.60	52.77	82.83
WDAT Ormond Beach, FL	36.81	36.81	0
WRBO St. Petersburg, FL	808.46	636.25	172.21
KCM Carroll, IA	405.94	286.45	119.49

FIGURE 1.—ESTIMATED SERVICE OF FULLTIME STATIONS WITH AND WITHOUT DAYTIMERS OPERATING AT 500 WATTS—Continued

Call, city, and State	Square miles		
	Existing night service	Service with DT at 500	Lost service
WBEL S. Beloit, IL	80.70	80.70	0
WQHK Ft. Wayne, IN	516.15	317.92	198.23
KCNW Fairway, KS	319.72	251.14	68.58
WPLB Greenville, MI	21.14	21.14	0
WPHM Port Huron, MI	649.83	375.4	274.43
KLIJ Brainerd, MN	72.32	72.32	0
KWK St. Louis, MO	1498.56	354.10	1144.46
WRAQ Asheville, NC	64.73	34.75	29.98
WWMG New Bern-James City, NC	202.28	202.28	0
WTOB Winston-Salem, NC	41.22	25.29	12.93
WBBX Portsmouth, NH	37.05	37.05	0
WAWZ Zarephath, NJ	452.97	159.04	293.93
WBXN New York, NY	421.42	165.11	256.31
KSWO Lawton, OK	800.58	584.75	215.83
KMUS Muskogee, OK	352.60	264.67	87.93
KSRV Ontario, OR	586.86	381.27	205.59
KOTA Rapid City, SD	2456.94	1347.25	1109.69
WIZO Franklin, TN	92.58	37.77	54.81
KBWD Brownwood, TX	304.00	254.35	49.65
KTSM El Paso, TX	201.17	150.25	50.92
WTVR Richmond, VA	129.16	74.01	55.15
WSYB Rutland, VT	46.72	34.68	12.04
KRKO Everett, WA	1133.92	1022.58	111.34
KCKO Millwood, WA	99.56	99.56	0
WFCL Clintonville, WI	23.72	23.72	0
Total	15,976.36	9587.29	6389.07

FIGURE 2.—ESTIMATED SERVICE OF DAYTIME ONLY STATIONS OPERATING POST-SUNSET WITH 500 WATTS

Call, city, and State	Estimated service (square miles)	
	Existing night service	Service with DT at 500
600 kHz		
WIRB Enterprise, AL	113.95	
KNYO Independence, CA	259.16	
KIXX Fort Collins, CO	125.94	
WVOG New Orleans, LA	65.29	
WFST Caribou, ME	32.36	
WBDN Escanaba, MI	137.53	
WCVP Murphy, NC	156.34	
WSCM Salem, OH	262.64	
WFRM Coudersport, PA	133.42	
KERB Kermit, TX	342.57	
WVAR Richwood, WV	104.86	
Total	1734.06	
1380 kHz		
WRAB Arab, AL	29.79	
WGYV Greenville, AL	25.46	
WVSA Vernon, AL	28.42	
KZUL Parker, AZ	208.62	
KKZZ Lancaster, CA	161.64	
KFLJ Walsenburg, CO	167.87	
WLJZ Lakewood, FL	24.84	
WSIZ Ocala, GA	53.15	
KCII Washington, IA	57.27	
WMTA Central City, KY	123.60	
WWKY Winchester, KY	66.95	
WYNK Baton Rouge, LA	28.68	
WKTJ Farmington-West Fa, ME	17.76	
KAGE Winona, MN	16.99	
WNLA Indianola, MS	58.57	
KUVR Holdrege, NE	455.75	
WVIN Bath, NY	52.18	
WLRO Lorain, OH	115.06	
WXIC Waverly, OH	28.91	
WACB Kittanning, PA	46.57	
WMLP Milton, PA	27.28	
WAYZ Waynesboro, PA	32.31	
WNRI Woonsocket, RI	18.26	
WAGS Bishopville, SC	11.34	
WGUS N. Augusta, SC	20.12	
KOKD Redfield, SD	152.10	
WYSH Clinton, TN	27.87	

FIGURE 2.—ESTIMATED SERVICE OF DAYTIME ONLY STATIONS OPERATING POST-SUNSET WITH 500 WATTS—Continued

Call, city, and State	Estimated service (square miles)
WTNN Millington, TN	110.24
KTLK Beaumont, TX	102.39
KMUL Muleshoe, TX	215.57
KBOP Pleasanton, TX	189.12
WLRV Lebanon, VA	58.15
WMTD Hinton, WV	30.45
Total	2759.28

FIGURE 3.—ESTIMATED SERVICE OF DAYTIME ONLY STATIONS OPERATING POST-SUNSET WITH POWER ADJUSTED TO PROVIDE PROTECTION

Call, city, and State	Max. permitted power at SS+2 (watts)	Estimated service at SS+2 (square miles)
WIRB Enterprise, AL	29	9.23
KNYO Independence, CA	36	36.03
KIXX Fort Collins, CO	212	59.26
WVOG New Orleans, LA	31	4.58
WFST Caribou, ME	67	9.33
WBDN Escanaba, MI	206	66.43
WCVP Murphy, NC	20	14.27
WSCM Salem, OH	57	61.02
WFRM Coudersport, PA	48	23.54
KERB Kermit, TX	91	81.46
WVAR Richwood, WV	64	22.24
Total		387.39

Call, city, and State	Estimated service (square miles)
WRAB Arab, AL	49
WGYV Greenville, AL	89
WVSA Vernon, AL	35
KZUL Parker, AZ	53
KKZZ Lancaster, CA	11
KFLJ Walsenburg, CO	115
WLJZ Lake Worth, FL	108
WSIZ Ocala, GA	102
KCII Washington, IA	34
WMTA Central City, KY	24
WWKY Winchester, KY	41
WYNK Baton Rouge, LA	62
WKTJ Farmington-West Fa, ME	89
KAGE Winona, MN	54
WNLA Indianola, MS	44
KUVR Holdrege, NE	62
WVIN Bath, NY	44
WLRO Lorain, OH	46
WXIC Waverly, OH	39
WACB Kittanning, PA	48
WMLP Milton, PA	39
WAYZ Waynesboro, PA	37
WNRI Woonsocket, RI	44
WAGS Bishopville, SC	121
WGUS N. Augusta, SC	86
KOKD Redfield, SD	145
WYSH Clinton, TN	71
WTNN Millington, TN	29
KTLK Beaumont, TX	127
KMUL Muleshoe, TX	134
KBOP Pleasanton, TX	301
WLRV Lebanon, VA	75
WMTD Hinton, WV	90
Total	927.83

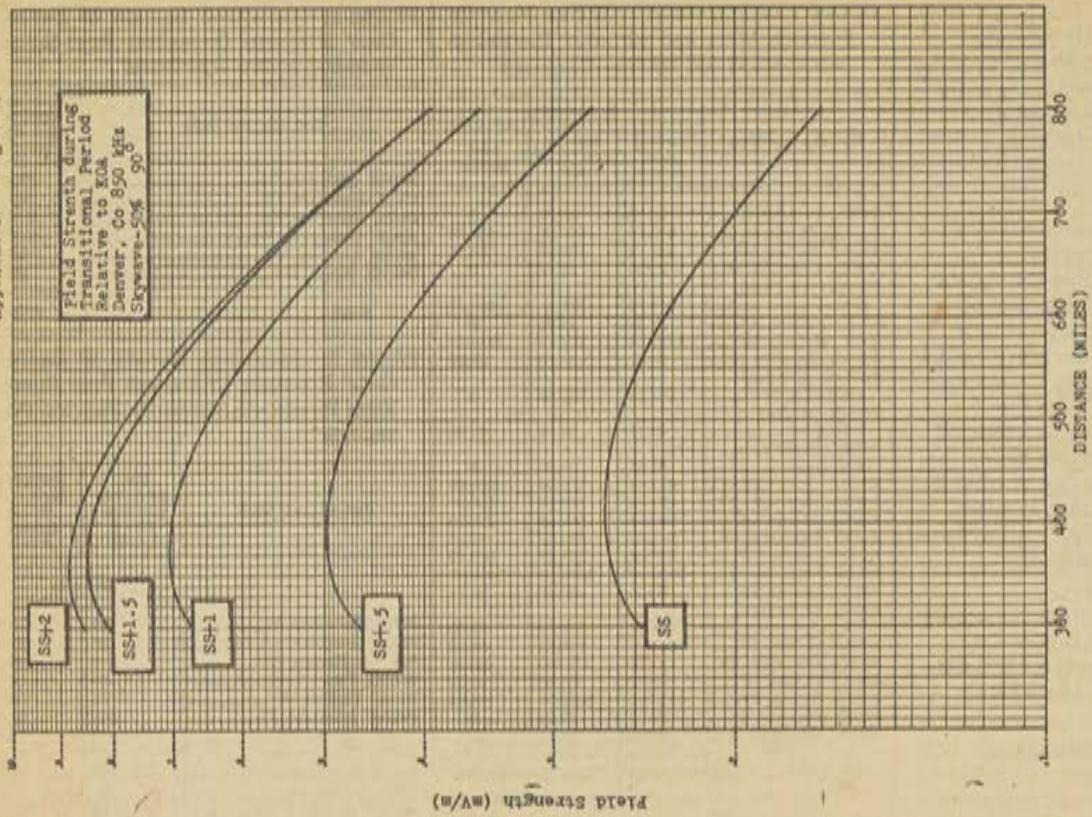
Figure 4

Note.—Map of KZUL area, Parker, Arizona filed with original document

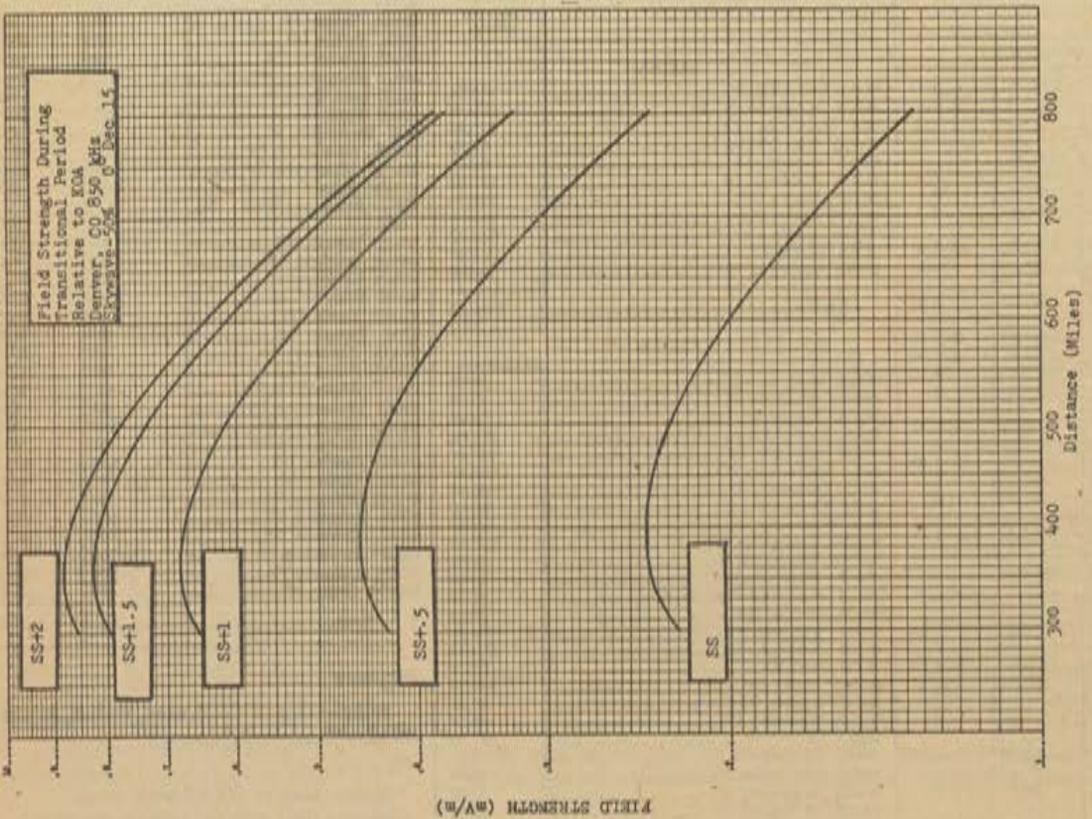
Figure 5

Note.—Map of WRAB area, Arab, Alabama filed with the original document.

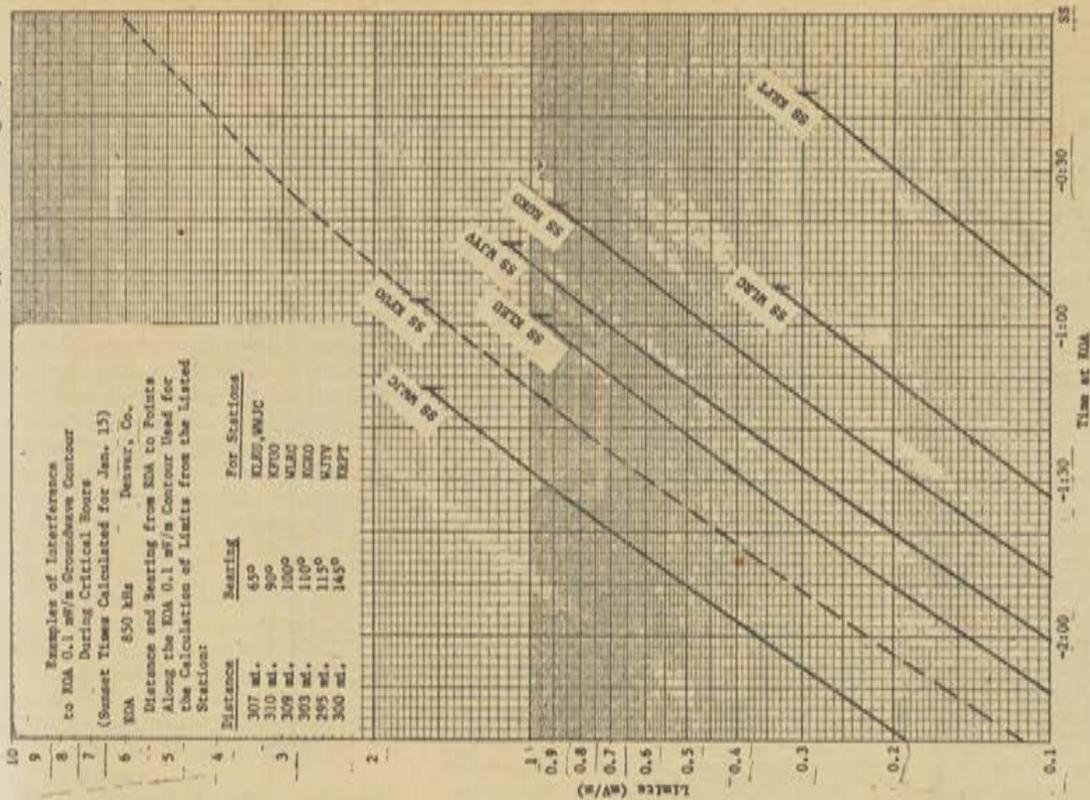
Appendix 1 Figure 7



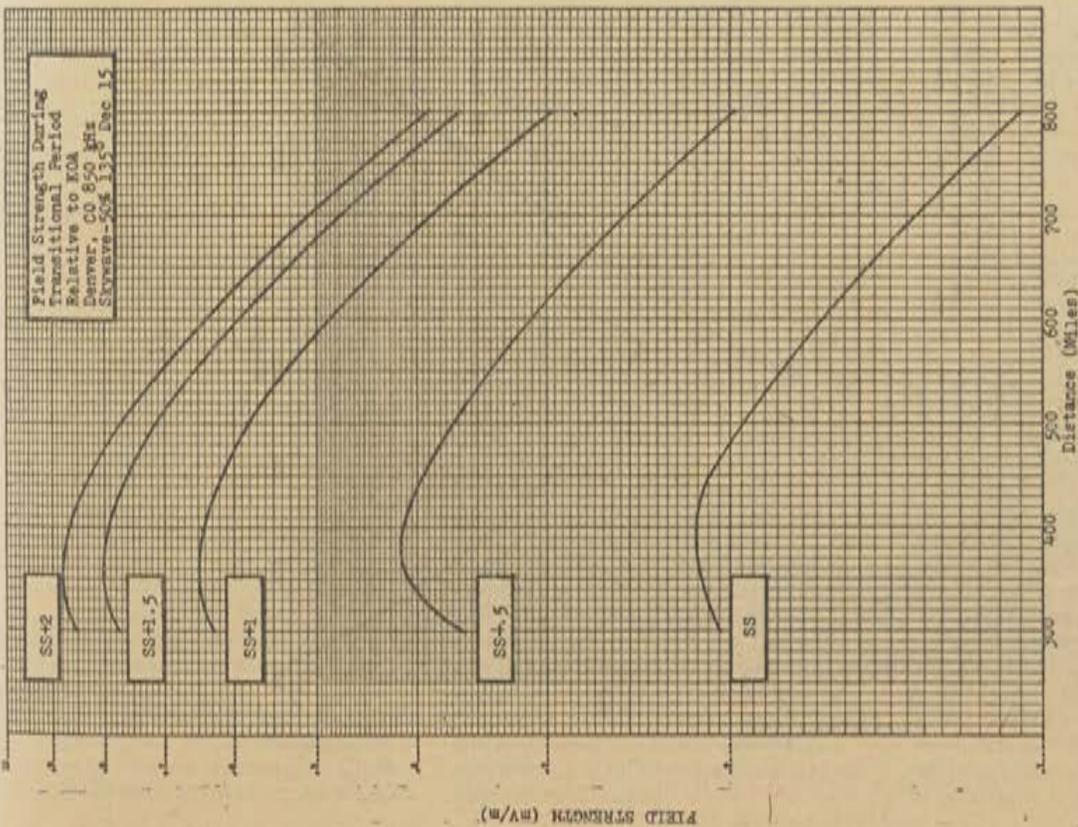
Appendix 1 Figure 6

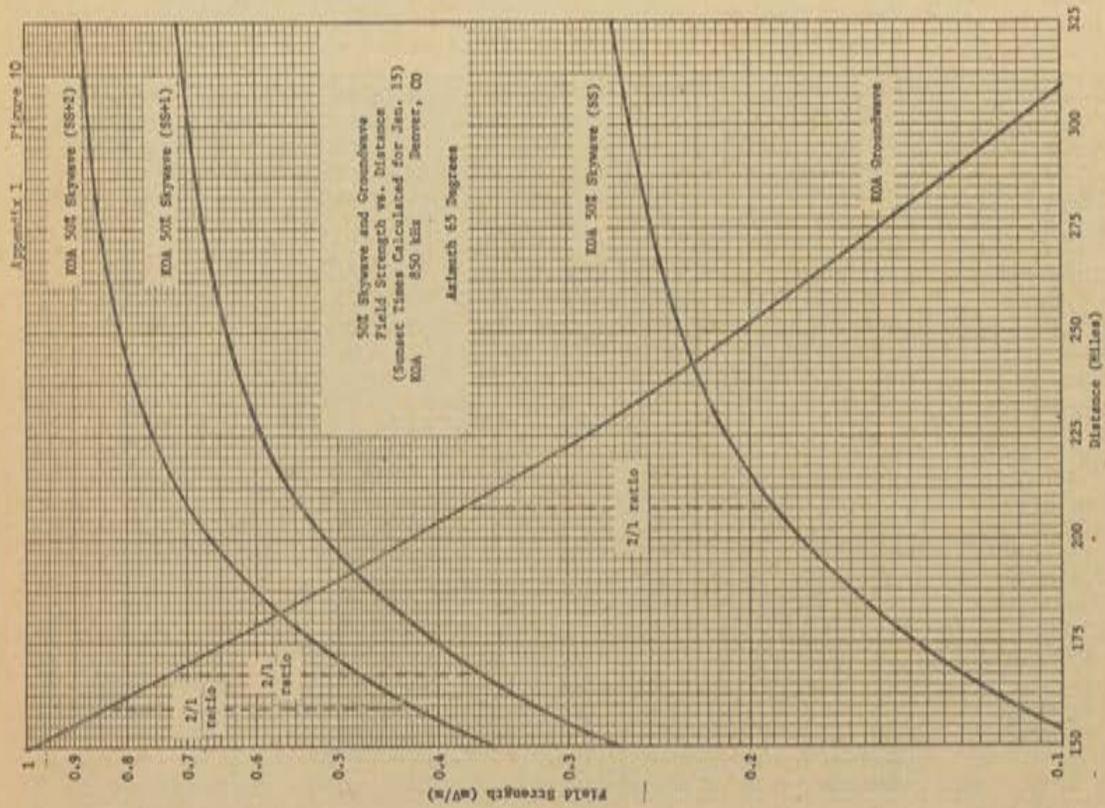
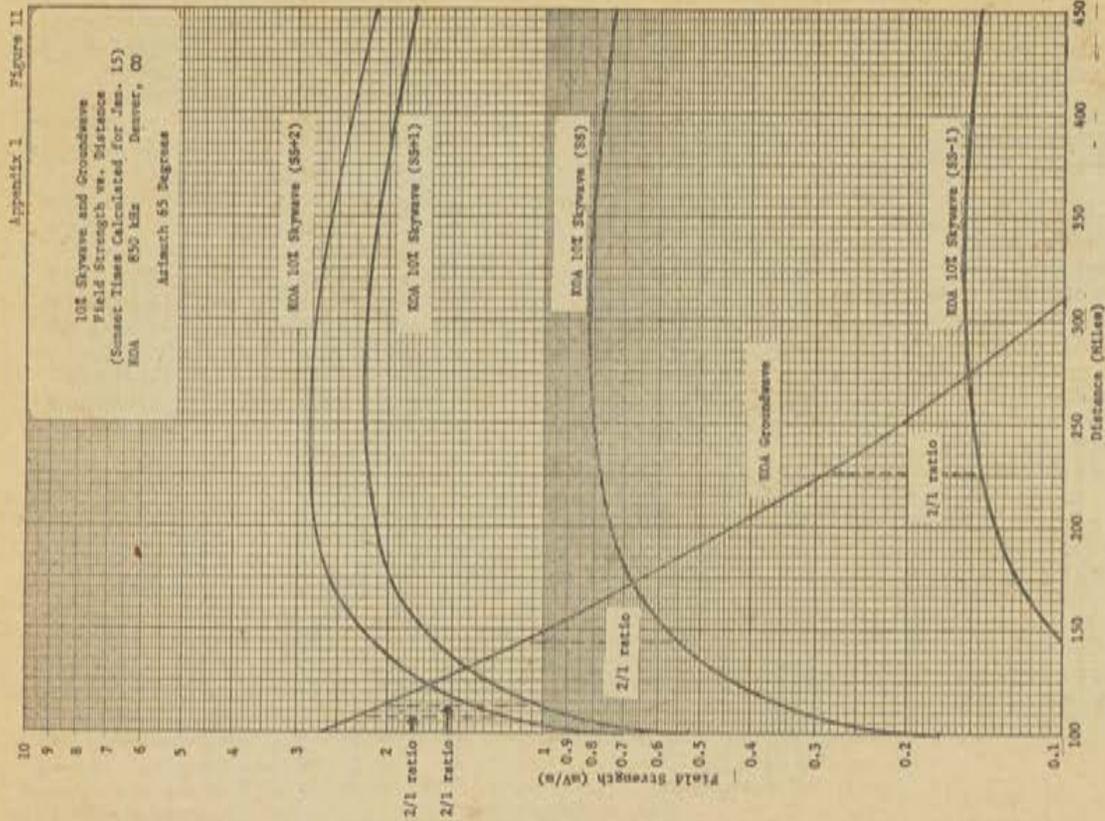


Appendix 1 Figure 9



Appendix 1 Figure 6





## Appendix 2

47 CFR Part 73 is amended as follows:

1. Section 73.99 is revised to read as follows:

**§ 73.99 Pre-sunrise service authorization (PSRA) and Post-Sunset service authorization (PSSA).**

(a) To provide the maximum uniformity in early morning operation compatible with interference considerations, and to provide for additional service during early evening hours for daytime-only stations, the provisions are made for pre-sunrise service and post-sunrise service. The permissible power to be assigned in pre-sunrise or post-sunset service authorization will not exceed 500 watts, or the authorized daytime or critical hours power (whichever is less).

(b) Pre-sunrise service authorization (PSRA) will permit:

(1) Class II stations operating on Mexican, Bahamian, and Canadian Class I-A and I-B Clear Channels to commence PSRA operation at 6:00 a.m. local time and to continue such operation until the sunrise times specified in their basic instrument of authorization.

(2) Class II stations situated outside the respective 0.5 mV/m 50% skywave contours of co-channel domestic Class I-A and I-B stations to commence PSRA operation 6:00 a.m. local time, and continue this operation until sunrise times specified in their basic instruments of authorization.

(3) Class II stations located inside a co-channel 0.5 mV/m 50% skywave contours of domestic Class I-A and I-B stations, to commence PSRA operation either at 6:00 a.m. local time, or at the time of sunrise at the nearest Class I station located east of the Class II station (whichever is later), and continue this operation until the sunrise times specified in their basic instruments of authorization.

(4) Class III stations to commence PSRA operation at 6:00 a.m. local time and to continue such operation until local sunrise times specified in their basic instruments of authorization.

(c) Post-sunset service authorization (PSSA) will permit:

(1) Class II-D stations located on Mexican, Bahamian, and Canadian Class I-A and I-B Clear Channels to commence PSSA operation at sunset times specified in their basic instruments of authorization and to continue for two hours after such specified times.

(2) Class II-D stations situated outside the respective 0.5 mV/m 50% skywave contours of co-channel domestic Class I-A and I-B stations to commence PSSA

operations at sunset times specified in their basic instruments of authorization and to continue up to two hours after such specified times.

(3) Class II-D stations located inside co-channel 0.5 mV/m 50% skywave contours of domestic Class I-A and I-B stations to commence PSSA operation at sunset times specified in their basic instruments of authorization and to continue such operation until two hours past such specified times, or until the time of sunset at the nearest Class I station located west of the Class II station (whichever is earlier). (Those west of the dominant station do not qualify for PSSA operation.)

(4) Class III daytime only stations to commence PSSA operation at sunset times specified on their basic instruments of authorization and to continue such operation until two hours past such specified times.

(d) *Procedural Matters.* (1) Applications for PSRA and PSSA operation are not required. Instead, the FCC will calculate the periods of such operation and the power to be used pursuant to the provisions of this Section and the protection requirements contained in applicable international agreements. Licensees will be duly notified of permissible power and times of operation. Pre-sunrise and Post-sunset service authority permits operation on a secondary basis and does not confer license rights. No request for such authority need be filed. However, stations intending to operate PSRA or PSSA shall submit by letter, signed as specified in § 73.3513, the following information:

(i) Licensee name, station call letters and station location,

(ii) Indication as to whether PSRA operation, PSSA operation, or both, is intended by the station,

(iii) A description of the method whereby any necessary power reduction will be achieved.

(2) Upon submission of the required information, such operation may begin without further authority.

(e) *Technical Criteria.* Calculations to determine whether there is objectionable interference will be determined in accordance with the AM Broadcast Technical Standards, §§ 73.182 through 73.190, and applicable international agreements. Calculations will be performed using daytime antenna systems, or critical hours antenna systems when specified on the license. In performing calculations to determine assigned power and times for commencement of PSRA and PSSA operation, the following standards and criteria will be used:

(1) Class II stations operating in accordance with (b)(1), (b)(2), (c)(1), and (c)(2) are required to protect the nighttime 0.5 mV/m 50% skywave contours of co-channel Class I stations. Where a 0.5 mV/m 50% skywave signal is not produced, the 0.5 mV/m groundwave contour will be protected.

(2) Class II stations are required to fully protect foreign Class II stations when operating PSRA and PSSA and Class II-D station operating PSSA are required to fully protect domestic full time Class II stations. For purposes of determining protection, the existing nighttime RSS limit will be used in the determination of maximum power permissible.

(3) Class II stations operating in accordance with (c)(2) and (c)(3) are required to restrict maximum 10% skywave radiation to any point on the daytime 0.1 mV/m groundwave contour of the co-channel Class I station to 25 uV/m. For purposes of performing these calculations of 0.1 mV/m contour of the Class I station will be determined by use of Figure M3, Estimated Ground Conductivity in the United States. When the 0.1 mV/m contour extends beyond the national boundary the international boundary shall be considered the 0.1 mV/m contour.

(4) Class III stations operating PSRA and PSSA are required to provide full protection to co-channel foreign Class III stations. Additionally, Class III daytime only stations operating PSSA are required to fully protect domestic full time Class III stations. For purposes of determining protection, the existing nighttime RSS limit will be used in the determination of maximum power permissible.

(f) Calculations made under paragraph (d) of this section may not take outstanding PSRA or PSSA operations into account, nor will the grant of a PSRA or PSSA confer any degree of interference protection on the holder thereof.

(g) Operation under a PSRA or PSSA is not mandatory, and will not be included in determining compliance with the requirements of § 73.1740. To the extent actually undertaken, however, pre-sunrise operation will be considered by the FCC in determining overall compliance with past programming representations and station policy concerning commercial matter.

(h) The PSRA or PSSA is secondary to the basic instrument of authorization with which it is to be associated. The PSRA or PSSA may be suspended, modified, or withdrawn by the FCC without prior notice or right to hearing, if necessary to resolve interference

conflicts, to implement agreements with foreign governments, or in other circumstances warranting such action. Moreover, the PSRA or PSSA does not extend beyond the term of the basic authorization.

(i) The FCC will periodically recalculate maximum permissible power and times for commencing PSRA and PSSA for each Class II and Class III station. These original notifications and subsequent notifications should be associated with the station authorization. Upon notification of new power and time of commencing operation, affected stations will make necessary adjustments within 30 days.

(j) A PSRA and PSSA does not require compliance with §§ 73.45, 73.182, 73.188, and 73.1560 where the operation might otherwise be considered as technically substandard. Further, the requirements of paragraphs (a)(5), (b)(2), (c)(2), and (d)(2) of § 73.1215 concerning the scale ranges of transmission system indicating instruments are waived for PSRA and PSSA operation except for the radio frequency ammeters used in determining antenna input power.

(k) A station having an antenna monitor incapable of functioning at the authorized PSRA and PSSA power when using a directional antenna shall take the monitor reading using unmodulated carrier at the authorized daytime power immediately prior to commencing PSRA or PSSA operations. Special conditions as the FCC may deem appropriate may be included for PSRA or PSSA to insure operation of the transmitter and associated equipment in accordance with all phases of good engineering practice.

Note.—Extended hours operations are subject to international agreements governing all operations. These agreements are in the process of revision, but until this process is completed it will not be possible to allow full operation as outlined above.

2. Section 73.185, Computation of interfering signal, is amended by adding new paragraph (k) as follows:

§ 73.185 Computation of Interfering signal.

(k) In performing calculations to determine permissible radiation from stations operating pre-sunrise or post-sunset in accordance with § 73.99, calculated diurnal factors will be multiplied with the values of skywave signals for such stations obtained from Figure 1a or Figure 2 of § 73.190.

(1) The diurnal factor is determined using the time of day at the mid-point of path between the site of the interfering station and the point at which interference is being calculated. Diurnal factors are computed using the formula  $D_f = a + bF + cF^2 + dF^3$  where:

$D_f$  represents the diurnal factor,  
 $F$  is the frequency in MHz,  
 $a, b, c,$  and  $d$  are constants obtained from the tables in paragraph (k)(2)

A diurnal factor greater than one will not be used in calculations and interpolation is to be used between calculated values where necessary. For reference purposes, curves for pre-sunrise and post-sunset diurnal factors are contained in Figures 13 and 14 of § 73.190.

(2) Constants used in calculating diurnal factors for the presunrise and post sunset periods are contained in paragraph (k)(2) (i) and (ii) respectively.

The columns labeled  $T_{mp}$  represents the number of hours before and after sunrise and sunset at the path midpoint.

(i) Presunrise Constants

$T_{mp}$	a	b	c	d
-2	1.3084	.0083	-.0155	.0144
-1.75	1.3165	-.4919	.6011	-.1884
-1.5	1.0079	.0296	.1488	-.0452
-1.25	.7773	.3751	-.1911	.0736
-1	.6290	.1547	.2654	-.1006
-.75	.3718	.1178	.3632	-.1172
-.5	.2151	.0737	.4167	-.1413
-.25	.2027	-.2560	.7269	-.2577
SR	.1504	-.2325	.5374	-.1729
+25	.1057	-.2092	.4148	-.1239
+5	.0642	-.1295	.2583	-.0699
+75	.0448	-.1002	.1754	-.0405
+1	.0148	.0135	.0462	.0010

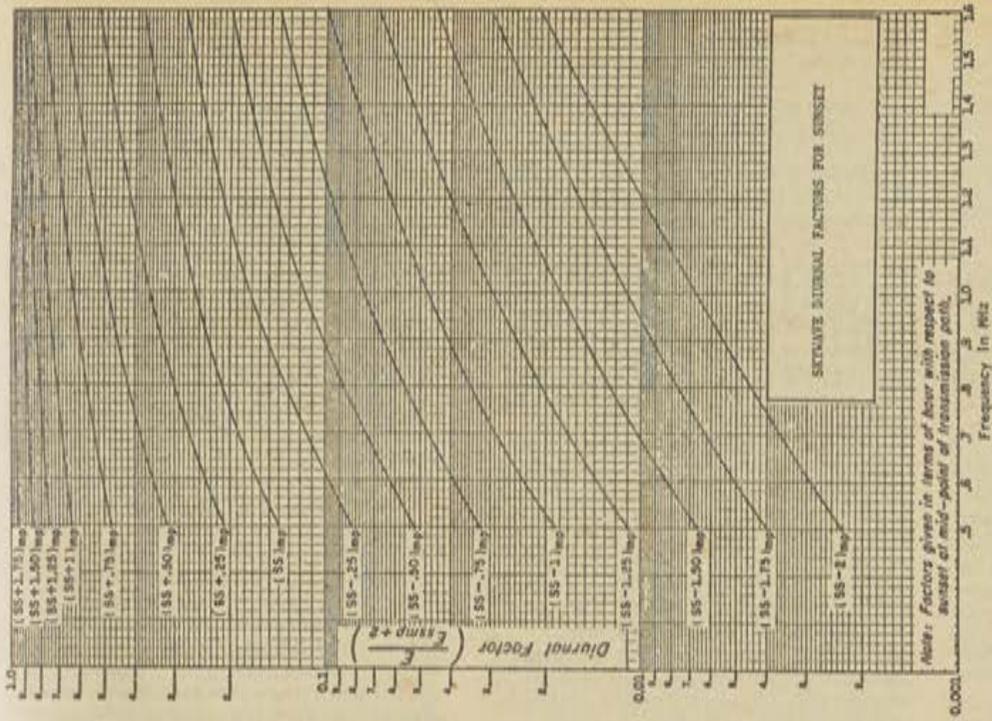
(ii) Post Sunset Constants

$T_{mp}$	a	b	c	d
1.75	.9495	-.0187	.0720	-.0290
1.5	.7196	.3583	-.2280	.0611
1.25	.6756	.1518	.0279	-.0163
1.0	.5486	.1401	.0952	-.0288
.75	.3003	.4050	-.0961	.0256
.5	.1166	.4281	-.0799	.0197
.25	.0382	.3708	-.0673	.0171
SS	.0002	.3024	-.0540	.0086
-.25	.0278	.0458	.1473	-.0486
-.5	.0203	.0132	.1186	-.0340
-.75	.0152	-.0002	.0786	-.0185
-1.0	-.0043	.0452	-.0040	.0103
-1.25	.0010	.0135	.0103	.0047
-1.5	.0018	.0052	.0069	.0042
-1.75	-.0012	.0122	-.0076	.0076
-2.0	-.0024	.0141	-.0141	.0091

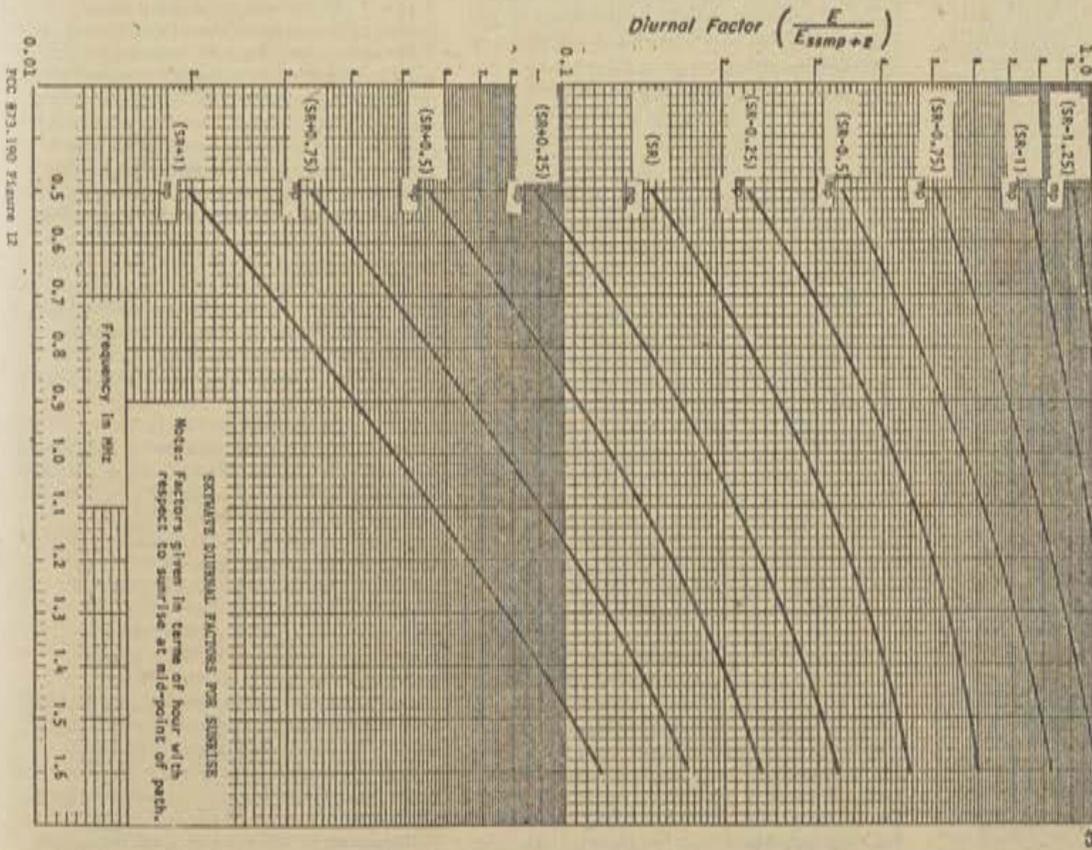
§ 73.190 [Amended]

3. Section 73.190, Engineering Charts, is amended by removing Figure 12 and by adding new Figure 12 and new Figure 13.

BILLING CODE 6712-01-M



FCC 873-190 Figure 13



FCC 873-190 Figure 12

4. Section 73.1670 is amended by revising paragraph (a)(4) to read as follows:

§ 73.1670 Auxiliary transmitters.

(a) \* \* \*

(4) The transmission of regular programs by an AM station authorized for Pre-sunrise (PSRA) and/or Post-sunset (PSSA) operation.

5. Section 73.1735 is revised in its entirety to read as follows:

§ 73.1735 AM station operation pre-sunrise and post-sunset.

Certain classes of AM stations are eligible to operate pre-sunrise and/or post-sunset for specified periods with facilities other than those specified on their basic instruments of authorization. Such pre-sunrise and post-sunset operation is authorized pursuant to the provisions of § 73.99 of the Rules.

Appendix 3—Comments in Response to the Notice of Proposed Rule Making

1. *General*—Many parties took the opportunity to respond to the important engineering and policy issues which had been raised in the *Notice of Proposed Rule Making and Notice of Inquiry*. In fact, the Commission received a total of 163 formal comments and reply comments.<sup>1</sup> In addition to responding to the rule making issues, many of these parties responded to the *Notice of Inquiry* section of the document as well. However, for the purposes of this *First Report*, we shall limit our discussion to the filings in response to the *Notice of Proposed Rule Making*. The issues contained in the *Inquiry* will be the subject of additional notices where appropriate.

2. Daytime-only stations and their supporters, most notably the Daytime Broadcasters Association, argued strenuously in favor of granting all possible relief. Various full-time stations, using their own experience as a guide, raised various cautionary points in regard to providing for extended hours of operation. Much of this cautionary material was filed by or was directed to the special issues raised by extended hours of operations by Class II stations operating on U.S. Clear Channels. A number of the filings by Class I-A Clear Channel stations contained engineering showings in support of their requests for protection against the perceived effects of allowing extended hours operations as proposed in the *Notice* or along the lines suggested by daytime station interests. The

same was true of the major organizational filings on both sides of the issue. Most of the other filings by individual stations, however, did not contain separate engineering studies.

3. *Need for Extended Hours of Operation*—For the most part, the parties were sympathetic to the difficulties faced by daytime-only stations. That is not to say that these parties necessarily agreed that such operation was a pressing matter; rather the thrust of their filing was that it would be acceptable to authorize extended hours so long as this did not harm existing reception. Even the Class I-A or I-B licensees that filed did not dispute the need as much as they raised concerns about the effects of responding to those needs. However, there were suggestions that the need might be less pressing today than compared to earlier years. Thus, the Association for Broadcast Engineering Standards ("ABES") pointed to the substantial growth in FM service over the last 20 years and the commensurate reduction in the population which does not receive nighttime primary service. It believed that this and other developments suggest a lesser need for this service. Moreover, ABES points out that many daytime stations have implemented other alternatives to provide nighttime service and that more than 50% of daytime-only stations are owned in common with FM stations in the same community. Although it questions the importance of providing for expanded hours of operation, ABES does agree that several actions could be taken so long as protective measures are included to insure that such operations do not come at the cost of substantial interference to existing stations.

4. The Daytime Broadcasters Association ("DBA") argues that there is a pressing need for all possible relief. Thus, DBA asserts that the nature of American broadcasting has changed greatly over the years. No longer are most Americans dependent on the wide-area coverage provided by Clear Channel stations. Instead we have a fully developed broadcast system that can offer service from many local outlets. Yet, DBA contends, the system is still arranged in a way that protects the clear channel operations to a degree that far exceeds their present role in American broadcasting. DBA notes that half of the AM stations in the United States are required to leave the air at sundown, and many others are forced to make substantial reductions in power or take other steps to avoid causing interference during nighttime hours. According to DBA, the situation is critical during the winter months when the stations have severely shortened operating hours and are forced to leave the air during the very hours when their localities need them most.

5. In the opinion of DBA and its supporters, for example Oconee Broadcasting Company ("Oconee"), the provision of extended hours of service by daytime-only stations could result in some interference losses, but this would not be an excessive price to pay since the losses would be to stations located far away. According to Oconee, the local service the daytime-only stations would provide is far more important than the signals that would be lost. In its view, the public is not well served by a system in which stations are forced off the air at dark, thereby depriving

their audience of important information, particularly weather information, that is so vitally needed during the winter months.

6. On the other side of the issue, the Clear Channel Broadcasting Service ("CCBS") did not oppose extended hours per se; rather it expressed a concern about the possible effects of responding to the arguments about the need for such service without taking other matters into account. In particular, CCBS stressed the value that Clear Channel stations continue to have in providing service to the approximately four million Americans that, according to the Commission, do not receive primary service from any AM or FM station. Unless adequate protection is afforded, CCBS believes that service to otherwise unserved or underserved areas could be endangered, and the Commission would be sacrificing a much needed service without gaining a good quality service to replace it. Moreover, CCBS states that daytime-only stations were licensed on that basis because of the impact they would otherwise have on reception at night, the effects would not be limited to skywave service but could include interference to the reception of groundwave service provided by Class I stations as well.

7. Other Clear Channel parties were less charitably inclined to the extended hours proposition. WHAS noted the need to reduce power to avoid interference and questioned whether daytime-only stations would be able to provide effective service with the facilities that would be available to them during extended hours. Moreover, WHAS asserted that unlike clear channel stations, daytime-only stations do not provide a unique programming service. Cox Communications makes a distinction in the relative need for pre-sunrise and post-sunset operations, and it asserts that the latter do not have a public interest standing that is equivalent to that for the pre-sunrise period. Also, in terms of the need for such service, other parties like Bonneville International Corporation point out that the Commission has considered this subject before and has always rejected this sort of relief because it would lead to substantial interference. In the view of Bonneville, nothing has altered the validity of that judgment.

8. *Pre-sunrise Relief*—The proposed change in pre-sunrise operating authority that would be available to Class II stations that are now ineligible for such authority was not a major topic in the filings from Clear Channel interests because the Commission proposed to accord full protection to the skywave service provided to the Class I stations involved. CCBS agrees that full skywave protection for the Clear Channel station is appropriate and asks the Commission to provide protection to the 0.1 mV/m groundwave contour for these Clear Channel stations affected during pre-sunrise hours. WHAS contends that power reductions would be absolutely necessary, because even under the present less restrictive rules the groundwave service of Clear Channel stations can be affected. Station WKIE, on the other hand, does not believe that the present levels of protection for Class I stations should be maintained. Rather, it not

<sup>1</sup>A list of the parties filing comments and reply comments is attached as Appendix 4 to this *Report and Order*. In addition, the Commission received several hundred informal expressions of interest. Virtually all of these were filed by daytime-only stations or listeners who favored extended hours of operation by these stations. Some supported an arrangement along the lines originally proposed by the Commission, but many more were in favor of relief as had been proposed by the Daytime Broadcasters Association.

only disputes the reliance placed on these signals, it says that during the pre-sunrise and post-sunset periods the skywave signals from these stations cannot be relied upon to provide reliable service, so there is no reason not to grant the relief proposed. By way of a middleground position, ABES agreed with the proposal of the Commission that would provide protection to the 0.5 mV/m 50% skywave contour of the Class I stations. Although various other parties included, at least by implication, the pre-sunrise proposals in their comments, their clear emphasis was on the post-sunset situation. Only a few Class II full-time stations would be affected by the proposed change in pre-sunrise operation. The post-sunset proposal was much broader, including those stations and the entire group of stations which operate daytime-only or with differing modes day and night.

9. *Post-Sunset Operation*—The Commission has proposed a basic change from the present situation in which no station may use its daytime facilities beyond the hour of local sunset. According to DBA, this variation is well within the scope of the Notice, so that the Commission could adopt this approach without having to undertake further rule making. According to DBA, there is a need for such an operating schedule in a time when local service is "waning." In support of its views DBA offers engineering arguments of its own and in rebuttal to those of the full-time stations that have filed. In both instances, DBA asserts that the opposing parties have exaggerated the extent of interference that would be caused if the DBA proposal were adopted. However, it does acknowledge that some interference would result, but as DBA sees it, "[E]ach fulltime station must surrender some small measure of operational superiority if the daytimer's lot is to be improved at all".<sup>3</sup>

10. The DBA view is strenuously opposed by full-time stations and in particular by the licensees of Clear Channel stations. Thus, CBS, for example, opposes both the Commission's original proposal as well as the DBA option because neither would take the effects of interference into proper account. It opposes the concept of allowing these daytime-only stations being able to operate for two hours after sunset (the DBA approach) or until 6:00 p.m. (the Commission proposal) with 500 watts power on a non-directional basis. This, it says, would cause a considerable amount of interference. Its objections here are two-fold. First, it contends that it is unfair to give the daytime-only stations such a bonus when it comes at a high cost to full-time stations and those who depend on service from them. In its view, there is no merit to such a one sided

<sup>3</sup> In addition to the comments directed to the post-sunset proposal of the Commission, there were alternative proposals from daytime interests (notably DBA) which urged the Commission to permit operation of daytime-only stations from two hours before sunrise to two hours after sunset. Because the principal impact of this proposal would be in the post-sunset period, it will be discussed under that topic. It also should be pointed out that similar proposals have been introduced in the Congress, but final action has not yet been taken by either body.

approach. According to CBS, it was just such an approach that the Commission rejected in its *Report and Order* in Docket No. 20265. In particular, CBS points to the discussion in para. 47 regarding the special effect of post-sunset operation and the lack of support for it based on the experience with pre-sunrise operation. CBS urged the Commission to take interference into account and to develop a plan which incorporated appropriate protections.

11. To do this CBS asserts that it is necessary to recognize that the pre-sunrise and post-sunset periods are not equivalent. In the pre-sunrise period, it says that skywave propagation is fast decaying so that the conditions are improving as sunrise approaches. Moreover, it contends that the later hours are more important to both the station and their listeners. Just the opposite is said to be true during the post-sunset period when skywave propagation is fast increasing just when the audience is increasing. [Although DBA disputes the relevance of the rate of change, insisting that the absolute value of the diurnal factor alone is the key, it does not dispute the part of this argument that relates to the importance to the station and its listeners of the hours which are involved.] Finally, CBS points to the Commission's decision in Docket No. 20265, *supra*, as providing the key for this case as well. There the Commission agreed that there had been a showing of overriding need for service during pre-sunrise hours and that pre-sunrise authorizations were an appropriate response to this need. However, the Commission it that case also stated that no such overriding need had been established in regard to post-sunset operation. Rather, the Commission is quoted as saying that the interference problems during the post-sunset period were so great that it could not sanction a parallel system for the post-sunset hours. In CBS's view, the situation in this regard remains unchanged.

12. ABES provided extensive showings regarding the effects of post-sunset operations conducted in accordance with the standards contained in the Commission's proposal. According to the ABES studies, the result would be the creation of substantial interference along with the loss of vital services in the very areas where they are most needed. With this in mind, ABES asserts that it is inappropriate not to provide full interference protection to both Class II and Class III full-time stations. In both cases it believes that the interference losses would be unacceptable and in fact unnecessary. Instead of the proposal offered by the Commission, ABES argues in favor of providing interference protection by such reduction in power as is necessary. According to ABES this will not severely restrict daytime-only stations. Rather, for many daytime-only stations, no reduction or only a minimal reduction would be necessary. For a second group, a modest reduction would be required, but the station's

<sup>3</sup> 54 F.C.C. 2d 1 (1975). While this proceeding dealt with the standards which should be used to govern the acceptance for filing of applications for licensed operations, the issue of a fixed, year-round, operating schedule did arise and the Commission considered it.

coverage would not be greatly affected. Even for the group of stations that would have to make a more substantial reduction, ABES studies showed that these stations would still be able to provide effective service to their localities and beyond. Thus, ABES saw no basis whatever for ignoring the effects of interference losses. Other parties directed themselves to these issues as well, but their views are similar to those already discussed. One note should be made at this point. Although the NRBA petition did not address the issue of extended hours of operation, it did support the concept so long as protection was provided to the signals of the otherwise affected full-time stations.

13. *Diurnal Curves*—The parties raised no basic objection to the use of diurnal curves. Overall the curves were not questioned in terms of their ability in predicting when interference problems would arise. Rather the question surrounded the methodology of their use. In fact, the way they are to be used is the key to resolution of this proceeding, for it is the determination of the extent of interference and the means of its depiction that is the core of the dispute.

#### Appendix 4

##### Comments

American Broadcasting Companies, Inc.  
Association for Broadcast Engineering Standards, Inc.  
Bitzer, Ralph J.  
Blackwell, Dill—South Carolina State Representative  
Boehle, William  
Bonneville International Corp. (KSL)  
CBS, Inc.  
Cal Central Broadcasting, Inc.  
Caleb Communications, Inc. (WIIZ-AM)  
Capitol Equities Corp. (KGAY)  
Capps Broadcasting Group, Inc.  
Cascade Broadcasting Corporation  
Centennial Wireless, Inc.  
Central Bucks Broadcasting Co. (WBUX)  
Chadwick Broadcasting Company  
Chambersburg Broadcasting (WCHA)  
City of Travelers Rest, S.C.  
Clear Channel Broadcasting Service  
Clearfield Broadcasting, Inc. (WCPA et al)  
Cole, Wilma & David  
Coleman Broadcasting (WRAM)  
Community Broadcasting Association, Inc.  
Cook Broadcasting, Inc. (WNRK)  
Cooper, James N.  
Cornbelt Broadcasting (WHO)  
The Country Giant's Alive & Kickin (KEZZ)  
Covill, Daniel F.  
Cox Communications, Inc.  
David Woodward Evangelistic Ministries  
Daytime Broadcasters Association  
Diversified Communication Engineering, Inc.  
Doods, George W.  
Earldum Broadcasting, Inc.  
Eastern Carolina Electronics, Inc.  
Easy Country (WIBG)  
Edgeworth, Norman K., et al  
Emporium Broadcasting Company (WLEM)  
Engineering for Cal Central Broadcasting  
Faith Communications Corporation (KANN)  
Federated Church  
First Lutheran Church  
First National Bank of Randolph County  
Fort Worth KJIM, Inc.

Gene Sudduth Co., Inc. (KPRE)  
 Gordon & Healy, Chartered  
 Great Southern Broadcasting Co., Inc.  
 Parker, Griffith  
 Henderson Broadcasting Co., Inc. (WSON)  
 Haddox Enterprises, Inc.  
 J.T. Parker Broadcasting Corp.  
 Jerrico Broadcasting, Inc. (KWAZ)  
 Johnson Broadcasting Corp. (KRBI)  
 Jones, Robert A., Consulting Engineer  
 Jorgens, Thomas P.  
 KBMR Radio Inc.  
 KCIN Radio  
 KFIL, Inc.  
 King Broadcasting Co. (KING)  
 KJRG, Inc., et al  
 KLEM, Inc.  
 KNDK Radio  
 KPRE Radio  
 KRadio Mexicana  
 Keck, Paul W.  
 Kiwanis Club of Asheboro, Inc.  
 Kutz, Ronald E.  
 Lee, Randy E.  
 Living Communications, Inc.  
 MDR & Company  
 Manhattan Broadcasting Co., Inc. (KMAN)  
 Mariner Communications, Inc.  
 Maryland-DC-Delaware Broadcasting  
 Association, Inc.  
 Mattoon Broadcasting Company (WLBH)  
 Mid-Central Broadcasting Co., Inc. (KYRO)  
 Morrison, J.D.  
 Multimedia Radio, Inc.  
 National Association of Broadcasters  
 National Broadcasting Co., Inc.  
 National Radio Broadcasting Association  
 Navajo Nation  
 North Carolina General Assembly  
 Oconee Broadcasting Co., Inc.  
 Otto, Kirby  
 Paris Broadcasting Corporation (WACF)  
 Pathfinder Communications  
 Pedersen, James P.  
 Potter, A.J.  
 Press Broadcasting Company  
 Progressive Broadcasting Corp. (WINU)  
 Queen City Broadcasting Co., Inc.  
 Radio Harlan, Inc. (WHLN)

Radio Reading Services of Greater  
 Cincinnati, Inc. (WRRS)  
 Radio Station Licensees  
 Radio WEW, Inc.  
 Randolph Electric Membership Corp.  
 Regional Broadcasting Company (WFLW)  
 Richland Broadcasting Co., Inc. (KXLA)  
 Rivers, Nelson B. III  
 SIT Broadcasting, Inc.  
 Scott Rachel S.  
 Seaway Broadcasting, Inc. (WYBG)  
 Service Radio Company, Inc. (WKMG)  
 Shenandoah Communications, Inc. (WRNR)  
 Shoblom Broadcasting, Inc.  
 Skycountry Broadcasting, Inc. (WPTL)  
 Southern Minnesota Broadcasting Co.  
 Stereo Broadcasting, Inc. (KXTP)  
 Susquehanna Broadcasting Co.  
 Tolum Advertising and Public Relations, Inc.  
 (WCCZ)  
 Travelers Rest High School  
 Tri-County Broadcasting Co., Inc. (WTYC)  
 Tri-State Broadcasting Company  
 U.S. Department of Commerce, National  
 Telecommunication & Information  
 Administration  
 Vacationland Broadcasting Co., Inc. (WFTW-  
 FM)  
 Vance County Board of Commissioners  
 Vance County Board of Education  
 WAGC Radio Center  
 WCBA Radio, Inc.  
 WHAS, Inc.  
 WINN Broadcasting Co. (KVCL)  
 WKBQ Broadcasting Co.  
 WKEG Radio Eleven  
 WMOK, Inc.  
 WMTY Radio  
 WNAR, Inc.  
 WOBR, Inc.  
 WPOW, Inc. (WHAZ)  
 WSPD, Inc.  
 WWJC, Inc.  
 WZOO Radio  
 Wayne County Broadcasting Co., Inc.  
 (WFIW)  
 Wert Radio, Inc. (WERT)  
 Wilson County Broadcast Services, Inc.  
 (WQDQ)

Worthington, Broadcasting Co.  
 Zellmer Stations

#### Radio Stations

KAPE	KYMN	WION
KBKB	WANT	WJRC
KFRD	WAXX	WHAZ
KGLN	WAYY	WKCM
KING	WAZS	WKDR
KIRT	WEBR	WKIE
KKIN	WCCG	WKRV
KLOE	WCCZ	WKTS
KMRN	WCHE	WLIM
KPXE	WCIL	WLW
KRJH	WCMG	WMQM
KSBQ	WCMS	WMUJ
KSNO	WEKZ	WNPC
KTIS	WHNC	WOBR
KWMT	WIEZ	WPNB
KWRD	WCSA	WQIN
KWWB	WITYZ	WRGS
KXLA	WIDD	WVOG
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 Clear Channel Broadcasting Service  
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 Livesay, J.R.  
 Multimedia Radio, Inc.  
 National Broadcasting Co., Inc.  
 National Radio Broadcasters Assn.  
 Navajo Nation  
 Pathfinder Communications Corp.  
 Press Broadcasting Co.  
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[FR Doc. 83-25623 Filed 9-20-83; 9:45 am]

BILLING CODE 6712-01-3

# **federal register**

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Tuesday  
September 20, 1983

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**Part VII**

**Department of  
Agriculture**

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**Agricultural Marketing Service**

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**Milk in the Chicago Regional Marketing  
Area; Temporary Revisions of Shipping  
Requirements and Diversion Allowances**

## DEPARTMENT OF AGRICULTURE

## Agricultural Marketing Service

## 7 CFR Part 1030

## Milk in the Chicago Regional Marketing Area; Temporary Revisions of Shipping Requirements and Diversion Allowances

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Temporary revisions of rule.

**SUMMARY:** This action temporarily lowers the shipping requirements for pool supply plants under the Chicago Regional milk order and relaxes the diversion allowances by a corresponding amount for the months of September, October and November 1983. These revisions will help prevent uneconomic shipments of milk to the market and help maintain the pool status of producers who regularly supply the market.

**EFFECTIVE DATE:** September 20, 1983.

**FOR FURTHER INFORMATION CONTACT:** Richard A. Glandt, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-4829.

**SUPPLEMENTARY INFORMATION:** Prior document in this proceeding:

Notice of Proposed Temporary Revision of Shipping Percentages and Diversion Allowances: Issued August 29, 1983; published August 31, 1983 (48 FR 39470).

This proposed action has been reviewed under USDA procedures established to implement Executive Order 12291 and has been classified as a "non-major" action.

It has also been determined that the need for adjusting certain provisions of the order 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 procedure in time to give interested parties timely notice that the supply plant shipping requirement and diversion allowances for September 1983 would be modified. A notice of proposed temporary revision of shipping requirements and diversion allowances was issued August 29, 1983, inviting interested parties to comment on the proposed actions by September 7, 1983.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has certified that this action

would not have a significant economic impact on a substantial number of small entities. Such action would lessen the regulatory impact of the order on certain milk handlers and would tend to assure that the market would be adequately supplied with milk for fluid use with a smaller proportion of milk shipments from pool supply plants and that milk not needed for fluid uses could be disposed of to surplus outlets in an efficient manner.

This temporary revision is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the provisions of § 1030.7(b)(5) of the Chicago Regional order.

Notice of proposed rulemaking was published in the *Federal Register* (48 FR 39470) concerning whether the supply plant shipping percentages and diversion allowances should be temporarily revised and, if so, by how much for each of the months of September, October and November 1983. The public was afforded the opportunity to comment on the proposed notice by submitting written data, views and arguments by September 7, 1983.

Twelve comments were received in response to the above request. The suggested changes in the shipping percentages for supply plants and diversion allowances ranged from a 15-percentage point relaxation for each month to no change. Four comments favored a reduction of 15 percentage points in shipping percentages and four others suggested a reduction of 8 to 11 percentage points for each month. One comment recommended a reduction of 5 percentage points for October and November, with no reduction for September. Another commenter urged no change in the shipping percentages or the diversion allowances in any month. Two other comments were received that did not specify a percentage change, if any, that should be made.

After consideration of all relevant material, data, views and arguments filed and other available information, it is hereby found and determined that for the months of September, October and November 1983 the supply plant shipping percentage and the diversion allowances should be as follows:

Month	Temporary Percentages	
	Shipping requirement	Diversion allowance
September	15	80
October	18	82
November	18	82

Pursuant to the provisions of § 1030.7(b)(5), the supply plant shipping percentages set forth in § 1030.7(b) and the diversion allowances set forth in § 1030.13(d)(3) may be increased or decreased by up to 15 percentage points during the months of September through March to encourage additional milk shipments to pool distributing plants or to prevent uneconomic shipments.

The National Farmers Organization (NFO), the Farmers Union Milk Marketing Cooperative (FU) and two operators of proprietary supply plants recommended a reduction of 15 percentage points in the supply plant shipping percentage for each month of September, October and November 1983. The spokesman for NFO stated that producer milk receipts are at an all time high and justify a lowering of the shipping requirements for supply plants along with a corresponding relaxation of the diversion allowances from pool to nonpool plants. NFO said that the shipping requirements should be reduced by the full 15 percentage points to prevent the uneconomic movement of milk solely for the purpose of qualification. NFO stated that it would not be able to pool all of its producer milk that has been historically associated with the Chicago Regional market if the shipping requirements are not reduced by the maximum authorized amount.

FU and the two supply plant operators said that the supply plant shipping percentages should be reduced to prevent the uneconomic movements of milk. FU and one supply plant operator also recommended the corresponding relaxation of the diversion allowance of milk to nonpool plants to prevent the uneconomic movement of milk merely for the purpose of qualifying it as producer milk under the order.

The Central Milk Sales Agency (CMSA), representing six cooperative associations; the Lakeshore Federated Dairy Co-operative (Lakeshore), representing four cooperative associations; Dean Foods Company and Hawthorn Melody, Inc., two milk handlers operating distributing (bottling) and supply plants regulated by the order, recommended a reduction of eight to eleven percentage points in the supply plant shipping percentages for the months of September, October and November. Three of these comments also recommended a corresponding relaxation of the diversion allowances for the same months.

CMSA, whose six cooperative associations' members provide the majority of producer milk associated with the market, recommended a

reduction in the shipping percentage of 9 percentage points for September and 11 percentage points for each of the months of October and November. CMSA's recommendation was based on its projection of continued high levels of producer milk receipts and the total sales to fluid milk handlers by member cooperatives of CMSA and by proprietary supply plant operations qualifying with CMSA. CMSA said that supply plant shipments to fluid bottling handles are expected to be fewer this fall compared to last year. It said that some handlers have replaced milk from supply plants with milk received directly from farms. CMSA also said that two Wisconsin fluid handlers have changed their operations so that one no longer qualifies with a distributing plant unit and the other handler continues to build a supply of direct shipped milk. Because of the unsettled nature of the market this fall, CMSA recommended a performance margin of approximately 3 or 4 percentage points below anticipated shipments to insure the pooling of all producer milk associated with CMSA.

Lakeshore, whose four cooperative associations' members provide a substantial part of the producer milk associated with the market, recommended a reduction of 10 percentage points in the supply plant shipping percentage for each month of September, October and November. The spokesman for Lakeshore based the recommendation on the many marketing changes that have occurred in the Chicago Regional market this past year. Lakeshore noted that the closing of two fluid bottling plants this last spring would require fewer shipments from supply plants to the market. Lakeshore said the continued increase in producer receipts compared to previous years' receipts and the anticipated fewer shipments would necessitate a lowering of the supply plant shipping percentages and a corresponding relaxation of the diversion allowances.

The spokesman for Dean Foods Company recommended a reduction of 10 percentage points in the shipping percentage for each month of September, October and November and a corresponding relaxation in the diversion allowance for the same months. The spokesman for Hawthorn Melody, Inc., said that a reduction in the qualifying shipping requirements was justified to prevent uneconomic shipments of milk during September, October and November. He recommended a reduction of about 8 or 9 percentage points each month.

Clover Cream Dairy, a division of the Beatrice Foods Company, recommended

no change in the supply plant shipping percentage for September, and a reduction of 5 percentage points for October and November. Clover Cream Dairy operates a manufacturing plant that is part of the Beatrice Food's distributing plant unit. The spokesman for Clover Cream said that the shipping percentage should be set at a maximum of 25 percent for the three months to prevent uneconomic shipments of milk to the market and to help maintain the pool status of producers.

Borden, Inc., which operates a distributing (bottling) plant and supply plants regulated by the order, said that it opposed any reduction in the supply plant shipping percentages or relaxation in the diversion allowances for the months of September, October and November 1983. The spokesman said that his plant would need 15 to 20 loads of milk each week during this period. He was concerned about the potential effects of the recent unfavorable weather conditions on available milk supplies this fall. He also expressed the view that milk available for fluid bottlers would be tighter due to the expected affect of the second 50-cent per hundredweight deduction on the overall milk supply.

A spokesman for a nonpool cheese plant located at Kent, Illinois, commented on the issue but did not recommend any specific amount that the supply plant shipping percentages should be reduced. The spokesman said that the information in the notice of proposed temporary revision indicated that an average reduction 7.4 percentage points was needed for the three-month period. He indicated that the proposed changes would increase the cost of the price support program by channeling more butter, powder and cheese into cooperative association warehouses and eventually into government purchases.

The operator of a pool distributing plant offered his personal comments on milk marketing in the Chicago Regional market. He made no recommendations on any changes in the supply plant shipping percentages or diversion allowances.

For the first eight months of 1983, producer milk receipts for the market were 2.9 percent greater than for the same months last year while pounds of pooled Class I milk were 1.6 percent less than for the comparable period last year. From the market data available, it is estimated that for the months of September through November, producer milk will be about 2 percent greater than for the same period last year and the volume of pooled Class I milk for the

market will average approximately 2 percent less than last year.

It is concluded from these data and most of the comments received that producer milk supplies, currently and prospectively, are increasing substantially more than Class I sales, and that lowering the supply plant shipping percentage and relaxing the diversion allowances for a temporary period are necessary to avoid uneconomic shipments of milk merely to obtain the benefit of participation in the marketwide pool.

Producer milk receipts at supply plants are expected to be about 1,038 million pounds, 1,025 million pounds, and 987 million pounds during September, October and November 1983, respectively. At the current shipping percentages, supply plants and supply plant units would be required to ship to distributing plants about 260 million pounds of milk in September, 308 million pounds in October, and 290 million pounds in November. It also is estimated that direct deliveries of milk to distributing plants will approximate 38 million pounds, 33 million pounds, and 31 million pounds for September, October and November, respectively. Thus, total milk deliveries to distributing plants are estimated to approximate 298 million pounds in September, 341 million pounds in October and 321 million pounds in November. It is projected that distributing plants will need about 240 to 250 million pounds of milk for Class I uses during each of the three months.

If the order's minimum supply plant shipping percentages are not reduced, uneconomic shipments of milk of approximately 55 million pounds of milk would be expected to occur during September. Likewise, in October and November, the uneconomic shipments of milk would be approximately 93 million and 75 million pounds, respectively. However, if the shipping percentages for each month were reduced by 15 percentage points (the maximum authorized amount), the expected shipments from supply plants could result in insufficient milk supplies at pool distributing plants for Class I uses approaching 100 million, 60 million and 70 million pounds for September, October and November, respectively. A revision of the shipping requirements and diversion allowances of less than 15 percentage points is warranted by the market information.

Based on the available market data, if the supply plant shipping percentages were reduced by 5 percentage points to 20 percent for September, 9 percentage points to 21 percent for October and 8 percentage points to 22 percent for

November, the Chicago Regional market would be expected to have adequate milk supplied for Class I uses during these three months with few uneconomic shipments. Nevertheless, due to the changed marketing patterns that exist in the Chicago Regional market and the continued increasing supplies of producer receipts of milk on the market, the minimum supply plant shipping percentages for September, October, and November are revised to 15 percent, 18 percent and 18 percent, respectively. Because the cooperative associations that submitted comments all favored a reduction in the shipping percentages and these cooperatives represent almost 90 percent of the producers on the Chicago Regional order, additional emphasis has been given to their views in setting the revised minimum shipping percentages. Also, the revision for September recognizes that the industry will not be informed that this action is being taken until after the first half of the month has passed.

A corresponding change in the diversion allowance is warranted for September, October and November to prevent uneconomic shipments of milk solely for the purpose of producer qualification. If the diversion allowance is not relaxed each month, milk not

needed at pool plants, nevertheless, would be delivered first to a pool plant and then transferred to a nonpool plant for surplus disposition. The diversion allowance for September, October and November is revised to 80 percent, 82 percent and 82 percent, respectively.

The contention that these changes will increase the cost of the Dairy Price Support program is unsubstantiated by any data available to the Director in connection with the action taken in this document. There is no basis to conclude that any substantial quantity of milk would lose pool status if the temporary revision are not made. Rather, the milk would continue to be pooled, but would be hauled and handled uneconomically merely to achieve pool status. Moreover, for the period involved herein, the amount of price support purchases would not be affected by whether or not the milk is pooled.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(a) These temporary revisions are necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area for the months of September, October and November 1983;

(b) These temporary revisions do not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of the proposed temporary revisions was given interested parties and they were afforded opportunity to file written data, views, or arguments concerning the temporary revisions.

Therefore, good cause exists for making these temporary revisions effective upon publications of this notice in the Federal Register.

#### List of Subjects in 7 CFR Part 1030

Milk marketing orders, Milk, Dairy products.

*It is therefore ordered*, that the aforesaid provisions of § 1030.7(b) and § 1030.13(d)(3) of the Chicago Regional order are hereby revised for the months of September, October and November 1983.

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

Effective date: September 20, 1983.

Signed at Washington, D.C., on: September 19, 1983.

Edward T. Coughlin,  
Director, Dairy Division.

[FR Doc. 83-25800 Filed 9-19-83; 11:23 am]  
BILLING CODE 3410-02-M

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