

federal register

Friday
December 9, 1983

Selected Subjects

Administrative Practice and Procedure

Interstate Commerce Commission
Postal Service

Air Pollution Control

Environmental Protection Agency

Aviation Safety

Federal Aviation Administration

Civil Rights

Tennessee Valley Authority

Dairy Products

Agricultural Marketing Service

Food Ingredients

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Income Taxes

Internal Revenue Service

Loan Programs—Agriculture

Farmers Home Administration

Marine Resources

National Oceanic and Atmospheric Administration

Marketing Agreements

Agricultural Marketing Service

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Interstate Commerce Commission

Privacy

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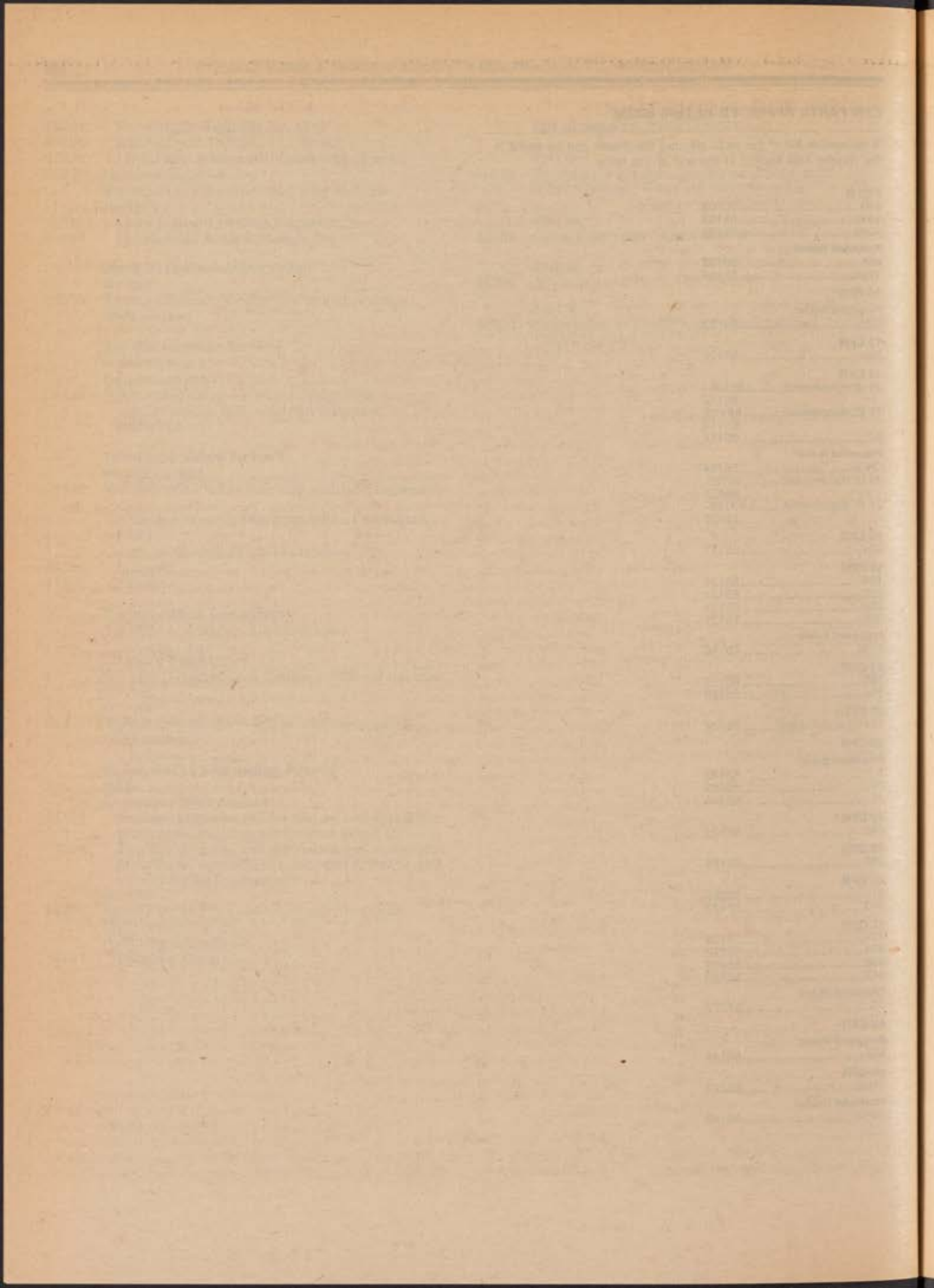
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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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 Marketing Service

7 CFR Part 910

[Lemon Reg. 441; Lemon Reg. 440, Amdt. 1]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action establishes the quantity of California-Arizona lemons that may be shipped to the fresh market during the period December 11-17, 1983, and increases the quantity of lemons that may be shipped during the period December 4-10, 1983. Such action is needed to provide for orderly marketing of fresh lemons for the periods specified due to the marketing situation confronting the lemon industry.

DATES: The regulation becomes effective December 11, 1983, and the amendment is effective for the period December 4-10, 1983.

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

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under Secretary's Memorandum 1512-1 and Executive Order 12291 and has been designated a "non-major" rule. 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.

This final rule is issued under Marketing Order No. 910, as amended (7 CFR Part 910) regulating the handling of lemons grown in California and Arizona. The order is effective under the Agricultural Marketing Agreement Act

of 1937, as amended (7 U.S.C. 601-674). The action is based upon the recommendations and information submitted by the Lemon Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the Act.

This action is consistent with the marketing policy currently in effect. The committee met publicly on December 3, 1983, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified weeks. The committee reports the demand for lemons is good.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the Federal Register (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation and amendment are based and the effective date necessary to effectuate the declared policy of the Act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting, and the amendment relieves restrictions on the handling of lemons. It is necessary to effectuate the declared purposes of the Act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

List of Subjects in 7 CFR Part 910

Marketing agreements and orders, California, Arizona, Lemons.

PART 910—[AMENDED]

1. Section 910.741 is added as follows:

§ 910.741 Lemon Regulation 441.

The quantity of lemons grown in California and Arizona which may be handled during the period December 11, 1983 through December 17, 1983, is established at 265,000 cartons.

2. Section 910.740 Lemon Regulation 440 (48 FR 54467) is revised to read as follows:

§ 910.740 Lemon Regulation 440.

The quantity of lemons grown in California and Arizona which may be

handled during the period December 4, 1983, through December 10, 1983 is established at 280,000 cartons.

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

Dated: December 7, 1983.

Russell L. Hawes,

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

[FR Doc. 83-33028 Filed 12-8-83; 11:46 am]

BILLING CODE 3410-02-M

Farmers Home Administration

7 CFR Parts 1945 and 1980

Economic Emergency Loans

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its policies pertaining to insured and guaranteed economic emergency (EE) loans. The intended effect of this action is to reopen the EE loan programs and extend the termination date for the programs. This action is necessary to comply with a court order.

EFFECTIVE DATE: December 22, 1983.

FOR FURTHER INFORMATION CONTACT: Joel M. Weirick, Agricultural Management Specialist, Emergency Division, Farmers Home Administration, USDA, Room 6853-S, Washington, DC 20250, Telephone (202) 382-1656.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under USDA procedures established in Secretary's Memorandum 1512-1 which implements Executive Order 12291 and has been designated as nonmajor. Such a designation is made because the funding level has not been increased over \$100,000,000 from past years of funding for the EE program and will not result in a major increase in costs or prices to consumers. The Agency has determined that an emergency situation exists and, therefore, it is impracticable for the Agency to follow the procedures of EO 12291.

The Final Order and Judgment in *Kjeldahl v. Block*, Civil No. 82-2745 (D. C., October 5, 1983), requires FmHA to reopen the EE loan programs and make loans available for farmers and ranchers suffering economic stresses caused by

the unfavorable relationship between production costs and farm commodity prices and by the general tightening of agricultural credit.

It is the policy of this Department to publish for comment rules relating to public property, loans, grants, benefits, or contracts notwithstanding the exemptions in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking. There is not enough time to allow a comment period since that would cause a delay in implementing this rule by the required date. Such a delay would violate the court order. It is essential that this regulation be in place so the Secretary of Agriculture can make EE loans available to economically distressed farmers by the effective date in order to comply with the Court Order which requires the reopening of the EE program by December 22, 1983. The Agency will adhere to the requirements of Executive Order 12291 to the extent permitted by judicial deadlines.

The Court Order requires that the EE loan authorities provided by the Emergency Agricultural Credit Adjustment Act of 1978 be reinstated from December 22, 1983, to September 30, 1984. The Secretary of Agriculture has authority to make up to \$600 million in EE loans available to eligible farmers on a first come, first served basis. Implementation of the EE loan program will help stabilize the farm economy, will contribute to the overall increase in agricultural production, and will meet the requirements of the Court Order.

No consideration will be given to EE loan applications that were not obligated prior to termination of the EE program on September 30, 1981. Also, any rejected EE loan cases that were not given initial or further appeal rights because of the termination of the EE program will not be reopened for appeal. However, new applications may be submitted.

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

The Catalog of Federal Domestic Assistance number for the Economic Emergency Loan program affected by this regulatory action is 10.428.

These regulations do not directly affect any FmHA programs or projects which are subject to intergovernmental

consultation requirements of Executive Order 12372.

A summary of the changes made by this action are as follows: 7 CFR Part 1945, Subpart C, is amended to reopen the EE insured loan program from December 22, 1983, to September 30, 1984; to reflect the court order directing the reopening of the program to specifically prohibit the guarantee of interim financing; to delete crop insurance requirements; and to change the amount that may be lent for annual operating expenses.

1. Section 1945.102. Program objectives are revised by adding the authorization and termination dates of the program and reference to the Court Order directing the reopening of the EE program.

2. Section 1945.104. Paragraph (a)(1) is revised by adding the reference to Pub. L. 97-98.

3. Section 1945.114. Planning, development and appraisals is revised to reflect references to Part 1804 have been changed to Part 1924.

4. Section 1945.117. Paragraph (d)(1) is revised by removing the word "total" from the first sentence of the text.

5. Section 1945.117. Paragraph (e) is added to specifically prohibit FmHA employees from guaranteeing repayment of advances made by other credit sources.

6. Section 1945.120. Paragraph (a)(2) is revised to change a reference from paragraph (c)(1) to paragraph (c).

7. Section 1945.120. Paragraph (b)(2) is revised to limit the amount of production loans to 75 percent of gross annual income when a first lien is taken on crop and/or livestock production only.

8. Section 1945.120. Paragraph (b)(12) is revised to delete the crop insurance requirements for farmers who can only provide crop(s) and/or chattels as collateral to secure their loans.

9. Section 1945.120. Paragraph (c) is revised to clarify the promissory note signature requirements of principals owning 10 percent or more in a partnership, corporation, or cooperative.

10. Section 1945.122(c) and § 1945.129(b)(2)(i)(C). References to Form FmHA 405-1 are changed to 1905-1.

11. Section 1945.128. References to Form FmHA 440-1 are changed to 1940-1.

12. Section 1945.145 is added to display the OMB Control Number.

13. Exhibit A is removed.

7 CFR Part 1980, Subpart F, is amended to reopen the guaranteed EE loan program from December 22, 1983, to September 30, 1984; to refer to the court order directing the reopening of the EE program; and to provide that a lender

can, under certain conditions, make new advances before and after September 30, 1984, in accordance with the existing or extended Line of Credit Agreements. Also, guaranteed EE borrowers who are indebted under a Loan Note Guarantee may obtain a new line of credit guarantee.

14. Section 1980.502. Program objective is revised by adding the authorization and expiration dates of the program and reference to the Court Order directing the reopening of the program.

15. Section 1980.504. Paragraph (a) is revised by adding the reference to Pub. L. 97-98.

16. Section 1980.513. Administrative A1 and 2 and B2. One reference to Form FmHA 449-15 is changed to 1980-15 and references to Form FmHA 440-1 are changed to 1940-1.

17. Section 1980.515. Paragraph (d) is revised to show the September 30, 1984, termination date for executing EE loan guarantees.

18. Section 1980.517. Paragraph (c)(3) is amended by adding text at the end of the existing text.

19. Section 1980.517. Paragraph (d)(1) is revised by removing the word "total" from the first sentence of the text.

20. Section 1980.518 (e) is revised to allow lenders to pay off an outstanding guaranteed advance with a new advance, permit rescheduling of outstanding advances with FmHA's approval and state that no new advances are to be made after September 30, 1984, except as authorized in paragraph (f) of this section.

21. Section 1980.518. Paragraph (f) is revised to provide that expired "Line of Credit Agreements" cannot be extended, and to allow advances under specified terms of existing or extended Line of Credit Agreements before and after September 30, 1984, under certain conditions.

22. Section 1980.520. Paragraph (c)(2) is revised to provide that any extension of credit by the lender after September 30, 1984, will be covered by the guarantee only if the requirements of § 1980.518(f) and § 1980.520 are met.

23. Section 1980.525. Paragraph (a) is revised to clarify signature requirements of principal partners, shareholders, and members of cooperatives, partnerships and corporations on promissory notes.

24. Section 1980.548. Paragraph (c) is revised to change a reference from Form FmHA 449-38 to 1980-398.

25. Section 1980.549. Administrative F and Appendix A. References to Form FmHA 440-1 are changed to 1940-1 and

the racial code in paragraph (c) of Appendix A is changed.

26. Section 1980.600 is added to display the OMB control number.

List of Subjects

7 CFR Part 1945

Agriculture, Livestock, Loan programs—agriculture.

7 CFR Part 1980

Agriculture, Loan programs—agriculture.

Accordingly, Subpart C of Part 1945 and Subpart F of Part 1980, Chapter XVIII, Title 7, Code of Federal Regulations are amended as follows:

PART 1945—EMERGENCY

Subpart C—Economic Emergency Loans

1. Section 1945.102 is revised to read as follows:

§ 1945.102 Program objectives.

The insured EE loan program objective is to make financial assistance available during the period authorized by Title II of Public Law 95-334, as amended, and as directed by the Final Order and Judgment in *Kjeldahl v. Block*, Civil No. 82-2745 (D. D.C., October 5, 1983), (the authority to make loans under this subpart begins December 22, 1983, and expires September 30, 1984), in the form of loans insured or guaranteed by FmHA, provided they are bona fide farmers and ranchers who are primarily and directly engaged in agricultural production. This allows these farmers and ranchers to continue their operations during the economic emergency which has been caused by a lack of agricultural credit due to economic stress such as a general tightening of agricultural credit or an unfavorable relationship between production costs and prices received for agricultural commodities. Supervisory assistance will be given according to the provisions of Subpart B of Part 1924 of this chapter. *It is the policy of FmHA to make insured EE loans only when guaranteed EE loans are not available through private and cooperative agricultural lenders.*

2. In § 1945.104, paragraph (a)(1) is revised to read as follows:

§ 1945.104 Definitions and abbreviations.

(a) * * *
 (1) *Act.* Emergency Agricultural Credit Adjustment Act of 1978 (Title II of Pub. L. 95-334, as amended by Pub. L. 96-220 and Pub. L. 97-98).

3. Section 1945.114 is revised to read as follows:

§ 1945.114 Planning, development, and appraisals.

See Subpart A of Part 1809 of this chapter (FmHA Instruction 422.1) for the appropriate procedures dealing with appraisals. (See § 1945.120(b)(5) of this subpart for use of abbreviated appraisals.) See Subpart A of Part 1924 of this chapter for the appropriate procedures dealing with planning and development.

4. In § 1945.117, paragraph (d)(1) is revised, and paragraph (e) is added to read as follows:

§ 1945.117 Loan limitations and special provisions.

(d) *Relationship with other FmHA insured or guaranteed loans.* (1) If an applicant qualifies for an EM loan in an authorized area, the applicants credit needs will first be considered under EM loan authorities.

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

5. In § 1945.119, paragraph (f) is revised to read as follows:

§ 1945.119 Consolidation, rescheduling, reamortizations and deferral.

(f) *Interest rate.* See §§ 1951.33(c)(5) or 1951.40(d)(1) of Subpart A of Part 1951 of this chapter, as applicable.

6. In § 1945.120, paragraphs (a)(2), (b)(2), (b)(12) and (c) are revised to read as follows:

§ 1945.120 Collateral requirements.

(a) * * *
 (2) Except for the modifications contained in paragraph (c) of this section, collateral must be of such a nature that repayment of the loan is reasonably assured considering the integrity and ability of the applicant's management, soundness of the operation, and the applicant's prospective earnings. Collateral may include, but is not limited to the following: livestock, livestock products, crops, land, buildings, machinery, equipment, furniture, fixtures, inventory, accounts receivable, cash or special cash collateral accounts, personal and corporate guarantees, marketable securities, and cash surrender value of life insurance. Collateral may also include assignments of leases of leasehold interest, revenues, patents, and copyrights. In unusual cases, the

loan approval official may require a co-signer or a pledge of security. Generally, a pledge of security in lieu of a co-signer is preferable.

(b) * * *

(2) Operating loans for *annual* recurring expenses made under § 1945.116(a)(7) of this subpart will be secured by a first lien on the crop or livestock, or both, being financed with EE loan funds plus enough other collateral including personal property, real estate, and crop insurance, to assure that the Government's financial interest will be protected. When the applicant can provide no collateral other than a first lien on crop and/or livestock production, or both, the amount that may be loaned for actual recurring expenses will be limited to 75 percent of the planned gross farm income as shown on Form FmHA 431-2, or another acceptable plan of operation based on normal production and prices authorized by the State Director for developing annual farm plans within the State. When a borrower needs a supplemental EE loan for annual recurring expenses to complete the year's farming operation and the loan is made to protect the Government's financial interest, an exception to the 75 percent gross income requirement may be made by the State Director.

(12) Crop insurance is not a loan requirement. However, loan approval officials should encourage borrowers to obtain and maintain Federal Crop Insurance Corporation (FCIC) sponsored crop insurance, if it is available, when it appears to be advantageous for the borrower. When crop insurance is obtained by the borrower, an "Assignment of Indemnity" will be executed by the borrower; provided no prior "Assignment of Indemnity" has been given to another lienholder for the crop(s) in question. Only one assignment on a crop for any one year will be accepted by FCIC. An "Assignment of Indemnity" need not be required when the crop insurance policy contains a standard mortgage clause naming FmHA as mortgagee or secured party.

(c) *Signatures of principal partners, shareholders, and members of partnerships, corporations, and cooperatives required to obtain full personal liability.* When the applicant is a cooperative, partnership or a corporation, the promissory note(s) will be executed so as to evidence liability of the entity as well as each principal member, partner or stockholder (as

defined in § 1945.104(a)(21) of this subpart) as an individual. To evidence the principal members', partners' or stockholders' liability as individuals, the words "As Individuals" will be typed at the top of the blank space to the left of the lines for signatures on the promissory note(s), and each principal member, partner of stockholder will sign under that heading.

§ 1945.122 [Amended]

7. Section 1945.122(c) is amended to change form number "Form FmHA 405-1" to "Form FmHA 1905-1" in the last sentence.

8. In § 1945.128, paragraphs (b) and (c) are revised as follows:

§ 1945.128 Docket preparations.

(b) *Form FmHA 1940-1, "Request for Obligation of Funds."* A separate Form FmHA 1940-1 will be prepared for each amount of the total loan which has a different purpose (operating or real estate), but Form FmHA 1940-37, "Economic Emergency Loan Analysis," will be prepared to reflect the total loan. When the County Supervisor is reasonably certain that the EE loan can be closed within 20 days from the date of the check, loan funds may be requested at the time of loan approval by entering the amount needed in the appropriate block on Form FmHA 1940-1. Loan funds may be scheduled for multiple advances, if appropriate. The amount of the initial advance will be shown on Form FmHA 1940-1. Subsequent advances may be scheduled by using Form FmHA 440-57. Each advance will be limited to an amount which can be used promptly, usually within sixty days from the date of check.

(c) *Promissory note.* A separate Form FmHA 1940-17 will be prepared for each Form FmHA 1940-1 used in obligating the total amount of the EE loan. Each scheduled installment will include interest in addition to principal unless deferral of principal is authorized in accordance with § 1945.119 of this subpart.

§ 1945.129 [Amended]

9. In § 1945.129, paragraph (b)(2)(i)(C) is amended to change "Form FmHA 405-1" to "Form FmHA 1905-1".

10. Section 1945.145 is added to read as follows:

§ 1945.145 OMB control number.

The collection of information requirements in this regulation have been approved by the Office of Management and Budget and have been assigned OMB control number 0575-0096.

Exhibit A—[Removed]

11. Exhibit A is removed.

PART 1980—GENERAL

Subpart F—Economic Emergency Loans

12. Section 1980.502 is revised to read as follows:

§ 1980.502 Program objectives.

The guaranteed EE loan program objective is to make financial assistance available during the period authorized by Title II of Public Law 95-334, as amended and as directed by the Final Order and Judgment in *Kjeldahl v. Brock*, Civil No. 82-2745 (D. D.C., October 5, 1983), (the authority to guarantee loans under this subpart begins December 22, 1983, and expires September 30, 1984), in the form of loans insured or guaranteed by FmHA for bona fide farmers and ranchers who are primarily and directly engaged in agricultural production. This allows these farmers and ranchers to continue their operations during the economic emergency which has been caused by a lack of agricultural credit due to economic stresses such as a general tightening of agricultural credit or an unfavorable relationship between production costs and prices received for agricultural commodities. It is the policy of FmHA to make guaranteed EE loans before insured EE loans.

13. In § 1980.504, paragraph (a) is revised to read as follows:

§ 1980.504 Definitions.

(a) *Act.* The Emergency Agricultural Credit Adjustment Act of 1978 (Title II of Pub. L. 95-334, as amended by Pub. L. 96-220 and Pub. L. 97-98).

14. In § 1980.513, under "Administrative", paragraphs A. 1. and 2. and B. 2. are revised to read as follows:

§ 1980.513 County committee review.

Administrative

A. After the County Committee certification of eligibility is obtained, the County Supervisor will:

1. Prepare Form FmHA 449-14, "Conditional Commitment for Guarantee," for Loan Note Guarantee cases or Form FmHA 1980-15, "Conditional Commitment for Emergency Livestock Loan or Economic Emergency Loan Contract of Guarantee," for Contract of Guarantee cases. At the time Form FmHA 1980-15 is prepared, delete from the applicable paragraph the following

sentence: "If a variable rate is used, it must be tied to a base rate which cannot change more often than quarterly and must be published periodically in a financial publication specifically agreed to by the Lender and Borrower." Initial the deletion. If it is within the County Supervisor's approval authority, the County Supervisor will list any special conditions of approval in the space provided on the form, including requirements for security, improved management practices, and type and frequency of financial reports required by FmHA but not required by the lender. The County Supervisor is authorized to execute and distribute Form FmHA 449-14 or Form FmHA 1980-15 if the loan is within the County Supervisor's approval authority.

2. Prepare Form FmFA 1940-1, "Request for Obligation of Funds," Form FmHA 1940-37, "Economic Emergency Loan Analysis," and, for initial loans only, Form FmHA 1980-50, "Add, Delete, or Change Guaranteed Loan Borrower Information," in accordance with the Forms Manual Insert (FMI). If the loan is within the County Supervisor's approval authority, Form FmHA 1940-1 should be executed and the copies distributed in accordance with the FMI. Unless the County Supervisor has received notice that EE funds are not available and if the loan is within the County Supervisor's approval authority, the lender will be notified by sending a Form FmHA 1940-1 as provided in the FMI and will also be provided a signed copy of Form FmHA 1940-1 and make each copy a permanent part of the County Office loan file. The Finance Office will obligate funds and so notify the County Supervisor by forwarding the original and one copy of Form FmHA 440-57, "Acknowledgement of Obligated Funds/Check Request."

B. * * *

2. Sign the original and one copy of Form FmHA 1940-1 and distribute copies in accordance with the FMI, making sure the lender receives a signed copy.

15. In § 1980.515, paragraph (d) is revised to read as follows:

§ 1980.515 Type of guarantee.

(d) *Program termination date.* A Loan Note Guarantee or Contract of Guarantee will not be executed after September 30, 1984.

§ 1980.517 [Amended]

16. In § 1980.517, paragraph (c)(3) is amended by removing the period at the end of the text and inserting a comma in its place and adding the following text, " * * * provided the total EE loan indebtedness will not exceed \$400,000 after the requested EE loan advance is made."

17. In § 1980.517, paragraph (d)(1) is revised to read as follows:

§ 1980.517 Loan limitations and special provisions.

* * * * *

(d) *Relationship with other FmHA insured or guaranteed loans.* (1) If an applicant qualifies for an Emergency (EM) loan in an authorized area, the applicant's credit needs will first be considered under EM loan authorities. An EE loan may be made simultaneously with an EM loan to meet the applicant's total needs.

18. In § 1980.518, paragraphs (e) and (f) are revised to read as follows:

§ 1980.518 Loan rates and terms.

(e) *Advances under a Contract of Guarantee—line of credit.* Prior to September 30, 1984, a lender may pay off an outstanding guaranteed advance before the end of its term with funds from a new guaranteed advance, provided the line of credit ceiling is not exceeded. However, no advance may be made for a term which exceeds the period remaining in the original or extended line of credit term. The line of credit term may be up to 7 years, but it is limited to the term established in the "Line of Credit Agreement." FmHA consent is not needed to make these line of credit advances under a Contract of Guarantee. After September 30, 1984, no new advances will be made except as provided in paragraph (f) of this section. Advances outstanding at the end of the initial term may be rescheduled for an additional 7 years with FmHA's written consent. When deemed to be in the best interest of the Government and the borrower, and with FmHA's written approval, advances rescheduled on or before September 30, 1984, may be rescheduled again for an additional 7 years provided the rescheduling will not extend the loan terms beyond 14 years from the date of the original "Line of Credit Agreement."

(f) *Extension of Line of Credit Agreements.* EE loan Contracts of Guarantee do not reflect an expiration date. "Line of Credit Agreements" which have already expired cannot be extended under this paragraph. Included in this category are those Line of Credit Agreements which expired between September 30, 1981, and December 22, 1983. However, lenders are authorized to continue making advances under existing Line of Credit Agreements until September 30, 1984, provided such Line of Credit Agreements do not expire prior to the date any new advances are made and subject to the following:

(1) For existing Line of Credit Agreements containing no expiration date:

(i) The advances must be made pursuant to the terms of the existing Line of Credit Agreement(s) for which

the Contract(s) of Guarantee was issued; and

(ii) No advances made after September 30, 1984, will be covered by the Contract(s) of Guarantee; and

(iii) No advances in excess of the limits set forth in the Contract(s) of Guarantee or Line of Credit Agreement(s) shall be covered by the Contract(s) of Guarantee.

(2) For existing Line of Credit Agreements containing an expiration date beyond September 30, 1984:

(i) The advances must be made pursuant to the terms of the existing Line of Credit Agreement(s) for which the Contract(s) of Guarantee was issued; and

(ii) Advances made after September 30, 1984, will be covered by the Contract(s) of Guarantee for 7 years after September 30, 1984, or until the expiration date of the Line of Credit Agreement(s), whichever is the lesser period.

(iii) No advances in excess of the limits set forth in the Contract(s) of Guarantee or Line of Credit Agreement(s) shall be covered by the Contract(s) of Guarantee.

(3) For existing Line of Credit Agreements which have not yet expired but which would expire prior to September 30, 1984, and which the lender wishes to extend:

(i) The advances must be made pursuant to the terms of the extended Line of Credit Agreement(s), as approved by FmHA, for which the Contract(s) of Guarantee was issued; and

(ii) Advances made after September 30, 1984, will be covered by the Contract(s) of Guarantee until the expiration date of the extended Line of Credit Agreement(s), which in no case may be beyond 7 years from the date of the extension; and

(iii) No advances in excess of the limits set forth in the Contract(s) of Guarantee and extended Line of Credit Agreement(s) shall be covered by the Contract(s) of Guarantee; and

(iv) At the time of the extension, the borrower must meet the eligibility and security requirements for an initial EE loan; and

(v) The extended Line of Credit Agreement(s) must specify the period for which new advances are to be made and must provide adequate repayment terms; and

(vi) FmHA approves the extension in writing.

19. In § 1980.520, paragraph (c)(2) is revised to read as follows:

§ 1980.520 Collateral requirements.

(c) * * *

(2) Any extension of credit by the lender after September 30, 1984, may or may not be covered by the guarantee. Credit to be covered by the guarantee will be secured by the existing collateral or other collateral, provided the conditions set forth in §§ 1980.518 (f) and 1980.520 of this subpart are met.

20. Section 1980.524 is revised to read as follows:

§ 1980.524 Additional loans or advances.

See paragraph XIV of Form FmHA 449-35 for Loan Note Guarantee cases and paragraph XIII of Form FmHA 1980-38 for Contract of Guarantee cases.

21. In § 1980.525, paragraph (a) is revised to read as follows:

§ 1980.525 Promissory notes, security instruments, and financing statements.

(a) *Promissory notes, mortgages, and security agreements.* The lender may use its own promissory notes, real estate mortgages (including deeds of trust and similar instruments), and security agreements (including chattel mortgages in Louisiana and Puerto Rico), provided such forms do not contain any provisions that are in conflict or are inconsistent with the provisions of this subpart or Subpart A of this part. When the applicant is a cooperative, partnership or a corporation, the promissory note(s) will be executed so as to evidence liability of the entity as well as each principal member, partner or stockholder (as defined in § 1980.509 (s) of this subpart) as an individual.

22. In § 1980.548, paragraph (c) is revised to read as follows:

§ 1980.548 Conditions precedent to issuance of the guarantee.

(c) To meet the requirements of § 1980.60(c) in Contract of Guarantee cases, the lender will execute and deliver Form FmHA 1980-38 to FmHA.

23. In § 1980.549, under "Administrative", paragraph F. is revised to read as follows:

§ 1980.549 Issuance of guarantee instruments.

F. Upon receipt of Form FmHA 1940-1, the Finance Office will charge the loan amount or line of credit ceiling (as appropriate for the type of guarantee) against any EE allocation for the particular State. The Finance Office will submit a State summary report on loan

obligations to the State and National Office weekly.

24. Section 1980.600 is added to read as follows:

§ 1980.600 OMB control number.

The collection of information requirements in this regulation have been approved by the Office of Management and Budget and have been assigned OMB control number 0575-0095.

Appendix A—FmHA Forms [Amended]

25. In Appendix A, paragraph (a) under the heading, "Forms Used by FmHA in Processing and Handling the Guarantee Request," is amended to change form number "440-1" to read "1940-1."

26. Appendix A is amended by revising paragraph (c) to read as follows:

(c) *Racial code.* Some FmHA forms contain space for coding the race of the applicant for the loan or assumption. In the code, "1" means "White"; "2" means "Black"; "3" means "Asian/Pacific Islander"; "4" means "American Indian/Alaskan Native"; and "5" means "Hispanic". The lender is responsible for completing this code on all forms on which it appears, in accordance with its best judgment as to the race involved.

(Sec. 209(c), title II of Pub. L. 95-334, as amended by Pub. L. 96-220, and Pub. L. 97-98 and as affected by Pub. L. 97-370; 7 CFR 2.23; 7 CFR 2.70)

Dated: December 8, 1983.

James H. Johnson,

Acting Under Secretary for Small Communities and Rural Development.

[FR Doc. 83-32807 Filed 12-8-83; 8:45 am]

BILLING CODE 3410-07-M

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

12 CFR Part 30

[Docket No. 83-54]

Real Estate Loans Made by National Banks; Validation and Enforcement of Due-on-Sale Clauses; Correction

AGENCY: Comptroller of the Currency, Treasury.

ACTION: Final rule; correction.

SUMMARY: This document corrects a section reference contained in the first sentence of § 30.1(b)(1) of the final regulation establishing 12 CFR Part 30, which was published November 8, 1983 (48 FR 51283).

FOR FURTHER INFORMATION CONTACT: Francis S. Rath, Attorney, Legal

Advisory Services Division [202] 447-1880, Office of the Comptroller of the Currency, Washington, D.C. 20219.

PART 30—[AMENDED]

Accordingly, the Office of the Comptroller of the Currency is correcting, on page 51286 in the issue of November 8, 1983, the first sentence of 12 CFR 30.1(b)(1) to read as follows:

§ 30.1 Due-on-sale clauses.

(b) *Special rule for certain due-on-sale clauses subject to disabilities under state law.*

(1) Except as provided in paragraph (c) of this section, with respect to due-on-sale clauses in real property loans secured by liens on one- to four-family residential dwellings originated or assumed in the states and during the periods enumerated in paragraph (b)(3) of this section and which are otherwise subject to state law limitations on the enforceability of due-on-sale clause: (i) National banks may fully enforce such clauses for transfers occurring after April 15, 1984; and (ii) upon transfers occurring on or prior to April 15, 1984, but after the effective date of this regulation, banks shall permit the loan to be assumed on all the terms and conditions set forth in the original loan contract except that the interest rate may be increased to a blended rate and payments may be changed to reflect this rate.

Dated: November 30, 1983.

C. T. Conover,

Comptroller of the Currency.

[FR Doc. 83-32873 Filed 12-8-83; 8:45 am]

BILLING CODE 4810-33-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 19842 and 83-NM-100-AD; Amdt. 39-4780]

Airworthiness Directives; British Aerospace Corporation Model BAC 1-11 200 and 400 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) applicable to British Aerospace Corporation model BAC 1-11 200 and 400 series airplanes which requires inspection for cracks or

corrosion and repair, as necessary, of the lower fuselage skin in the area covered by the forward and rear underwing fairings. This is needed to ensure the structural integrity of the pressure vessel and to prevent cracks which could result in cabin depressurization.

EFFECTIVE DATE: January 15, 1984.

ADDRESSES: The service bulletin specified in this AD may be obtained upon request to British Aerospace, Inc., Librarian, Box 17414, Dulles International Airport, Washington, D.C. 20041 or may be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT:

Mr. Sulmo Mariano, Foreign Aircraft Certification Branch, ANM-150S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 431-2979. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority of the United Kingdom (CAA) has classified British Aerospace Alert Service Bulletin 53-A-PM5632 as mandatory. There had been a report of a crack in the forward fuselage skin which, if left unrepaired, could have resulted in lowering the structural integrity of the pressure vessel to a hazardous level and possible cabin depressurization. The service bulletin prescribes repetitive inspections of the fuselage structure for cracks and corrosion, and rework or repair, as necessary.

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive inspections of the fuselage structure for cracks and corrosion and repair, if needed, was published in the Federal Register on December 17, 1979 (44 FR 73109) under docket number 19842. The comment period closed on February 15, 1980, and interested persons have been afforded an opportunity to participate in the making of this amendment. One comment was received; it stated no objection to the proposal.

It is estimated that 63 U.S. registered airplanes will be affected by this AD, that it will take approximately 50 manhours per airplane to accomplish the required actions, and that the average labor cost will be \$40 per manhour. Repair parts are estimated at \$100 per airplane. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be \$132,300.

For these reasons, this rule is not considered to be a major rule under the criteria of Executive Order 12291. Few small entities within the meaning of the Regulatory Flexibility Act will be affected.

Therefore, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

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

British Aerospace: Applies to model BAC 1-11 200 and 400 series airplanes, certificated in all categories. Compliance is required as indicated unless already accomplished. To detect cracking and corrosion and to prevent structural failure of the fuselage pressure vessel with the resultant cabin depressurization, accomplish the following:

A. Within the next 12 months after the effective date of this AD, unless accomplished within the last 2 years, and thereafter at intervals not to exceed 3 years from the last inspection, visually inspect for corrosion and cracks the interior of the lower fuselage skin between stations 416-456 and stringers 32(LH) and 32(RH) and the interior of the lower fuselage skin between stations 630-690 and stringers 32(LH) and 32(RH), and ensure that drain paths in these areas are unobstructed, in accordance with paragraphs 2.1.1 and 2.1.2 of British Aerospace Alert Service Bulletin 53-A-PM5632, dated August 18, 1978.

B. On airplanes having a long range fuel tank or a water injection tank installed, remove any such tanks to perform the inspections required by paragraph A. of this AD. Airplanes may not be considered to have been previously inspected in accordance with paragraphs 2.1.1 and 2.1.2 of the service bulletin, unless the inspection was made with these tanks removed.

C. If cracks or corrosion are found during any inspection required by this AD, before further flight, rework or repair in accordance with Structural Repair Manual, Chapters 53-01-0 or 53-02-0 as appropriate, and continue the repetitive inspections at the intervals specified in paragraph A. of this AD.

D. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

E. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

This amendment becomes effective January 15, 1984.

(Secs. 313(a), 314(a), 601 through 610, and 1102, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89)

Note.—For the reasons discussed earlier in the preamble, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities. A final evaluation has been prepared for this regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Seattle, Washington on December 1, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-32740 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-NM-52-AD; Amdt. 39-4779]

Airworthiness Directives; British Aerospace Aircraft Group Model HS 748 Series 2A Airplanes.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) applicable to British Aerospace Aircraft Group Model HS 748 series 2A airplanes which requires repetitive inspections and repairs, if necessary, of certain components of the wing structure. Cracks have been found in these components on airplanes with about 25,000 hours time in service. The unchecked growth of these cracks can lead to structural failure.

EFFECTIVE DATE: January 15, 1984.

ADDRESSES: The service bulletin specified in this AD may be obtained upon request to British Aerospace, Inc., Librarian, Box 17414, Dulles International Airport, Washington, D.C. 20041 or may be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT: Mr. Sulmo Mariano, Foreign Aircraft Certification Branch, ANM-150S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 431-2979. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: The United Kingdom Civil Aviation Authority (CAA) has classified British Aerospace Aircraft Group Model HS 748 Service Bulletin 57/55 as mandatory. Cracks have been reported in the stringer splice (banana) brackets on the bottom wing skin at rib "0" on aircraft which had completed about 25,000 hours time in service. Cracks have also been found on the lower boom angles at rib "0". The service bulletin prescribes inspections of the wing structure from the inboard edge of the butt straps and rib "0" through to rib "16" and prescribes repairs or component replacement, if necessary.

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspection of certain components of the wing structure and component replacement or repairs, as necessary, was published in the Federal Register on June 27, 1983 (48 FR 29537). The comment period closed on August 16, 1983, and interested persons have been afforded an opportunity to participate in the making of this amendment. Only one comment was received. The commenter did not agree with the requirement that the inspection intervals be based only on the number of landings; he pointed out that an operator could have many more flying hours than landings and the nature of the problem is related to both. The service bulletin requires the inspections at intervals based on flying hours or landings. The FAA agrees with this comment and the final rule will also incorporate number of flying hours for the inspection intervals.

No U.S. registered airplane will be affected by this AD at this time. Other airplanes of the specified series will be affected only if they are later entered on the U.S. Register. For these reasons, this rule is not considered to be a major rule under the criteria of Executive Order 12291. Few small entities within the meaning of the Regulatory Flexibility Act will be affected.

Therefore, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously noted.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

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

British Aerospace Aircraft Group: Applies to Model HS 748 series 2A airplanes, certificated in all categories. To prevent wing structural failure, accomplish the following, unless already accomplished:

A. Visually inspect the wing structure components for cracks in accordance with subparagraphs 2.B(1) through 2.B(5) and repair, if necessary, in accordance with paragraph 2.D of British Aerospace Aircraft Group HS 748 Service Bulletin 57/55, Revision 2, dated March 1980, prior to the accumulation of 10,000 landings, 12,000 flying hours, or within the next 750 flying hours after the effective date of this AD, whichever event occurs later. Repeat the inspections thereafter at intervals not to exceed 1,500 flying hours.

B. Perform an X-ray inspection of the lower wing surface butt straps and wing skin of both wings in accordance with subparagraph 2.B(6), and repair, if necessary, in accordance with paragraph 2.D of the service bulletin, prior to the accumulation of 10,000 landings, 12,000 flying hours, or 3,000 flying hours after the effective date of this AD, whichever event occurs later. Repeat the inspections thereafter at intervals not to exceed 4,000 flying hours.

C. For the purpose of this AD, and when approved by an FAA maintenance inspector, the number of landings may be computed by dividing each airplane's time in service by the operator's fleet average time from takeoff to landing for the aircraft type.

D. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

E. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or repairs required by this AD.

This amendment becomes effective January 15, 1984.

(Secs. 313(a), 314(a), 601 through 610, and 1102, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89)

Note.—For the reasons discussed earlier in the preamble, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic effect on a substantial number of small entities. A final evaluation has been prepared for this regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption

"FOR FURTHER INFORMATION CONTACT."

Issued in Seattle, Washington on December 1, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-32741 Filed 12-8-83 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-NM-109-AD; Amdt. 39-4778]

Airworthiness Directives; British Aerospace Corporation Model BAC 1-11 200 and 400 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) applicable to British Aerospace Corporation model BAC 1-11 200 and 400 series airplanes which requires modification of the aileron stub fairing on the outboard flap track fairing. Incidents have been reported of the outboard flap becoming jammed and causing interference with the operation of the aileron. This condition may result in loss of roll control.

EFFECTIVE DATE: December 20, 1983.

ADDRESSES: The service bulletin specified in this AD may be obtained upon request to British Aerospace, Inc., Box 17414, Dulles International Airport, Washington, D.C. 20041 or may be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT: Mr. Sulmo Mariano, Foreign Aircraft Certification Branch, ANM-150S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 431-2979. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-88966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: The Civil Aviation Authority of the United Kingdom has classified British Aerospace BAC 1-11 Service Bulletin 57-PM5856 as mandatory. There have been reports where the outboard flap became jammed causing the outboard flap beam fairing stub to displace outboard and interfere with the operation of the aileron. This situation leads to loss of roll control.

The service bulletin prescribes a modification to the stub fairing to prevent the interference from occurring.

This airplane model is manufactured in the United Kingdom and type certificated in the United States under the provisions of Section 21.29 of the Federal Aviation Regulations and the applicable airworthiness bilateral agreement.

Since this condition is likely to exist or develop on airplanes of this model registered in the United States, the FAA has determined that an AD is necessary

which requires incorporation of the modification above mentioned.

Further, since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

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

British Aerospace: Applies to model BAC 1-11 200 and 400 series airplanes, certificated in all categories. Compliance is required as indicated. To prevent possible loss of roll control, accomplish the following within the next 30 days after the effective date of this AD, unless previously accomplished:

A. Modify the aileron stub fairing installation attached to the outboard side of the fixed flap track center fairing at rib 15, left and right wing, in accordance with the Accomplishment Instructions of British Aerospace BAC 1-11 Service Bulletin 57-PM5856, Revision 1, dated March 30, 1983.

B. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

This amendment becomes effective December 20, 1983.

(Secs. 313(a), 314(a), 601 through 610, and 1102 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89)

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and if this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the

caption "FOR FURTHER INFORMATION CONTACT."

Issued in Seattle, Washington on November 30, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-32742 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-NM-106-AD; Amdt. 39-4777]

Airworthiness Directives; Canadair Models CL-44D4 and CL-44J Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) applicable to Canadair CL-44D4 and CL-44J airplanes which requires repetitive inspections and modifications or replacement, as necessary, of the main landing gear actuation system. This action is prompted by reports of cracks in the actuator attachment pins which, if allowed to grow could compromise the structural integrity of the landing gear.

EFFECTIVE DATE: December 20, 1983.

ADDRESSES: The service bulletin specified in this AD may be obtained upon request to Canadair Ltd., Commercial Aircraft Technical Services, Box 6087, Station A, Montreal, PQ H3C 369, Canada or may be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT: Mr. Harold N. Wantiez, Foreign Aircraft Certification Branch, ANM-150S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 431-2977. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: The Canadian Department of Transport (DOT) has issued an airworthiness directive which requires repetitive inspections of the main landing gear actuator eye end attachment pins for cracks on all CL-44D4 and CL-44J airplanes. Cracks have been found in the pins which, if allowed to grow could result in main landing gear collapse or improper gear retraction. To prevent this, the DOT, which is the civil airworthiness authority for Canada, is requiring inspections in accordance with Canadair Information Circular 441-CL-44.

This airplane model is manufactured in Canada and type certificated in the United States under the provisions of § 21.29 of the Federal Aviation Regulations and the applicable airworthiness bilateral agreement.

Since this condition is likely to exist or develop on airplanes of this model registered in the United States, the FAA has determined that an AD is necessary which requires the previously mentioned inspections.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety. Aircraft.

Adoption of the Amendment

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

Canadair: Applies to all Canadair Model CL-44D4 and CL-44J airplanes certificated in all categories. Compliance required as indicated unless previously accomplished. To ensure structural integrity of the upper main landing gear actuator eye attachment pins, accomplish the following within the next 100 hours time in service or 25 landings, whichever occurs first, after the effective date of this airworthiness directive (AD), unless accomplished within the last 1100 hours time in service or 275 landings, and thereafter at intervals not to exceed 1200 hours time in service or 300 landings, whichever occurs first.

1. Inspect both left and right upper main landing gear actuator eye attachment pins, P/N 44-87815, for cracks in accordance with paragraph 2.1 of Canadair Service Information Circular (SIC) No. 441-CL44, dated June 8, 1981.

2. Replace cracked parts with new or serviceable parts of the same part number prior to further flight.

3. Alternate means of compliance with the AD which provide an equivalent level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

4. Aircraft may be ferried to a base for maintenance in accordance with Sections 21.197 and 21.199 of the Federal Aviation Regulations.

5. Upon request of the operator, an FAA Maintenance Inspector, subject to prior approval of the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of an operator, if the

request contains substantiating data to justify the adjustment period.

This amendment becomes effective December 20, 1983.

[Sec. 313(s), 314(a), 601 through 610, and 1102, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89]

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and if this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Seattle, Washington, on November 30, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-32743 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-NM-82-AD; Amdt. 39-4781]

Airworthiness Directives; DeHavilland Aircraft of Canada, Ltd., Model DHC-7 Airplanes, Serial Numbers 3 Through 92

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) applicable to certain DeHavilland Aircraft of Canada, Ltd., Model DHC-7 airplanes which requires several modifications to protect against the freezing of accumulated water around elements of the elevator trim mechanism. This action is necessary to prevent water from collecting and freezing in the trim mechanism which could result in loss of trimability and partial loss of pitch control.

EFFECTIVE DATE: December 21, 1983.

ADDRESSES: The service bulletin specified in this AD may be obtained upon request to DeHavilland Aircraft of Canada, Ltd., Garratt Blvd., Downsview,

Ontario M3K 1Y5, Canada, or may be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT: Mr. James Leeder, Foreign Aircraft Certification Branch, ANM-150S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 431-2976. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: The Canadian Department of Transport (DOT) has classified DeHavilland Aircraft of Canada, Ltd. Service Bulletin 7-55-6 as mandatory and has required compliance with the instructions of the service bulletin by issuance of AD CF-82-29. The AD requires several modifications in the tail area to prevent water accumulation and the possibility of subsequent freezing and loss of trimability. Two such incidents have been reported by United States operators since the issuance of the Canadian AD.

This airplane model is manufactured in Canada and type certificated in the United States under the provisions of § 21.29 of the Federal Aviation Regulations and the applicable airworthiness bilateral agreement.

Since this condition is likely to exist or develop on other airplanes of this model registered in the United States, an AD is being issued which requires incorporation of the aforementioned modifications.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft, Safety, Air transportation.

Adoption of the Amendment

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

DeHavilland Aircraft of Canada, Ltd.: Applies to DeHavilland Model DHC-7 airplanes, Serial Numbers 3 through 92 inclusive.

Compliance is required within the next 750 flight hours or three months after effective date of this AD, whichever occurs first, unless previously accomplished. To protect against loss of trimability and partial loss of pitch control, accomplish the following:

1. Incorporate Modification Number 7/2209 on each elevator and Modification Numbers 7/2211 and 7/2216 on the tailplane in accordance with instruction contained in DeHavilland Service Bulletin No. 7-55-6, Rev. B, dated September 17, 1982.

2. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

3. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications as required by this AD.

This amendment becomes effective December 21, 1983.

(Secs. 313(a), 314(a), 601 through 610, and 1102 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) [Revised, Pub. L. 97-449, January 12, 1983]; and 14 CFR 11.89)

Note.—The FAA determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Seattle, Washington, on December 1, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-32737 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-NM-108-AD; Amdt. 39-4782]

Airworthiness Directives; Lockheed Model 1329 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This document amends an existing airworthiness directive (AD) applicable to Lockheed-Georgia Company Models 1329-23A, 1329-23D, and 1329-23E airplanes which requires inspection of the fuselage main frames for cracks. This amendment establishes terminating action for the inspection of

the replacement frames made from 7075-T73 aluminum alloy. It also includes three nonsubstantive changes: (1) It references a Lockheed Service Bulletin for repairs which was not specified in the original AD, (2) it identifies the FAA office presently responsible for approval of procedures for compliance with this AD, and (3) it adds a paragraph to allow ferry flights.

EFFECTIVE DATE: December 21, 1983.

ADDRESSES: The applicable service information may be obtained from: Lockheed-Georgia Company, 86 South Cobb Drive, Marietta, Georgia 30063. The information may also be examined at the FAA, Atlanta Aircraft Certification Office, 1075 Inner Loop Road, College Park, Georgia.

FOR FURTHER INFORMATION CONTACT: Mr. Jack Bentley, Aerospace Engineer, Airframe Branch, Atlanta Aircraft Certification Office, FAA, Central Region, 1075 Inner Loop Road, College Park, Georgia 30337; telephone (404) 763-7407.

SUPPLEMENTARY INFORMATION:

Airworthiness Directive (AD) 75-06-05, Amendment 39-2123 as amended by Amendment 39-2684, applicable to Lockheed Models 1329-23A, 1329-23D, and 1329-23E airplanes, requires inspection of the fuselage main frames for cracks in accordance with Lockheed Service Bulletin 329-269 and Supplemental Service Bulletin 329-269A. Since issuing Amendment 39-2684, the FAA has evaluated the requirement for repetitive inspection of the replacement frames made from 7075-T73 aluminum alloy and has determined that further inspections are not necessary. Therefore, AD 75-06-05 is further amended to delete the requirement for repetitive inspections on replacement frames made from 7075-T73 aluminum alloy. This amendment also includes three nonsubstantive changes: (1) It references a Lockheed Service Bulletin for repairs which was not specified in the original AD, (2) it identifies the FAA office presently responsible for approval of procedures for compliance with this AD, and (3) it adds a paragraph to allow ferry flights.

This amendment merely deletes a repetitive inspection requirement if certain optional modification are made, and makes three clarifying changes. It has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by revising AD 75-06-05, Amendment 39-2684 (41 FR 33246), as follows:

1. Correct the approval office listed in paragraph (a) to: "Manager, Atlanta Aircraft Certification Office, FAA Central Region, 1075 Inner Loop Road, College Park, Georgia 30337."

2. Amend Paragraph (b) to read as follows:

(b) In the event a crack or cracks are found, repair or replace the cracked frames in accordance with Lockheed Service Bulletin 329-269B, and Supplemental Service Bulletin 329-269C, or in an equivalent manner approved by the manager, Atlanta Aircraft Certification Office, FAA, Central Region.

3. Add two new paragraphs (d) and (e) to read as follows:

(d) The repetitive inspections required by paragraph (c) may be discontinued if replacement frames, part numbers JF265-2 or -3, JF266-2 or -3, JF267-2 or -3, JF268-2 or -3, and JF269-3 or -4 are installed at FS's 410, 430, 450, 470, or 490, respectively, or existing frames are modified or replaced in a manner approved by the Manager, Atlanta Aircraft Certification Office, FAA, Central Region.

(e) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

This Amendment becomes effective December 21, 1983.

(Secs. 313(a), 314(a), 601 through 610, and 1102 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89)

Note.—The FAA has determined that this document involves an amendment that only adds a terminating modification and does not impose any additional burden on any person. Therefore: (1) It is not major under Executive Order 12291 (46 FR 13193; February 19, 1981); and (2) it is not significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Because its anticipated impact is so minimal, it does not warrant preparation of a regulatory evaluation. I certify that it will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act because it involves few, if any, small entities.

Issued in Seattle, Washington, on December 1, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

(FR Doc. 83-32738 Filed 12-8-83; 8:45 am)

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 83-ANM-6]

Alteration of Transition Area; Helena, Montana

AGENCY: Federal Aviation Administration, (FAA), DOT.

ACTION: Final rule.

SUMMARY: This notice reduces the 700 foot transition area at Helena, Montana, to bring it into compliance with established national guidelines. The reduced 700' transition area will eliminate unnecessary restrictions on Visual Flight Rules (VFR) operations but will accommodate Instrument Flight Rules (IFR) arrivals, departures, and holding aircraft, where applicable, within controlled airspace.

EFFECTIVE DATE: February 16, 1984.

FOR FURTHER INFORMATION CONTACT: Kathy Paul, Airspace Technician, ANM-535, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, telephone (206) 431-2530.

SUPPLEMENTARY INFORMATION: On July 21, 1983, a Notice of Proposed Rulemaking was published in the *Federal Register* (48 FR 33311) stating that the Federal Aviation Administration proposed to reduce the transition area at Helena, Montana. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. No comments were received objecting to the proposal.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations reduces the 700' transition area of Helena, MT. This action brings it into compliance with established national guidelines and eliminates unnecessary restrictions on VFR operations.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 71.181 of Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.m.t. February 16, 1984, as follows:

Helena, Montana

Delete words, "That airspace extending upward from 700 feet above the surface within a 22-mile radius of the Helena, Montana VORTAC (lat. 46°36'25"N, long. 111°57'09"W.); and

Insert "That airspace extending upward from 700 feet above the surface within a 12-mile radius of the Helena, Montana VORTAC (lat. 46°36'25"N, long. 111°57'09"W), and within 6 miles northwest and 4 miles southeast of the Helena VORTAC 066° radial and extending from the 12-mile radius area to a point 21 miles northeast of the Helena VORTAC;" * * *

(Sec. 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, January 12, 1983); (Sec. 11.89 of the Federal Aviation Regulations (14 CFR 11.69)).

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

Issued in Seattle, Washington, on December 15, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

(FR Doc. 83-32738 Filed 12-8-83; 8:45 am)

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 83-ANM-7]

Alteration of Transition Area; Billings, Montana

AGENCY: Federal Aviation Administration, (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment reduces the 700 foot transition area at Billings, Montana, to bring it into compliance with established national guidelines. The reduced 700' transition area will eliminate unnecessary restrictions on Visual Flight Rules (VFR) operations but will accommodate Instrument Flight Rules (IFR) arrivals, departures, and holding aircraft, where applicable, within controlled airspace.

EFFECTIVE DATE: April 12, 1984.

FOR FURTHER INFORMATION CONTACT: Kathy Paul, Airspace Technician, ANM-535, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, telephone (206) 431-2530.

SUPPLEMENTARY INFORMATION: On July 21, 1983, a Notice of Proposed Rulemaking was published in the *Federal Register* (48 FR 33310) stating that the Federal Aviation Administration proposed to reduce the transition area at Billings, Montana. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. No comments were received objecting to the proposal.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations reduces the 700' transition area of Billings, MT. This action brings it into compliance with established national guidelines and eliminates unnecessary restrictions on VFR operations.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 71.181 of Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.M.T. April 12, 1984, as follows:

Billings, Montana

Delete words, "That airspace extending upward from 700 feet above the surface within a 29-mile radius of Logan Field Airport (lat. 45°48'25"N., long. 108°31'55"W.):" and

Insert, "That airspace extending upward from 700 feet above the surface within a 18-mile radius of Billings Logan International Airport (lat. 45°48'25"N., long. 108°31'55"W.):" * * *

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

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

Issued in Seattle, Washington, on December 15, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-32736 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 83-ASW-39]

Alteration of Transition Area; Falfurrias, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment will alter the transition area at Falfurrias, TX. The intended effect of the amendment is to realign controlled airspace for aircraft executing a new standard instrument approach procedure (SIAP) to the Brooks County Airport. This amendment is necessary since the final approach segment of the SIAP is being altered to the east, thereby requiring the realignment of controlled airspace.

EFFECTIVE DATE: March 15, 1984.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch (ASW-535), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, telephone (817) 877-2630.

SUPPLEMENTARY INFORMATION:

History

On October 3, 1983, a notice of proposed rulemaking was published in the *Federal Register* (48 FR 45118) stating that the Federal Aviation Administration proposed to alter the Falfurrias, TX, transition area. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the Federal Aviation Administration. Comments were received without objections. Except for editorial changes, this amendment is that proposed in the notice.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas, Aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, by the Administrator, Subpart G of Part 71, § 71.181, of the Federal Aviation Regulations (14 CFR Part 71) as republished in Advisory Circular AC 70-3A dated January 3, 1983, is amended, effective 0901 GMT, March 15, 1984, as follows:

Falfurrias, TX Revised

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Brooks County Airport (latitude 27°12'27"N., longitude 98°07'20"W.), within 3.5 miles each side of the 164° bearing of the NDB (latitude 27°12'24"N., longitude 98°07'16"W.), extending from the 6.5-mile radius area to 8.5 miles south the NDB.

(Sec. 307(a), Federal Aviation Act of 1958, as amended [49 U.S.C. 1348(a)]; Sec. 6(c), 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.61(c))

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

Issued in Fort Worth, TX, on November 29, 1983.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 83-32747 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 23856; Amdt. No. 1257]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

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

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

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;
2. The FAA Regional Office of the region in which the affected airport is located; or
3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—

Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—

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

FOR FURTHER INFORMATION CONTACT: Donald K. Funai, Flight Procedures Standards Branch (AFO-230), Air Transportation Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

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

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the *Federal Register* expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and

publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

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

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

List of Subjects in 14 CFR Part 97

Standard instrument approaches, Aviation safety.

Adoption of the Amendment

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

1. By amending § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN SIAPs identified as follows:

* * * *Effective January 19, 1984*

Quincy, FL—Quincy Muni, VOR/DME-A, Orig.
Lawrenceville, IL—Lawrenceville-Vincennes Intl, VOR RWY 18, Amdt. 7

Lawrenceville, IL—Lawrenceville-Vincennes Intl, VOR RWY 27, Amdt. 2
Lawrenceville, IL—Lawrenceville-Vincennes Intl, VOR RWY 36, Amdt. 7
Alexandria, IN—Alexandria, VOR RWY 27, Amdt. 6
Anderson, IN—Anderson Muni, VOR-A, Amdt. 7
Marion, IN—Marion Muni, VOR RWY 4, Amdt. 10
Marion, IN—Marion Muni, VOR RWY 15, Amdt. 7
Marion, IN—Marion Muni, VOR RWY 22, Amdt. 13
Muncie, IN—Delaware County-Johnson Field, VOR RWY 14, Amdt. 13
Muncie, IN—Delaware County-Johnson Field, VOR RWY 20, Amdt. 10
Muncie, IN—Delaware County-Johnson Field, VOR RWY 32, Amdt. 11
New Castle, IN—New Castle-Heary County Muni, VOR RWY 27, Amdt. 7
Winchester, IN—Randolph County, VOR-A, Amdt. 5
Davenport, IA—Davenport Muni, VOR RWY 3, Amdt. 6
Davenport, IA—Davenport Muni, VOR RWY 21, Amdt. 5
Augusta, ME—Augusta State, VOR/DME-A, Amdt. 9
Augusta, ME—Augusta State, VOR/DME RWY 8, Amdt. 9
Augusta, ME—Augusta State, VOR/DME RWY 17, Amdt. 2
Augusta, ME—Augusta State, VOR/RWY 35, Amdt. 3
Lincoln, ME—Lincoln Regional, VOR/DME-A, Orig.
Sanford, ME—Sanford Muni, VOR RWY 7, Orig.
Monroe, MI—Custer, VOR RWY 20, Amdt. 4, Cancelled
Roseau, MN—Roseau Muni, VOR-A, Amdt. 4
Roseau, MN—Roseau Muni, VOR RWY 16, Amdt. 3
Bay St Louis, MS—Stennis Intl, VOR-A, Amdt. 5
Gulfport, MS—Gulfport-Biloxi Rgnl, VOR RWY 13, Amdt. 19
Gulfport, MS—Gulfport-Biloxi Rgnl, VOR/DME or TACAN RWY 13, Orig.
Gulfport, MS—Gulfport-Biloxi Rgnl, VOR RWY 31, Amdt. 17
Gulfport, MS—Gulfport-Biloxi Rgnl, VOR/DME or TACAN RWY 31, Orig.
Ocean Springs, MS—Gulfpark, VOR-B, Amdt. 1
Columbia, MO—Columbia Regional, VOR RWY 13, Amdt. 1
McCook, NE—McCook Muni, VOR RWY 12, Amdt. 8
McCook, NE—McCook Muni, VOR RWY 21, Amdt. 1
McCook, NE—McCook Muni, VOR RWY 30, Amdt. 6
McCook, NE—McCook Muni, VOR/DME RWY 30, Orig.
Ely, NV—Ely Arpt/Yelland Fld, VOR-A, Amdt. 5
Ely, NV—Ely Arpt/Yelland Fld, VOR/DME-C, Orig.
Manchester, NH—Manchester Arpt-Grenier Industrial Airpark, VOR/DME RWY 17, Amdt. 9

Manchester, NH—Manchester Arpt-Grenier Industrial Airpark, VOR RWY 35, Amdt. 12
Roswell, NM—Roswell Industrial Air Center, VOR-A, Amdt. 5

Monticello, NY—Sullivan County Intl, VOR/DME RWY 33, Amdt. 2

New York, NY—LaGuardia, VOR-B, Amdt. 1
Gastonia, NC—Gastonia Muni, VOR/DME-A, Amdt. 2

Honesdale, PA—Cherry Ridge, VOR-A, Amdt. 3

Perkasie, PA—Pennridge, VOR RWY 8, Orig. Humboldt, TN—Humboldt Muni, VOR/DME-A, Amdt. 3

Fredericksburg, VA—Shannon, VOR RWY 23, Amdt. 5

Silverdale, WA—Apex Airpark, VOR-A, Amdt. 1, Cancelled

Clarksburg, WV—Benedum, VOR RWY 3, Amdt. 12

Elkins, WV—Elkins-Randolph Cnty—Jennings Randolph Fld, VOR/DME-B, Amdt. 2

* * * Effective November 23, 1983

Duluth, MN—Duluth Intl, VOR or TACAN RWY 3, Amdt. 17

Duluth, MN—Duluth Intl, VOR/DME or TACAN RWY 21, Amdt. 12

* * * Effective November 18, 1983

Fort Myers, FL—Southwest Florida Regl, VOR RWY 24, Amdt. 1

* * * Effective November 17, 1983

Burlington, IA—Burlington Muni, VOR/DME RWY 12, Amdt. 2

Burlington, IA—Burlington Muni, VOR RWY 30, Amdt. 9

The FAA published an Amendment in Docket No. 23811, Amdt. No. 1254 to Part 97 of the Federal Aviation Regulations (VOL 48, FR No. 213, Page 50512; dated November 2, 1983) under Section 97.23 effective January 19, 1984, which is hereby amended as follows:

Alexandria, LA—Esler Regional, VOR RWY 14, Amdt. 12;

Alexandria, LA—Esler Regional, VOR/DME RWY 32, Amdt. 13;

Bunkie, LA—Bunkie Muni, VOR/DME-A, Amdt. 1, Cancelled; and

Pineville, LA—Pineville Muni, VOR-A, Amdt. 3.

Effective date changed to March 15, 1984.

The FAA published an Amendment in Docket No. 23807, Amdt. No. 1255 to Part 97 of the Federal Aviation Regulations (VOL 48, FR No. 219, Page 51609; dated November 10, 1983) under Section 97.23 effective January 19, 1984, which is hereby amended as follows:

Marksville, LA—Marksville Muni, VOR/DME-A, Amdt. 1, Cancelled; and

Marksville, LA—Marksville Muni, VOR/DME-B, Orig.

Effective date changed to March 15, 1984.

2. By amending § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, and SDF/DME SIAPs identified as follows:

* * * Effective January 19, 1984

Anderson, IN—Anderson Muni, LOC RWY 30, Amdt. 4

Davenport, IA—Davenport Muni, LOC RWY 15, Amdt. 1

Augusta, ME—Augusta State, LOC RWY 17, Amdt. 2

Roswell, NM—Roswell Industrial Air Center, LOC BC RWY 3, Amdt. 4

Bristol/Johnson/Kingsport, TN—Tri-City, LOC RWY 5, Amdt. 2

Newport News, VA—Patrick Henry Intl, LOC BC RWY 25, Amdt. 11

Elkins, WV—Elkins-Randolph Cnty—Jennings Randolph Fld, LDA-C, Amdt. 4

The FAA published an Amendment in Docket No. 23811, Amdt. No. 1254 to Part 97 of the Federal Aviation Regulations (VOL 48, FR No. 213, Page 50512; dated November 2, 1983) under Section 97.25 effective January 19, 1984, which is hereby amended as follows:

Alexandria, LA—Esler Regional, LOC BC RWY 8, Amdt. 8

Effective date changed to March 15, 1984.

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

* * * Effective January 19, 1984

Mt. Carmel, IL—Mt. Carmel Muni, NDB RWY 4, Orig.

Anderson, IN—Anderson Muni, NDB RWY 30, Amdt. 4

Muncie, IN—Delaware County-Johnson Field, NDB RWY 32, Amdt. 7

New Castle, IN—New Castle-Henry County Muni, NDB RWY 9, Amdt. 3

New Castle, IN—New Castle-Henry County Muni, NDB RWY 27, Amdt. 3

Wabash, IN—Wabash Muni, NDB RWY 27, Amdt. 8

Winchester, IN—Randolph County, NDB RWY 25, Amdt. 2

Davenport, IA—Davenport Muni, NDB RWY 3, Amdt. 12

Augusta, ME—Augusta State, NDB-B, Amdt. 6

Greenville, ME—Greenville Seaplane Base, NDB-A, Amdt. 2

Greenville, ME—Greenville Muni, NDB RWY 14, Amdt. 2

Gulfport, MS—Gulfport-Biloxi Rgnl, NDB RWY 13, Amdt. 8

Point Lookout, MO—M Graham Clark, NDB RWY 29, Amdt. 5

Manchester, NH—Manchester Arpt—Grenier Industrial Airpark, NDB RWY 35, Amdt. 11

Roswell, NM—Roswell Industrial Air Center, NDB RWY 21, Amdt. 12

Penn Yan, NY—Penn Yan, NDB RWY 28, Amdt. 2

Gastonia, NC—Gastonia Muni, NDB RWY 3, Amdt. 1

Hatteras, NC—Billy Mitchell, NDB RWY 6, Amdt. 5

Quakertown, PA—Quakertown, NDB RWY 29, Amdt. 9

Bristol/Johnson/Kingsport, TN—Tri-City, NDB RWY 5, Amdt. 14

Elkins, WV—Elkins-Randolph Cnty—Jennings Randolph Fld, NDB-A, Amdt. 3

Petersburg, WV—Grant County, NDB-A, Amdt. 2

* * * Effective November 24, 1983

Brunswick, GA—Malcolm McKinnon, NDB RWY 4, Amdt. 1

Brunswick, GA—Malcolm McKinnon, NDB RWY 22, Amdt. 1

* * * Effective November 23, 1983

Duluth, MN—Duluth Intl, NDB RWY 9, Amdt. 22

* * * Effective November 18, 1983

Fort Myers, FL—Southwest Florida Regl, NDB RWY 6, Amdt. 1

* * * Effective November 17, 1983

Burlington, IA—Burlington Muni, NDB RWY 36, Amdt. 6

The FAA published an Amendment in Docket No. 23811, Amdt. No. 1254 to Part 97 of the Federal Aviation Regulations (VOL 48, FR No. 213, Page 50512; dated November 2, 1983) under Section 97.27 effective January 19, 1984, which is hereby amended as follows:

Alexandria, LA—Esler Regional, NDB RWY 26, Amdt. 7;

DeRidder, LA—Beauregard Parish, NDB RWY 36, Amdt. 1; and

New Roads, LA—False River Airpark, NDB RWY 36, Amdt. 1

Effective date changed to March 15, 1984.

The FAA published an Amendment in Docket No. 23807, Amdt. No. 1255 to Part 97 of the Federal Aviation Regulations (VOL 48, FR No. 219, Page 51609; dated November 10, 1983) under Section 97.27 effective January 19, 1984, which is hereby amended as follows:

Marksville, LA—Marksville Muni, NDB RWY 4, Orig., Cancelled;

Marksville, LA—Marksville Muni, NDB RWY 22, Orig.; and

Natchitoches, LA—Natchitoches Muni, NDB RWY 34, Amdt. 3

Effective date changed to March 15, 1984.

4. By amending Part 97.29 ILS ILS/DME, ISMLS, MLS, MLS/DME and MLS/RNAV SIAPs identified as follows:

* * * Effective January 19, 1984

Oakland, CA—Metropolitan Oakland Intl, ILS RWY 27R, Amdt. 31

Tampa, FL—Tampa Intl, ILS RWY 18L, Amdt. 34

Tampa, FL—Tampa Intl, ILS RWY 18R, Amdt. 1

Marion, IN—Marion Muni, ILS RWY 4, Amdt. 4

Muncie, IN—Delaware County-Johnson Field, ILS RWY 32, Amdt. 4

Hagerstown, MD—Washington County Regional, ILS RWY 27, Amdt. 4

Gulfport, MS—Gulfport-Biloxi Rgnl, ILS RWY 13, Amdt. 9

Manchester, NH—Manchester Arpt—Grenier Industrial Airpark, ILS RWY 35, Amdt. 13

Roswell, NM—Roswell Industrial Air Center, ILS RWY 21, Amdt. 11

Buffalo, NY—Greater Buffalo Intl, ILS RWY 23, Amdt. 26

Newport News, VA—Patrick Henry Intl, ILS RWY 7, Amdt. 25

* * * Effective December 22, 1983

Nashville, TN—Nashville Metropolitan, ILS RWY 31, Amdt. 3

* * * Effective November 23, 1983

Duluth, MN—Duluth Intl, ILS RWY 27, Amdt. 6

* * * Effective November 18, 1983

Fort Myers, FL—Southwest Florida Regl. ILS RWY 6, Amdt. 1

* * * Effective November 17, 1983

Burlington, IA—Burlington Muni. ILS RWY 36, Amdt. 6

The FAA published an Amendment in Docket No. 23811, Amdt. No. 1254 to Part 97 of the Federal Aviation Regulations (VOL. 48 FR No. 213, Page 50512; dated November 2, 1983) under Section 97.29 effective January 19, 1984, which is hereby amended as follows:

Alexandria, LA—Esler Regional, ILS RWY 26, Amdt. 11

Effective date changed to March 15, 1984.

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

* * * Effective January 19, 1984

Gulfport, MS—Gulfport-Biloxi Rgnl, RADAR-1, Amdt. 3

* * * Effective November 23, 1983

Duluth, MN—Duluth Intl, RADAR-1, Amdt. 18

* * * Effective November 18, 1983

Fort Myers, FL—Southwest Florida Regl. RADAR-1, Amdt. 1

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

* * * Effective January 19, 1984

McCook, NE—McCook Muni, RNAV RWY 12, Amdt. 3

Roswell, NM—Roswell Industrial Air Center, RNAV RWY 35, Amdt. 1

Columbia, SC—Columbia Metropolitan, RNAV RWY 5, Amdt. 5, Cancelled

Bristol/Johnson/Kingsport, TN—Tri-City, RNAV RWY 5, Amdt. 4

* * * Effective November 24, 1983

Brunswick, GA—Glynco Jetport, RNAV RWY 7, Amdt. 3

Brunswick, GA—Glynco Jetport, RNAV RWY 25, Amdt. 3

Brunswick, GA—Glynco Jetport, RNAV RWY 22, Amdt. 2

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421, and 1510); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.49(b)(3))

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

small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C. on December 9, 1983.

Kenneth S. Hunt,

Director of Flight Operations.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

[FR Doc. 83-32751 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 929

[Docket No. 31028-213]

Key Largo National Marine Sanctuary Regulations

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

ACTION: Final rule.

SUMMARY: These regulations make minor revisions and clarifications to the present interim-final regulations defining which activities are allowed and which are prohibited within the Key Largo National Marine Sanctuary, the procedures by which persons may obtain permits for research or activities normally prohibited, and the penalties for committing prohibited acts without a permit. These final regulations also revise the format of the existing regulations to make them more consistent with regulations in more recently designated national marine sanctuaries.

EFFECTIVE DATE: These regulations are effective January 9, 1984.

FOR FURTHER INFORMATION CONTACT: Dr. Nancy Foster, Chief, Sanctuary Programs Division, Office of Ocean and Coastal Resource Management, NOS, NOAA, 3300 Whitehaven St., N.W., Washington, D.C. 20235, telephone (202) 634-4236.

SUPPLEMENTARY INFORMATION: Title III of the Marine Protection, Research and Sanctuaries Act of 1972, as amended, 16 USC 1431-1434 (the Act) authorizes the Secretary of Commerce, with Presidential approval, to designate ocean waters as far seaward as the outer edge of the continental shelf as marine sanctuaries to preserve or restore distinctive conservational,

recreational, ecological, or aesthetic values. Title III of the Act authorizes the Secretary to issue necessary and reasonable regulations to control activities permitted within a designated marine sanctuary. The authority of the Secretary to administer the provisions of the Act has been delegated to the Assistant Administrator for Ocean Services and Coastal Zone Management within the National Oceanic and Atmospheric Administration, U.S. Department of Commerce (the Assistant Administrator).

On December 18, 1975, the Key Largo National Marine Sanctuary (the Sanctuary) was designated, and on January 13, 1976, NOAA published interim-final regulations. Since final rules were never issued, NOAA published proposed rules in the *Federal Register* on December 17, 1982 (47 FR 56506). The significant comments on the proposed regulations and NOAA's responses to them follow:

(1) *Comment:* One reviewer commented that NOAA should not rely on the Regional Fishery Management Council to implement regulations that specifically address the issue of the spiny lobster populations within the Sanctuary. The reviewer cited the following as relevant inadequacies of the fishery management planning process: (a) Data on which the Fishery Management Plans are based, are typically outdated; (b) Fishery Management Plans are generalized for the entire area under jurisdiction of the Council with no special consideration given to local resources; (c) the Councils are not politically capable of making emergency decisions regarding protection of a depleted resource; and (d) Fishery Management Plans are based on data that doesn't always take into account natural population fluctuations.

Response: NOAA has considered the reviewer's comment and decided not to change the proposed rule at this time. The Fishery Management Plan represents the state of the art for current information on the spiny lobster. Regulations governing all aspects of spiny lobster management have only been in effect since July 1982. Prior to this, an emergency interim rule, implementing only the closed season portion of the Spiny Lobster Management Plan was in effect from March 1982. To issue additional regulations governing the Sanctuary spiny lobster populations, new data would have to be generated and close consultations undertaken with the South Atlantic Fishery Management Council.

Since implementation of the final rules, no comprehensive study of the Sanctuary spiny lobster populations has been conducted. Therefore, NOAA intends to rely upon the existing Fishery Management Plan regulations.

(2) *Comment:* A reviewer noted that the criteria used in issuing permits for taking tropical fish and invertebrates for scientific and educational purposes should be carefully worded so as not to allow fish collectors to claim their use of Sanctuary resources is for "public display".

Response: After reviewing the language in § 929.10, NOAA has determined that criteria for permits provide adequate standards by which to judge all permit applications and will prevent fish collectors from obtaining permits.

(3) *Comment:* One commenter suggested that "chumming materials" be defined clearly.

Response: At this time NOAA believes that it is not necessary to specify the substances which can and cannot be used as chumming materials.

(4) *Comment:* One reviewer requested that if and when weapons are being transported through the Sanctuary they should not be loaded, cocked or otherwise in a mode in which they could be accidentally discharged.

Response: The language of § 929.7(6) has been reviewed and NOAA has determined that it provides adequate protection for Sanctuary resources.

(5) *Comment:* With respect to § 929.10(d), one reviewer suggested that the entity who is responsible for monitoring permits issued for prohibited actions be named in the regulations.

Response: The wording of § 929.10(d) has been changed to reflect that NOAA is responsible for monitoring permits issued for prohibited activities.

(6) *Comment:* One commenter questioned the omission of Spanish lobster harvest in the regulations.

Response: At this time NOAA is not convinced that regulations are needed to protect the Spanish lobster. However, if evidence were provided to demonstrate the need for rules governing harvest of Spanish lobsters, NOAA would reevaluate the situation.

(7) *Comment:* A reviewer requested that navigation aids, such as lighthouse, mooring buoys and scientific equipment be added to § 929.7(5).

Response: The regulations have been changed to reflect this.

Other Actions Associated with the Final Rulemaking

(A) Classification Under Executive Order 12291

NOAA has concluded that these regulations are not major because they will not result in:

(1) An annual effect on the economy of \$100 million or more;

(2) A major increase in costs or prices for 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.

These final rules make minor revisions and clarifications to the present interim-final regulations. They will not result in any direct economic or environmental effects nor will they lead to any major indirect economic or environmental impacts.

(B) Regulatory Flexibility Act Analysis

A Regulatory Flexibility Analysis is not required for this notice of final rulemaking. These regulations set forth which activities are allowed and which are prohibited within the Key Largo National Marine Sanctuary, the procedures by which persons may obtain permits for research or activities normally prohibited, and the penalties for committing prohibited acts without a permit. These rules do not directly affect "small government jurisdictions" as defined by Public Law 96-354, the Regulatory Flexibility Act, and the rules will have no effect on small business.

(C) Paper Work Reduction Act of 1980 (Pub. L. 96-511)

These regulations will impose no information collection requirements of the type covered by Public Law 96-511 other than those already approved by the Office of Management and Budget (approval number 0648-0138) for use through October 31, 1986.

(D) National Environmental Policy Act

NOAA has concluded that publication of these final rules does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement is not required.

List of Subjects in 15 CFR Part 929

Administrative practice and procedure, Environmental protection, Marine resources, Natural resources.

(Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Administration)

Dated: October 21, 1983.

K. E. Taggart,

Acting Assistant Administrator for Ocean Services and Coastal Zone Management.

Accordingly, it is proposed that 15 CFR Part 929 be revised as follows:

PART 929—KEY LARGO NATIONAL MARINE SANCTUARY FINAL REGULATIONS

Sec.

929.1 Authority.

929.2 Purpose.

929.3 Boundaries.

929.4 Definitions.

929.5 Management and enforcement.

929.6 Allowed activities.

929.7 Activities prohibited or controlled.

929.8 Other authorities.

929.9 Penalties for commission of prohibited acts.

929.10 Permit procedures and criteria.

929.11 Appeals of administrative action.

Authority: Title III of Pub. L. 92-532, 86 Stat. 1061, 1062 (16 U.S.C. 1431-1434).

§ 929.1 Authority

The Sanctuary has been designated by the Secretary of Commerce pursuant to the authority of Section 302(a) of the Marine Protection, Research and Sanctuaries Act of 1972 as amended (the Act). The following regulations are issued pursuant to Title III of the Act.

§ 929.2 Purpose

The purpose of designating the Key Largo National Marine Sanctuary is to protect and preserve the coral reef ecosystem in its natural state and to regulate uses within the Sanctuary to ensure the health and well-being of the coral and associated flora and fauna.

§ 929.3 Boundaries

The Sanctuary consists of a portion of the Atlantic Ocean beginning at approximately three miles east of Key Largo, Florida, adjacent to the John Pennekamp Coral Reef State Park. The coordinates for the Sanctuary are: the point of beginning (POB) is at geographic coordinates 25° (degrees), 19.45' (minutes) north latitude, 80°, 12.0' west longitude, said point being the northeast boundary corner of John Pennekamp Coral Reef State Park. From said POB run thence southeasterly to geographic coordinates 25°, 16.2' north latitude 80°, 8.7' west longitude, said point also being on the 300 foot isobath, thence in a southwesterly direction to geographic coordinates 25°, 07.5' north latitude, 80°, 12.5' west longitude, thence again run in a southwesterly direction to geographic coordinates 24°, 58.3' north

latitude, 80°, 19.8' west longitude, thence leaving said 300 foot isobath run northwesterly to geographic coordinates 25°, 2.2' north latitude, 80°, 25.25' west longitude, said point being the southeast boundary corner of John Pennekamp Coral Reef State Park, thence in a northeasterly direction along said easterly boundary of said State Park to the POB.

§ 929.4 Definitions

(a) "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration (NOAA).

(b) "Assistant Administrator" means the Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, or his/her successor, or designee.

(c) "Persons" means any private individual, partnership, corporation, or other entity; or any officer, employee, agent, department, agency or instrumentality of the Federal Government, or any State or local unit of the government.

(d) "The Sanctuary" means the Key Largo National Marine Sanctuary.

(e) "Tropical fish" means fish and invertebrates of minimal sport and food value, usually brightly colored, often used for aquaria purposes and which live in a close interrelationship with corals and coral reef substrates.

§ 929.5 Management and enforcement

The National Oceanic and Atmospheric Administration (NOAA) has primary responsibility for the management of the Sanctuary pursuant to the Act. NOAA's responsibilities under the Act require that the Sanctuary Programs Division review, consider, and approve any activities that take place in the Sanctuary in accordance with these rules and regulations. The U.S. Coast Guard and the Florida Department of Natural Resources, Division of Recreation and Parks (FDNR) shall conduct surveillance and enforcement of these regulations pursuant to 14 U.S.C. 89, 16 U.S.C. 1432 (f)(4), 16 U.S.C. 7421 (b), 16 U.S.C. 3375 (a), or other appropriate legal authority.

§ 929.6 Allowed activities

All activities except those specifically prohibited by § 929.7 or other applicable authority may be undertaken within the Sanctuary subject to the restrictions and conditions imposed by other authorities.

§ 929.7 Activities prohibited or controlled

(a) Unless permitted by the Assistant Administrator in accordance with

§ 929.10, or as may be necessary for the national defense, or to respond to an emergency threatening life, property or the environment, the following activities are prohibited or controlled within the Sanctuary. All prohibitions and controls must be applied consistently with international law. Refer to § 929.9 for penalties for commission of prohibited acts.

(1) *Removal or damage of natural features, marine life and archaeological and historical resources.* (i) No person shall destroy, injure, harmfully disturb, break, cut or similarly damage or remove any coral or other marine invertebrate, or any plant, soil, rock, or other material, except that commercial taking of spiny lobster and stone crab by trap and recreational taking of spiny lobster by hand which is consistent with both the applicable regulations under the appropriate Fishery Management Plan and these regulations is allowed. Divers are prohibited from handling coral formations, standing on coral formations, or otherwise disturbing the corals.

(ii) No person shall catch or collect any tropical fish.

(iii) No person shall remove, deface, damage, or tamper with archaeological or historical resources or the cargo of any submerged wrecks or other historical resources within the boundaries of the Sanctuary.

(iv) There shall be a rebuttable presumption that any items listed in these paragraphs found in the possession of a person within the Sanctuary have been collected or removed from within the Sanctuary.

(2) *Dredging, filling, excavating and building activities.* No person shall dredge, excavate, fill or otherwise alter the seabed in any way nor construct any structure of any kind, whether permanent or temporary, with the exception of navigation aids.

(3) *Discharges.* No person shall deposit or discharge any materials or substance of any kind into the waters of the Sanctuary. The only exceptions are:

- (i) Fish or fish parts and chumming materials;
- (ii) Cooling waters from vessels; and
- (iii) Effluent from marine sanitation devices approved by the United States Coast Guard.

(4) *Tampering with markers.* No person shall mark, deface or damage in any way whatsoever, or displace, remove or tamper with any signs, notices or placards, whether temporary or permanent, or with any navigational aids, monuments, stakes, posts, mooring buoys, scientific equipment or other boundary markers installed by the

Sanctuary Manager, or trap floats placed for the purpose of lobster fishing.

(5) *Use of harmful fishing methods.* No person shall use within the Sanctuary, or shall carry or possess, except while passing without interruption through the Sanctuary or for law enforcement purposes, the following firearms or weapons: Pole spears, air rifles, bows and arrows, slings, Hawaiian slings, rubber powered arbaletes, pneumatic and spring loaded guns, explosive powered guns or similar devices known as spearguns. No person shall use within the Sanctuary:

- (i) Wire fish traps;
- (ii) Bottom trawls, dredges, fish sleds, or similar vessel-towed or anchored bottom fishing gear or net; or
- (iii) Poisons, electric charges, explosives or similar devices.

(6) *Operation of watercraft and anchoring.* All watercraft shall be operated in accordance with applicable Federal rules and regulations. The following additional regulations apply within the boundaries of the Sanctuary.

(i) Watercraft shall be operated to avoid striking or otherwise causing damage to the natural features of the Sanctuary.

(ii) Watercraft must use mooring buoys, stations or anchoring arms when such facilities have been provided.

(iii) No anchor shall be cast or dragged in such a way as to damage any coral reef formations. Anchors shall be dropped only on sand flats off the reefs and be placed to avoid dragging into the coral formations.

(iv) Within 100 yards of divers, sightseeing boats or fishermen, no watercraft shall be operated at a speed greater than 4 knots or in any manner to create a wake, except by law enforcement officials while in the performance of their official duties.

(v) All watercraft from which diving operations are being conducted shall fly in a conspicuous manner the red and white "divers down" flag. Divers shall stay within 100 yards of their diving flag.

(7) *Use of dangerous weapons.* Except for law enforcement purposes, no person shall use or discharge explosives or weapons of any description within the Sanctuary boundaries. Distress signaling devices, necessary and proper for safe vessel operation, and knives generally used by fishermen and swimmers are not considered weapons for purposes of this subsection.

(b) The Sanctuary may be closed to public use in the event of emergency conditions endangering life or property. The Assistant Administrator or his/her designee may also close certain areas in order to permit recovery of the living

resources from overuse, or provide for scientific research relating to protection and management. However, the total closed area shall not exceed a size necessary to accomplish these purposes. Public notice of closures will be provided through the local news media and posting of placards at the John Pennekamp Coral Reef State Park, if deemed necessary.

(c) The regulation of activities within the Sanctuary shall not prohibit any activity conducted by the Department of Defense that is essential for national defense or because of emergency. Such activities shall be conducted consistently with all regulations to the maximum extent possible.

(d) The prohibitions in this Section are not based on any claim of territoriality and will be applied to foreign persons and vessels only in accordance with recognized principles of international law, including treaties, conventions and other international agreements to which the United States is signatory.

§ 929.8 Other authorities.

No license, permit or other authorization issued pursuant to any other authority may validly authorize any activity prohibited by § 929.7 unless such activity meets the criteria stated in § 929.10 (a), (c) and (d), and is specifically authorized by the Assistant Administrator.

§ 929.9 Penalties for commission of prohibited acts.

Section 303 of the Act authorizes the assessment of a civil penalty of not more than \$50,000 for each violation of any regulation issued pursuant to the Act, and further authorizes a proceeding *in rem* against any vessel used in violation of any such regulation. NOAA will apply the consolidated civil procedure regulations set forth at 46 FR 81643 (1981) (to be codified at 15 CFR 904.100 through 904.243), and the seizure, forfeiture, and disposal procedure regulations set forth at 46 FR 31648 (1981) (to be codified at 50 CFR Part 219) to all enforcement matters under the Act.

§ 929.10 Permit procedures and criteria.

(a) Any person in possession of a valid permit issued by the Assistant Administrator in accordance with this Section may conduct in the Sanctuary activities specified in the permit including any activity specifically prohibited under § 929.7, if such activity is: (1) Research related to the resources of the Sanctuary; (2) to further the educational value of the Sanctuary; or (3) for salvage or recovery operations.

(b) Permit applications shall be addressed to the Assistant Administrator, Attn: Sanctuary Programs Division, National Oceanic and Atmospheric Administration, 3300 Whitehaven Street, N.W., Washington, D.C. 20235. An application shall include a description of all activities proposed, the equipment, methods, and personnel (particularly describing relevant experience) involved, and a timetable for completion of the proposed activity. Copies of all other required licenses or permits shall be attached.

This information collection has been approved by the Office of Management and Budget (approval number 0648-0138) for use through October 31, 1986.

(c) In considering whether to grant a permit, the Assistant Administrator shall evaluate such matters as: (1) The general professional and financial responsibility of the applicant; (2) the appropriateness of the methods being proposed to the purpose(s) of the activity; (3) the extent to which the conduct of any permitted activity may diminish or enhance the value of the Sanctuary as a source of recreation, education, or scientific information; and (4) the end value of the activity.

(d) In addition to meeting the criteria in § 929.10 (a) and (c), the applicant must also satisfactorily demonstrate to the Assistant Administrator:

(1) That adequate safeguards shall be provided to protect the environment; and (2) that the environment shall be returned to the condition which existed before the activity occurred.

Permits shall be appropriately conditioned, and monitored by NOAA to ensure compliance.

(e) In considering an application submitted pursuant to this Section, the Assistant Administrator may seek and consider the views of Regional Fishery Management Councils and any other person or entity, within or outside of the Federal government, and may hold a public hearing, as he/she deems appropriate.

(f) The Assistant Administrator may grant a permit which has been applied for pursuant to this Section, in whole or in part, and subject to such condition(s) as deemed necessary, and may attach to any permit granted for research related to the Sanctuary stipulations requiring that: (1) The Assistant Administrator or a designated representative may observe and monitor any activity permitted by this section; (2) any information obtained in the research site shall be made available to the public; (3) periodic reports of the status of progress of such activity be submitted; and (4) the Permittee shall fly the Sanctuary

research flag while working in the Sanctuary.

(g) A permit granted pursuant to this section is nontransferrable.

(h) The Assistant Administrator may amend, suspend or revoke a permit granted pursuant to this section, in whole or in part, if it is determined that the Permittee has acted in violation of the terms of the permit or of these regulations or for other good cause shown. Any such action shall be communicated in writing to the Permittee, and shall set forth the reason(s) for the action taken. Such action may be appealed as provided for in § 929.11.

§ 929.11 Appeals of administrative action

(a) The applicant for a permit or the Permittee, or any other interested person (hereafter Appellant) may appeal the granting, denial, conditioning or suspension of any permit under § 929.10 to the Administrator of NOAA. In order to be considered by the Administrator, such appeal shall be in writing, shall state the action(s) appealed and the reason(s) therefor, and shall be submitted within 30 days of the action(s) by the Assistant Administrator. The Appellant may request an informal hearing on the appeal.

(b) Upon receipt of an appeal authorized by this section, the Administrator may request the Appellant, and the permit applicant or Permittee if other than the Appellant, to submit such additional information and in such form as will allow action upon the appeal. The Administrator shall decide the appeal using the criteria set out in § 929.10 (a), (c) and (d) and any information relative to the application on file, any information provided by the Appellant, and such other consideration as is deemed appropriate. The Administrator shall notify the Appellant of the final decision and the reason(s) therefor, in writing, normally within 30 days of the date of the receipt of adequate information required to make the decision.

(c) If a hearing is requested or, if the Administrator determines that one is appropriate, the Administrator may grant an informal hearing before a Hearing Officer designated for that purpose, after first giving notice of the time, place, and subject matter of the hearing in the *Federal Register*. Such hearing shall normally be held no later than 30 days following publication of the notice in the *Federal Register* unless the Hearing Officer extends the time for reasons deemed equitable. The Appellant, the applicant or Permittee if different, and, other interested persons

may appear personally or by counsel at the hearing and submit such material and present such arguments as determined appropriate by the Hearing Officer. Within 30 days of the last day of the hearing, the Hearing Officer shall recommend a decision in writing to the Administrator.

(d) The Administrator may adopt the Hearing Officer's recommended decision, in whole or in part, or may reject or modify it. In any event, the Administrator shall notify the interested persons of his/her decision, and the reason(s) therefor in writing within 30 days of receipt of the recommended decision of the Hearing Officer. The Administrator's decision shall constitute final action for the Agency for the purposes of the Administrative Procedure Act.

(e) Any time limit prescribed in this section may be extended by the Administrator for good cause for a period not to exceed 30 days, either upon his/her own motion or upon written request from the Appellant, permit applicant or Permittee, stating the reason(s) therefor.

[FR Doc. 83-32539 Filed 12-8-83; 8:45 am]
BILLING CODE 3510-08-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 125, 225, and 356

[Docket No. RM83-40-000]

Retention of Records by Natural Gas Companies, Public Utilities, Licensees, and Oil Pipeline Companies

Issued: December 5, 1983.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rules; notice of effective date and corrections.

SUMMARY: This document gives notice of the effective date of a final rule in Docket No. RM83-40-000 (Order No. 335), issued September 27, 1983, amending regulations on the retention of records. The Commission is also correcting an error made in the final rule.

DATE: Order No. 335 is effective on December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Kenneth J. Malloy, Office of the General Counsel, 825 North Capitol Street, NE., Washington, D.C. 20426; (202) 357-8033.

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act, 44 U.S.C.

3501-3520 (Supp. V 1981) and the Office of Management and Budget's (OMB) regulations, 5 CFR Part 1320 (1983), require that OMB review certain information collection requirements imposed by agency rule. Upon approval, OMB issues a control number.

On September 27, 1983, the Federal Energy Regulatory Commission (Commission) issued a final rule in Docket No. RM83-40-000 (Order No. 335) amending its regulations on retention of records by public utilities, licensees, natural gas companies, and oil pipeline companies. Revisions to Regulations on Retention of Records by Natural Gas Companies, Public Utilities, Licensees and Oil Pipeline Companies, 48 FR 44477 (September 29, 1983). The Commission therein stated that the rule would be effective on November 28, 1983, unless the Commission did not receive OMB's approval by that time, in which case the Commission would temporarily suspend the effective date of the rule.

The Commission did not receive OMB's approval sufficiently prior to the effective date of the rule to avoid the necessity of publishing a suspension notice. The Commission, therefore, suspended the effective date of this rule until it received notice of OMB's approval. 48 FR 53694 (November 29, 1983).

The Commission has received notice that OMB approved this rule and assigned it OMB control number 1902-0098. Accordingly, this rule will now become effective on the date that this notice is published in the *Federal Register*.

In addition, the following corrections are made in FR Doc 83-7866, appearing on page 44484 of the September 29, 1983 issue of the *Federal Register* (Mimeo page 33).

1. Ordering paragraph 11 should read as follows:

11. Section 356.11 (Schedules of Records and Periods of Retention) is amended by removing entirely the following categories of records and their retention periods: A.3, A.4(e), A.5, A.6(d)-A.6(f), B.1, B.2(b)-B.2(g), B.3-B.7, C.3, C.4(c), C.4(d), C.5(b)-C.5(d), D. note, D.1(g), D.1(j), D.2(b), E.1, E.2(c)-E.2(j), F., G.2, G.3, H.1(b), H.2(b), H.2(c), H.3, H.4, I., J.1-J.11, K.2, K.6, L.1(b), L.1(c), L.2-L.5, and M.

2. A new ordering paragraph 14 should be added on page 44485 to read as follows:

12. The OMB control number is added parenthetically after each of the table of contents to Parts 125, 225, and 356, to read as follows:

(OMB Control Number 1902-0098)

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-32705 Filed 12-8-83; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 282

[Docket No. RM80-10-001]

Incremental Pricing Program; Order Extending Stay of Effective Date of Order No. 80

Issued December 1, 1983.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order extending stay of effective date of Order No. 80.

SUMMARY: On May 6, 1980, the Federal Energy Regulatory Commission (Commission) issued a final rule (Order No. 80, 45 FR 31,622 (May 13, 1980)) to implement Phase II of the incremental pricing program. That rule, which expands the scope of incremental pricing in accordance with section 202 of the Natural Gas Policy Act of 1978, was due to become effective October 5, 1983. On October 5, 1983, the Commission issued an order to stay the effective date for sixty days and proposed to extend the stay for an additional 120 days or until the Commission completes its reconsideration of Order No. 80, whichever is earlier. (48 FR 45,758 and 45,787 (Oct. 7, 1983).) After consideration of comments received, the Commission adopts its proposal and extends the stay of Order No. 80 until April 12, 1984, or until the Commission completes reconsideration of Order No. 80 whichever is earlier.

EFFECTIVE DATE: This order is effective December 1, 1983.

FOR FURTHER INFORMATION CONTACT: Barbara K. Christin, Federal Energy Regulatory Commission, Office of the General Counsel, 825 North Capitol Street NE., Washington, D.C. 20426. (202) 357-8033.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Federal Energy Regulatory Commission (Commission) is issuing this order to extend the stay of the effective date of the final regulations in Order No. 80¹ for 120 days or until the Commission completes reconsideration of the regulations in Order No. 80, whichever is earlier. Those regulations expand the scope of the incremental pricing program in accordance with section 202

¹ Final Rule, Docket No. RM80-10, issued May 6, 1980, 45 FR 31,622 (May 13, 1980).

of the Natural Gas Policy Act of 1978 (NGPA), 15 U.S.C. 3301-3432 (Supp. V 1981). Absent this Commission action, the regulations in Order No. 80 would become effective December 14, 1983.

II. Background

Title II of the NGPA requires the Commission to establish an incremental pricing program as a means of shifting part of the natural gas price increases resulting from the incentive pricing scheme established by the NGPA from residential and commercial users of natural gas to certain industrial users. Section 201 requires the Commission to issue an incremental pricing rule covering boiler fuel users of natural gas by November 9, 1979 (Phase I rule).² Section 202(a) requires the Commission to amend this rule within eighteen months in order to extend incremental pricing to other industrial users (Phase II rule).

On May 6, 1980, the Commission issued the Phase II rule (Order No. 80) as required by the NGPA. Order No. 80 was submitted to Congress pursuant to section 202(c) of the NGPA, and was to become effective ninety days following the expiration of a thirty-day review period if neither House of Congress passed a resolution of disapproval. On May 20, 1980, the House of Representatives passed a resolution of disapproval of the Phase II rule.

After the Phase II rule was disapproved by Congress, the Commission issued an order revoking the rule,³ stating that, in the event the legislative veto provision of section 202(c) was held unconstitutional, the Phase II rule should not become effective.⁴

In *Consumer Energy Council of America v. Federal Energy Regulatory Commission (CECA)*,⁵ the United States Court of Appeals for the District of Columbia Circuit held that the legislative veto provision of section 202(c) of the NGPA is severable from section 202 and unconstitutional. The court also held that the Commission's revocation of the Phase II rule was invalid because the Commission did not

provide adequate notice and opportunity for comment. As a result of this decision, which was affirmed by the United States Supreme Court,⁶ the Phase II rule was due to become effective October 15, 1983.

On October 5, 1983, the Commission stayed the effective date of Order No. 80 until December 14, 1983, and proposed to continue the stay for an additional 120 days or until it completes reconsideration of Order No. 80, whichever is earlier.⁷ The Commission invited written comments on its proposal and provided an opportunity for the oral presentation of data, views, and arguments on the stay and the proposal to extend the stay.

The Commission received 31 written comments, all of which support the proposal.⁸ Upon consideration of these comments, the Commission is adopting its proposal to extend the stay of the Order No. 80 regulations. Accordingly, the effective date of Order No. 80 is April 12, 1984, or the date on which the Commission completes reconsideration of the Phase II rule, whichever is earlier.

III. Discussion

In the October 5th order, the Commission announced its intention to reconsider the Phase II rule "in light of the relevant judicial opinions and a complete and updated record, as well as current market conditions."⁹ To this end, the Commission today is also issuing a Notice of Proposed Rulemaking in this docket (Docket No. RM80-10-002) to reopen the Phase II rulemaking proceeding.¹⁰

As previously stated in the October 5th stay order and reiterated by all the comments, the administrative burden to pipelines, distributors, and end users that would result if the rule becomes effective while it is being reconsidered may be unwarranted if the rule is ultimately modified or revoked. Furthermore, it appears that implementation of the Phase II rule at this time would not result in a counterbalancing benefit to the residential and commercial users that the incremental pricing program was designed to protect.

In addition, many commenters noted that postponement of the effective date is consistent with the alternatives discussed by the D.C. Circuit in the *CECA* decision. There, the court stated that the Commission may amend the substance of the rule or, in order to allow time for a thorough reconsideration, the Commission may postpone the effective date of Order No. 80.¹¹

Some commenters request that the Commission postpone the effective date of the Phase II rule indefinitely. They are concerned that, if the Commission's reconsideration of the rule is not completed by April 12, 1984, Order No. 80 may become effective. This result, the commenters argue, is inconsistent with the reasons given by the Commission for temporarily staying the effective date.

The Commission denies this request as unnecessary. The Commission intends to complete reconsideration of the Phase II rule before the expiration of the stay. The Commission does not wish to prolong the uncertainty as to the final outcome of this proceeding any longer than necessary. Of course, the Commission will consider issuing a further stay of the Phase II rule if it appears that final action in this docket will not be taken by April 12, 1984.

Accordingly, for the reasons discussed above, the Commission stays the effective date of the Phase II rule promulgated in Order No. 80 until April 12, 1984, or until it completes reconsideration of the rule, whichever is earlier. For the same reasons, the Commission finds good cause to make this order effective immediately.

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 83-32734 Filed 12-8-83; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 182 and 184

[Docket No. 81N-0340]

GRAS Status of Thiamine Hydrochloride and Thiamine Mononitrate

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is affirming that

² Those regulations were issued September 28, 1979, in Docket Nos. RM79-14 and RM79-21. 44 FR 57,728 (Oct. 5, 1979).

³ Order Denying Rehearing and Revoking Amendments Made by Order No. 80, issued August 1, 1980, Docket No. RM80-10, 45 FR 54,741 (Aug. 18, 1980).

⁴ For a more detailed discussion of the background of the proceeding in this docket, see Order Granting a Stay of Effective Date of Order No. 80 for 60 Days and Proposing Continuation of Stay for an Additional 120 Days, issued October 5, 1983, Docket no. RM80-10, 48 FR 45,758 and 45,787 (Oct. 7, 1983).

⁵ 673 F.2d 425 (D.C. Cir. 1982).

⁶ *Aff'd mem. sub nom. Process Gas Consumers Group v. Consumer Energy Council of America*, 51 U.S.L.W. 3935 (U.S. July 6, 1983); *reh. denied* 52 U.S.L.W. 3187 (U.S. Sept. 9, 1983).

⁷ Order Granting a Stay of Effective Date of Order No. 80 for 60 Days and Proposing Continuation of Stay for an Additional 120 Days, *supra* note 4.

⁸ No one requested an opportunity for the oral presentation of comments.

⁹ 48 FR at 45,788.

¹⁰ The Notice proposes not to implement the Phase II rule by granting an exemption under section 208(d) of the NGPA to all industrial non-boiler fuel users.

¹¹ 673 F.2d. at 434, 479.

thiamine hydrochloride and thiamine mononitrate are generally recognized as safe (GRAS) as direct human food ingredients. The safety of these ingredients has been evaluated under the comprehensive safety review conducted by the agency.

DATES: Effective January 9, 1984. The Director of the Federal Register approves the incorporation by reference of certain publications at 21 CFR 184.1875 and 184.1878 effective on January 9, 1984.

FOR FURTHER INFORMATION CONTACT: Leonard C. Gosule, Bureau of Foods (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, D.C. 20204, 202-426-9463.

SUPPLEMENTARY INFORMATION: In the Federal Register of October 26, 1982 (47 FR 47438), FDA published a proposal to affirm that thiamine hydrochloride and thiamine mononitrate are GRAS for use as direct human food ingredients. FDA published the proposal in accordance with its announced review of the safety of GRAS and prior-sanctioned food ingredients.

In accordance with § 170.35 (21 CFR 170.35), copies of the scientific literature review and the report of the Select Committee on GRAS Substances (the Select Committee) on thiamine hydrochloride and thiamine mononitrate are available for public review in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857. Copies of these documents also are available for public purchase from the National Technical Information Service, as announced in the proposal.

In addition to proposing to affirm the GRAS status of thiamine hydrochloride and thiamine mononitrate, FDA gave public notice that it was unaware of any prior-sanctioned food uses for these ingredients other than proposed conditions of use. Persons asserting additional or extended uses in accordance with approvals granted by the U.S. Department of Agriculture or FDA before September 6, 1958, were given notice to submit proof of those sanctions, so that the safety of any prior-sanctioned uses could be determined. That notice was also an opportunity to have prior-sanctioned uses of thiamine hydrochloride and thiamine mononitrate recognized by issuance of an appropriate regulation under Part 181—Prior-Sanctioned Food Ingredients (21 CFR Part 181) or affirmed as GRAS under Part 184 or 186 (21 CFR Part 184 or 186), as appropriate.

FDA also gave notice that failure to submit proof of an applicable prior sanction in response to the proposal

would constitute a waiver of the right to assert that sanction at any future time.

No reports of prior-sanctioned uses for thiamine hydrochloride or thiamine mononitrate were submitted in response to the proposal. Therefore, in accordance with the proposal, any right to assert a prior sanction for use of thiamine hydrochloride or thiamine mononitrate under conditions different from those set forth in this final rule has been waived.

Two comments were received in response to the agency's proposal on these ingredients. A summary of the comments and the agency's response to them follow:

1. One comment reported that thiamine mononitrate has a diuretic effect when added to foods. However, the comment included no information to document or to substantiate that claim.

The Select Committee did not cite this effect in its 1978 report on thiamine hydrochloride and thiamine mononitrate. FDA is aware that diuresis is observed in edematous patients receiving thiamine hydrochloride or thiamine mononitrate for the treatment of beri-beri. However, a search of the scientific literature published between 1978 and 1983 have revealed no information that suggests that thiamine hydrochloride or thiamine mononitrate exhibits diuretic action in individuals who are not deficient in vitamin B₁. Therefore, the agency has concluded that diuresis is not likely to result from exposure to thiamine hydrochloride or thiamine mononitrate at exposure levels that are likely to occur from their addition to foods and has not modified the proposed regulations in response to this comment.

2. One comment reported that benfotiamine [N-[[4-amino-2-methyl-5-pyrimidinyl)methyl]-N-(4-hydroxy-2-mercapto-1-methyl-1-butenyl)formamide-S-thiobenzoate dihydrogen phosphate, CAS Reg. No. 22457-89-2] exhibits thiamine activity roughly equivalent to that of thiamine hydrochloride when administered orally. The comment requested that the agency include benfotiamine in its regulations for use as a direct human food ingredient. The comment contained scientific information to support this request.

On the basis of the information submitted with this comment, FDA concludes that benfotiamine has no history of use in foods and is a significantly different product both structurally and chemically from thiamine hydrochloride and thiamine mononitrate. Thus review of the safety of this substance is beyond the scope of the review of the GRAS status of

thiamine hydrochloride and thiamine mononitrate. Therefore, the agency is not modifying the proposal in response to this comment. Interested parties may obtain agency evaluation of the use of benfotiamine as a food ingredient through the GRAS or food additive petition procedures described in § 170.35 or § 171.1 (21 CFR 170.35 or 171.1).

The agency is thus issuing the proposed rule as a final rule without change.

The agency has previously determined under 21 CFR 25.24(d)(6) (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. FDA has not received any new information or comments that would alter its previous determination.

In accordance with the Regulatory Flexibility Act, the agency has previously considered the potential effects that this rule would have on small entities, including small businesses. In accordance with section 605(b) of the Regulatory Flexibility Act, the agency has determined that no significant impact on a substantial number of small entities would derive from this action. FDA has not received any new information or comments that would alter its previous determination.

In accordance with Executive Order 12291, the agency has previously considered the potential economic effects of this final rule. As announced in the proposal, the agency has determined that the rule is not a major rule as defined by that Order. FDA has not received any new information or comments that would alter its previous determination.

The agency's findings of no major economic impact and no significant impact on a substantial number of small entities, and the evidence supporting these findings, are contained in a threshold assessment which may be seen in the Dockets Management Branch (address above).

List of Subjects

21 CFR Part 182

Generally recognized as safe (GRAS) food ingredients, Spices and flavorings.

21 CFR Part 184

Direct food ingredients, Food ingredients, Generally recognized as safe (GRAS) food ingredients, Incorporation by reference.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348,

371(a)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), Parts 182 and 184 are amended as follows:

**PART 182—SUBSTANCES
GENERALLY RECOGNIZED AS SAFE**

§§ 182.8875 and 182.8878 (Removed)

1. Part 182 is amended by removing § 182.8875 *Thiamine hydrochloride* and § 182.8878 *Thiamine mononitrate*.

**PART 184—DIRECT FOOD
SUBSTANCES AFFIRMED AS
GENERALLY RECOGNIZED AS SAFE**

2. Part 184 is amended:

a. By adding new § 184.1875, to read as follows:

§ 184.1875 Thiamine hydrochloride.

(a) Thiamine hydrochloride ($C_{12}H_{17}ClN_4OS$, CAS Reg. No. 67-03-8) is the chloride-hydrochloride salt of thiamine. It occurs as hygroscopic white crystals or a white crystalline powder. The usual method of preparing this substance is by linking the preformed thiazole and pyrimidine ring systems.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d Ed. (1981), p. 324, which is incorporated by reference. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, D.C. 20418, or available for inspection at the Office of the Federal Register, 1100 L St. NW., Washington, D.C. 20408.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

(1) The ingredient is used as a flavoring agent and adjuvant as defined in § 170.3(o)(12) of this chapter or as a nutrient supplement as defined in § 170.3(o)(20) of this chapter.

(2) The ingredient is used in food at levels not to exceed current good manufacturing practice. Thiamine hydrochloride may be used in infant formula in accordance with section 412(g) of the Federal Food, Drug, and Cosmetic Act (the act) or with regulations promulgated under section 412(a)(2) of the act.

(d) Prior sanctions for this ingredient different from the uses established in

this section do not exist or have been waived.

b. By adding new § 184.1878, to read as follows:

§ 184.1878 Thiamine mononitrate.

(a) Thiamine mononitrate ($C_{12}H_{17}N_5O_4S$, CAS Reg. No. 532-43-4) is the mononitrate salt of thiamine. It occurs as white crystals or a white crystalline powder and is prepared from thiamine hydrochloride by dissolving the hydrochloride salt in alkaline solution followed by precipitation of the nitrate half-salt with a stoichiometric amount of nitric acid.

(b) The ingredient meets the specifications of the Food Chemicals Codex, 3d Ed. (1981), p. 325, which is incorporated by reference. Copies are available from the National Academy Press, 2101 Constitution Ave. NW., Washington, D.C. 20418, or available for inspection at the Office of the Federal Register, 1100 L St. NW., Washington, D.C. 20408.

(c) In accordance with § 184.1(b)(1), the ingredient is used in food with no limitation other than current good manufacturing practice. The affirmation of this ingredient as generally recognized as safe (GRAS) as a direct human food ingredient is based upon the following current good manufacturing practice conditions of use:

(1) The ingredient is used as a nutrient supplement as defined in § 170.3(o)(20) of this chapter.

(2) The ingredient is used in food at levels not to exceed current good manufacturing practice. Thiamine mononitrate may be used in infant formula in accordance with section 412(g) of the Federal Food, Drug, and Cosmetic Act (the act) or with regulations promulgated under section 412(a)(2) of the act.

(d) Prior sanctions for this ingredient different from the uses established in this section do not exist or have been waived.

Effective date. This regulation shall be effective January 9, 1984.

(Secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348, 371(a)))

Dated: November 2, 1983.

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

(FR Doc. 83-32771 Filed 12-6-83; 8:45 am)

BILLING CODE 4160-01-M

**UNITED STATES INFORMATION
AGENCY**

22 CFR Part 514

Exchange Visitor Programs

AGENCY: United States Information Agency.

ACTION: Announcement of effective date; OMB Approval Number.

SUMMARY: By publication of an interim rule in 48 FR 50707 November 3, 1983, the United States Information Agency modified 22 CFR Part 514. The interim rule became effective on that date. However, the effective date for § 514.13(b)(12) regarding teenager-exchange visitors was to be published at a later date. The purpose of this publication is to notify the public of the November 3, 1983 effective date, that the OMB Approval Number is 3116-0170, and to modify the interim rule accordingly.

EFFECTIVE DATE: The effective date for 22 CFR § 514.13(b)(12) is November 3, 1983.

FOR FURTHER INFORMATION CONTACT: Richard L. Fruchterman, Assistant General Counsel, United States Information Agency, 400 "C" Street, S.W., Room 700, Washington, D.C. 20547, (202) 485-7976.

SUPPLEMENTARY INFORMATION: The Agency published an interim rule November 3, 1983 at 48 FR 50707 modifying 22 CFR Part 514. The Agency is now amending that interim rule by inserting the OMB approval number for information collection in § 514.13(b)(12). The following is added to at the end of § 514.13:

(OMB Approval Number 3116-0170)

Dated: December 5, 1983.

Jonathan W. Sloat,
*General Counsel and Congressional Liaison,
United States Information Agency.*

(FR Doc. 83-32787 Filed 12-6-83; 8:45 am)

BILLING CODE 8230-01-M

22 CFR Part 514

Exchange Visitor Programs

AGENCY: United States Information Agency.

ACTION: Interim rule; Extension of time for comment.

SUMMARY: By notice published in 48 FR 50707, November 3, 1983, the due date for comments for the interim rules regarding Exchange Visitors at 22 CFR Part 514 was set for December 5, 1983.

This notice extends the due date for comments to January 5, 1984.

DATE: Comments are due January 5, 1984.

ADDRESS: Send comments to: Richard L. Fruchterman, Assistant General Counsel, United States Information Agency, 400 "C" Street, S.W., Room 700, Washington, D.C. 20547.

FOR FURTHER INFORMATION CONTACT: Richard L. Fruchterman, (202) 485-7976.

SUPPLEMENTARY INFORMATION: By notice published in 48 FR 50707, November 3, 1983 the due date for comments for the interim rules regarding Exchange Visitors at 22 CFR Part 514 was set for December 5, 1983. This notice extends the due date for comments to January 5, 1984.

Dated: December 5, 1983.

Jonathan W. Sloot,
General Counsel and Congressional Liaison,
United States Information Agency.

[FR Doc. 83-32786 Filed 12-8-83; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 505

[Army Reg. 340-21]

Privacy Act of 1974; Personal Privacy and Rights of Individuals Regarding Personal Records

AGENCY: Department of the Army, DOD.

ACTION: Final rule.

SUMMARY: The Army hereby deletes exemption rules for systems of records A0201.08aDACS, A0201.08cOSA, and A0727.050SA and adopts exemption rule for system of records A0241.01HQDA.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Mrs. Dorothy Karkanen, Office of the Adjutant General, Headquarters, Department of the Army (DAAG-AMR-S), 2461 Eisenhower Avenue, Alexandria, VA 22331; telephone: 703/325-6163.

SUPPLEMENTARY INFORMATION: At 48 FR 50775, November 3, 1983, the Army proposed to delete exemptions pertaining to systems of records A0201.08aDACS, A0201.08cOSA and A0727.050SA and to adopt an exemption rule for system of records, A0241.01HQDA, entitled: "HQDA Control/Central File System".

List of Subjects in 32 CFR Part 505

Privacy.

PART 505—[AMENDED]

In that no comments were received concerning these proposed amendments, the rules are adopted as proposed and § 505.9 of 32 CFR is amended by removing Exempted Record Systems A0201.08aDACS, A0201.08cOSA, and A0727.050SA and by adding the following:

§ 505.9 Exemption rules for Army systems of records.

• • • • •
(b) • • • • •
Exempted Record System
(Specific Exemptions)
ID-A0241.01HQDA

SYSNAME—HQDA Correspondence and Control/Central File System.

EXEMPTION—Portions of this system of records which fall within 5 U.S.C. 552a(k) are exempt from the following provisions of 5 U.S.C. 552a: (c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H), and (f).

Authority: 5 U.S.C. 552a(k) (1), (2), (3), (4), (5), (6), and (7).

REASON—Documents are generated by other elements of the Army or are received from other agencies and individuals. Because of the broad scope of the contents of this system and since the introduction of documents is largely unregulatable, specific portions or documents that may require an exemption cannot be predetermined. Therefore, and to the extent that such material is received and maintained, selected individual documents may be exempted from disclosure under any of the provisions of sections (k)(1) through (k)(7) of 5 U.S.C. 552a.

M. S. Healy,

OSD Federal Register Liaison Officer,
Department of Defense.

December 6, 1983.

[FR Doc. 83-32902 Filed 12-8-83; 8:45 am]

BILLING CODE 3710-08-M

POSTAL SERVICE

39 CFR Part 952

Rules of Practice in Proceedings Relative to False Representation and Lottery Orders

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: Public Law 98-186 of November 30, 1983 authorizes the Postal Service to issue orders requiring that persons or their representatives who have been found in proceedings under 39 CFR Part 952 to be engaged in a scheme or device to obtain money or property through the mails by means of false representatives or by the conduct of a lottery or gift enterprise, cease and desist from engaging in any such scheme, device, lottery or gift enterprise

(39 U.S.C. 3005(a)(3)). The following rule amends the existing Rules of Practice to reflect this additional authority.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: James A. Cohen (202) 245-4912.

SUPPLEMENTARY INFORMATION: 39 U.S.C. 3005(a), as amended by Public Law 98-186, provides that upon evidence satisfactory to the Postal Service that any person is engaged in conducting a scheme or device to obtain money or property through the mail by means of false representations, or is engaged in conducting a lottery, gift enterprise, or scheme for the distribution of money or of real or personal property, by lottery, chance, or drawing of any kind, the Postal Service may issue an order which (1) directs the postmaster serving that person's address to return to senders mail addressed to such person or to his representative marked as in violation of 39 U.S.C. 3005(a); (2) forbids the payment by the postmaster of money orders drawn to such person or to his representative; and (3) requires such person or his representative to cease and desist from engaging in any such scheme, device, lottery, or gift enterprise. Orders authorized by this section are issued by the Judicial Officer of the Postal Service following administrative hearings prescribed in the Rules of Practice at 39 CFR Part 952. At present, Part 952 reflects the authority of the Judicial Officer to issue the orders described in 39 U.S.C. 3005(a) (1) and (2). This rule amends the Rules of Practice to reflect the cease and desist order described in 39 U.S.C. 3005(a)(3).

In substance, the rule amends Part 952 to reflect the cease and desist order authority conferred by 39 U.S.C. 3005(a)(3); to provide that orders pursuant to this authority may be proposed by the parties to the administrative hearings; to require the Administrative Law Judge presiding over such hearings to include in their Initial Decisions recommended cease and desist orders; to provide that cease and desist orders may be issued by the Judicial Officer; and to provide that any cease and desist order issued by the Judicial Officer shall be served upon the Respondent or his agent.

The Postal Service will not exercise the authority conferred by 39 U.S.C. 3005(a)(3) prior to the effective date of this rule. Only complaints and petitions filed after the effective date of this rule, and requesting orders authorized by 39 U.S.C. 3005(a)(3), will be considered by the Judicial Officer as subject to the authority conferred by 39 U.S.C.

3005(a)(3). Because the rule is hereby made inapplicable to cases pending prior to its effective date, and is a rule of practice (5 U.S.C. 553(b)), not a substantive rule (5 U.S.C. 553(d)), its effective date need not be deferred. Accordingly, this rule is published as a final rule.

List of Subjects in 39 CFR Part 952

Administrative practice and procedure, Fraud, Lotteries.

PART 952—RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO FALSE REPRESENTATION AND LOTTERY ORDERS

Accordingly, 39 CFR is amended as follows:

1. Revise § 952.5 to read as follows:

§ 952.5 Complaints.

When the General Counsel of the Postal Service or his designated representative believes that a person is using the mails in a manner requiring formal administrative action under 39 U.S.C. 3005, he shall prepare and file with the Recorder a complaint which names the person involved; states the name, address and telephone number of the attorney representing Complainant; states the legal authority and jurisdiction under which the proceeding is initiated; states the facts in a manner sufficient to enable the person named therein to make answer thereto; and requests the issuance of an appropriate order or orders. Complainant shall attach to the complaint a copy of the order or orders requested which may, at any time during the proceedings, be modified. The person named in the complaint shall be known as the "Respondent", and the General Counsel shall be known as the "Complainant."

The term "person" (1 U.S.C. 1) shall include any name, address, number or other designation under or by use of which the Respondent seeks remittances of money or property through the mail.

2. Revise paragraph (b) of § 952.7 to read as follows:

§ 952.7 Notice of answer and hearing.

(b) Where a complaint is filed against a Respondent whose mailing address is not within the United States, the Judicial Officer shall review the complaint and any supporting information and determine whether a prima facie showing has been made that Respondent is engaged in conduct warranting issuance of the orders authorized by 39 U.S.C. 3005(a). Where he concludes that a prima facie showing has not been made he shall dismiss the

complaint. Where he concludes that a prima facie showing has been made, he shall issue a tentative decision and orders which: set forth findings of fact and conclusions of law; direct Respondent to cease and desist from engaging in conduct warranting the issuance of an order authorized by 39 U.S.C. 3005(a); direct that postal money orders drawn to the order of Respondent not be paid for 45 days from date of the tentative decision; direct that mail addressed to Respondent be forwarded to designated facilities and detained for 45 days from the date of the tentative decision subject to survey by Respondent and release of mail unrelated to the matter complained of; and provide that unless Respondent presents, within 45 days of the date of the tentative decision, good cause for dismissing the complaint, or modifying the tentative decision and orders, the tentative decision and orders shall become final. The Judicial Officer may, upon a showing of good cause made within 45 days of the date of the tentative decision, hold a hearing to determine whether the tentative decision and orders should be revoked, modified or allowed to become final. Should a hearing be granted, the Judicial Officer may modify the tentative decision and orders to extend the time during which the payment of postal money orders payable to Respondent is suspended and mail addressed to Respondent is detained.

3. Revise § 952.11 to read as follows:

§ 952.11 Default.

(a) If the Respondent fails to file an answer within the time specified in the notice of answer and hearing, he shall be deemed in default, and to have waived hearing and further procedural steps. The Judicial Officer shall thereafter issue orders without further notice to the Respondent.

(b) If the Respondent files an answer but fails to appear at the hearing, the Respondent may, unless timely indications to the contrary are received, be deemed to have abandoned the intention to present a defense to the charges of the complaint, and the Judicial Officer, without further notice to Respondent, may issue the orders sought in the complaint.

4. Revise § 952.23 to read as follows:

§ 952.23 Proposed findings and conclusions.

(a) Each party to a proceeding, except one who fails to answer the complaint or, having answered, either fails to appear at the hearing or indicates in the answer that he does not desire to

appear, may, unless at the discretion of the presiding officer such is not appropriate, submit proposed findings of fact, conclusions of law, orders and supporting reasons either in oral or written form in the discretion of the presiding officer. The presiding officer may also require parties to any proceeding to submit proposed findings of fact, conclusions of law, orders, and supporting reasons. Unless given orally, the date set for filing of proposed findings of fact, conclusions of law, orders and supporting reasons shall be within 15 days after the delivery of the official transcript to the Recorder who shall notify both parties of the date of its receipt. The filing date for proposed findings of fact, conclusions of law, orders and supporting reasons shall be the same for both parties. If not submitted by such date, or unless extension of time for the filing thereof is granted, they will not be included in the record or given consideration.

(b) Except when presented orally before the close of the hearing, proposed findings of fact shall be set forth in serially numbered paragraphs and shall state with particularity all evidentiary facts in the record with appropriate citations to the transcript or exhibits supporting the proposed findings. Each proposed conclusion shall be separately stated.

(c) Except when presented orally before the close of the hearing, proposed orders shall state the statutory basis of the order and, with respect to orders proposed to be issued pursuant to 39 U.S.C. 3005(a)(3), shall be set forth in serially numbered paragraphs stating with particularity the representations Respondent and its representatives shall cease and desist from using for the purpose of obtaining money or property through the mail.

5. Revise § 952.24 to read as follows:

§ 952.24 Decisions.

(a) *Initial decision by Administrative Law Judge.* A written initial decision shall be rendered by an Administrative Law Judge with all due speed. The initial decision shall include findings and conclusions with the reasons therefor upon all the material issues of fact or law presented on the record, and the appropriate orders or denial thereof. The initial decision shall become the final Agency decision unless an appeal is taken in accordance with § 952.25.

(b) *Tentative or final decision by the Judicial Officer.* When the Judicial Officer presides at the hearing he shall issue a final or a tentative decision. Such decision shall include findings and conclusions with the reasons therefor

upon all the material issues of fact or law presented on the record, and the appropriate orders or denial thereof. The tentative decision shall become the final Agency decision unless exceptions are filed in accordance with § 952.25.

(c) *Oral decisions.* The presiding Officer may render an oral decision (an initial decision by an Administrative Law Judge, or a tentative or final decision by the Judicial Officer) at the close of the hearing when the nature of the case and the public interest warrant. A party who desires an oral decision shall notify the presiding officer and the opposing party at least 5 days prior to the date set for the hearing. Either party may submit proposed findings, conclusions, and proposed orders either orally or in writing at the conclusion of the hearing.

6. Revise § 952.25(e)(3) to read as follows:

§ 952.25. **Exceptions to initial decision or tentative decision.**

(e) * * *

(3) Numbered exceptions to specific findings and conclusions of fact, conclusions of law, or recommended orders of the presiding officer in briefs on appeal or in support of exceptions.

7. Redesignate existing text of § 952.28 as paragraph (a) and add new paragraph (b) to read as follows:

§ 952.28 **Orders**

(b) If an order is issued which requires the Respondent to cease and desist from using certain representations for the purpose of obtaining money or property through the mail, it shall be incorporated in the record of the proceeding and a copy thereof shall be served upon the Respondent or his agent by certified mail or by personal service, or if no person can be found to accept service, service shall be accomplished by ordinary mail to the last known address of Respondent or his agent. If service is not accomplished by certified mail, a statement, showing the time and place of delivery, signed by the postal employee who delivered the order, shall be forwarded to the Recorder.

8. Revise § 952.29 to read as follows:

§ 952.29 **Modification or revocation of orders.**

A party against whom an order or orders have been issued may file an application for modification or

revocation thereof. The Recorder shall transmit a copy of the application to the General Counsel, who shall file a written reply within 10 days after filing or such other period as the Judicial Officer may fix. A copy of the reply shall be sent to the applicant by the Recorder. Thereafter an order granting or denying such application will be issued by the Judicial Officer.

9. Revise § 952.30 to read as follows:

§ 952.30 **Supplemental orders.**

When the General Counsel or his designated representative shall have reason to believe that a person is evading or attempting to evade the provisions of any such orders by conducting the same or a similar enterprise under a different name or at a different address he may file a petition with accompanying evidence setting forth the alleged evasion or attempted evasion and requesting the issuance of a supplemental order or orders against the name or names allegedly used. Notice shall then be given by the Recorder to the person that the order has been requested and that an answer may be filed within 10 days of the notice. The Judicial Officer, for good cause shown, may hold a hearing to consider the issues in controversy, and shall, in any event, render a final decision granting or denying the supplemental order or orders.

10. Revise § 952.33 to read as follows:

§ 952.33 **Public Information.**

The Law Librarian of the Postal Service maintains for public inspection in the Law Library copies of all initial, tentative and final Agency decisions and orders. The Recorder maintains the complete official record of every proceeding.

(39 U.S.C. 204, 401, 3005)

W. Allen Sanders,

Associate General Counsel, Office of General Law and Administration.

[PR Doc. 83-32811 Filed 12-8-83; 8:45 am]

BILLING CODE 7710-12-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 145

[WH-FRL-2478-8]

West Virginia Department of Natural Resources; Underground Injection Control Program Approval

AGENCY: Environmental Protection Agency.

ACTION: Approval of State Program.

SUMMARY: The State of West Virginia has submitted an application under Sections 1422 and 1425 of the Safe Drinking Water Act for the approval of an Underground Injection Control (UIC) program governing Classes I, II, III, IV, and V injection wells. After careful review of the application, the Agency has determined that the State's injection well program for Classes I, III, IV, and V injection wells meets the requirements of Section 1422 of the Act, and that the State's injection well program for Class II oil and natural gas related wells meets the requirements of Section 1425 of the Act. Therefore, this application covering Classes I-V injections is approved.

EFFECTIVE DATE: This approval is effective January 9, 1984.

FOR FURTHER INFORMATION CONTACT: S. Stephen Platt, (3WM42), Environmental Protection Agency, Region III, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106. PH: (215) 597-9017.

SUPPLEMENTARY INFORMATION: Part C of the Safe Drinking Water Act (SDWA) provides for an Underground Injection Control (UIC) program. Section 1421 of the SDWA requires the Administrator to promulgate minimum requirements for effective State programs to prevent underground injection which endangers drinking water sources. The Administrator is also to list in the Federal Register each State for which, in his judgment, a State UIC program may be necessary. Each State listed shall submit to the Administrator an application which contains a showing satisfactory to the Administrator that the State: (i) Has adopted after reasonable notice and public hearings, a UIC program which meets the requirements of regulations in effect under Section 1421 of the SDWA; and (ii) will keep such records and make such reports with respect to its activities under its UIC program as the Administrator may require by regulations. After reasonable opportunity for public comment, the Administrator shall by rule approve, disapprove or approve in part and disapprove in part, the State's UIC program.

The SDWA was amended on December 5, 1980, to include Section 1425, which establishes an alternative method by which a State may obtain primary enforcement responsibility for those portions of its UIC program

related to the recovery and production of oil and natural gas (Class II wells). Specifically, instead of meeting the Federal Regulations (40 CFR Parts 124, 144 and 145) and related Technical Criteria and Standards (40 CFR 146), a State may demonstrate that its program meets the more general statutory requirements of Section 1421(b)(1) (A) through (D) and represents an effective program to prevent endangerment of underground sources of drinking water.

The State of West Virginia was listed as needing a UIC program on September 25, 1978 (43 FR 43420). The State submitted an application under Sections 1422 and 1425 on March 21, 1983, for a UIC program to be administered by the West Virginia Department of Natural Resources (WVDNR). On April 14, 1983, EPA published notice of receipt of the application, requested public comments, and offered a public hearing on the UIC program submitted by the WVDNR (48 FR 16079). Neither requests for public hearing nor requests to offer testimony at such hearing were received by EPA. Therefore, pursuant to the provisions of 40 CFR 145.31(c), the public hearing was cancelled because of lack of sufficient public interest. After careful review of the application and the Responsiveness Summary, I have determined that the West Virginia UIC program for Classes I, II, III, IV, and V injection wells submitted by the WVDNR meets the requirements established by the Federal regulations pursuant to Sections 1422 and 1425 of the SDWA and, hereby, approve it. The effect of this approval is to establish this program as the applicable underground injection control program under the SDWA for the State of West Virginia. The requirements of this program include state statutes and regulations set forth at: West Virginia Code, Chapter 20, Article 5A; Chapter 22, Articles 4, 4A, and 7; Chapter 29A, and Chapter 29B; and West Virginia Administrative Regulations, State Water Resources Board, Series IX and X; West Virginia Administrative Regulations, Director, Department of Natural Resources, Series XV; West Virginia Administrative Regulations, Department of Mines, Series I and V; and West Virginia Administrative Regulations, Oil and Gas Conservation Commission, Series I.

The terms listed below comprise a complete listing of the thesaurus terms associated with 40 CFR Part 145, which sets forth the requirements for a State requesting the authority to operate its own permit program of which the Underground Injection Control program

is a part. These terms may not all apply to this particular notice.

OMB Review

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

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I certify that approval by EPA under Section 1422 of the Safe Drinking Water Act of the application by the West Virginia Department of Natural Resources will not have a significant economic impact on a substantial number of small entities, since this rule only approves State actions. It imposes no new requirements on small entities.

List of Subjects in 40 CFR Part 145

Indians—lands, Reporting and recordkeeping requirements, Intergovernmental relations, Penalties, Water supply, Confidential business information.

Dated: December 6, 1983.
William D. Ruckelshaus,
Administrator.
[FR Doc. 83-32797 Filed 12-8-83; 8:45 am]
BILLING CODE 6560-50-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 431, 434, 435, and 447

State Medicaid Contracts

Correction

In FR Doc. 83-31585 beginning on page 54013 in the issue of Wednesday, November 30, 1983, make the following corrections:

1. On page 54014, the first column, the eighth line, the word "prepared" should read "prepaid".
2. On page 54021, in § 434.1(a), the middle column, the tenth line, the word "for" should read "forth".
3. On the same page, on § 434.2, under the definition for "Health insuring organization", in paragraph (a), the third line, the word "changes" should read "charge".
4. On page 54024, in § 434.50(b), the middle column, the second line, the word "servies" should read "services".

BILLING CODE 1505-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1152

[Ex Parte No. 274 (Sub-9)]

Abandonment of Railroad Lines and Discontinuance of Service; Offers of Financial Assistance

AGENCY: Interstate Commerce Commission.

ACTION: Final rules.

SUMMARY: The Commission is modifying its regulations at 49 CFR 1152.27 which govern offers of financial assistance under 49 U.S.C. 10905 to reduce the amount of information required to be submitted with the offer of financial assistance. The revised rules (proposed at 48 FR 27269, June 14, 1983) modify the content and filing requirements for submissions to the Commission, the procedures to be followed with requests to set terms and conditions, and the issuance of abandonment certificates following unsuccessful financial assistance proceedings. The decisions also discusses intracorporate transactions involving lines acquired or to be acquired under section 10905 and the applicability of the regulations to abandonments by the Consolidated Rail Corporation.

EFFECTIVE DATE: These rules are effective on January 9, 1984.

FOR FURTHER INFORMATION CONTACT:

Louis E. Gitomer (202) 275-7245
Wayne A. Michel (202) 275-7657

or

Karen Osterloh (202) 275-7483

SUPPLEMENTARY INFORMATION: This action will not have a significant effect on the quality of the human environment or energy consumption. This action will not have a significant economic impact on a substantial number of small entities because the amount of information required in an initial offer of financial assistance has been reduced.

The rules are issued under the authority of 5 U.S.C. 553 and 49 U.S.C. 10321 and 10905.

List of Subjects in 49 CFR Part 1152

Administrative practice and procedure, Railroads.

Additional information is contained in the Commission's full decision. To purchase a copy of the decision write to T. S. InfoSystems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289-4387 (D.C. Metropolitan Area) or toll free (800) 424-5403.

Decided: November 23, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre and Cradison.

James H. Bayne,
Acting Secretary.

Appendix

PART 1152—[AMENDED]

49 CFR Part 1152 is amended by revising § 1152.27 to read as follows:

§ 1152.27 Financial assistance procedures.

(a) *Provision of information.* An applicant must provide promptly upon request to a party considering an offer of financial assistance, and concurrently to the Commission, the following:

(1) An estimate of the annual subsidy and minimum purchase price required to keep the line or a portion of the line in operation;

(2) Its most recent reports on the physical condition of that part of the line involved in the proposed abandonment or discontinuance; and

(3) Traffic, revenue, and other data necessary to determine the amount of annual financial assistance that would be required to continue rail transportation over that part of the railroad line.

(b) *Federal Register Notice.* If the Commission finds that the present or future public convenience and necessity permit or require the proposed abandonment or discontinuance, the Commission will publish these findings in the *Federal Register* concurrently with the service of the decision. The *Federal Register* publication will serve as notice to persons intending to offer financial assistance to assure continued rail service under 49 U.S.C. 10905 and these regulations.

(c) *Submission of Financial Assistance Offer*—(1) *Service and Filing:* An offeror must serve its offer of assistance on the carrier owning and operating the line and all parties to the abandonment or discontinuance proceeding. The offer must be filed concurrently with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

(i) An offer may be filed and served at any time after the filing of the abandonment or discontinuance application. Once notice of the abandonment findings is published in the *Federal Register*, however, the Commission must be notified that an offer has previously been submitted.

(ii) An offer, or notification of a previously filed offer, must be filed and served no later than 10 days after the *Federal Register* publication described in paragraph (b) of this section. This

filing and service is subject to the requirements of 49 CFR 1152.25(d) (1) through (4).

(iii) If, after a *bona fide* request, applicant has failed to provide a potential offeror promptly with the information required under paragraph (a) of this section and if that information is not contained in the application, the Commission will entertain petitions to toll the 10-day period for submitting offers of financial assistance under paragraph (c)(1) of this section. Petitions must be filed with the Commission within 5 days after publication in the *Federal Register* [described in paragraph (b) of this section]. Petitions should include copies of the prior written request for information or an accurate outline of the specific information that was orally requested. Replies to these petitions must be filed within 10 days after the publication. These petitions and replies must be filed on or before their actual due date under 49 CFR 1152.25(d)(4). The Commission will issue a decision on petitions within 15 days after publication.

(2) *Contents of Offer.* The offeror shall set forth its offer in detail. The offer must:

(i) Identify the line, or the portion of the line, in question;

(ii) Demonstrate that the offeror is financially responsible; that is, that it has or within a reasonable time will have the financial resources to fulfill proposed contractual obligations;

(iii) Explain the disparity between the offeror's purchase price or subsidy if it is less than the carrier's estimate under paragraph (a)(1) of this section, and explain how the offer of subsidy or purchase is calculated.

(d) *Access to documents.* Upon receipt by the carrier of a written comment under § 1152.25 indicating an intent to offer financial assistance or upon receipt by the carrier of an offer of financial assistance, whichever occurs earlier, the carrier must make available to that party or offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit 1 (§ 1152.36). These documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

(e) *Review of offers.* The Commission will review each offer submitted to determine if the offeror is a financially responsible person offering assistance which is likely to cover: (1) the difference between the revenues attributable to the line and the avoidable cost of providing freight service on the line plus a reasonable return on the value of the line, or (2) the acquisition cost of all or any portion of

the line. If these criteria are met, the Commission will issue a decision postponing the issuance of a certificate of abandonment or, if a certificate has been issued, postponing the effective date of the certificate. This decision will be issued within 15 days of the *Federal Register* publication described in paragraph (b) of this section [or five days after the offer is filed if the time for filing has been tolled under paragraph (c)(1)(iii) of this section].

(f) *Agreement on financial assistance.* (1) If the carrier and a person offering financial assistance enter into a subsidy agreement designed to provide for continued rail service, the Commission will postpone the issuance of a certificate authorizing the abandonment or discontinuance. If a certificate has been issued, the Commission will postpone the effective date of the certificate. The postponement will be for as long as the subsidy agreement is in effect.

(2) If the carrier and a person offering to purchase a line enter into a purchase agreement which will result in continued rail service, the Commission will approve the transaction and dismiss the application for abandonment or discontinuance. Commission approval is not required under 49 U.S.C. 10901 or 11343 for the parties to consummate the transaction or for the purchaser to institute service and operate as a railroad subject to 49 U.S.C. 10501(a).

(g) *Failure to reach agreement on financial assistance.* (1) If the carrier and a financially responsible person fail to agree on the amount or terms of subsidy or purchase, either party may request the Commission to establish the conditions and amount of compensation. This request must be filed with the Commission within 30 days after the offer is made and served concurrently on all parties to the proceeding.

(2) If no agreement is reached within 30 days after the offer of purchase or subsidy is made, and no request is made to the Commission to set the conditions and amount of compensation under paragraph (g)(1) of this section, the Commission will serve a certificate authorizing the abandonment or discontinuance within 10 days after the date the request to set conditions and amount of compensation was due [unless an appeal is being heard under § 1152-25(e)]. The certificate will be effective on its date of service. If a certificate was issued but its effective date was postponed under paragraph (e) of this section, the certificate will become effective 10 days after the date the request to set conditions and compensation was due [unless an

appeal is being heard under § 1152.25(e)].

(h) *Request to establish conditions and compensation for financial assistance.* (1) If the Commission is requested to establish conditions and compensation for financial assistance under paragraph (g)(1) of this section, the Commission will issue a decision within 60 days after the request is filed with the Commission.

(2) If the applicant receives multiple offers of financial assistance, requests to establish conditions and compensation will not be permitted before the applicant selects the offeror with whom it wishes to transact business. [See paragraph (l)(1) of this section].

(3) A party requesting the Commission to establish conditions and compensation for financial assistance must provide with the request, a narrative indicating the status of the negotiations between the parties and the likelihood of voluntary settlement prior to the issuance of a Commission decision setting terms. The party filing the request must also, within the time period set forth in paragraph (h)(4) of this section, provide reasons why its estimates are correct and the other negotiating party's estimates are incorrect; points of agreement and points of disagreement between the negotiating parties; and evidence substantiating these allegations. The offeror has the burden of proof as to all issues in dispute.

(4) All evidence and information supporting the request to set terms and any evidence or information contesting the suggested terms must be submitted within 30 days of the request. Replies to this evidence are due within 40 days of the request. Evidence and information submitted after these dates may be rejected.

(5) If requested, the Commission will determine the amount and terms of subsidy based on the avoidable cost of providing continued rail transportation, plus a reasonable return on the value of the line.

(6) If requested, the Commission will determine the price and other terms of sale. The Commission will not set a price of this section the fair market value of the line (including, unless otherwise agreed upon by the parties, all facilities on the line or portion necessary to provide effective transportation services). Fair market value equals constitutional minimum value which is the greater of the net liquidation value of the line or the going concern value of the line. The constitutional minimum value is computed without regard to labor protection costs.

(7) Within 10 days of the service date of the Commission's decision, the offeror must accept or reject the Commission's terms and conditions with a written notification to the Commission and all parties to the proceeding. If the offeror accepts the terms and conditions set by the Commission, the Commission's decision is binding on both parties. If the offeror withdraws its offer or does not accept the terms and conditions set by the Commission with a timely written notification, the Commission will serve, within 20 days after the service date of the Commission decision setting the terms and conditions, a certificate authorizing the abandonment or discontinuance [unless other offers are being considered under paragraph (1) of this section and unless an appeal is being heard under § 1152.25(e)]. The certificate will be effective on its date of service. If a certificate was issued but its effective date was postponed under paragraph (e) of this section, the certificate will become effective 20 days after the service date of the Commission decision setting the terms and conditions [unless other offers are being considered under paragraph (1) of this section or an appeal is being heard under § 1152.25(e)].

(i) *Substitution of purchasers and disposition after sale.* (1) Prior to the consummation of a purchase under this section, an offeror may substitute its corporate affiliate as the purchaser under an agreement, provided the Commission has determined either (i) the original offeror has guaranteed the financial responsibility of its affiliate, or (ii) the affiliate has demonstrated financial responsibility in its own right.

(2) Except as provided in paragraph (i)(3) of this section, a purchaser under this section may not (i) transfer the line or discontinue service over the line prior to the end of the second year after consummation of the original sale under these provisions, or (ii) transfer the line, except to the carrier from whom the line was purchased, prior to the end of the fifth year after consummation.

(3) Paragraph (i)(2) of this section does not preclude a purchaser under this section from transferring the line to a corporate affiliate following the consummation of the original sale. Prior Commission approval of the affiliate's acquisition and operation, however, is required under 49 U.S.C. 10901 or 11343. A corporate affiliate acquiring a line under this section is prohibited from discontinuing service over the line or transferring the line to a party that is not a corporate affiliate during the time periods prescribed in paragraph (i)(2) of this section.

(j) *Discontinuance of subsidy.* A subsidizer may discontinue a subsidy under this section by giving 60 days notice of the discontinuance to the applicant and all other parties to the proceeding. Unless another financially responsible party enters into a subsidy agreement as beneficial to the carrier as the discontinued subsidy agreement, the carrier may obtain a certificate authorizing abandonment or discontinuance of service by filing a request with the Commission and serving the request on all parties to the abandonment proceeding. The Commission will issue a certificate within 10 days after the filing and service of the request. This certificate will be effective immediately. If a certificate was issued but its effective date was postponed under paragraph (e) of this section, the certificate will become effective 10 days after the filing and service of the request.

(k) *Default on agreement.* If any party defaults on its obligations under a financial assistance agreement, any other party to the agreement may promptly inform the Commission of that default. Upon notification, the Commission will take appropriate action.

(l) *Multiple offers of financial assistance.* (1) If an applicant receives more than one offer to purchase or subsidize the line, the applicant must select the offeror with whom it wishes to transact business. Within 25 days after the **Federal Register** publication described in paragraph (b) of this section, applicant must (i) file a written notification of its selection with the Commission, and (ii) serve a copy of the notification on all parties to the proceeding.

(2) If the applicant has received multiple offers of financial assistance and has selected the offeror with whom it wishes to transact business, the negotiating parties shall complete the sale or subsidy agreement or request the Commission to establish the conditions and amount of compensation within 40 days after the **Federal Register** publication described in paragraph (b) of this section. The request must be served concurrently on all parties to the proceeding. If no agreement on subsidy or sale is reached within the 40 day period and the Commission has not been requested to establish the conditions and amount of compensation, any other offeror may request the Commission to establish the conditions and amount of compensation. This request must be filed at the Commission within 50 days of the **Federal Register** publication described in paragraph (b) of this

section and served concurrently on all parties to the proceeding. If no other request is filed, the Commission will issue a certificate authorizing abandonment or discontinuance within 60 days of the **Federal Register** publication described in paragraph (c) of this section [unless an appeal is being heard under § 1152.25(e)]. This certificate will be effective immediately. If no other request is filed and a

certificate was issued but its effective date was postponed under paragraph (e) of this section, the certificate will become effective 60 days after the **Federal Register** publication described in paragraph (b) of this section [unless an appeal is being heard under § 1152.25(e)].

(3) If the Commission has established the conditions and amount of compensation, and the original offer is

withdrawn under paragraph (h)(7) of this section, any other offeror may accept the Commission's decision. If the decision is accepted by another offeror, the Commission will require the applicant to accept the terms incorporated in the Commission's decision.

[FR Doc. 83-32781 Filed 12-8-83; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register

Vol. 48, No. 238

Friday, December 9, 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

Soil Conservation Service

7 CFR Part 656

Procedures for Protection of Archeological and Historical Properties Encountered in SCS-Assisted Programs

AGENCY: Soil Conservation Service, USDA.

ACTION: Proposed rule.

SUMMARY: The Soil Conservation Service (SCS) proposes to remove and reserve six sections of its regulations protecting archeological and historic properties. The purpose of this action is to eliminate procedures that are inconsistent with current requirements.

DATES: Comments are due no later than February 7, 1984.

ADDRESSES: Comments must be mailed to Arun C. Basu, Director, Social Sciences Division, USDA/SCS, P.O. Box 2890, Washington, D.C. 20013-2890 or delivered to Room 6803, South Building, 14th and Independence Avenue, SW, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Arun C. Basu, Director, Social Sciences Division, or Diane Gelburd, National Cultural Resources Specialist, Social Sciences Division, Soil Conservation Service, U.S. Department of Agriculture, P.O. Box 2890, Washington, D.C. 20013, (202) 382-1514, or Janet L. Friedman, Advisory Council on Historic Preservation, The Old Post Office Building, 1100 Pennsylvania Avenue NW., Rm. 809, Washington, D.C. 20004, (202) 785-0505.

SUPPLEMENTARY INFORMATION: This rule has been reviewed under USDA criteria established to carry out Executive Order 12291, Improving Government Regulations, and has been classified

"not significant." On July 18, 1977, SCS published in the Federal Register (42 FR 36804) its final rule "Procedures for the Protection of Archeological and Historical Properties Encountered in SCS-Assisted Programs" (7 CFR Part 656). Amendments to this rule were published in the Federal Register on June 19, 1978, and on June 23, 1979 (43 FR 26277 and 44 FR 27158).

Proposed revisions of this rule were published in the Federal Register on January 29, 1981 (46 FR 9611) and on August 20, 1982 (47 FR 36592).

This action is being taken to ensure compliance with the applicable statutes and regulations and the regulations of the Advisory Council on Historic Preservation (36 CFR Part 800) for implementing Section 106 of the National Historic Preservation Act, as amended (16 U.S.C. 470f).

The determination has been made pursuant to the provisions of Executive Order 12291 that the preparation of a regulatory impact analysis is not required. The rule is not considered major under Executive Order 12291. The regulation concerns agency policy and guidelines.

It has also been determined, pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534), that the rule does not have significant economic impact on a substantial number of small entities.

List of Subjects in 7 CFR Part 656

Historic preservation, Soil conservation.

PART 656—[AMENDED]

§ 656.4 through 656.9 [Removed and reserved]

Accordingly, Soil Conservation Service proposes to remove and reserve §§ 656.4, 656.5, 656.6, 656.7, 656.8, and 656.9 of title 7, Code of Federal Regulations.

Dated: December 1, 1983.

Peter C. Myers,
Chief.

[FR Doc. 83-32595 Filed 12-8-83; 8:45 am]

BILLING CODE 3410-16-M

Agricultural Marketing Service

7 CFR Part 1150

Dairy Promotion Program; Invitation To Submit Proposals for a Dairy Products Promotion and Research Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Invitation to submit proposals.

SUMMARY: Interested parties are invited to submit proposals for a dairy products promotion and research order, as provided for by Title I, subtitle B, of the recently enacted Dairy and Tobacco Adjustment Act of 1938. The Act authorizes a national program for dairy product promotion, research and nutrition education that would be funded by a mandatory 15-cent per hundredweight assessment on all milk marketed by producers in the 48 contiguous States. The Secretary of Agriculture must implement the program within a certain time period after publication of proposals from interested persons. Proposals received by the Department will be published in the Federal Register for public comment.

Interested parties are also invited at this time to submit views on whether it would be beneficial to hold a public meeting during the comment period to discuss the proposals.

DATES: Proposals should be received by January 6, 1984, to be assured of consideration.

ADDRESS: Proposals (four copies) should be mailed to: Deputy Administrator, Marketing Program Operations, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Clayton H. Plumb, Chief, Order Formulation Branch, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-6274.

SUPPLEMENTARY INFORMATION: The Dairy and Tobacco Adjustment Act of 1983 (Pub. L. 98-180), which was enacted on November 29, 1983, authorizes the establishment of a national dairy

promotion program that would be funded by all dairy farmers in the 48 contiguous States. The program would be governed by a Dairy Products promotion program that would be funded by all dairy farmers in the 48 contiguous States. The program would be governed by a Dairy Products Promotion and Research Order issued by the Secretary.

Since the Act permits any interested person affected by the program to submit a proposal, notice is hereby given that the Department will receive written proposals for a Dairy Products Promotion and Research Order, or for various provisions thereof. Interested parties should submit proposals (four copies) to Deputy Administrator, Marketing Program Operations, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250. Proposals should be received in the Department by January 6, 1984, to be assured of consideration.

Proposals that are determined by the Department to be consistent with the Act will be published in the *Federal Register* for public comment. All views received will be considered in the development of a final order, which must be made effective within 90 days of the date of publication of the proposals.

Interested parties are also invited at this time to submit views on whether it would be beneficial to hold a public meeting during the comment period to discuss the proposals.

A Dairy Products Promotion and Research Order is likely to be classified as a "major rule" under the terms of Executive Order 12291. Also, such a program is likely to have a significant economic impact on a substantial number of small entities. Therefore, the Department will prepare a regulatory impact and flexibility analysis as required by Executive Order 12291 and the Regulatory Flexibility Act. Interested parties will be invited to submit comments on all issues related to this analysis, which will be published in the *Federal Register* in conjunction with the proposals for a new promotion order.

List of Subjects in 7 CFR Part 1150

Milk, Dairy products, Promotion and advertising, Research.

Signed at Washington, D.C., on December 6, 1983.

(Pub. L. 98-180, 97 Stat. 1128)

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 83-32859 Filed 12-6-83; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF ENERGY

Office of Conservation and Renewable Energy

10 CFR Part 430

[Docket Nos. CE-CP-SPRM) NY 001, W1002, CA003, MNOO4, OR005]

Energy Conservation Program for Consumer Products; Extension of Time for Final Rules on State Petitions for Exemption From Federal Standards for Clothes Dryers and Kitchen Ranges and Ovens

AGENCY: Office of Conservation and Renewable Energy, DOE.

ACTION: Notice of extension of time to issue final rules.

SUMMARY: Pursuant to provisions of the Department of Energy's December 15, 1982 final rules with respect to energy standards for clothes dryers, kitchen ranges and ovens, DOE has received five State petitions for exemption from preemption of each of the five State's energy use or energy efficiency regulations pertaining to clothes dryers and/or kitchen ranges and ovens. Based on the provisions of 10 CFR 430.48(a), DOE has 6 months in which to prescribe a final rule or deny the petitions (approval of a petition for exemption from preemption must be prescribed in a final rule). In this document, DOE is announcing that it is extending, to March 1, 1984, the date of issuance of final rules on the five State petitions for exemption.

FOR FURTHER INFORMATION CONTACT:

Michael J. McCabe, U.S. Department of Energy, Office of Conservation and Renewable Energy, Mail Station CE-113.1, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252-9127

Eugene Margolis, Esq., U.S. Department of Energy Office of General Counsel, Mail Station GC-33, Forrestal Building, 1000 Independence Avenue SW., Washington, D.C. 20585, (202) 252-9513.

SUPPLEMENTARY INFORMATION: The Energy Policy and Conservation Act (EPCA), as amended by the National Energy Conservation Policy Act, as a general matter requires that the Department of Energy (DOE) prescribe

an energy efficiency standard for each of certain major household appliances unless it determines, by rule, that a standard will not result in significant conservation of energy, is not technologically feasible, or is not economically justified.

On December 15, 1982, DOE issued a Final Rule with respect to clothes dryers and kitchen ranges and ovens in which DOE determined that an energy efficiency standard for either of these products would not result in a significant conservation of energy and would not be economically justified. 47 FR 57198, December 22, 1982. In addition, the Final Rule set forth the procedures by which States may obtain exemption for State or local efficiency standards that are statutorily preempted as a result of a final rule with respect to energy efficiency standards and procedures by which manufacturers may obtain a rule to preempt State or local efficiency standards for which there is no Federal final rule.

The December 1982 rule sets forth the effective dates upon which supersession of State and local standards would take place and the general procedures by which States could petition for rules exempting their State or local standards for all covered products.

The rule provides that State and local laws for a particular product would be superseded 180 days after Federal Register publication of a final rule governing that particular product unless within 60 days of publication, a State had filed with the Department a notice of intent to petition DOE for an exemption for that product. The petition itself had to be filed within 120 days of publication of the rule. When such a submission is made, the State or local rule will remain in effect until DOE reaches a final determination on the State petition. Section 327(b)(4) of EPCA, as amended, requires DOE to issue a final rule on a petition within six months after the date the petition is filed, unless DOE publishes a notice in the *Federal Register* extending that date and citing the reasons for delay.

During April 1983, petitions filed by the States of Wisconsin (April 15, 1983), California (April 19, 1983), New York (April 19, 1983), Oregon (April 20, 1983) and Minnesota (April 21, 1983) requesting, in each case, that the State energy efficiency standards requiring intermittent ignition devices (IIDs) for clothes dryers and/or kitchen ranges and ovens be exempted from Federal preemption. Only July 22, 1983, DOE proposed to grant each State's petition 48 FR 34858, August 1, 1983.

To provide interested persons the opportunity to participate in the rulemaking process, DOE scheduled a public hearing to be held in each of the five States and in Washington, D.C., during September 1983 and established a comment period extending to October 17, 1983. Although the six month period following receipt of the five petitions ends during the period October 15-20, 1983, DOE had determined that the October 17, 1983, comment period deadline was necessary to provide sufficient time for rebuttal statements to be filed in connection with statements made at the September 30, 1983, public hearing held in Washington, D.C.

In the case of any of the five State petitions, the time period between the October 17, 1983, close of the comment period and the six-month deadline is not adequate, because it either is nonexistent or a matter of only a few days, to analyze the data submitted to DOE and issue a determination for each petition. Therefore, DOE will issue the five final rules by March 1, 1984.

Issued in Washington, D.C., November 23, 1983.

Howard S. Coleman,

Principal Deputy Assistance Secretary,
Conservation and Renewable Energy.

[FR Doc. 83-32875 Filed 12-8-83; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PR-83-11]

14 CFR Ch. I

Petitions for Rulemaking; Summary of Petitions Received and Dispositions of Petitions Denied or Withdrawn

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for rulemaking and of dispositions of petitions denied or withdrawn.

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 summary of certain petitions requesting the initiation of rulemaking procedures for the amendment of specified provisions of the Federal Aviation Regulations and of denials or withdrawals of certain petitions previously received. 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 petitions received must identify the petition docket number involved and be received on or before February 7, 1984.

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. _____, 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.

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 December 2, 1983.

John H. Cassady,

Assistant Chief Counsel, Regulations and Enforcement Division.

PETITIONS FOR RULEMAKING

Docket No.	Petitioner	Description of the petition
23815	General Aviation Mgr. Assn. (GAMA).	<i>Description of Petition:</i> An amendment to require airplane manufacturers of most small airplanes to be manufactured after December 31, 1984, to install shoulder harnesses in addition to safety belts at all seats. <i>Regulations Affected:</i> 14 CFR §§ 23.785, 91.14, 91.33. <i>Petitioner's Reason for Rule:</i> Use of such shoulder harnesses is considered to be the most effective available protection from serious crash injury.
23826	Joel D. Joseph & Associates, P.A.	<i>Description of Petition:</i> "To prohibit helicopters from using the flight paths to Washington National Airport, and to prohibit low-level helicopter flights above residential areas, except for emergency purposes." <i>Regulations Affected:</i> 14 CFR Part 93. <i>Petitioner's Reason for Rule:</i> It appears to be inherently unsafe to allow both types of aircraft, the helicopter and the civilian jet, to use the same corridors at Washington National Airport.
23827	Cessna Aircraft Co.	<i>Description of Petition:</i> To permit the operation of single-engine, propeller driven, turbine-powered aircraft in IFR and VFR over-the-top conditions while carrying passengers. <i>Regulations Affected:</i> 14 CFR Part 135. <i>Petitioner's Reason for Rule:</i> Summary: (1) The statistical data available indicates single-engine and multi-engine aircraft have essentially the same engine failure accident rate; (2) Operational expenses are substantially reduced with single-engine aircraft as a result of lower fuel and maintenance requirements; (3) Systems redundancy equivalent to that of a twin-engine aircraft is now available on current generation high technology, single-engine aircraft without the operational complexity induced in twin-engine aircraft; (4) Dispatch can be safely accomplished into IFR conditions and integration into the IFR system made without the crew fatigue and mental duress associated with the decision of whether or not to attempt VFR flight and the subsequent "scud-running" while trying to maintain VFR; and (5) A vast increase in the populace of the United States served with safe, reliable air transportation will be accomplished by using the Caravan I in a "feeder" airline role.
23833	Aviation Consumer Action Project (ACAP) & Individuals.	<i>Description of Petition:</i> To require all airlines to make an FAA-approved child restraint system available to those passengers who request one at least 24 hours prior to flight. <i>Regulations Affected:</i> 14 CFR § 121.311(n). <i>Petitioner's Reason for Rule:</i> Petitioners argue that it is the burden of the FAA and the airlines, and not the parents, to make safe seating available for children; that it is excessively expensive, burdensome, and impractical for parents to purchase and bring special models of child restraint devices to the airport; and that the annual safety benefits of requiring airlines to make the seats available (at least \$500,000), exceed the costs (\$44,448) a year over five years by a ratio of eleven to one.

[FR Doc. 83-32749 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 82-NM-73-AD]

Airworthiness Directives; Fokker VFW B.V. F27 Airplanes**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of proposed rulemaking.

SUMMARY: This notice proposes an airworthiness directive (AD) for certain Fokker VFW B.V. F27 airplanes that would require new airspeed limitation placards, Airplane Flight Manual (AFM) changes and a maximum overspeed aural warning device modification to decrease the Maximum Operating Speed from 223 knots I.A.S. to 204 knots I.A.S. when the airplane is fitted with pylon tanks and the maximum certificated takeoff weight is above 41,000 pounds. These changes are necessary to prevent possible overloading of the wing structure.

DATES: Comments must be received no later than January 29, 1984.

ADDRESSES: The applicable service information may be obtained from Manager of Service Department, Fokker Aircraft, 2361 Jefferson Davis Highway, Arlington, Virginia 22202, or may also be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT: Mr. Sulmo Mariano, Foreign Aircraft Certification Branch, ANM-1505, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 431-2979. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION:**Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and be submitted in duplicate to the address specified below. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public

contact concerned with the substance of this proposal will be filed in the Rules Docket.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the FAA, Northwest Mountain Region, Office of the Regional Counsel, Attention: Airworthiness Rules Docket No. 82-NM-73-AD, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

Discussion

The Netherlands Civil Aviation Authority (RLD) has, in accordance with existing provisions of a bilateral agreement, notified the FAA of a need to reduce the Maximum Operating Speed (V_{MO}) on Fokker Model F27 airplanes from 223 knots I.A.S. to 204 knots I.A.S. when the airplane's maximum certificated takeoff weight is above 41,000 pounds and the airplane is fitted with pylon tanks, to avoid possible structural failure. The RLD requires only an airspeed reduction when weight is above 41,000 pounds in accordance with Fokker Service Bulletin No. 11/3. The FAA considers this bulletin incomplete in that it does not also require changes to the airspeed indicators and the overspeed aural warning device. The proposed AD would include this requirement. As an alternative, the airspeed or the maximum takeoff weight may be limited.

Since these conditions are likely to exist or develop on airplanes of this model registered in the United States, an AD is proposed that would require the previously mentioned changes.

No U.S. registered airplane will be affected by this AD at this time. Other airplanes of the specified series will be affected only if they are later entered on the U.S. Register or airplanes on the U.S. Register are fitted with pylon tanks. For these reasons, the proposed rule is not considered to be a major rule under the criteria of Executive Order 12291. Few small entities within the meaning of the Regulatory Flexibility Act would be affected.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by adding the following new Airworthiness Directive:

Fokker VFW B.V.: Applies to all Model F27 Series airplanes, serial numbers 10102 to 10611 inclusive for airplanes that are equipped with pylon tanks and the

maximum certificated takeoff weight is above 41,000 pounds, certificated in all categories. Compliance is required as indicated, unless already accomplished. To prevent wing structural failure, accomplish one of the following (A, B or C):

A. Within the next 100 hours time in service after the effective date of this AD:

1. Remove the existing airspeed limitation placards and install new placards in accordance with paragraphs 2.A and 2.B of the Accomplishment Instructions of Fokker Service Bulletin No. 11/3 dated October 1, 1981.

2. Amend the Airplane Flight Manual in accordance with paragraphs 1.C and 3 of the service bulletin, and

Modify the airspeed indicators and overspeed aural warning system to provide a switchable V_{MO} that allows selecting a V_{MO} of 204 knots I.A.S. for operation when the maximum takeoff weight exceeds 41,000 pounds, in a manner approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

B. Within the next 100 hours time in service after the effective date of this AD modify as follows:

1. Revise the redline marking of the airspeed indicator or replace the airspeed indicator to reflect the new Maximum Airspeed Limitation of 204 knots I.A.S. and,

2. Adjust the overspeed aural warning device or install a new device so as to comply with the new Maximum Airspeed Limitation, i.e., 204 knots I.A.S., within the tolerances specified by FAR 25.1303(c)(1).

C. Apply for and obtain a supplement to the Airplane Flight Manual which will provide for an operating limitation of 41,000 pounds takeoff weight. Applications may be made to the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

D. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region.

E. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

(Secs. 313(a), 314(a), 601 through 610, and 1102, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.85)

Note.—For reasons discussed earlier in the preamble, the FAA has determined that this document (1) involves a proposed regulation which is not major under Executive Order 12291, and (2) is not a significant rule pursuant to the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; Feb. 26, 1979); and it is certified under the criteria of the Regulatory Flexibility Act that this proposed rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. A regulatory evaluation has been prepared and has been placed in the public docket.

Issued in Seattle, Washington on December 1, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-32735 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 83-ASW-41]

Airworthiness Directives; Bell Helicopter Textron, Inc. Model 222 Helicopter

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to adopt an airworthiness directive (AD) that would impose a retirement life on the modal beam left side aft support fitting. This fitting is one of the four principal support for the main rotor pylon. The proposed AD is needed to prevent failure of the fitting which could result in loss of a helicopter.

DATE: Comments must be received on or before January 16, 1984.

ADDRESSES: Comments on the proposal may be mailed in duplicate to: Regional Counsel, Attention: Docket No. 83-ASW-41, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; or delivered in duplicate to: Office of the Regional Counsel, Southwest Region, Room 100, Building 3B, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas 76106.

Comments delivered must be marked: Docket No. 83-ASW-41.

Comments may be inspected at Room 100, Building 3B, between 8 a.m. and 4:30 p.m., Monday through Friday.

A copy of the service bulletin is contained in the Rules Docket located at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Room 100, Building 3B, 4400 Blue Mound Road, Fort Worth, Texas 76106.

FOR FURTHER INFORMATION CONTACT: H. A. Armstrong, Helicopter Certification Branch, ASW-170, Aircraft Certification Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone number (817) 877-2079.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications

should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Director before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket located at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Room 100, Building 3B, 4400 Blue Mound Road, Fort Worth, Texas, for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of the proposed AD, will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 83-ASW-41." The postcard will be date/time stamped and returned to the commenter.

There have been reports of three cracked support fittings. These failures were due to fatigue. Since this condition is likely to exist or develop on other helicopters of the same type design, the proposed AD would assign a retirement life of 1200 hours to the support fitting.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by adding the following new airworthiness directive:

Bell Helicopter Textron, Inc.: Applies to Bell Model 222 helicopters, certified in all categories, that have nodal beam support fitting part number 222-031-520-105 installed. (Airworthiness Docket 83-ASW-41).

Compliance is required as indicated. To prevent possible failure of the nodal beam left side aft support fitting, part number 222-031-520-105, accomplish the following:

(a) For those aircraft that have support fitting 222-031-520-105 installed with 1100 or more hours on the effective date of this AD, remove the fitting within 100 hours' time in service.

(b) For those aircraft that have support fitting part number 222-031-520-105 with fewer than 1100 hours on the effective date of

this AD, remove the fitting before it reaches 1200 hours' time in service.

Note. Fitting P/N 222-031-520-105 may be replaced by a serviceable fitting of the same part number, or by P/N 222-031-592-103.

(c) Any equivalent method of compliance with this AD must be approved by the Manager, Helicopter Certification Branch, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas 76101.

(d) In accordance with § 21.197, flight is permitted to a base where the inspections required by this AD may be accomplished.

Note. The following is provided as information only:

(a) Bell Helicopter Textron, Inc., Alert Service Bulletin 222-83-20 is the manufacturer's notification of the 1200 hour life assignment to the nodal beam left side aft support fitting, P/N 222-031-520-105.

(b) Bell Helicopter Textron, Inc., Technical Bulletin 222-83-53 provides instructions for replacement of the P/N 222-031-520-105 aluminum fitting with a stainless steel fitting, P/N 222-031-592-103, that has no retirement life.

(Sec. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 135(4)(a), 1421 and 1423); 49 U.S.C. 106(g) [Revised, Pub L. 97-449, January 12, 1983]; 14 CFR 11.85)

Note.—The FAA has determined that this proposed regulation only involves 62 aircraft at an approximate cost of \$1400 per aircraft. Only two small entities operate more than 2 Bell Model 222 helicopters. Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a significant rule under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) if promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, Texas, on November 2, 1983.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 83-32746 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 83-ASW-49]

Proposed Alteration of Transition Area; Mineola, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes to alter the transition area at Mineola, TX. The intended effect of the proposed action is to provide controlled airspace for aircraft executing standard instrument approach procedures (SIAPs) to the

Mineola-Quitman Airport. This action is necessary since a new airport (Mineola-Quitman) will be constructed and SIAPs will be implemented using the Quitman VORTAC for a circling approach and a RNAV Runway 18 approach.

DATES: Comments must be received on or before January 9, 1984.

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

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

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101; telephone: (817) 877-2630.

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart G, § 71.181 as republished in Advisory Circular AC 70-3A dated January 3, 1983, contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the transition area at Mineola, TX, will necessitate an amendment to this subpart. This amendment will be required at Mineola, TX, since the new airport (Mineola-Quitman) will be constructed and SIAPs will be developed for the new airport.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped

postcard on which the following statement is made: "Comments to Airspace Docket No. 83-ASW-49." The postcard will be date/time stamped and returned to commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comment received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, or by calling (817) 877-2630. Communication must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas, Aviation safety.

The Proposed Amendment

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

Mineola, TX Revised

That airspace extending upwards from 700 feet above the surface within a 5-mile radius of the Mineola-Wisener Airport (latitude 32°40'45"N., longitude 95°31'00"W.), and within a 6.5-mile radius of the Mineola-Quitman Airport (latitude 32°40'26"N., longitude 95°29'46"W).

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.61(c))

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

certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Fort Worth, TX, on November 29, 1983.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 83-32745 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 83-ASW-50]

Proposed Alteration of Control Zone; Alexandria-England Air Force Base (AFB), LA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes to alter the control zone at Alexandria-England AFB, LA. The intended effect of the proposed action is to provide controlled airspace for aircraft executing standard instrument approach procedures (SIAPs) to England AFB. This action is necessary since the Alexandria VORTAC will be decommissioned, thereby requiring a realignment of controlled airspace, predicated on this facility.

DATES: Comments must be received by January 9, 1984.

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

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

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101; telephone: (817) 877-2630.

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart F, § 71.171 as republished in Advisory Circular AC 70-3A dated January 3, 1983, contains the description

of control zones designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the control zone at Alexandria-England AFB, LA, will necessitate an amendment to this subpart. This amendment will be required at Alexandria-England AFB, LA, since the Alexandria VORTAC will be decommissioned and revises the need for airspace predicated on or described using this facility.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. (Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposals.) Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 83-ASW-50." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, or by calling (817) 877-2630. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas, Aviation safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend § 71.171 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Alexandria-England AFB, LA Revised

Within a 5-mile radius of England AFB (latitude 31°19'38"N., longitude 92°32'53"W.), within 2 miles each side of the northwest localizer course extending from the 5-mile radius area to 7 miles northwest.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.61(c))

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

Issued in Fort Worth, TX, on November 29, 1983.

F. E. Whitfield,

Acting Director, Southwest Region.

(FR Doc. 83-32750 Filed 12-8-83; 8:45 am)

BILLING CODE 4910-13-M

14 CFR Part 71

(Airspace Docket No. 83-ASW-48)

Proposed Alteration of Transition Area; El Dorado, AR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Aviation Administration proposes to alter the transition area at El Dorado, AR. The intended effect of the proposed action is to provide adequate controlled airspace for aircraft executing standard instrument approach procedures (SIAPs) to Goodwin Field. This action is necessary since a previous alteration of the designated airspace, Airspace Docket No. 81-ASW-44 effective March 18, 1982, eliminated a required portion of the transition area northeast of the

VORTAC. This proposed action will redesignate the necessary airspace for the protection of aircraft executing SIAPs to Goodwin Field Runway 22 and eliminate the airspace designated for the Downtown Airport, which is no longer required.

DATES: Comments must be received January 9, 1984.

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

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

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101; telephone: (817) 877-2630.

SUPPLEMENTARY INFORMATION:

History

Federal Aviation Regulation Part 71, Subpart G 71.181 as republished in Advisory Circular AC 70-3A dated January 3, 1983, contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting instrument flight rules (IFR) activity. Alteration of the transition area at El Dorado, AR, will necessitate an amendment to this subpart. This amendment will be required at El Dorado, AR, since required airspace for the protection of aircraft executing STAPs to Runway 22 at Goodwin Field was inadvertently omitted on a previous action. This proposed action will provide adequate designated airspace for this SIAP. In addition, a proposed SIAP to the Downtown Airport, has been cancelled, thereby, eliminating the requirement for a transition area for this airport and this proposed action will revoke that airspace.

Comments Invited

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory

decisions on the proposals. (Comments are specifically invited on the overall regulatory, environmental, and energy aspects of the proposals.)

Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 83-ASW-48." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101, or by calling (817) 877-2630. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the office listed above.

List of Subjects in 14 CFR Part 71

Control zones, Transition areas, Aviation safety.

The Proposed Amendment

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

El Dorado, AR Amended

That airspace extending upwards from 700 feet above the surface within an 8.5-mile radius of Goodwin Field (latitude 33°13'15"N., longitude 92°48'47"W.); and within 4.5-miles each side of the 059° radial of the El Dorado VORTAC extending from the VORTAC to 11-miles northeast of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.61(c))

Note.—The FAA has determined that this regulation only involves an established body

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

Issued in Fort Worth, TX, on November 29, 1983.

F.E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 83-32748 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

(Airspace Docket No. 83-ACE-20)

Transition Area, Abilene, Kansas; Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to designate a 700-foot transition area at Abilene, Kansas, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Abilene Municipal Airport, Abilene, Kansas, utilizing the Salina VORTAC as a navigational aid. This proposed action will change the airport status from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR).

DATE: Comments must be received on or before January 16, 1984.

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: Dale L. Carnine, 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, 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, Section 71.181 of the Federal Aviation Regulations (14 CFR 71.181) by designating a 700-foot transition area at Abilene, Kansas. To enhance airport usage, a new instrument approach procedure is being developed for the Abilene, Kansas, Municipal Airport utilizing the Salina VORTAC as a navigational aid. This navigational aid will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Abilene, Kansas, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. Transition areas are designed to contain IFR operations in controlled airspace during portions of the terminal operation and while transiting between the terminal and enroute environment. 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). This action will change the airport status from VFR to IFR.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

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 designating the following transition area:

Abilene, Kansas

That airspace extending upwards from 700 feet above the surface within a 5-mile radius of the Abilene Municipal Airport (latitude 38°54'20"N; longitude 97°14'08"W) and within 2 miles each side of the Salina VORTAC (latitude 38°52'57"N; longitude 97°37'39"W) 086° bearing extending from the 5-mile radius area to 5.75 miles west of the Abilene Municipal Airport.

(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, January 12, 1983); and § 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

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

Issued in Kansas City, Missouri, on November 30, 1983.

Murray E. Smith,

Director, Central Region.

[FR Doc. 83-32744 Filed 12-8-83; 8:45 am]

BILLING CODE 4910-13-M

TENNESSEE VALLEY AUTHORITY

18 CFR Part 1302

Nondiscrimination in Federally Assisted Programs of TVA; Effectuation of Title VI of the Civil Rights Act of 1964

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Proposed amendments.

SUMMARY: This document proposes to make amendments to Part 1302 of TVA's regulations, as redesignated by 44 FR 30682. Part 1302 implements the requirements of Title VI of the Civil Rights Act of 1964, as amended, insofar as that title applies to programs which receive financial assistance from TVA. The amendments adopt suggestions from the Department of Justice and the Office of Management and Budget which clarify and improve the regulation. Other sections are revised to remove unnecessary gender-specific language, pursuant to TVA's commitment to the Task Force on Sex Discrimination.

The addition of "program or activity" language in various parts of the regulation is intended to conform the regulation to the language of Title VI. Title VI reads "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. 2000d (emphasis supplied). See also *North Haven Bd. of Educ. v. Bell*, 456 U.S. 512, 535-40 (1982).

DATES: Comments must be received on or before January 27, 1984.

ADDRESS: Send comments to Herbert S. Sanger, Jr., General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, E11B33, Knoxville, Tennessee 37902.

FOR FURTHER INFORMATION CONTACT: William L. Osteen, Jr., Associate General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, E11B37, Knoxville, Tennessee 37902 (615) 632-4142.

SUPPLEMENTARY INFORMATION: The amended regulation does impose paperwork requirements subject to the Paperwork Reduction Act of 1980. These requirements will be submitted to the Office of Management and Budget for clearance under the applicable procedures.

Dated: November 28, 1983.

W. F. Willis,
General Manager.

PART 1302—[AMENDED]

It is proposed to amend 18 CFR Part 1302 as follows:

1. By revising the Authority statement to read as follows:

Authority: TVA Act, 48 Stat. 58 (1933), as amended, 16 U.S.C. 831-831dd, and section 602 of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-1.

2. By revising paragraph (d) of § 1302.2 to read as follows:

§ 1302.2 Application of this part.

(d) any employment practice, under any such program, of any employer, employment agency, or labor organization, unless such practice exists in a program where a primary objective of the TVA financial assistance is to provide employment; or where such practice subjects persons to discrimination in the provision of services and benefits on the grounds of race, color, or national origin in a program or activity receiving Federal financial assistance from TVA.

3. By adding a new § 1302.13 to read as follows:

§ 1302.13 Definitions.

(a) TVA, as used in these regulations, refers to the Tennessee Valley Authority, as created by the Tennessee Valley Authority Act of 1933, 48 Stat. 58, as amended, 16 U.S.C. § 831-831dd. See also paragraph (e) of § 1302.6.

(b) Recipient refers to any person, group, or other entity which either receives financial assistance from TVA, or which has been denied such assistance.

(c) Assistant Attorney General refers to the Assistant Attorney General, Civil Rights Division, Department of Justice.

(d) Title VI refers to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*

§ 1302.3 [Redesignated as § 1302.4]

4. By redesignating § 1302.3 § 1302.4 and by revising paragraphs (a) and (b)(1) introductory text, (iii), (v), and (vi) of the newly redesignated § 1302.4 to read as follows:

§ 1302.4 Discrimination prohibited.

(a) *General.* No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from TVA. For the purposes of this part, the following definitions of race and ethnic group apply:

(1) *Black, not of Hispanic origin.* A person having origins in any of the black racial groups of Africa;

(2) *Hispanic.* A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;

(3) *Asian or Pacific Islanders.* A person having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.

This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa;

(4) *American Indian or Alaskan Native.* A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognitions;

(5) *White, not of Hispanic origin.* A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

Additional subcategories based on national origin or primary language spoken may be used where appropriate.

(b) *Specific discriminatory actions prohibited.* (1) A recipient under any program or activity receiving Federal financial assistance from TVA may not, directly or through contractual or other arrangements, on ground of race, color, or national origin:

(iii) Subject an individual to segregation or separate treatment in any manner related to that individual's receipt of any service, financial aid, or other benefit under the program;

(v) Treat an individual differently from others in determining whether any admission, enrollment, quota, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided any service, financial aid, or other benefit provided under the program has been satisfied.

(vi) Deny an individual an opportunity to participate in the program through the provision of services or otherwise or afford that individual an opportunity to do so which is different from that afforded others under the program.

§ 1302.4 [Redesignated as § 1302.5]

5. By redesignating § 1302.4 as § 1302.5 and by amending the first and third sentences of paragraph (a) of the newly redesignated § 1302.5 to read as follows:

§ 1302.5 Assurances required.

(a) TVA contributes financial assistance only under agreements which contain a provision which specifically requires compliance with this part in programs or activities receiving Federal financial assistance from TVA. . . . Where the financial assistance involves the furnishing of personal property, the agreement shall obligate the recipient for the period during which the recipient retains ownership or possession of the property.

§ 1302.5 [Redesignated as § 1302.6.]

6. By redesignating § 1302.5 as § 1302.6.

§ 1302.6 [Redesignated as § 1302.7]

7. By redesignating § 1302.6 as § 1302.7 and by revising it to read as follows:

§ 1302.7 Compliance reviews and conduct of investigations.

(a) *Preaward compliance reviews.* (1) Prior to approval of financial assistance, TVA will make a determination as to whether the proposed recipient is in compliance with Title VI and the requirements of this part with respect to a program or activity for which it is seeking Federal financial assistance from TVA. The basis for such a determination shall be submission of an assurance of compliance and a review of the data and information submitted by the proposed recipient, any relevant compliance review reports on file with TVA, and any other information available to TVA. Where a determination cannot be made from this data, TVA will require the submission of necessary additional information and may take additional steps. Such additional steps may include, for example, communicating with local government officials, protected class organizations, and onsite reviews.

(2) No proposed recipient shall be approved unless it is determined that the proposed recipient is in compliance with Title VI and this part or has agreed in writing to take necessary specified steps within a stated period of time to come into compliance with Title VI and this part. Such an agreement must be approved by TVA and made a part of the conditions of the agreement under which the financial assistance is provided.

(3)(i) Where TVA finds that a proposed recipient may not be in compliance with Title VI and this part, TVA shall notify the proposed recipient and the Assistant Attorney General for Civil Rights in writing of:

(A) The preliminary findings setting forth the alleged noncompliance;

(B) Suggested actions for correcting the alleged noncompliance; and

(C) The fact that the proposed recipient has 10 days to correct the alleged noncompliance or to provide during this time a written submission responding to or rebutting the preliminary findings or suggested corrective actions set forth in the notice.

(ii) If within this 10-day period the proposed recipient has not agreed to the suggested actions set forth or other actions that would correct the alleged noncompliance under paragraph

(a)(3)(i)(B) of this section, or the preliminary findings set forth in (A) paragraph (a)(3)(i) of this section have not been rebutted to TVA's satisfaction, or voluntary compliance has not been otherwise secured, TVA shall make a formal determination of compliance or noncompliance, notify the proposed recipient, and the Assistant Attorney General for Civil Rights and institute proceedings (including provision of an opportunity for a hearing) under § 1302.8 of this part.

(b) *Postaward compliance reviews.* (1) TVA may periodically conduct compliance reviews of selected recipients in their programs or activities receiving TVA financial assistance, including the request of data and information, and may conduct onsite reviews where it has reason to believe that discrimination may be occurring in such programs or activities.

(2) Selection for review shall be made on the basis of the following criteria among others:

(i) The number and nature of discrimination complaints filed against a recipient with TVA or other Federal agencies;

(ii) The scope of the problem revealed by an investigation commenced on the basis of a complaint filed with TVA against a recipient; and

(iii) The amount of assistance provided to the recipient.

(3) Within 15 days after selection of a recipient for review, TVA shall inform the recipient that it has been selected for review. The review will ordinarily be initiated by a letter requesting data pertinent to the review and advising the recipient of:

(i) The practices to be reviewed;

(ii) The program or activities affected by the review;

(iii) The opportunity to make, at any time prior to receipt of the final TVA findings with respect to the review pursuant to paragraph (b)(5) of this section, a documentary submission responding to TVA which explains, validates, or otherwise addresses the practices under review; and

(iv) The schedule under which the review will be conducted and a determination of compliance or noncompliance made.

(4) Within 180 days of initiation of a review, TVA shall advise the recipient, in writing of:

(i) Its preliminary findings;

(ii) Where appropriate, recommendations for achieving voluntary compliance;

(iii) The opportunity to request TVA to engage in voluntary compliance negotiations prior to TVA's final

determination of compliance or noncompliance. TVA shall notify the Assistant Attorney General at the time if notifies the recipient of any matter where recommendations for achieving voluntary compliance are made; and

(iv) TVA's General Manager may extend the 180-day period for good cause shown.

(5) If, within 50 days of the recipient's notification under paragraph (b)(4) of this section, TVA's recommendations for compliance are not met or voluntary compliance is not secured, and the preliminary findings have not been rebutted to TVA's satisfaction, TVA shall make a final determination of compliance or noncompliance. The determination is to be made no later than 14 days after the conclusion of the 50-day negotiation period. TVA's General Manager may extend the 14-day period for good cause shown.

(6) Where TVA makes a formal determination of noncompliance on a postaward review, the recipient and the Assistant Attorney General shall be immediately notified in writing of the determination and of the fact that the recipient has an additional 10 days in which to come into voluntary compliance. If voluntary compliance has not been achieved within the 10 days, TVA shall institute proceedings under § 1302.8 of this part.

(7) All agreements to come into voluntary compliance shall be in writing and signed by TVA and an official who has authority to legally bind the recipient.

(c) *Complaint investigation.* (1) TVA shall investigate complaints of discrimination in a program or activity receiving Federal financial assistance from TVA that allege a violation of Title VI or this part.

(2) No complaint will be investigated if it is received by TVA more than 180 days after the date of the alleged discrimination unless the time for filing is extended by TVA for good cause shown. Where a complaint is accepted for investigation, TVA will initiate an investigation. The complainant shall be notified in writing as to whether the complaint has been accepted or rejected.

(3) TVA shall conduct investigations of complaints as follows:

(i) Within 10 days of receipt of a complaint, the Director of Equal Opportunity Compliance shall:

(A) Determine whether TVA has jurisdiction under paragraphs (c)(1) and (2) of this section;

(B) If jurisdiction is not found, wherever possible refer the complaint to the Federal agency with such

jurisdiction and advise the complainant;

(C) If jurisdiction is found, notify the recipient alleged to be in violation of the receipt and acceptance of the complaint; and

(D) Initiate the investigation.

(ii) The investigation will ordinarily be initiated by a letter to the recipient requesting data pertinent to the complaint and informing the recipient of:

(A) The nature of the complaint, and with the written consent of the complainant, the identity of the complainant;

(B) The program or activities affected by the complaint;

(C) The opportunity to make, at any time prior to receipt of TVA's final findings under paragraph (c)(5) of this section, a documentary submission, responding to, rebutting, or denying the allegations made in the complaint; and

(D) The schedule under which the complaint will be investigated and a determination of compliance or noncompliance made.

(iii) Within 180 days of the initiation of a complaint investigation, TVA shall advise the recipient, in writing, of:

(A) Preliminary findings;

(B) Where appropriate, recommendations for achieving voluntary compliance; and

(C) The opportunity to request TVA to engage in voluntary compliance negotiations prior to TVA's final determination of compliance or noncompliance. TVA shall notify the Assistant Attorney General at the time the recipient is notified of any matter where recommendations for achieving voluntary compliance are made.

(4) If, within 50 days of the recipient's notification under paragraph (c) of this section, TVA's recommendations for compliance are not met, or voluntary compliance is not secured, and the preliminary findings have not been rebutted to TVA's satisfaction, TVA shall make a formal determination of compliance or noncompliance. The determination is to be made no later than 14 days after conclusion of a 50-day negotiation period, whenever possible.

(5) Where TVA makes a formal determination of noncompliance, the complainant, the recipient, and the Assistant Attorney General shall be immediately notified in writing of the determination and of the fact that the recipient has an additional 10 days in which to come into compliance. If voluntary compliance has not been achieved within the 10 days, TVA shall institute proceedings under § 1302.8 of this part. The complainant shall also be notified of any action taken including

the closing of the complaint or the achievement of voluntary compliance. All agreements to come into voluntary compliance shall be in writing and signed by TVA and an official who has authority to legally bind the recipient and shall be made available to the complainant on request.

(6) If the complainant or party other than TVA has filed suit in Federal or State court alleging the same discrimination as alleged in a complaint pending before TVA, and if during TVA's investigation the trial of that suit would be in progress, TVA will consult with the Assistant Attorney General and court records to determine the need to continue or suspend the investigation and will monitor the litigation through the court docket and contacts with the complainant. Upon receipt of notice that the court has made a finding of discrimination against a recipient that would constitute a violation of this part, TVA shall institute proceedings as specified in § 1302.8 of this part. All agreements to come into voluntary compliance shall be in writing and signed by TVA and an official who has authority to legally bind the recipient.

(7) The time limits listed in paragraphs (c)(3) through (c)(5) of this section shall be appropriately adjusted where TVA requests another Federal agency to act on the complaint. TVA shall monitor the progress of the matter through liaison with the other agency. Where the request to act does not result in timely resolution of the matter, TVA shall institute appropriate proceedings as required by this part.

(d) *Intimidatory or retaliatory acts prohibited.* No recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by section 601 of Title VI or this part, or because such individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. The identity of complainants shall be kept confidential except to the extent necessary to carry out the purposes of this regulation, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

(e) *Enforcement authority.* TVA's Director of Equal Opportunity Compliance, or a successor as designated by TVA's Board of Directors, will be responsible for all decisions about initiating compliance reviews and complaint investigations. TVA's General Manager, or a successor as designated by TVA's Board of Directors, shall be

responsible for all decisions about initiating compliance actions under § 1302.8(a) of this part.

§ 1302.7 [Redesignated as § 1302.8]

8. By redesignating § 1302.7 as § 1302.8, adding a new sentence to the end of paragraph (a) and amending the first sentence of paragraph (b) of the newly redesignated § 1302.8. The new sentence in paragraph (a) and the amended sentence in paragraph (b) read as follows:

§ 1302.8 Procedure for effecting compliance.

(a) * * * The Assistant Attorney General, Civil Rights Division, Department of Justice, will be notified of all findings of probable noncompliance at the same time the recipient or applicant is notified.

(b) If anyone requesting financial assistance declines to furnish the assurance required under § 1302.5 of this part, or otherwise fails or refuses to comply with a requirement imposed by or pursuant to that section, financial assistance may be refused in accordance with the procedures of paragraph (c) of this section.

§ 1302.8 [Redesignated as § 1302.9]

9. By redesignating § 1302.8 as § 1302.9.

§ 1302.9 [Redesignated as § 1302.10]

10. By redesignating § 1302.9 as § 1302.10 and by revising paragraphs (a) and (g) of the newly redesignated § 1302.10 to read as follows:

§ 1302.10 Decisions and notices.

(a) *Decision by a member of the TVA Board or a hearing examiner.* A member of the TVA Board or a hearing examiner who holds the hearing shall either make an initial decision or certify the entire record, including the Board member's or examiner's recommended findings and proposed decision, to the TVA Board for a final decision. A copy of such initial decision or certification shall be mailed to the recipient. Where the initial decision is made by a member of the TVA Board or a hearing examiner, the recipient may file exceptions to the initial decision, together with a statement of reasons therefor. Such exceptions and statement shall be filed with the TVA Board within 30 days of the date the notice of initial decision was mailed to the recipient. In the absence of exceptions, the TVA Board may on its own motion within 45 days after the initial decision serve on the recipient a notice that the TVA Board will review the decision. Upon the filing

of such exceptions or of such notice of review, the TVA Board shall review the initial decision and issue its own decision thereon including the reasons therefor. In the absence of either exceptions or a notice of review, the initial decision shall constitute the final decision of the TVA Board.

(g) *Posttermination proceedings.* (1) A recipient adversely affected by an order issued under paragraph (f) of this section shall be restored to full eligibility to receive Federal financial assistance if it satisfies the terms and conditions of that order for such eligibility or if it brings itself into compliance with this regulation and provides reasonable assurance that it will fully comply with this regulation.

(2) Any recipient or proposed recipient adversely affected by an order entered pursuant to paragraph (f) of this section may at any time request TVA to restore fully the recipient's eligibility to receive Federal financial assistance. Any such request shall be supported by information showing that the recipient has met the requirements of paragraph (g)(1) of this section. If TVA determines that those requirements have been satisfied, TVA shall restore such eligibility.

(3) If TVA denies any such request, the recipient may submit a written request for a hearing specifying why it believes TVA to have been in error. The recipient shall thereupon be given an expeditious hearing, with a decision on the record, in accordance with rules of procedure issued by TVA. The recipient will be restored to such eligibility if the recipient proves at such a hearing that it satisfied the requirements of paragraph (g)(1) of this section. While proceedings under this paragraph are pending, the sanctions imposed by the order issued under paragraph (f) of this section shall remain in effect.

§ 1302.11 [Redesignated as § 1302.12]

11. By redesignating § 1302.11 as § 1302.12 and by revising paragraph (a)(1) of the newly redesignated § 1302.12 to read as follows:

§ 1302.12 Effect on other regulations; supervision and coordination.

(a) * * *

(1) Executive Order 12250 and regulations issued thereunder.

[FR Doc. 83-32819 Filed 12-6-83; 8:45 am]
BILLING CODE 8120-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1, 20 and 25

[EE-35-78]

Qualified Pension, Etc., Plans of Electing Small Business Corporations; Withdrawal of Notice of Proposed Rulemaking

AGENCY: Internal Revenue Service, Treasury.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: This document withdraws the notice of proposed rulemaking, relating to qualified pension, profit-sharing, and stock bonus plans of electing small business corporations, that appeared in the *Federal Register* on Saturday May 6, 1972 (37 FR 9295). The notice is being withdrawn due to changes in the applicable tax law made by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA).

FOR FURTHER INFORMATION CONTACT: Calder L. Robertson, Jr. of the Employee Plans and Exempt Organizations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, Attention: CC:LR:T (202-566-3422).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking that is being withdrawn proposed amendments to the Income Tax Regulations (26 CFR Part 1) under sections 62, 72, 401, 402, 403, 404, 405, 1371 and 1379, the Estate Tax Regulations (26 CFR Part 20) under section 2039, and the Gift Tax Regulations (26 CFR Part 25) under section 2517 of the Internal Revenue Code of 1954 (37 FR 9295). The amendments were proposed to conform the regulations to section 531(a) of the Tax Reform Act of 1969 (83 Stat. 654). Proposed regulations set forth in paragraphs 1 and 2 of the notice of proposed rulemaking (proposing amendments to the regulations under Code section 82) were adopted by T.D. 7399, filed with the *Federal Register* on February 2, 1976 (41 FR 5099).

Code sections 1379 (a) and (b) were deleted by section 238(c) of TEFRA (Pub. L. 97-248, 96 Stat. 324), effective for taxable years beginning after December 31, 1983. In addition, Code sections 1379 (c) and (d) (redesignated as Code sections 1379 (a) and (b) by TEFRA) were effectively deleted by section 2 of

the Subchapter S Revision Act of 1982 (Pub. L. 97-354, 96 Stat. 1669), effective for taxable years beginning after December 31, 1983. Consequently, the proposed amendments are no longer necessary and are being withdrawn.

Drafting Information

The principal author of this document is Calder L. Robertson, Jr. of the Employee Plans and Exempt Organizations Division, Office of the Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing this document, both in matters of substance and style.

List of Subjects

26 CFR 1.61-1—1.281-4

Income taxes, Taxable income, Annuities.

26 CFR 1.401-0—1.425-1

Income taxes, Pensions.

26 CFR 1.1371-1—1.1388-1

Income taxes, Subchapter S corporation.

26 CFR Part 20

Estate taxes.

26 CFR Part 25

Gift taxes.

Withdrawal of Notice of Proposed Rulemaking

Accordingly, the proposed amendments to 26 CFR Parts 1, 20, and 25, relating to certain qualified pension, profitsharing, and stock bonus plans of electing small business corporations, that were published in the **Federal Register** on May 6, 1972 (37 FR 9295, FR Doc. 72-6869) are hereby withdrawn.

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

[FR Doc. 83-32857 Filed 12-8-83; 8:45 am]

BILLING CODE 4830-01-M

FEDERAL MARITIME COMMISSION

46 CFR Part 528

[Docket No. 83-55]

Modification of Self-Policing Requirements for Section 15 Agreements

AGENCY: Federal Maritime Commission.

ACTION: Proposed rulemaking.

SUMMARY: This would amend the self-policing regulations contained in General Order 7 (46 CFR Part 528) by: permitting the issuance of warning

letters; requiring self-policing activity overseas; specifying a minimum frequency for self-initiated neutral body audits of each member line, with a minimum of one annually; requiring specific and uniform reporting; requiring cargo inspection; requiring the reporting of man-hours expended in various self-policing areas rather than the submission of budgetary details; specifying that self-policing contracts between a ratemaking group and a neutral body need not be filed with the Commission; and providing for "Oversight Committees" to certify to the Commission that policing activity is effective. These changes are required to provide the Commission with data necessary to assess the adequacy of self-policing being conducted. A more structured and specific reporting system will assist rate-making groups in responding to Commission requirements and will reduce the volume of reports.

DATES: Comments (original and 15 copies) due by March 8, 1984.

ADDRESS: Send comments and inquiries to Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573.

FOR FURTHER INFORMATION CONTACT: Francis C. Hurney, (202) 523-5725.

SUPPLEMENTARY INFORMATION: The Commission is considering the promulgation of a rule to amend 46 CFR Part 528 to make self-policing of ocean carrier ratemaking agreements more effective. Section 15 of the Shipping Act, 1916, requires that "the Commission shall disapprove any such agreement after notice and hearing, on a finding of inadequate policing of the obligations under it. . . ." (46 U.S.C. 814). To implement this mandate, the Commission promulgated General Order 7, (46 CFR Part 528) which requires that all ratemaking agreements, except those between two parties, must contain provisions describing the methods and standards used by independent policing authorities to investigate and adjudicate breaches of the agreement by any of the membership, and to assess appropriate penalties.

Each subject ratemaking group is required to file semi-annual self-policing reports which are used in determining the adequacy of self-policing being conducted. Section 528.5 (Reporting Requirements) specifies that detailed information concerning the self-policing body employed, the nature of inspection activity undertaken, details of investigations conducted, breaches of the agreement detected, and final actions taken are to be reported. While the rules presently require specific reporting, no specific reporting format is

now prescribed. Also, there are some provisions that are subject to differing interpretations.

Upon review of presently applicable regulations and the reports on file, the Commission has identified eight specific areas which might warrant change. The proposed changes are intended to enable the Commission to better evaluate the effectiveness of self-policing and make the reporting less burdensome and more meaningful. Specific changes are discussed below on a section-by-section basis.

1. Section 528.2(b) appears to contemplate only the assessment of fines for breaches of an agreement and does not specifically provide for the issuance of warning letters. The reporting requirements of the rule seem to give significant support to the position that warning letters are not contemplated. In particular, § 528.5(b)(9) provides that each self-policing report is to contain a list of all *final* actions taken with respect to investigations. Inasmuch as no action would appear to constitute a "final" action unless the investigation reveals either insufficient evidence to establish a breach or the accused is assessed damages, it is unclear whether the issuance of warning letters, a common occurrence with respect to some neutral bodies, falls within the parameters of the present rule.

The Commission believes, however, that under certain limited circumstances, *i.e.*, first offenses of a relatively minor nature, the issuance of warning letters may be warranted and might serve a useful purpose. Therefore, we propose to clarify the rules to specifically authorize the issuance of warning letters.

The Commission is concerned that the unrestricted use of warning letters may be subject to abuses. However, we would anticipate more difficulty in trying to develop and enforce a strict set of guidelines in an attempt to prevent all potential abuses associated with warning letters. Therefore, we propose to allow neutral bodies considerable discretion in the use of warning letters with the understanding that this area will be monitored through improved reporting requirements. Each use of a warning letter will be required to be indicated on the proposed self-policing report (discussed in section 4) and to identify the recipient.

2. Section 528.2(c) provides that each agreement is to contain provisions requiring the neutral body to investigate complaints or other alleged breaches of the agreement. It further requires the neutral body to make self-initiated investigations (Audits). There is no

requirement, however, that the neutral body perform such self-policing activities on both sides of the ocean. Some question has arisen as to whether an agreement can be adequately policed if such activity is restricted or limited in any way to only one end of a trade which could open the unpoliced trade segment to malpractices.

On the other hand, it is extremely difficult to fashion regulations so specific that every possible situation is satisfied. An alternative is to revise the present investigative requirements to state that effective policing dictates that, under normal circumstances, some degree of investigative activity (Audits, Investigations and Cargo Inspection) shall be the stated responsibility of the self-policing body at both ends of any particular trade. The degree of policing activity can be determined when reviewing the proposed standard self-policing reports (as discussed in section 4) based on the location of the various activities reported and the number of man-hours expended at each location. Any significant imbalance in policing activities on either end of the trade would require a detailed explanation for the imbalance. For the purposes of this rule, if the number of man-hours expended at either end of a particular trade constitutes less than 25 percent of the total man-hours devoted to self-policing activities in that trade, then a significant imbalance will be considered to exist.

3. Section 528.3(e) requires self-policing bodies periodically to conduct self-initiated investigations (Audits) into the activities of each member line. Such audits must, at a minimum, include the unannounced inspection of books, records, accounts, shipping documents, invoices, cargo, ships, containers, equipment, and the facilities of the member and its associates. However, § 528.3(e) does not specify any minimum number of self-initiated investigations which are to be conducted. In order to emphasize the importance attached to self-initiated audits, the Commission is considering adding appropriate language to § 528.3(e) to establish guidelines on the frequency and content of such inspections. At a minimum, an annual audit of each member line should be required. In the event that a less frequent inspection schedule is considered appropriate, based on circumstances or experience in the trade, then the burden of justification would be placed on the ratemaking body.

The reporting requirements would also be amended to provide guidance as to the scope of self-policing activities to

be reported. Depending on the type of reporting the Commission chooses to adopt (discussed in section 4), information as general in scope as the totals for the number of audits or investigations conducted, man-hours expended, findings and final actions, etc. could be considered adequate. However, if more detailed information is determined to be necessary, then information such as dates, reference or code numbers and specifically which documents were actually inspected could be incorporated into the reporting requirements.

4. Section 528.5 requires the filing of semi-annual self-policing reports within 30 days of the expiration of each 6-month report period. Experience in reviewing the reports filed indicates a need for more specific and uniform reporting. The Commission is considering the adoption of a standard reporting format to be required for use by all parties subject to the self-policing requirements. Such reports would require specific information which will permit the Commission to evaluate the adequacy of self-policing programs.

A more structured reporting system will assist the neutral bodies by delineating exactly what information will be required to be reported and assist the Commission by providing uniform, more comparable data in a concise and uniform format. While some additional detail or elaboration in reports might be desirable to assess the thoroughness and level of activity, other items currently being reported might best be deleted, consolidated, or reported only on the basis of specific changes. Presently, the Commission's self-policing regulations are being variously interpreted as to their reporting requirements. Hence, we believe that uniform and improved reporting is of paramount importance.

The Commission is considering two proposed self-policing report formats (Options A and B) which differ primarily in the degree of detail to be reported. Either option should provide the necessary data to properly assess the adequacy of self-policing.

The proposed report format under each option consists of separate sections to reflect self-policing activity pertaining to: (1) Audits, (2) investigations, (3) cargo inspection, (4) the status of self-policing/cargo inspection organizations, and (5) oversight committee certification. A basic assumption on which the proposed report is based is that each member line will be subject to an annual audit. Any additional audit activity to be conducted would be as the neutral body requires

and any lesser amount would only be authorized upon a showing that effective self-policing would not be impaired.

While both reporting options would provide the Commission with the necessary uniformity, Option A represents a refinement and reorganization of General Order 7's present requirements, with the major distinctions being a new reporting requirement to reflect the activity of the proposed cargo inspection program, and the use of man-hours expended in specific audit, investigation and cargo inspection activities in lieu of specific budget data.

Option B represents a substantial relaxation of the present reporting requirements. Rather than provide the Commission with specific details of all investigative activities, the Commission would only require a summary approach (total activities in each category) with details to be provided only in connection with actual, proven violations (including warning letters). As in the case of Option A, this option requires additional reporting, over and above the Commission's present rules with respect to cargo inspection and the substitution of man-hours for monetary budget data.

The cargo inspection portion of the proposed report would be the same under either option and would reflect both the geographic balance and the level of activity of the ongoing cargo inspection program (as discussed in section 5) and would require accounting for both the man-hours expended and any revenues derived therefrom, and the number of cargo inaccuracies detected.

Although member lines in breach of the agreement would not be identified in either case (except recipients of warning letters), under Option A each audit conducted would be assigned a reference number and the semi-annual self-policing reports would reflect specific information about each audit conducted, including its location, date commenced and concluded, the total number of man-hours devoted to the audit, the number of documents inspected by type, the number of suspected breaches detected and the investigation reference numbers of those suspected breaches. The only requirement listed above not found in the current rules is for the number of man-hours expended. Presently, the Commission's rules require budgetary information.

Current self-policing reporting requirements specify that the name and address of the neutral body employed during the reporting period and a complete description of its staff.

facilities and budget, and the name and address of the impartial arbitrator employed during the reporting period and a description of its qualifications are to be included as part of each report (§ 528.5(b)(1)). However, rather than require that all of the specified information be repeated with each report, the Commission proposes that the required information be submitted once, in the form of an addendum to the report, and thereafter only as changes occur.¹ The proposed semiannual self-policing report (either option) would contain a section relative to the Status of Self-Policing/Cargo Inspection Organizations that would indicate only if any changes had taken place. If a change is indicated on the report, an update of the basic data in the addendum would be required to accompany the self-policing report. It is proposed that the same requirements concerning background information and reporting procedure also apply to any Misrating Programs which may be utilized² and for the Cargo Inspection Organization if different from the neutral body.

The Oversight Committee Certification section of the report (as discussed in section 8) would require that representatives of three member lines certify (1) to the accuracy and completeness of the Self-Policing Report, (2) to the adequacy of the cargo inspection activity to detect cargo inaccuracies, and (3) that the neutral body is effectively policing the obligations of carrier members of the agreement.

5. Section 528.3(e) requires self-policing bodies to periodically conduct self-initiated investigations which shall include the inspection of books, records, cargo, containers, etc. A minimal amount of cargo inspection and an attendant program for carrying out such an activity is therefore required.

The Commission considers cargo inspection to be an integral part of any system that is designed to discover malpractices and wishes to consider a more specific rule which would require all self-policing bodies to have an on-going cargo inspection program. The net, beneficial, policing effect of such a program would be to cut off the potential for collusion between carriers and shippers and to insure that shippers pay and carriers collect only the prescribed tariff rate. Such a program, however, would not be without

additional contractual obligations on the part of the conference.

While the Commission could specify a minimum cargo inspection program, we believe a preferable alternative might be for each ratemaking group to establish its own level of cargo inspection activity dependent on the nature of the specific trade, report to the Commission as to the specific percentage of total cargo which are involved and require that the Oversight Committee (discussed in section 8) certify as to the adequacy of that level of inspection for the purposes of detecting instances of inaccuracies in cargo description, weight or measurement.

6. Section 528.3(a) requires policing authorities to have an adequate and qualified staff, adequate facilities, and an adequate budget. Furthermore, § 528.5(b)(1) requires the reporting of a complete description of self-policing bodies, staffs, and budgets. Certain conferences and self-policing bodies have objected to the submission of the dollar amounts expended on self-policing.

In retrospect, the Commission does not view submission of a dollar amount as necessarily essential to a determination of the adequacy of a self-policing program. It may be that together with a complete description of the self-policing body and the qualification of its staff, a report of the man-hours expended in the various self-policing areas would be sufficient. Accordingly, the Commission will consider such a change to the rule.

7. The Commission's self-policing rules do not require the filing of the self-policing contract entered into between the ratemaking agreement and the self-policing bodies. The Commission has, however, in several instances specifically required these contracts to be submitted.

There may be some merit to requiring the filing of self-policing contracts in that the Commission could ensure itself that such contracts do not contain any language which is offensive to its regulations. However, such a requirement may not be absolutely necessary since the matter of compliance with the Commission's regulations could be otherwise adequately addressed in particular rate agreement situations. Therefore, it is proposed that § 528.5(a) be amended to expressly not require that self-policing contracts be filed with the Commission.

8. The Commission is also considering requiring the establishment of what might be called an "Oversight Committee" in each rate group (except two-party agreements which are exempt

from self-policing). The Committee could consist of individual representatives of three members of the rate group. It would be the responsibility of each representative to separately review each self-policing report prior to its submission to the Commission and to certify that the policing activity represented therein is effective. We believe that such a requirement would add an additional safeguard with no particular disadvantages.

Pursuant to 5 U.S.C. 605(b) The Commission certifies that the rule proposed herein will not have a significant economic impact on a substantial number of small entities. While there may be some secondary, non-significant impact on shippers and consignees considered to be small entities, any significant economic impact will be limited to steamship liner companies that are not considered to be small entities.

This Notice of Proposed Rulemaking has been submitted to the Office of Management and Budget for review and public comment, in accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). Comments regarding the paperwork burden should be addressed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, D.C. 20503, Attention: Desk Officer for the Federal Maritime Commission.

List of Subjects in 46 CFR Part 528

Maritime carriers, reporting and record keeping requirements.

PART 528—[AMENDED]

Therefore, pursuant to 5 U.S.C. 553 and sections 14, 15, 16, 18(b), 21, 35 and 43 of the Shipping Act, 1916 (46 U.S.C. 812, 814, 815, 817(b), 820, 833a, and 841a), the Commission proposes to amend 46 CFR Part 528 as follows:

§ 528.2 [Amended]

1. Section 528.2(b) would be revised to read:

(b) *Permissible damages.* A statement specifying the maximum damages, or range of damages, or the method of calculating the damages, which may be assessed against members of the agreement upon finding that such members have committed a breach of such a nature that the issuance of a warning letter would be inappropriate. Such statement may specify damages for specific breaches and a general category of breaches, or both, and may relate to each and every breach, or to the number

¹ Budget data would not be included in the addendum. As explained above, the self-policing report would reflect the man-hours expended.

² While the Commission's present rules do not mention specific programs for cargo misratings, a number of conferences maintain such programs.

of times the member has previously been found guilty of a breach:

§ 528.5 [Amended]

2. Section 528.5(b)(9)(ii) would be amended:

(a) By redesignating current paragraph (b)(9)(ii) as paragraph (b)(9)(iii).

(b) By adding new paragraph (b)(9)(ii) to read:

(b) * * *

(9) * * *

(ii) A warning letter was issued by the neutral body which, based on the circumstances, was considered a more appropriate course of action than the assessment of damages; and

§ 528.2 [Amended]

3. Section 528.2(c)(1) would be amended to add a new paragraph (vi) follows:

(c) * * *

(1) * * *

(vi) Be responsible for conducting some degree of inspection activity (audits, investigations and cargo inspection) at both points of origin and points of destination of any particular trade. Any significant imbalance (less than 25 percent of the total man-hours) in policing activities on either end of the trade will require a detailed explanation for the imbalance.

§ 528.5 [Amended]

4. Section 528.5(b) would be amended by revising the introductory text to read:

(b) Each semiannual self-policing report may exclude the identity of all parties to an allegation of breach, investigation or penalty assessment, however, recipients of warning letters shall be identified therein. Otherwise, self-policing reports shall contain the following detailed information:

§ 528.3 [Amended]

5. Section 528.3(e) would be revised to read:

(e) Policing authorities shall be required to conduct self-initiated investigations whenever they receive information providing reasonable cause to do so and to periodically conduct audits of the activities of each member line. An annual audit of each member line shall be conducted by the neutral body. However, the Commission may, in its discretion and for good cause, grant exemptions from this requirement. All self initiated audits shall include, but

not necessarily be limited to, the unannounced inspection of books, records, accounts, shipping documents, invoices, cargo, ships, containers, equipment and facilities of the member and its associates. The inspection of cargo shall be conducted as a separate and ongoing program and at a level determined by the rate-making group to be adequate for the purpose of detecting instances of inaccuracies in cargo descriptions, weight or measure and such adequacy shall be so certified by the Oversight Committee.

§ 528.5 [Amended]

6. Section 528.5 would be amended to require a standardized self-policing reporting format. Two options are offered below which differ primarily in the degree of detail to be reported. The precise wording of this section will depend on which option is selected for the final rule. Details of reporting under the proposed options can be gleaned from a review of the proposed reports in the attached exhibits. Option A standardizes current reporting requirements while adding a cargo inspection reporting requirement and the substitution of man-hours expended in self-policing functions in lieu of budget data. Option B also requires cargo inspection and man-hour reporting. However, other self-policing functions currently reported in detail would be reported in summary form.

Self Policing Report (Option A)

Prepared By _____
Prepared For _____
Report Period From—Through _____

Audits

Audit Reference Number—Audit Location _____
Date: Commenced _____
Concluded (*if still pending) _____
Total Manhours Expended in Audit _____
Number of Records/Documents Inspected by Type (List type below with number inspected at right) _____
Number of Suspected Breaches of the Agreement Detected by the Audit _____
Investigation Reference Number(s) of Suspected Breach(es) _____

Investigations

Investigation Reference _____
Investigation Location _____
Date: Commenced _____
Concluded (*if still pending) _____
Type of Investigation _____
Complaint _____
Self-Initiated (insert audit reference number if applicable) _____
Nature of Suspected Breach (list below) _____
Total Manhours Expended in Investigation _____
Number of Breaches of Agreement Established ¹ _____

¹ When a final action includes the assessment of a penalty, or the issuance of a warning letter attach:

(1) a detailed, comprehensive summary of each breach or warning (other than unintentional cargo

Final Action:

Charges Dismissed (unfounded) _____
Warning Letter Issued (if the member line has been previously warned concerning the same type of malpractice, indicate the number of instances during the preceding three-year period) _____

Penalty Assessed (amount) _____

Penalty Paid (amount) _____

Hearing Conducted (Yes/No) _____

Arbitration Proceeding (Yes/No) _____

Was additional information received or gathered during the reporting period alleging or suggesting the existence of a breach, but was not made the subject of an investigation? Yes _____ No _____

If Yes, attach a list of this information.

Cargo Inspection

Total Amount of Cargo Inspected:
Containerized—TEU Units _____
Breakbulk—Tons (Weight or Measure as freighted) _____

Total Number of Inaccuracies in Cargo Description, Weight or Measurement Detected by the Cargo Inspection Organization _____

Percentage of Total Conference/Rate Agreement Cargo Carried During the Reporting Period that was Inspected _____%
Total Manhours Devoted to Cargo Inspection by Location (city/port) _____

Number of Inaccuracies in Cargo Description, Weight or Measurement Referred to the Neutral Body for Investigation _____

Revenue Derived from Cargo Inspection:
Revenue Collected _____
Pending Collection _____

Status of Self Policing/Cargo Inspection Organizations

Have any changes taken place during the report period in the previously reported data relative to the name, address, staff, and facilities of the:

(1) Neutral Body Yes _____ No _____

(2) Cargo Inspection Organization, if different from the neutral body. Yes _____ No _____

Have any changes taken place during the report period in the previously reported data relative to the name, address, staffing, authority, routine activities and reporting procedures of any misrating committee or similar organization utilized? Yes _____ No _____ Not Applicable _____

(If the answer to any of the above questions is yes, then an updated Addendum must accompany this report.)

Oversight Committee Certification

We the members of the Agreement Self Policing Oversight Committee hereby certify (1) to the accuracy and completeness of this Self Policing Report and that it is a true reflection of the self policing activities of Agreement Number _____, performed in full

misdescriptions and mismeasurements) including a description of any hearings or arbitration proceedings conducted.

(2) A description of the nature of other breaches committed by the member line for the three years prior to the subject breach.

(3) Identity of the carrier receiving a warning letter.

compliance with the requirements of FMC General Order 7, as amended;

(2) that the percentage of total cargo inspected pursuant to the agreement Cargo Inspection Program is adequate for the purposes of detecting instances of inaccuracies in cargo description, weight or measurement; and

(3) that the neutral body is effectively policing the obligations of carrier members of the agreement.

Signature _____
Name _____
Title/Position _____
Member Line _____
Date _____

Signature _____
Name _____
Title/Position _____
Member Line _____
Date _____

Signature _____
Name _____
Title/Position _____
Member Line _____
Date _____

Self Policing Report (Option B)

Prepared By _____
Prepared For _____
Report Period From _____
Through _____

Audits

Total Number of Audits Completed During the Reporting Period _____
Total Number of Audits Pending Completion at the End of the Reporting Period _____
Total Manhours Expended in Audit Activity by Location (city/port) _____
Number of Suspected Breaches of the Agreement Detected During Audits _____

Investigations

Total Number of Investigations:
1. Initiated in a previous Reporting Period, but Completed During this Period _____
2. Initiated and Completed During the Reporting Period _____
3. Still Pending at the Close of the Reporting Period _____
Total Number of Investigations Instituted:
1. By Complaint _____
2. Self-Initiated _____
Total Manhours Expended in Investigation by Location (city/port) _____
Total Number of Breaches of Agreement Established ¹ _____
Number of Final Actions by Type:
Charges Dismissed (unfounded) _____
Warning Letter Issued _____
Penalty Assessed _____

Cargo Inspection

Total Amount of Cargo Inspected:
Containerized—TEU Units _____

¹ When a final action includes the assessment of a penalty or the issuance of a warning letter, attach a detailed, comprehensive summary of each breach or warning, respectively, (other than unintentional cargo misdescriptions and mismeasurements) including the location and a description of the nature of the breach and of any hearings or arbitration proceedings conducted and the identity of each recipient of a warning letter.

Breakbulk—Tons (Weight or Measure as freighted) _____

Total Number of Inaccuracies in Cargo Description, Weight or Measurement Detected by the Cargo Inspection Organization _____
Percentage of Total Conference/Rate Agreement Cargo Carried During the Reporting Period that was Inspected _____ %
Total manhours Devoted to Cargo Inspection by Location (city/port) _____
Number of Inaccuracies in Cargo Description, Weight or Measurement Referred to the Neutral Body for Investigation _____
Revenue Derived from Cargo inspection:
Revenue Collected _____
Pending Collection _____

Status of Self Policing/Cargo Inspection Organizations

Have any changes taken place during the report period in the previously reported data relative to the name, address, staff, and facilities of the:

- (1) Neutral Body. Yes _____ No _____
(2) Cargo Inspection Organization, if different from the neutral body. Yes _____ No _____

Have any changes taken place during the report period in the previously reported data relative to the name, address, staffing, authority, routine activities and reporting procedures of any misrating committee or similar organization utilized? Yes _____ No _____
Not Applicable _____

(If the answer to any of the above questions is yes, then an updated Addendum must accompany this report.)

Oversight Committee Certification

We the members of the Agreement Self Policing Oversight Committee hereby certify:

(1) to the accuracy and completeness of this Self Policing Report and that it is a true reflection of the self policing activities of Agreement Number _____, performed in full compliance with the requirements of FMC General Order 7, as amended;

(2) that the percentage of total cargo inspected pursuant to the agreement Cargo Inspection Program is adequate for the purposes of detecting instances of inaccuracies in cargo description, weight or measurement; and

(3) that the neutral body is effectively policing the obligations of carrier members of the agreement.

Signature _____
Name _____
Title/Position _____
Number Line _____
Date _____

Signature _____
Name _____
Title/Position _____
Number Line _____
Date _____

Signature _____
Name _____
Title/Position _____
Number Line _____
Date _____

§ 528.3 [Amended]

7. Section 528.3(a) would be revised to read:

(a) Policing authorities shall have an adequate and qualified staff, adequate facilities and an adequate budget. The number of hours expended in the performance of audit, investigative and cargo inspection functions as reflected in the self-policing report, shall be used to assess the adequacy of the policing authority budget.

* * * * *

§ 528.1 [Amended]

8. Section 528.1(b) would be amended by adding the following to the end thereof:

* * * * *

(b) * * * The contract for self-policing services between the neutral body and the rate-fixing body need not be filed with the Commission.

* * * * *

§ 528.2 [Amended]

9. Section 528.2(f) would be revised to read:

* * * * *

(f) *Designated officials.* A statement designating an Oversight Committee, consisting of representatives from three member lines of the rate-fixing body, to be responsible for the filing and certifying of self-policing reports with the Commission in accordance with § 528.5;

* * * * *

§ 528.5 [Amended]

10. Section 528.5(d) would be revised to read:

* * * * *

(d) The Oversight Committee designated pursuant to § 525.2(f) shall certify, under penalty of perjury, (1) to the accuracy and completeness of the self-policing report; (2) that the percentage of total cargo inspected pursuant to the agreement Cargo Inspection Program is adequate for detecting instances of inaccuracies in cargo description, weight or measurement; and (3) that the neutral body is effectively policing the obligations of carrier members of the agreement.

By the Commission.

Francis C. Hurney,
Secretary.

(FR Doc. 83-32658 Filed 12-8-83; 8:45 am)

BILLING CODE 6730-01-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1310

[Ex Parte No. MC-97 (Sub-2)]

Investigation Into Practices of Motor Common Carriers of Property on Residential and Redelivered Shipments

AGENCY: Interstate Commerce
Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: Nine motor carrier rate bureaus have jointly petitioned the Commission to repeal the rules set forth at 49 CFR 1310.15(e) (1), (2), and (3). These regulations govern the assessment of charges on shipments to or from private residences and similar locations and require prenotification before delivery to these locations. The Commission is considering granting the relief sought by petitioners and seeks comments from interested parties.

DATES: Comments are due January 23, 1984.

ADDRESS: The original and 15 copies of comments should be sent to: Ex Parte No. MC-97 (Sub-2), Room 2203, Office of the Secretary, Interstate Commerce Commission, Washington, DC 20423.

A copy of the comments should be sent to petitioner's representative: Bryce Rea, Jr., and John R. Bagileo, Rea, Cross & Auchincloss, 700 World Center Building, 918 16th Street NW., Washington, DC 20009.

FOR FURTHER INFORMATION CONTACT:

Tom Vining (202) 275-7426

or

Howell I. Sporn (202) 275-7691.

SUPPLEMENTARY INFORMATION: In Ex Parte No. MC-97, *Investigation into Practices of Motor Common Carriers of Property on Residential and Redelivered Shipments*, 353 I.C.C. 689 (1977), the Commission adopted regulations governing the assessment of charges on shipments originating at or destined to private residences and other types of premises. These regulations prohibit the imposition of additional charges for movements to or from residences, apartments, churches, schools, and other primarily noncommercial locations when these charges are not likewise applicable to pickup or delivery at commercial establishments. The rules also require notification before delivery to residential destinations. If through no fault of its own, however, the carrier is unable to effect delivery as scheduled, it may assess the additional costs of

renotification and redelivery. The complete text of the regulations is set out in the appendix to this notice.

Nine motor carrier rate bureaus¹ have jointly petitioned for repeal of the residential service regulations. Petitioners contend that the rules adversely affect the operations of their member carriers. Further, they assert that retention of the rules is inconsistent with the thrust of the Motor Carrier Act of 1980, Pub. L. No. 96-296, 94 Stat. 793 (1980) (MCA), which encourages increased flexibility by carriers on price and service options. Roadway Express, Inc., Ryder Truck Lines, Inc., Pacific Intermountain Express Co., and New Penn Motor Express, Inc., have filed letters supporting the relief sought. The American Seed Trade Association, Inc., Nationwide Fund Raisers, Inc., the National Small Shipments Traffic Conference, Inc., and the Drug and Toilet Preparation Traffic Conference, Inc. (jointly), filed pleadings opposing repeal of the regulations.

The petition states that continued application of the rules acts as an impediment to the establishment of rates that reflect the cost of the services being provided by the carriers. This follows from petitioners' assertion that movements to and from residences and similar locations involve expenses not incurred in serving commercial shippers and receivers. In particular, petitioners note that the rules require notification before delivery to residential locations, but prohibit the assessment of a specific charge to cover the cost of this service. Commercial shippers and receivers are usually assessed an additional charge when notification is requested, and the Commission has not found this practice unreasonable. Moreover, petitioners contend that the rules reflect inconsistent positions on the nature of residential service. The prohibition on additional charges for residential movements implies that the conditions under which residential and commercial service are provided are substantially similar. Yet, the notification requirement for residential deliveries suggests a recognition that these conditions are substantially different. Petitioners argue that there are important differences between residential and commercial service, and that the existing rules prevent carriers from recovering the

¹ Central States Motor Freight Bureau, Inc., Eastern Central Motor Carriers Association, Inc., Middle Atlantic Conference, Middlewest Motor Freight Bureau, New England Motor Rate Bureau, Inc., Niagara Frontier Tariff Bureau, Inc., Pacific Inland Tariff Bureau, Rocky Mountain Motor Tariff Bureau, Inc., and Southern Motor Carriers Rate Conference.

additional expenses incurred in providing residential service.

Petitioners find further support in the MCA for repeal of the regulations. They point out that this legislation established new policies encouraging price and service competition among motor carriers and eliminating unnecessary regulation. In light of the new regulatory environment under the MCA, the Commission has acted to repeal other regulations after finding them no longer necessary. Petitioners cite as an example the decision in Ex Parte No. MC-88, *Detention of Motor Vehicles—Nationwide*, 132 M.C.C. 906 (1982), which repealed the former uniform detention rules. They contend that a similar reexamination of the residential service rules will result in a determination that they should be repealed.

Petitioners' arguments appear to have merit, and we are proposing to repeal the assailed rules. We seek comments from interested parties and from other agencies on the continuing need for these regulations. Comments should address in detail petitioners' assertion that the costs and conditions of residential service differ substantially from those associated with commercial service.

Energy and Environmental Considerations

This action does not appear to affect significantly the quality of the human environment or the conservation of energy resources.

Regulatory Flexibility Analysis

We certify that this action will not have a significant economic impact on a substantial number of small entities. To the extent the proposals would affect small entities, the effects, although not significant, would be largely positive since carriers will have new flexibility in responding to market demands. Any overall effect on small shippers should also be positive since they will benefit from the carriers' ability to offer new price and service options.

List of Subjects in 49 CFR Part 1310

Exports, Freight, Imports, Intermodal transportation, Maritime carriers, Motor carriers.

This notice is issued pursuant to 49 U.S.C. 10321 and 5 U.S.C. 553.

Decided: December 2, 1983.

By the Commission, Chairman Taylor, Vice Chairman Sterrett, Commissioners Andre, and Gradison.

James H. Bayne,
Acting Secretary.

Appendix

§ 1310.15 [Amended]

It is proposed to remove paragraph (e) of § 1310.15. For the convenience of the reader, the text of (e) is set forth as follows:

§ 1310.15 Terminal and other services—changes and allowances (Rule 15).

* * * * *

(e) *Assessment of charges on shipments originating at or destined to private residences and other types of premises.*

(1) Tariffs of for-hire motor common carriers shall not provide for the application of rates or the imposition of charges, by whatever means, for movements to or from, for example, private residences, apartments, churches, schools, camps, and other such locations, which differ from otherwise applicable rates from or to other locations such as businesses, warehouses, and other generally recognized commercial locations.

(2) Before attempting delivery to residences and other related types of premises such as those described in paragraph (e)(1) of this section, the carrier must reach agreement with the consignee or consignor regarding the date and time (approximate) of such delivery. This arrangement for delivery may be accomplished through a notation by the consignor on the bill of lading, or

by oral or written arrangement between the carrier and the consignee. In any case, some mutually agreed-upon arrangement for delivery must be made before tender of delivery is initially attempted.

(3) If the carrier complies with the regulation described in paragraph (2) of this section, and, through the fault of the consignee, is unable to tender delivery as scheduled, a reasonable charge to cover the service described in paragraph (e)(2) of this section and additional costs of the renotification, arrangement, and redelivery may be assessed. The requirements of paragraph (e)(2) of this section regarding prior arrangement for tender of delivery are similarly applicable when redelivery is necessary.

* * * * *
[FR Doc. 83-32760 Filed 12-8-83; 8:45 am]
BILLING CODE 7035-01-M

Notices

Federal Register

Vol. 48, No. 238

Friday, December 9, 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.

CIVIL AERONAUTICS BOARD

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q of the Board's Procedural Regulations (See, 14 CFR 302.1701 et. seq.); Week Ended December 2, 1983

The due date for answers, conforming application, or motions to modify scope are set forth below for each application. Following the answer period the Board may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Subpart Q Applications

Date filed	Docket No.	Description
Nov. 28, 1983	41846	Northwest Airlines, Inc., Minneapolis/St. Paul International Airport, St. Paul, Minnesota 55111. Application of Northwest Airlines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations applies for an amendment of Segment 2 of its certificate for Route 179 which would authorize Northwest to engage in the scheduled air transportation of persons, property and mail on an unrestricted basis between the U.S. and Dublin, Ireland. Segment 2, as amended, would read: Between a point or points in the United States and Tel Aviv, Israel, Shannon, Ireland, Dublin, Ireland, and a point or points in Belgium, the Netherlands, Luxembourg, the Federal Republic of Germany, Iceland, Denmark, Norway, Sweden, Finland, Switzerland and Jordan. Conforming Applications, Motions to Modify Scope and Answers may be filed by December 27, 1983.
Nov. 30, 1983	41853	American Airlines, Inc., P.O. Box 61616, DFW Airport, Texas 75261. Application of American Airlines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations requests the Board to issue it a certificate, to become effective upon suspension of service by Western Airlines, as follows: "Between the coterminal points Houston and Dallas/Ft. Worth, Texas, the intermediate points Calgary and Edmonton, Alberta, Canada, and the coterminal points Anchorage and Fairbanks, Alaska." American further requests that Western's authority be suspended or revoked under Section 401(g) of the Act. Conforming Applications, Motions to Modify Scope and Answers may be filed by December 28, 1983.
Nov. 28, 1983	41725	Pacific Air Express, Inc., c/o Stephen A. Altman, 1050 Seventeenth Street, N.W., 12th Floor, Washington, D.C. 20036. Supplemental Exhibits of Pacific Air Express, Inc. pursuant to Order 83-10-75. Answers may be filed by December 27, 1983.
Dec. 2, 1983	41858	Ceskoslovenske Aeroline, c/o Allan I. Mendelsohn, Ward & Mendelsohn, 1725 Eye Street, N.W., Suite 310, Washington, D.C. 20006. Application of Ceskoslovenske Aeroline, pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations applies for the amendment and/or renewal of its foreign air carrier permit so as to permit it to continue its on-going operations in scheduled foreign air transportation between the United States of America and the Czechoslovak Socialist Republic. Answers may be filed by December 30, 1983.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 83-32831 Filed 12-9-83; 8:45 am]

BILLING CODE 6320-01-M

[Order 83-12-31; Docket 41800]

Complaint of Continental Air Lines, Inc. Against the Government of Australia et al.; Order

On November 8, 1983, Continental Air Lines, Inc. filed a complaint against the Governments of Australia and New Zealand and their flag carriers, Qantas Airways, Ltd. and Air New Zealand, Ltd. Continental alleged that the two carriers and the governments had taken no action to assure that adequate ground and air control facilities and

services would be available if and when a labor boycott of Continental were to take place on November 11, 1983; that unless such action were taken, the effect would be to impair, limit, and deny Continental's operating rights to Australia and New Zealand in violation of the Civil Air Transport Agreements between the United States and the two respective countries; and that Continental therefore requested the Board to use the authority granted by section 402 of the Federal Aviation Act to suspend the permits of Qantas and Air New Zealand when the boycott

occurs until an investigation of the violations by the two countries is completed.

We received responses and answers opposing the complaint from Air New Zealand Ltd. and the International Association of Machinists and Aerospace Workers. The Department of State transmitted for inclusion in Docket 41800 a copy of a diplomatic note dated November 15, 1983, from the Embassy of New Zealand in Washington, D.C. conveying the views of the New Zealand Government on the complaint.

On November 16, 1983, Continental submitted a letter to us withdrawing its complaint without prejudice to refiling it if a similar disruption is threatened in the future. Continental states the threatened boycott did not actually occur, and that "there appears to be an ongoing working relationship in Australia and New Zealand which, in the absence of further threats of disruption indicates that these issues can be positively pursued through government to government discussions as contemplated by our bilateral agreements". (CO at 1).

We shall grant Continental's request. The immediate circumstances that gave rise to this proceeding apparently have been alleviated. Continental no longer seeks the imposition of sanctions. In these circumstances, we find that the public interest is best served by terminating this proceeding. Consistent, therefore, with Continental's expressed desire, we shall dismiss its complaint without prejudice to refiling should circumstances warrant.

Accordingly

1. We dismiss without prejudice the complaint of Continental Air Lines, Inc., in Docket 41800;

2. We may amend, modify, or revoke this order at any time without hearing; and

3. We will serve this order upon Continental Air Lines, Inc., Air New Zealand, Qantas Airways, the International Association of Machinists and Aerospace Workers, the Ambassadors of Australia and New Zealand in Washington, D.C., and the United States Departments of State and Transportation.

We shall publish this order in the Federal Register.

By the Civil Aeronautics Board.¹
Phyllis T. Kaylor,
Secretary.

[FR Doc. 83-32830 Filed 12-8-83; 8:45 am]
BILLING CODE 6320-01-M

[Order 83-12-3 Docket 41825]

Petition by Republic Airlines, Inc. for Emergency Action; Order Denying Petition

On November 16, 1983, Republic Airlines petitioned the Board for emergency rulemaking and other relief. It stated that three major air carriers have announced that they are withdrawing from the multilateral

interline traffic agreements and henceforth will maintain interline arrangements only pursuant to bilateral agreements which are terminable monthly without notice. It noted that under the new termination provisions, unless both parties give affirmative notice that they want to renew the agreement, the agreement ends automatically with no notice to third parties such as passengers and travel agents. Republic alleged that such a failure to notify passengers that interline service may cease abruptly and without notice could constitute an unfair or deceptive practice within the meaning of section 411 of the Federal Aviation Act, as amended.

Republic also alleged that the right to terminate interline agreements without notice could also be used for anti-competitive purposes. The petitioner stated that the Continental bankruptcy has provided the occasion for carriers to reconsider whether they want to be parties to executory interline agreements with no specific termination, since parties to such agreements are routinely enjoined from withdrawing from them after a bankruptcy petition is filed. In addition, it argued that the right to terminate interline agreements without notice is a powerful competitive weapon both in terms of computer reservation practices and in bargaining strength with smaller interline partners.

Republic asked the Board to take two separate but related actions. First, it petitioned the Board to adopt interim rules to be effective on December 1, 1983. It suggested that those rules state that where an interline agreement contains a specific expiration date, or has in fact expired, passengers purchasing tickets that would not be honored in the absence of an effective interline agreement, or passengers making reservations for space on an interline itinerary that would not be honored with respect to ticketing and baggage transfer in the absence of such agreement, be given actual notice thereof by any airline parties to such agreement or any travel agent at the time such reservation is made or ticket issued. Second, it asked the Board to institute a full rulemaking proceeding on no-notice interline agreement terminations.

Eastern Airlines answered in support of Republic, emphasizing the problems that might be caused with respect to multi-carrier ticketing. It stated that bilateral agreements by a ticketing carrier cannot create rights as between two carriers other than the ticketing carrier, although they all might be participating in a multi-carrier trip.

American Airlines delivered an answer to the Board on November 21, 1983, urging the Board not to adopt interim rules because they are not needed. It argued that under general principles of agency law, a principal cannot refuse to honor a contract made by its agent while the agency relationship is in effect. It stated that it will honor any tickets written or reservations made by its interline partners if there is a valid interline agreement in effect at the time of the ticketing or reservation, and that there is, therefore, no need for an interim rule. It concluded by asking the Board to allow the usual 30 days for answers to the petition and by promising to fully respond to the issues at that time.

The Board is hereby denying Republic's petition asking for emergency interim rules, because it has not shown sufficient justification for taking such an important action without full consideration. It does not appear, in light of American's statement, that there is an imminent threat to the public interest that would justify omission of the regular 30-day answer period.

The Board is not hereby taking any position on the merits of the rulemaking petition. Interested persons have 30 days to file answers to the petition, after which the Board will decide what action to take.

Accordingly, the Board denies Republic's petition for adoption of emergency interim rules to provide notice to interline passengers that their tickets might not be honored.

By the Civil Aeronautics Board.¹
Phyllis T. Kaylor,
Secretary.

[FR Doc. 83-32829 Filed 12-8-83; 8:45 am]
BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

Bureau of the Census

Annual Survey of Retail Sales and Inventories; Determination

In accordance with Title 13, United States Code, Sections 182, 224, and 225, and due Notice of Consideration having been published November 22, 1983 (48 FR 52757), I have determined that certain 1983 annual data for retail trade are needed to provide a sound statistical basis for the formation of policy by various governmental agencies and that these data also are applicable to a variety of public and business needs.

¹ All members concurred except Member McConnell who did not vote.

¹ All members concurred.

This annual survey is a continuation of similar surveys conducted each year since 1951 (except 1954). It provides, on a comparable classification basis, annual sales, purchases of merchandise and accounts receivable balances for 1983 and year-end inventories for 1982 and 1983. These data are not available publicly on a timely basis from nongovernmental or other governmental sources.

The Bureau will require a selected sample of firms operating retail establishments in the United States (with sales size determining the probability of selection) to report in the 1983 Annual Retail Trade Survey. The sample will provide, with measurable reliability, statistics on the subjects specified above.

We will furnish report forms to the firms covered by this survey and will require their submission within 20 days after receipt. Copies of the forms are available upon written request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have directed, therefore, that an annual survey be conducted for the purpose of collecting these data.

Dated: December 6, 1983.

C. L. Kincannon,

Deputy Director, Bureau of the Census.

[FR Doc. 83-32793 Filed 12-6-83; 8:45 am]

BILLING CODE 3510-07-M

International Trade Administration

[A-588-005]

High Power Microwave Amplifiers and Components Thereof From Japan; Final Results of Administrative Review of Antidumping Duty Order

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of final results of administrative review of antidumping duty order.

SUMMARY: On September 15, 1983, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on high power microwave amplifiers from Japan. The review covers the one known exporter of this merchandise to the United States, NEC Corporation (formerly known as Nippon Electric Co., Ltd.), and the period September 1, 1981 through June 30, 1982.

We gave interested parties an opportunity to submit oral or written comments on the preliminary results. We received no comments. Based on our analysis, the final results of review are

unchanged from those presented in the preliminary results of review.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Elizabeth L. Wright or Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: (202) 377-3601/5255.

SUPPLEMENTARY INFORMATION:

Background

On September 15, 1983, the Department of Commerce ("the Department") published in the *Federal Register* (48 FR 41475-6) the preliminary results of its last administrative review of the antidumping duty order on high power microwave amplifiers from Japan (47 FR 31413-4, July 20, 1982). The Department has now completed that administrative review.

Scope of the Review

Imports covered by the review are shipments of high power microwave amplifiers and components thereof. High power microwave amplifiers are radio-frequency power amplifier assemblies and components thereof, specifically designed for uplink transmission in the C, X, and Ku bands from fixed earth stations to communications satellites and having a power output of one kilowatt or more. High power microwave amplifiers may be imported in subassembly form, as complete amplifiers, or as a component of higher level assemblies (generally earth stations). This merchandise is currently classifiable under item 685.29 of the Tariff Schedules of the United States.

The review covers the one known exporter of Japanese high power microwave amplifiers and components thereof to the United States, NEC Corporation, and the period September 1, 1981 through June 30, 1982.

Final Results of the Review

Interested parties were invited to comment on the preliminary results. The Department received no written comments or requests for a hearing. Based on our analysis, the final results of our review remain unchanged from the preliminary results of review, and we determine that no dumping margins exist for the period September 1, 1981 through June 30, 1982.

The Department shall instruct the Customs Service not to assess dumping duties on entries of high power microwave amplifiers and components thereof from Japan with purchase dates during the period of review.

Further, the Department shall not require a cash deposit of estimated antidumping duties, as provided for in § 353.48(b) of the Commerce Regulations, on any shipments of high power microwave amplifiers and components thereof from Japan entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. This deposit requirement shall remain in effect until publication of the final results of the next administrative review. The Department intends to immediately begin the next administrative review.

The Department encourages interested parties to review the public record and submit applications for protective orders, if desired, as early as possible after the Department's receipt of the information during the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53).

Dated: November 30, 1983.

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 83-32809 Filed 12-6-83; 8:45 am]

BILLING CODE 3510-DS-M

[A-588-041]

Synthetic Methionine From Japan; Final Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of final results of administrative review of antidumping finding.

SUMMARY: On June 8, 1983, the Department of Commerce published the preliminary results of its administrative review of the antidumping finding on synthetic methionine from Japan. The review covers the 30 known manufacturers/exporters and third-country resellers of this merchandise to the United States and the period July 1, 1981 through June 30, 1982.

Interested parties were given an opportunity to submit oral or written comments on the preliminary results. We received no comments. Based on our analysis, the final results are unchanged from those presented in the preliminary results of review.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Dennis U. Askey or Robert J. Marenick, Office of Compliance, International

Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: (202) 377-2923/5255.

SUPPLEMENTARY INFORMATION:

Background

On June 8, 1983, the Department of Commerce ("the Department") published in the *Federal Register* (48 FR 26505) the preliminary results of its last administrative review of the antidumping finding on synthetic methionine from Japan (38 FR 18392, July 10, 1973). The Department has now completed that administrative review.

Scope of the Review

Imports covered by the review are shipments of synthetic methionine other than synthetic L methionine. Synthetic methionine is an amino acid produced in two grades, DL methionine national formula grade (used for research and pharmaceutical purposes), and DL methionine feed grade (used as a feed additive). Both grades of synthetic methionine are currently classifiable under item 425.0430 of the Tariff Schedules of the United States Annotated.

This review covers the 30 known manufacturers/exporters and third-country resellers of Japanese synthetic DL methionine to the United States and the period July 1, 1981 through June 30, 1982.

Final Results of the Review

Interested parties were invited to comment on the preliminary results. The Department received no written comments or requests for a hearing. Based on our analysis, the final results of the review are the same as those presented in the preliminary results, and we determine that the following margins exist for the period July 1, 1981 through June 30, 1982.

Manufacturer/exporter	Margin (percent)
Ajinomoto Co., Ltd.	48.0
Alps Pharmaceutical Co.	22.54
Amano Pharmaceutical Co.	48.0
Chugai Boyeiki Co.	0
Daito Bussan Co.	0
Helm Japan, Ltd.	11.14
Inulio Yakuhin Kogyo	0
Isho Corporation	48.0
Iwaki & Co.	1.69
Koyo Mercantile Co., Ltd.	0
Kyowa Hakkio Kogyo Co.	29.10
Marubeni Corp.	48.0
Nippon Kayaku	48.0
Nippon Soda Co., Ltd./Mitsui & Co.	8.83
K. Sakai & Co., Ltd.	0
Sumitomo Chemical	0

¹ No shipments during the period.

Third-country reseller (country)	Margin (percent)
Atlantic Trading Co. (Canada)	0
H.J. Baker & Brothers (W. Germany)	0
Chemical & Feeds Ltd. (United Kingdom)	48.0
Chamo Dondorf (W. Germany)	48.0
Deutsch-Nordwegische GmbH (W. Germany)	22.53
Fortemix Chemicals (Canada)	21.66
Karl O. Helm (W. Germany)	2.86
Hoffman LaRoche (Canada)	0
Instel Corp. (France)	6.25
Mitsui & Co. (Belgium)	0
Mitsui & Co. (United Kingdom)	0
Nutrikem Limited (United Kingdom)	0
Seimsgluss & Sohn (W. Germany)	48.0
R. W. Urwin & Co. (United Kingdom)	0

¹ No shipments during the period.

The Department shall determine and the U.S. Customs Service shall assess antidumping duties on all appropriate entries. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Further, as provided for by § 353.48(b) of the Commerce Regulations, a cash deposit of estimated antidumping duties based on the above margins shall be required on all shipments of Japanese synthetic methionine from these firms entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. For any shipment from a new exporter not covered in this or prior reviews, whose first shipment occurred after June 30, 1982, and who is unrelated to any reviewed firm cash deposit of 29.10 percent shall be required for future entries. These deposit requirements shall remain in effect until publication of the final results of the next administrative review. The Department intends to begin immediately the next administrative review.

The Department encourages interested parties to review the public record and submit applications for protective orders, if desired, as early as possible after the Department's receipt of the information during the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53).

Dated: December 2, 1983.

Alan F. Holmer,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 83-32940 Filed 12-8-83; 8:45 am]

BILLING CODE 3510-D5-M

National Technical Information Service

Government-Owned Inventions; Availability for Licensing

The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

Technical and licensing information on specific inventions may be obtained by writing to: Office of Government Inventions and Patents, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Please cite the number and title of inventions of interest.

Douglas J. Campion,

Program Coordinator, Office of Government Inventions and Patents, National Technical Information Service, U.S. Department of Commerce.

Department of Agriculture

- SN 6-290,540 (4,410,967)—Method for Sampling Flying Insect Populations Using Low-Frequency Sound Detecting and Ranging in Conjunction with a Biologically Active Chemical/Pheromone
- SN 6-345,512 (4,410,625)—Salt-Tolerant Microbial Xanthanase and Method of Producing Same
- SN 6-456,930—Apparatus and Method of Measuring Edgewise Compression Deformation
- SN 6-456,954—Novel Strain of *Corynebacterium Fascians* and Use Thereof to Reduce Limonoid in Citrus Products
- SN 6-461,299—Synthetic Pheromone 10-Methyl-2-Tridecanone and Its use in Controlling the Southern Corn Rootworm and Related Diabroticites
- SN 6-464,530—A Dicarbamoylsulfonate Tanning Agent
- SN 6-467,068—Method and Apparatus for Measuring Press Roll Clearance
- SN 6-473,397—Process and Apparatus for Simulating A Rolling and Drying Operation
- SN 6-488,530—Insect Repellents
- SN 6-500,049—2-Acetyl-1-Pyrroline and Its Use For Flavoring Foods
- SN 6-506,079—Process and apparatus for Drying Paper at Elevated Temperature and Pressure
- SN 6-506,952—Method for the Preparation of Mycherbicide-Containing Pellets
- SN 6-507,191—Starch-Based Semipermeable Films
- SN 6-508,204—Floating Discs for Improved Furrow Opening for Conservation Planters
- SN 6-518,779—Abrasion-Resistant Durable-Press Acrylic Finishes for Cotton

Textiles By Use of Nonoxidative Polymerization Initiators and Accelerators In Two-Stage Heat Curing
 SN 6-519,786—Process for Recycling and Disposal of Dye Solutions
 SN 6-525,917—Direct Fermentation of Cellodextrins to Ethanol by *Candida Wickerhamii*
 SN 6-526,751—Process for Reinforced Yarn With Glass Fiber
 SN 6-526,752—Mild-Cure Formaldehyde-Free Durable-Press Finishing of Cotton Textiles with Glyoxal and Glycols
 SN 6-526,753—Method of Debitting Citrus Juice with Cyclodextrin Polymers
 SN 6-527,730—Electrodynamic Method for Separating Components
 SN 6-527,894—Zinc Pyrrithione Process to Impart Antimicrobial Properties of Textiles
 SN 6-532,431—Ovipositional Stimulant for *Trichogramma SPP.*
 SN 6-534,015—Production of Defatted Soybean Products by Supercritical Fluid Extraction
 SN 6-534,178—Irradiation Alcohol Fermentation Process
 SN 6-539,025—Control Of Mycotoxin Production by Chemically Inhibiting Fungal Growth
 SN 6-539,028—Selection Procedure for Obtaining Naturally Occurring Lactic Acid Bacteria or Their Mutants Which Do or Do Not Produce Carbon Dioxide from Malic Acid
 SN 6-539,860—Solubilization of Dry Protein in Aqueous or Acidic Media After Treatment with Concentrated Hydrogen Peroxide
 Department of Health & Human Services
 SN 6-265,469 (4,410,700)—Preparation of Chiral 1-Benzyl-1,2,3,4-Tetrahydroquinolines by Optical Resolution
 SN 6-330,020 (4,410,630)—Lysis Filtration Culture Chamber
 SN 6-511,108—Novel Plasmid pJL6
 SN 6-527,490—Construction and Characterization of A Strain or Recombinant Which Overproduces EcoRI Endonuclease and Methylase
 Department of the Air Force
 SN 6-195,147 (4,405,203)—Atmospheric Dispersion Corrector
 SN 6-256,373 (4,403,196)—Pulse Width Modulated Power Amplifier With Differential Connecting Line Voltage Drop Comparators
 SN 6-259,761 (4,404,055)—Elastomeric Seal
 SN 6-311,379 (4,403,813)—Roller Bearing Cage Design
 SN 6-326,973 (4,406,800)—Grease Composition Containing Poly(Alpha-Olefin)
 SN 6-347,381 (4,406,863)—Integrated Solid Propellant Gas Generator and Fluid Heat Exchanger
 SN 6-403,247—Measurement of Visual Contrast Sensitivity
 SN 6-433,171 (4,406,827)—Waveform Simulator for An Electronic System Maintenance Trainer
 SN 6-445,886 (4,402,836)—Method for Treating Contaminated Wastewater
 SN 6-482,754—Rain Rate Meter
 SN 6-504,183—EMI Filter Capacitor Unit
 SN 6-505,165—Multiple Task Oriented Processor

SN 6-528,309—Miniature Cell Adaptor to Accommodate Small Samples In Resistivity Cells
 SN 6-529,078—Directional Antenna System Having Sidelobe Suppression
 SN 6-529,179—Testing Apparatus for Quantitatively Measuring Creepability of Liquids
 SN 6-529,412—Protection Circuitry for High Voltage Drives

Department of the Army

SN 6-489,969—Method For Making A Radial Flow Ceramic Rotor For Rotary Type Regenerator Heat Exchange Apparatus; And Attendant Ceramic Rotor Constructions
 SN 6-508,783—Pulse-Type Cleaning Means for Filter Panels
 SN 6-514,984—Motorized Wheels For Dolly Structures
 SN 6-519,876—Variable Speed Drive
 SN 6-533,183—Multilevel Noise Code Mate Pair Generation and Utilization of Such Codes
 SN 6-536,064—Expanded Multilevel Noise Code Generator Employing Butting

Department of the Interior

SN 6-376,065 (4,410,496)—Recovery of Metal Values From Complex Sulfides

[FR Doc. 83-32768 Filed 12-8-83; 8:45 am]

BILLING CODE 3510-04-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjusting the Import Restraint Limits for Certain Cotton Apparel Products From Taiwan

December 6, 1983.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on December 6, 1983. For further information contact William Boyd, International Trade Specialist (202) 377-4212.

Background

A CITA directive dated December 16, 1982 (47 FR 57083) established import restraint limits for specific categories of cotton, wool, and man-made fiber textile products, including Categories 333/334, 340, and 353/354/653/654, produced or manufactured in Taiwan which have been exported during the twelve-month period which began on January 1, 1983. At the request of the authorities in Taiwan, swing is being applied to the limit for men's and boys' cotton coats in Category 333/334 increasing it from 61,870 dozen to 65,582 dozen. To account for the increase in Category 333/334, the limit for cotton and man-made fiber down and feather-filled coats, jackets

and vests in Category 353/354/653/654 is being reduced by a corresponding amount in equivalent square yards from 126,853 dozen to 123,302 dozen. The limit for men's and boys' woven cotton shirts in Category 340 is being increased from 630,919 dozen to 677,004 dozen by the application of carryforward. To the extent used in 1983, this carryforward will be deducted from the limit established for Category 340 in 1984.

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).

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

December 6, 1983.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
 Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive of December 16, 1982 from the Chairman of the Committee for the Implementation of Textile Agreements which established levels of restraint for certain specified categories of cotton, wool, and man-made fiber textile products, produced or manufactured in Taiwan and exported during the twelve-month period which began on January 1, 1983.

Effective on December 6, 1983, the directive of December 16, 1982 is hereby further amended to adjust the previously established limits for Categories 333/334, 340 and 353/354/653/654, as provided under the terms of the bilateral agreement of November 18, 1982.¹

Category	Adjusted 12-month level of restraint ¹ (dozens)
333/334	65,582
340	677,004
353/354/653/654	123,302

¹ The limits have not been adjusted to reflect any imports exported after December 31, 1982.

The Committee for the Implementation of Textile Agreements has determined that these actions fall

¹ The bilateral agreement of November 18, 1982 concerning cotton, wool and man-made fiber textile products from Taiwan provides, in part, that: (1) specific limits or sublimits may be exceeded by certain designated percentages, provided a corresponding reduction in equivalent square yards is made in one or more specific limits or sublimits during the same agreement year; (2) certain specific limits and sublimits may be increased for carryforward; (3) special shift may be applied to certain categories, provided a corresponding amount in equivalent square yards is deducted from designated categories; and (4) administrative arrangements or agreement.

within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 83-32266 Filed 12-8-83; 8:45 am]

BILLING CODE 3510-DR-M

Increasing the Import Limit for Certain Man-Made Fiber Textile Products From the Socialist Republic of Romania

December 6, 1983.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on December 9, 1983. For further information contact Diana Bass, International Trade Specialist (202) 377-4212.

Background

A CITA directive of February 22, 1983 establishing limits for wool and man-made fiber textile products, produced or manufactured in Romania and exported during the twelve-month period which began on January 1, 1983, was published in the *Federal Register* on February 28, 1983 (48 FR 8325). A further letter dated August 31, 1983 (48 FR 40290) amended the directive of February 22, 1983 to include an import limit for man-made fiber yarns in Category 604 of 2,446,418 pounds.

The Governments of the United States and the Socialist Republic of Romania have agreed to amend the Bilateral Wool and Man-Made Fiber Textile Agreement of September 3 and November 3, 1980, as amended and extended, to establish a specific limit for Category 604 at 2,500,000 pounds. The following letter to the Commissioner of Customs establishes the new limit and applies flexibility in the form of swing and carry forward, provided under the terms of the bilateral agreement, adjusting the specific limit from 2,500,000 pounds to 2,825,000 pounds during 1983. The amount of carry forward used this year will be reduced from the limit established for this category in the 1984 agreement year.

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).

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

December 6, 1983.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive of February 22, 1983 from the Chairman of the Committee for the Implementation of Textile Agreements which established levels of restraint for certain specified categories of wool and man-made fiber textile products, produced or manufactured in the Socialist Republic of Romania and exported during the Twelve-month period which began on January 1, 1983.

Effective on December 9, 1983, the directive of February 22, 1983 is hereby further amended to increase the previously established level of restraint for Category 604 to 2,825,000 pounds.¹

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 83-32909 Filed 12-8-83; 8:45 am]

BILLING CODE 3510-DR-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List 1984; Additions and Deletions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Additions to and Deletions from Procurement List.

SUMMARY: This action adds to and deletes from Procurement List 1984 commodities to be produced by and services to be provided by workshops for the blind and other severely handicapped.

EFFECTIVE DATE: December 9, 1983.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, Suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher (703) 557-1145.

¹The limit has not been adjusted to reflect any imports exported after December 31, 1982.

SUPPLEMENTARY INFORMATION: On February 4, August 19, September 2, and October 14, 1983, the Committee for Purchase from the Blind and Other Severely Handicapped published notices (48 FR 5290, 48 FR 37887, 48 FR 39975, and 48 FR 46832) of proposed additions to and deletions from Procurement List 1984, October 18, 1983 (48 FR 48415).

Additions

After consideration of the relevant matter presented, the Committee has determined that the commodities and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c, 85 Stat. 77.

I certify that the following actions will not have a significant impact on a substantial number of small entities. The major factors considered were:

a. The actions will not result in any additional reporting, recordkeeping or other compliance requirements.

b. The actions will have a serious economic impact on any contractors for the commodities and services listed.

c. The actions will result in authorizing small entities to produce or provide commodities and services procured by the Government.

Accordingly, the following commodities and services are hereby added to Procurement List 1984:

Class 3990

Pallet, Material Handling Corrugated Fiberboard: 3990-00-L77-0044 (Requirements for Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania only)

Class 5340

Strap: 5340-00-235-4433

Class 7930

Cloth, Wiping: 7930-LL-COO-3782 (w/ Lanyard), 7930-LL-COO-2768 (w/o Lanyard) (Requirements for Mare Island Naval Shipyard, Vallejo, California only)

SIC 0782

Grounds Maintenance, DOT/FAA AFSFO, 55 Midway Avenue, Daytona Beach, Florida

SIC 7349

Janitorial/Custodial, Fairchild Air Force Base, Washington (excluding USAF Hospital, Air National Guard and Commissary)

Deletions

After consideration of the relevant matter presented, the Committee has determined that the commodities listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 46-84c, 85 Stat. 77.

Accordingly, the following commodities are hereby deleted from the Procurement List 1984:

Class 6530

Cover, Litter: 6530-00-0784-1035

Class 7920

Cloth, Polishing: 7920-00-205-3170, 7920-00-664-0103

C. W. Fletcher,

Executive Director

[FR Doc. 83-32822 Filed 12-8-83; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1984; Proposed Additions and Deletions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed additions to and deletions from Procurement List.

SUMMARY: The Committee has received proposals to add and delete from Procurement List 1984 commodities to be produced by and services to be provided by workshops for the blind and other severely handicapped.

Comments must be received on or before: January 11, 1984.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, Crystal Square 5, Suite 1107, 1755 Jefferson Davis Highway, Arlington, Virginia 22202.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher (703) 557-1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

Additions

If the Committee approves the proposed additions, all entities of the Federal Government will be required to procure the commodities listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodities to Procurement List 1984, October 18, 1983 (48 FR 48415):

Class 4610

Bag, Drinking Water Storage: 4610-00-268-9890

Class 6530

Support, Litter Folding: 6530-00-660-0034

Class 7105

Cot, Folding, Aluminum: 7105-00-935-0422 (Requirements for Defense General Supply Center, Richmond, Virginia and Memphis, Tennessee only)

Class 7110

Telephone Cabinet: 7110-01-148-2421

Class 7520

Stand, Calendar Pad: 7520-00-139-4277 (Total Government Requirement), 7520-00-162-6156 (GSA Regions 1, 2, 3, and W)

Class 8415

Liner, Coat, Cold Weather:

8415-00-782-2886

8415-00-782-2887

8415-00-782-2888

8415-00-782-2889

8415-00-782-2890

8415-01-062-0679

Deletions

It is proposed to delete the following commodities and services from Procurement List 1984, October 18, 1983 (48 FR 48415):

Class 1430

Circuit Card Assembly: 1430-00-421-4036

Class 7510

Refill, Pocket Planning Set: 7510-01-113-2079

SIC 0782

Grounds Maintenance, Federal Service Center, 4747 Eastern Avenue, Bell, California

SIC 7349

Janitorial/Custodial, U.S. Customs, 160-19 Rockaway Boulevard, Jamaica, New York
Janitorial/Custodial, U.S. Army Reserve Center, Williamsburg, Virginia

C. W. Fletcher,

Executive Director

[FR Doc. 83-32823 Filed 12-8-83; 8:45 am]

BILLING CODE 6820-33-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Intelligence Agency Advisory Committee; Closed Meeting

Pursuant to the provisions of Subsection (d) of Section 10 of Pub. L. 92-463, as amended by Section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of a panel of the DIA Advisory Committee has been scheduled as follows:

Friday, 6 January 1984, Plaza West, Rosslyn, Virginia. The entire meeting, commencing at 0900 hours is devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will

be used in a special study on future initiatives in emergency planning.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

December 6, 1983.

[FR Doc. 83-32801 Filed 12-8-83; 8:45 am]

BILLING CODE 3810-01-M

Defense Science Board Task Force on International Industry-to-Industry Armaments Cooperation; Meeting

The Defense Science Board Task Force on International Industry-to-Industry Armaments Cooperation will meet in close session on 5 January 1984 in the Pentagon, 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 meetings on 5 January 1984 the Defense Science Board Task Force on International Industry-to-Industry Armaments Cooperation will continue its review of the Defense Department's policies, plans and procedures which impede or might impede international arms cooperation and thereby have the potential for adversely impacting the collective security of the United States, its friends and Allies. In this context, the Task Force will also analyze the effect current international cooperation policies have on the utility of the US, its friends and Allies to achieve in good order and sustain mobilization capacities.

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. 552b(c)(1) (1976), and that accordingly this meeting will be closed to the public.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

December 6, 1983.

[FR Doc. 83-32803 Filed 12-8-83; 8:45 am]

BILLING CODE 3810-01-M

Defense Science Board Task Force on Supercomputer Applications Sub Panel on Aircraft Applications; Meeting

The Aircraft Sub Panel of the Defense Science Board Task Force on Supercomputer Applications will meet in closed session on 10 January 1984 at the BDM Corporation, McLean, Virginia.

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 meetings on 10 January 1984 the Sub Panel will be briefed by the four Services on their plans for the use of artificial intelligence and advanced computers in their aircraft 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 this meeting will be close to the public. December 6, 1983.

M. S. Healy,

*OSD Federal Register Liaison Officer,
Department of Defense.*

[FR Doc. 83-32804 Filed 12-6-83; 8:45 am]

BILLING CODE 3810-01-M

Department of the Army

Distribution of Section 10721 Tenders; Procedural Change

AGENCY: Military Traffic Management Command, Army Department, DOD.

ACTION: Notice of Procedural Change.

SUMMARY: Effective February 1, 1984, the Military Traffic Management Command (MTMC) will adopt a new procedure for the distribution of less-load freight tenders (less-load tenders are applicable to general commodity freight shipments weighing less than 10,000 pounds and/or air cargo general commodity shipments weighing less than 1,000 pounds). Under the new procedure, MTMC area commands at Bayonne, NJ and Oakland, CA will discontinue the reproduction of carriers less-load tenders for distribution to multi-Department of Defense shipping installations. Carriers filing tenders that have an origin territorial application (Blocks 11A(1)(2) of tender form) encompassing more than one shipping installation will be required to furnish the appropriate area command(s) sufficient tender copies for distribution within the geographical area designated in the carrier tender. Subsequent to distribution of the tender by the Directorate of Inland Traffic, Headquarters, Military Traffic Management Command, the appropriate area command(s) will notify the carrier of the number of tender distribution copies required to meet the terms of his tender. Carriers declining to furnish the

requisite number of distribution copies will subject their tender(s) to immediate removal from further consideration in the routing of Department of Defense less-load traffic. Additionally, carriers making reference in their tender to their own tariff(s), as a governing publication for the development of less-load rates and/or rules, are now required to furnish without cost a copy of that tariff to each shipping installation making use of that tender. Tariff copies will be furnished upon request to the carrier by the using installation.

FOR FURTHER INFORMATION CONTACT:

Mr. Allen Kirby, Headquarters, Military Traffic Management Command, ATTN: MT-INNT, 5611 Columbia Pike, Falls Church, VA 22041. Telephone: (202) 756-1149/1576.

SUPPLEMENTARY INFORMATION: As a result of deregulation, the Military Traffic Management Command has experienced a steady increase in freight tenders filings. Additionally, more carriers now have broad coverage operating authority permitting unrestricted service between all points in the Continental United States. Consequently, less-load tenders now offer broader geographical coverage than ever before. This has impacted upon the Military Traffic Management Command's ability to provide reproduction facilities for this increased volume of tenders requiring distribution to multi-Department of Defense shippers. Adoption of the new procedure will expedite the reproduction and distribution of less-load tenders to Department of Defense shippers and give carriers quicker access to military traffic.

John Q. Roach II,

Army Liaison Officer with the Federal Register.

[FR Doc. 83-32810 Filed 12-6-83; 8:45 am]

BILLING CODE 3810-08-M

DEPARTMENT OF EDUCATION

Grants for Special Educational Programs for Students Whose Families Are Engaged in Migrant and Other Seasonal Farmwork; High School Equivalency Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Application notice for fiscal year 1984.

SUMMARY: Applications are invited for new grants under the High School Equivalency Program (HEP) to provide academic and supporting services and

financial assistance to students who are engaged, or whose families are engaged, in migrant and other seasonal farmwork.

The authority for this program is contained in Section 418A of Title IV of the Higher Education Act, as amended by Pub. L. 96-374.

(20 U.S.C. 1070d-2)

Eligible applicants are institutions of higher education (IHEs) and other public or nonprofit private agencies in cooperation with IHEs.

The purpose of HEP is to provide grants to IHEs and other agencies, in cooperation with IHEs, to design and implement projects of academic and supporting services and financial assistance to address the special educational needs of migrant and seasonal farmworker students and to enhance the opportunity of these students for success at the secondary education level.

Closing Date for Transmittal of Applications

An application for a grant must be mailed or hand delivered by February 29, 1984.

Applications Delivered by Mail

An application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: 84.141, 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 first class mail. Each late applicant 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. Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and 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

The Secretary awards HEP grants to IHEs and other agencies, in cooperation with IHEs, for projects of academic and supporting services and financial assistance to address the special educational needs of migrant and seasonal farmworker students and to enhance the opportunity of these students for success at the secondary education level.

The Secretary makes these grants to IHEs and other agencies, in cooperation with IHEs, to assist migrant and seasonal farmworker "drop-out" students in obtaining the equivalent of a secondary school diploma and subsequently gaining employment or being admitted to an IHE or other postsecondary education or training.

Available Funds

The Secretary estimates that there will be \$6.3 million available for FY 1984 grants. The Secretary estimates these funds will support 20 projects with most awards ranging between \$120,000 and \$442,000. These estimates, however, do not bind the U.S. Department of Education to a specific number of grants nor to the amount of any grant unless that amount is otherwise specified by statute or regulations.

Application Forms

Application forms and program information packages are expected to be ready for mailing by January 13, 1984. They may be obtained by writing to Division of Migrant Education Programs, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, S.W. (Regional Office Building 3, Room 3616), Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information

package. However, the program information package is only intended to aid applicants in applying for assistance under this program. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirements beyond those specifically imposed under the statute and regulations governing this program. The Secretary urges that the narrative portion of an application be as brief as possible. The Secretary also urges that an applicant not submit information that is not requested.

Applicable Regulations

Regulations applicable to this program include the following:

(1) The Migrant Education High School Equivalency Program and College Assistance Migrant Program Regulations (34 CFR Part 206) that were published in the Federal Register on July 6, 1981 (at 46 FR 35072).

(2) The Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 74, 75, 77, 77, and 78).

Further Information

For further information, contact Mr. Louis J. McGuinness, Director, Division of Migrant Education Programs, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW. (Regional Office Building 3, Room 3616), Washington, D.C. 20202. Telephone (202) 245-9231.

(20 U.S.C. 1070d-2)

(Catalog of Federal Domestic Assistance No. 84.141: Migrant Education/High School Equivalency Program)

Dated: November 22, 1983.

Lawrence F. Davenport,
Assistant Secretary for Elementary and Secondary Education.

(FR Doc. 83-32826 Filed 12-8-83; 8:45 am)

BILLING CODE 4000-01-M

Privacy Act of 1974; Report of New General Disclosure Authority

AGENCY: Department of Education.

ACTION: New General Disclosure Authority for ED Systems of Records.

SUMMARY: The Secretary establishes a new general disclosure authority notice under 5 U.S.C. 552a(b)(12), as added by the Debt Collection Act of 1982 (Pub. L. 97-365).

This notice is applicable to the Privacy Act notices for most of the Department's student financial assistance programs authorized by the Higher Education Act of 1965, as

amended, and to the Privacy Act notices for the Department's payroll and travel systems of records. The new general disclosure provisions authorizes the Department to disclose personal information maintained in record systems to consumer reporting agencies without obtaining the consent of the individual who is the subject of the record. This publication is not a new routine use as defined in the Privacy Act and does not require public comment.

DATES: This new general disclosure notice shall become effective December 9, 1983.

FOR FURTHER INFORMATION CONTACT:

Jack L. Billings, Privacy Act Officer, Office of the Assistant Secretary, Legislation and Public Affairs, Room 2089, 400 Maryland Avenue, SW., Washington, D.C. 20202. Telephone: (202) 245-8907.

SUPPLEMENTARY INFORMATION: The Secretary amends the notices for both the Department's student financial assistance programs and for the Department's payroll and travel systems of records to include a new general disclosure statement as required by OMB's new supplemental guidance (i.e., guidelines on the Relationship of the Debt Collection Act of 1982 to the Privacy Act of 1974, 48 FR 15556). The new general disclosure condition will permit the release of personal information to consumer (credit) reporting agencies (CRA) for the purpose of enforcing the conditions of Federal student financial assistance and to ensure that employees repay debts owed to the Department.

The only information that may be disclosed from the system of records to CRA's are the individual's name, address, taxpayer identification number (SSN), and other information necessary to establish the identity of the individual, the amount, status and history of the claim, and the agency or program under which the claim arose.

1. The Department of Education adds a new general disclosure authority statement to the systems of records listed below.

System Numbers and Names:

- 18-11-0008 Payroll, Attendance, and Leave Records (ED PAY/PERS)—Education Department
- 18-40-0010 Law Enforcement Education System
- 18-40-0012 Migration & Refugee Assistance Act of 1962—U.S. Loan Program for Cuban Students
- 18-40-0013 National Defense Direct Student Loan Program—Request for Cancellation of Loan on Ground of Permanent and Total Disability
- 18-40-0014 Pell Grant Application File

- 18-40-0015 Pell Grant Student Eligibility Report Sub-System
- 18-40-0016 Pell Grant Alternate Disbursement System
- 18-40-0017 Student Financial Assistance Validation File
- 18-40-0021 Student Financial Assistance Compliance Files
- 18-40-0022 Student Financial Assistance Complaint Files
- 18-40-0023 Defaulted Guaranteed Loans Submitted to Justice
- 18-40-0024 Guaranteed Loan Program—Loan Application File
- 18-40-0025 NDSL Student Loan Files
- 18-40-0026 Guaranteed Loan Program—Paid Claims File
- 18-40-0027 Guaranteed Loan Program—Claims and Collections Master File
- 18-40-0028 Guaranteed Loan Program—Collection Letters
- 18-40-0029 Guaranteed Loan Program—Inactive Loan Control Master File
- 18-40-0030 Guaranteed Loan Program—Loan Control Master File
- 18-40-0031 Guaranteed Loan Program—Pre-Claims Assistance
- 18-40-0032 Record of Advances of Funds for Employees Traveling for the Department of Education
- 18-40-0044 Guaranteed Loan Program—Insurance Claim File
- 18-40-0045 Student Financial Assistance Collection Files

2. The system notice for each system of records identified above is amended by adding the following statement at the end of the routine uses for the system:

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): The Department may disclose to a consumer reporting agency information regarding a claim which is determined to be valid and overdue as follows: (1) The name, address, taxpayer identification number and other information necessary to establish the identity of the individual responsible for the claim; (2) the amount, status, and history of the claim; and (3) the program under which the claim arose. The Department may disclose the information specified in this paragraph under 5 U.S.C. 552a(b)(12) and the procedures contained in subsection 31 U.S.C. 3711(f). A consumer reporting agency to which these disclosures may be made is defined at 31 U.S.C. 3701 (a)(3).

(Catalog of Federal Domestic Assistance not applicable)

Dated: December 5, 1983.

T. H. Bell,
Secretary of Education.

[FR Doc. 83-32824 Filed 12-6-83; 8:45 am]
BILLING CODE 4006-01-M

DEPARTMENT OF ENERGY

Office of the Secretary

Intent To Grant Partially Exclusive Patent License; Green International Inc.

Notice is hereby given of an intent to grant to Green International Inc. of Sewickley, Pennsylvania, a partially exclusive license to practice in the United States the invention described in U.S. Patent No. 4,302,209, entitled "Lignite Pellets and Methods of Agglomerating and Pelletizing." The patent is owned by the United States of America, as represented by the Department of Energy (DOE).

The proposed license will be exclusive, subject to a license retained by Babcock Contractors Inc., and subject to a license and other rights retained by the U.S. Government. DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. 209(c), unless within 60 days of this notice the Assistant General Counsel for Patents, Department of Energy, Washington, D.C. 20585, receives in writing any of the following, together with supporting documents:

- (i) A statement from any person setting forth reasons why it would not be in the best interests of the United States to grant the proposed license, or
- (ii) An application for a nonexclusive license to manufacture, use, and/or sell the invention in the United States, in which applicant states that he has already brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

The Department will review all written responses to this notice, and will grant the license if, after expiration of the 60-day notice period, and after consideration of written responses to this notice, a determination is made, in accordance with 35 U.S.C. 209(c), that the license grant is in the public interest.

Signed at Washington, D.C. on this 5th day of December 1983.

Melinda L. Carmen,
Deputy General Counsel for Legal Services.

[FR Doc. 83-32856 Filed 12-6-83; 8:45 am]
BILLING CODE 6450-01-M

Extension of Comment Period on Scope of Environmental Impact Statement for Central Waste Disposal Facility, Oak Ridge, TN

AGENCY: Department of Energy.
ACTION: Extension of deadline for comments on the scope of the Environmental Impact Statement (EIS)

for a Central Waste Disposal Facility for disposal of low-level radioactive waste and byproduct material within the Oak Ridge Reservation, in the environs of Oak Ridge, Tennessee.

The Department of Energy (DOE) has announced its intention to prepare an EIS on the construction and operation, within the Oak Ridge Reservation, of a central waste disposal facility for disposal of low-level radioactive waste and byproduct material (**Federal Register**, November 15, 1983, 48 FR 519-52). The announced deadline for comments on the scope of the EIS was December 10, 1983. In response to a request, DOE has agreed to extend the comment period through December 20, 1983. Written comments or suggestions on the scope of the EIS may be submitted to Doyle R. Brown, Program Manager, Nuclear Research and Development Division, U.S. Department of Energy, Post Office Box E, Oak Ridge, Tennessee, 37831.

Dated at Washington this 6th day of December, 1983, for the United States Department of Energy.

William A. Vaughan,
Assistant Secretary, Environmental Protection, Safety, and Emergency Preparedness.

[FR Doc. 83-32890 Filed 12-6-83; 8:45 am]
BILLING CODE 6450-01-M

Energy Information Administration

Inventory of Current DOE Reporting and Recordkeeping Requirements

AGENCY: Energy Information Administration, DOE.
ACTION: Notice of inventory of current Department of Energy reporting or recordkeeping requirements.

SUMMARY: The Energy Information Administration (EIA) of the Department of Energy (DOE) hereby gives notice to respondents and other interested parties of an inventory of current energy information collections as defined in the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

The listing that follows this notice includes each requirement approved as of October 1, 1983. Part I lists each requirement associated with a structured form, showing the current DOE control or form number, the title of the requirement, and the Office of Management and Budget (OMB) control number and approval expiration date. Part II lists those recordkeeping and reporting requirements not associated with structured forms, showing also the appropriate Code of Federal Regulations citations.

FOR FURTHER INFORMATION CONTACT:
Carolyn Sinclair, Energy Information
Administration, Mail Stop 1H-023,
Forrestal Building, 1000 Independence
Avenue, SW., Washington, D.C. 20585,
(202)252-2313.

Single, blank information copies of
those collections utilizing structured
forms can be obtained by contacting
Dolores McCadney, National Energy

Information Center, EI-22, Forrestal
Building, U.S. Department of Energy,
Washington, D.C. 20585, (202)252-8800.

SUPPLEMENTARY INFORMATION: In an
effort to keep respondents, users, and
other interested parties informed
concerning the status of DOE
information collections subject to
clearance by the Office of Management
and Budget pursuant to the Paperwork

Reduction Act, the Energy Information
Administration will publish in the
Federal Register, for each subsequent
quarter of the current fiscal year, a
notice of change to this inventory.

Issued in Washington November 18, 1983.

J. Erich Evered,
*Administrator, Energy Information
Administration.*

PART I.—DOE ACTIVE INFORMATION COLLECTIONS

(Utilizing structured forms)

DOE No.	Title	OMB control No.	Expiration date
Bonneville Power Administration			
BPA-474-A	BPA/Utility Solar Domestic Hot Water Pilot Program—Initial Customer Contact Questionnaire	19010112	Dec. 31, 1984
BPA-474-B	BPA/Utility Solar Domestic Hot Water Pilot Program—Site Visit Report	19010112	Do.
BPA-474-C	BPA/Utility Solar Domestic Hot Water Pilot Program—Monitoring Equipment Installation Report and System Installation Report	19010112	Do.
BPA-474-D	BPA/Utility Solar Domestic Hot Water Pilot Program—System Inspection and Acceptance Report	19010112	Do.
BPA-474-E	BPA/Utility Solar Domestic Hot Water Pilot Program—Participant Monitoring Card	19010112	Do.
BPA-474-F	Solar Domestic Hot Water Pilot Program—Financial Summary Statement	19010112	Do.
BPA-705-A	Solar Water Heating Pilot Program—Customer Monitoring Card	19010223	Do.
BPA-705-B	Solar Water Heating Pilot Program—System Inspection and Acceptance Report	19010223	Do.
BPA-705-C	Solar Water Heating Pilot Program—Workshop Evaluation	19010223	Do.
BPA-787-A	Pacific Northwest Residential Energy Consumption Survey—Household Questionnaire	19040043	Jan. 31, 1984
BPA-787-B	Pacific Northwest Residential Energy Consumption Survey—Electricity Usage Data	19040043	Do.
BPA-787-C	Pacific Northwest Residential Energy Consumption Survey—Utility Gas Usage Data	19040043	Do.
BPA-1418-A	Home Energy Efficiency Program—Type I Energy Conservation Analysis and Heat Loss Calculation	19040032	Aug. 31, 1984
BPA-1418-B	Home Energy Efficiency Program—Recommendations Form	19040032	Do.
BPA-1418-C	Home Energy Efficiency Program—Notice of Work for Bid/Bid Release	19040032	Do.
BPA-1418-D	Home Energy Efficiency Program—Notice to Proceed	19040032	Do.
BPA-1418-E	Home Energy Efficiency Program—Weatherization Improvements/Completion Acknowledgment	19040032	Do.
BPA-1418-F	Home Energy Efficiency Program—Monthly Financial Statement	19040032	Do.
Conservation and Renewable Energy			
CE-145	Schools and Hospitals Grant Program	19040005	Nov. 30, 1985
CE-434	Weatherization Assistance Progress Report	19040027	Mar. 31, 1986
CE-438	Technical Assistance and Energy Conservation Measures Grant Report Forms	19040011	Nov. 30, 1985
CE-741	State Energy Conservation Plan Application	19040035	Dec. 31, 1983
CE-795R-B	Commercial and Apartment Conservation Service Reporting and Recordkeeping Requirements—Annual Reports	19040046	Apr. 30, 1986
CE-797-R	Energy Extension Service	19040041	Sept. 30, 1984
Defense Programs			
DOE-284	Nuclear Material Transfer Receipt	19010113	July 31, 1985
DOE/NRC-740M	Concise Note	19010122	June 30, 1986
DOE/NRC-741	Nuclear Material Transaction Report	19010123	July 31, 1986
DOE/NRC-741A	Nuclear Material Transaction Report (Continuation Page)	19010123	Do.
DOE/NRC-742	Material Balance Report	19010124	Do.
DOE/NRC-742C	Physical Inventory Listing	19010125	Do.
DP-1	Personnel Security Questionnaire	19010017	June 30, 1986
DP-186	Milk Cow and Population Survey	19010108	Dec. 31, 1983
DP-354	Data Report on Spouse	19010002	Mar. 31, 1985
DP-467	Survey of Lifestyles, Food Habits and Agricultural Practices	19010254	Dec. 31, 1983
DP-732	ADP Transcription Sheet for Inventory Data	19010115	June 30, 1986
DP-733A	ADP Transcription Sheet for Inventory Data—Continuation Sheet	19010116	July 31, 1985
DP-734	ADP Transcription Sheet for Concise Notes	19010117	Do.
DP-735	ADP Transcription Sheet for Material Balance Report Data	19010118	Do.
DP-740	ADP Transcription Sheet, Nuclear Material Transaction Journal	19010119	Do.
DP-740A	ADP Transcription Continuation Sheet	19010119	Do.
DP-742B	Material Activity Schedule	19010120	Do.
DP-746	ADP Transcription Sheet (Internal Project Transfers)	19010121	Do.
NV-713	Claim for Bodily Injury, Death, or Damage to or Loss of Property Under Section 167, Atomic Energy Act of 1954	19010003	Apr. 30, 1984
Economic Regulatory Administration			
ERA-80	Monthly Imports Report	19030054	Aug. 31, 1985
ERA-166	Public Utility Regulatory Policies Act (PURPA) Annual Report on Electric and Gas Utilities	19030050	Dec. 31, 1984
ERA-330R	Electric Utility Conservation Plans	19030078	July 31, 1984
ERA-424D	Tertiary Incentive Annual Report of Prepaid Expenses	19030069	Dec. 31, 1983
Energy Information Administration			
EIA-1 ¹	Weekly Coal Monitoring Report—General Industries and Blast Furnaces	19050112	Nov. 30, 1985
EIA-3	Quarterly Coal Consumption Report—Manufacturing Plants	19050115	Dec. 31, 1985
EIA-4 ¹	Weekly Coal Monitoring Report—Coke Plants	19050113	Nov. 30, 1985
EIA-5	Coke Plant Report—Quarterly	19050003	Dec. 31, 1985
EIA-5A	Coke Plant Report—Annual Supplement	19050013	Jan. 31, 1986
EIA-6	Coal Distribution Report	19050005	Mar. 31, 1986
EIA-7A	Coal Production Report	19050004	Aug. 31, 1986
EIA-14	Refiners' Monthly Cost Report	19050125	Apr. 30, 1986
EIA-20 ¹	Weekly Telephone Survey of Coal Burning Electric Utilities	19050114	Nov. 30, 1985
EIA-23	Annual Survey of Domestic Oil and Gas Reserves	19050057	Dec. 31, 1985
EIA-23P	Oil and Gas Well Operator List Update Report	19050134	Apr. 30, 1985
EIA-26	Financial Reporting System	19050149	Dec. 31, 1984
EIA-63	Annual Solar Thermal Collector and Photovoltaic Module Manufacturing Survey	19050074	June 30, 1985
EIA-64A	Annual Report of the Origin of Natural Gas Liquids Production	19050099	Sept. 30, 1986
EIA-67	Foreign Crude Oil Cost Report	19050058	Feb. 28, 1986
EIA-67	Boiler Order Report	19050123	Dec. 31, 1983

PART I.—DOE ACTIVE INFORMATION COLLECTIONS—Continued

[Utilizing structured forms]

DOE No.	Title	OMB control No.	Expiration date
EIA-101	Monthly Residential, Commercial, and Industrial Electric Bill Data for the United States Bureau of Labor Statistics—Price Indexes.	19050129	Nov. 30, 1984
EIA-119A	Annual Projection of System Changes.	19050148	Do
EIA-141	National Survey of Fuel Purchases for Vehicles—Purchase Log and Supplementary Questionnaire.	19050068	October 31, 1985
EIA-142	International Energy Agency Supply Report.	19050067	Mar. 31, 1985
EIA-174 ¹	Sales of Liquefied Petroleum Gases.	19050016	Dec. 31, 1985
EIA-176	Annual Report of Natural and Supplemental Gas Supply and Disposition.	19050147	Mar. 31, 1984
EIA-182	Domestic Crude Oil First Purchase Report.	19050143	Dec. 31, 1983
EIA-191	Underground Natural Gas Storage Report.	19050026	Sept. 30, 1988
EIA-213	Annual Retail Bills For Electric Utilities.	19050045	Dec. 31, 1983
EIA-254	Quarterly Progress Report on Status of Reactor Construction.	19010010	Oct. 31, 1983
EIA-412	Annual Report of Public Electric Utilities.	19050136	Apr. 30, 1985
EIA-429	National Survey of Fuel Purchases for Vehicles—Background Questionnaire.	19050088	Oct. 31, 1985
EIA-457A	Residential Energy Consumption Survey—Housing Unit Record Sheet.	19050092	Aug. 31, 1986
EIA-457B	Residential Energy Consumption Survey—Household Questionnaire.	19050092	Do
EIA-457C	Residential Energy Consumption Survey—Rental Agents.	19050092	Do
EIA-457D	Residential Energy Consumption Survey—Quarterly Survey of Fuel Oil Households.	19050092	Do
EIA-457E	Residential Energy Consumption Survey—Electric Utilities.	19050092	Do
EIA-457F	Residential Energy Consumption Survey—Natural Gas Suppliers.	19050092	Do
EIA-457G	Residential Energy Consumption Survey—Fuel Oil Supplier Form.	19050092	Do
EIA-457H	Residential Energy Consumption Survey—Liquid Petroleum Gas Supplies.	19050092	Do
EIA-491A	Survey of United States Uranium Marketing Activity (January Collection).	19050142	Nov. 30, 1985
EIA-491B	Survey of United States Uranium Marketing Activity (July Collection).	19050142	Do
EIA-627	Annual Quantity and Value of Natural Gas Report.	19050122	Mar. 31, 1986
EIA-717	Annual Survey of Uranium Exploration and Surface Drilling Costs and Anticipated Expenditures.	19050131	Apr. 30, 1984
EIA-759	Monthly Powerplant Report.	19050130	Feb. 28, 1986
EIA-782A	Monthly Petroleum Product Sales Report.	19050141	Aug. 31, 1985
EIA-782B	Monthly No. 2 Distillate Sales Report.	19050139	Do
EIA-782C	Monthly Report of Petroleum Products Sold Into States for Consumption.	19050140	Do
EIA-788A	Nonresidential Building Energy Consumption Survey—Original Building Form.	19050146	June 30, 1984
EIA-788B	Nonresidential Building Energy Consumption Survey—Update Building Form.	19050146	Do
EIA-788C	Nonresidential Building Energy Consumption Survey—Energy Suppliers Forms.	19050145	Apr. 30, 1985
EIA-800	Weekly Refinery Report.	19050069	Jan. 31, 1986
EIA-801	Weekly Bulk Terminal Report.	19050070	Do
EIA-802	Weekly Product Pipeline Report.	19050071	Do
EIA-803	Weekly Crude Oil Stocks Report.	19050073	Do
EIA-804	Weekly Imports Report.	19050072	Do
EIA-810	Monthly Refinery Report.	19050027	Do
EIA-811	Monthly Bulk Terminal Report.	19050028	Do
EIA-812	Monthly Product Pipeline Report.	19050029	Do
EIA-813	Monthly Crude Oil Report.	19050030	Do
EIA-816	Monthly Natural Gas Liquids Report.	19050109	Do
EIA-817	Monthly Tanker and Barge Movement Report.	19050019	Do
EIA-820	Annual Refinery Report.	19050087	Do
EIA-821 ¹	Annual Sales of Fuel Oil and Kerosene Report.	19050018	Sept. 30, 1986
EIA-826	Electric Utility Company Monthly Statement.	19050144	Dec. 31, 1983
Energy Research			
ER-391	Isotope and Technical Service Order Form.	19010006	Aug. 31, 1986
ER-485A	Department of Energy Health Studies—Los Alamos National Laboratory Form.	19010262	July 31, 1986
ER-485B	Department of Energy Health Studies—Oak Ridge Associated Universities Form.	19010262	Do
ER-487A	Health Effects of Low-Dose Radiation Exposure Among Nuclear Shipyard Workers—Short Form.	19010250	Sept. 30, 1984
ER-487B	Health Effects of Low-Dose Radiation Exposure Among Nuclear Shipyard Workers—Radiation Long Form.	19010250	Do
ER-487C	Health Effects of Low-Dose Radiation Exposure Among Nuclear Shipyard Workers—Asbestos Long Form.	19010250	Do
ER-785A	DOE Energy Graduate Traineeship Information Report.	19010012	Apr. 30, 1984
ER-785B	Renewal of DOE Energy Graduate Traineeship.	19010012	Do
ER-785C	Notice of Change in DOE Energy Graduate Traineeship.	19010012	Do
ER-785D	DOE Energy Graduate Traineeship Termination Report.	19010012	Do
ER-828	A Survey of Occupational Employment in Nuclear-Related Activities.	19010257	Mar. 31, 1986
IR-616	Nuclear Engineering Enrollment and Degree Survey.	19010015	Dec. 31, 1983
IR-617	Radiation Protection Enrollment and Degree Survey.	19010015	Do
Environmental Protection, Safety, Emergency Preparedness			
EP-51	Monthly Foreign Crude Oil Transaction Report.	19010255	Do
EP-411	Coordinated Regional Bulk Power Supply Program Report.	19030043	Sept. 30, 1986
EP-739	Crude Watch Weekly Telephone Report.	19050132	Feb. 28, 1985
ERA-400	Survey of Surplus Natural Gas Supplies.	19030020	Dec. 31, 1983
Federal Energy Regulatory Commission			
EIA-194	Monthly Alternate Fuel/Incremental Price Monitoring Report.	19050083	Apr. 30, 1985
FERC-1	Annual Report of Electric Utilities, Licensees, And Others (Class A and B).	19020021	Dec. 31, 1984
FERC-1-F	Annual Report for Public Utilities And Licensees (Class C and D).	19020029	July 31, 1984
FERC-2	Annual Report For Natural Gas Companies (Class A and B).	19020028	Do
FERC-2A	Annual Report For Natural Gas Companies (Class C and D).	19020030	Do
FERC-6	Annual Report of Oil Pipeline Companies.	19020022	Sept. 30, 1984
FERC-11	Natural Gas Pipeline Company Monthly Statement.	19020032	July 31, 1984
FERC-15	Interstate Pipeline Annual Report Of Gas Supply.	19020037	Aug. 31, 1984
FERC-16	Report Of Gas Supply And Requirements.	19020025	July 31, 1984
FERC-42	Application For Annual Or Basic Valuation.	19020003	Do
FERC-50	Alternative Fuel Demand Due to Natural Gas Deficiencies Report.	19020101	Dec. 31, 1984
FERC-73	Service Life Data.	19020019	Do
FERC-80	Licensed Hydropower Development Recreation Report.	19020106	Do
FERC-121	Application For Determination Of Maximum Lawful Price Under The Natural Gas Policy Act Of 1978.	19020038	Do
FERC-314A	Application For Small Producer Exemption.	19020006	Mar. 31, 1985
FERC-423	Monthly Report of Cost and Quality of Fuels for Electric Plants.	19020024	Dec. 31, 1983
FPC-8	Underground Gas Storage Report.	19020026	Jan. 31, 1986
FPC-14	Annual Report for Importers and Exporters of Natural Gas.	19020027	Dec. 31, 1985
ICC-ADV-1	Statement of Property Changes Other Than Land and Rights-Of-Way Pipeline Carriers.	19020011	Dec. 31, 1984

PART I.—DOE ACTIVE INFORMATION COLLECTIONS—Continued

(Utilizing structured forms)

DOE No.	Title	OMB control No.	Expiration date
ICC-ACV-2	Statement Of Land and Rights Of Way	19020018	Oct. 31, 1984
ICC-ACV-3	Summary of Changes in Original Cost and Total Original Cost At End Of Period—Pipeline Carriers	19020010	Dec. 31, 1984
ICC-ACV-4	Summary of Cost Reproduction New and Reproduction of New Less Depreciation Pipeline Carriers	19020009	Do
ICC-ACV-5	Inventory of Property Other Than Land and Rights-Of-Way	19020015	Do
ICC-ACV-6	Inventory of Land and Rights-Of-Way	19020016	Do
ICC-ACV-7	Summary of Original Cost of Inventory	19020017	Do
ICC-ACV-8	Cost Data for Equipment and Tanks	19020014	Do
ICC-ACV-9	Cost Data for Pipeline Construction	19020013	Do
Fossil Energy			
FE-748	Enhanced Oil Recovery Annual Report	19050135	May 31, 1985
General Counsel			
GC-488A	Application for Nonexclusive Patent License	19010232	Nov. 30, 1985
GC-488B	Application for Exclusive or Partially Exclusive Patent License	19010232	Do
GC-488C	Inquiry as to Usage of Licensed Subject Matter	19010232	Do
GC-792	Patent Certification (Interim-Final)	19010258	June 30, 1985
GC-793	Contractor Reporting of Royalty Requirement	19010261	Dec. 31, 1983
International Affairs			
IA-473	Unclassified Visit Proposal	19010130	Do
Management and Administration			
AD-R0177	National Survey of Compensation Paid Scientists and Engineers Engaged in Research and Development	19010016	Do
EIA-186	Uniform Reporting System for Contractors	19010021	Do
EIA-459	Uniform Reporting System for Federal Assistance—Grants & Cooperative Agreements	19010127	Jan. 31, 1984
MA-843	DOE Management and Procurement Assistance Reporting and Recordkeeping Requirements	19010261	Dec. 31, 1983
PR-437	Request for Priority Rating for Energy Programs	19010110	Do
Minority Impact			
MI-754	Office of Minority Economic Impact Direct Loan Application for Bid or Proposal Preparation	19010242	Nov. 30, 1983
Nuclear Energy			
NE-827	Clinch River Breeder Reactor Pilot Project	19010265	Sept. 30, 1984
Nuclear Waste Policy Act Program Office			
NWPA-830R-G	Standard Contract for Disposal of Spent Nuclear Fuel and/or High Level Radioactive Waste—Quarterly Report—Standard Remittance Advice	19010260	Apr. 30, 1986

1 Standby Forms in case of cost supply disruption.

2 On stand-by basis until further notice; i.e., at this time EIA has no plans to utilize this form in fiscal year 1984 or 1985.

3 This form superseded the form EIA-172, "Sales of Fuel Oil and Kerosene"; EIA does not plan to collect data on this form in 1984 (for calendar year 1983); next planned collection is fiscal year 1985 (for calendar year 1984).

PART II.—DOE ACTIVE INFORMATION COLLECTIONS

(Not utilizing structured forms)

DOE No.	Title	OMB control No.	Expiration date	CFR citation
Conservation and Renewable Energy				
CE-462R	State Energy Conservation Programs	19040025	Sept. 30, 1984	10 CFR 420.4
CE-478R-A	Residential Conservation Service Reporting Requirements—Initial Plans	19040040	Apr. 30, 1985	10 CFR 456
CE-478R-B	Residential Conservation Service Reporting Requirements—Annual Reports	19040040	do	10 CFR 456
CE-478R-C	Residential Conservation Service Federal Standby Plan—Procedures	19040042	Mar. 31, 1986	10 CFR 456.1000-1021
CE-478R-D	Residential Conservation Service Federal Standby Plan—Annual Reports	19040042	do	10 CFR 456.1000-1021
CE-765R-A	Commercial and Apartment Conservation Service Program—Plan Submittal	19040045	Apr. 30, 1986	10 CFR 458.101-510
Defense Programs				
DP-832R	Unclassified Activities in Foreign Atomic Energy Programs	19010263	July 31, 1986	10 CFR 810
Economic Regulatory Administration				
ERA-329R	Regulatory Reporting and Recordkeeping Requirements Pursuant to 10 CFR 500, 501, 503, 504, and 505	19030075	July 30, 1985	10 CFR 500, 501, 503, 504, and 505
ERA-626R	Information Requirements for Certification of Eligible Use of Natural Gas To Displace Fuel Use	19030076	Dec. 19, 1983	10 CFR 595
ERA-750R	Annual Compilation of Proposed and Final List of Utilities Covered by Public Utility Regulatory Policies Act and National Energy Conservation Policy Act	19030070	Oct. 31, 1984	10 CFR 463
ERA-766R	Recordkeeping Requirements of DOE's General Allocation and Price Rules	19030073	July 31, 1984	10 CFR 210.1, 211.69, 213.6, and 221.36
ERA-761R	Annual Report of International Electrical Export/Import Data	19030080	July 19, 1985	10 CFR 205.302, 303, 304, 322, 325, and 327
Environmental Protection, Safety, Emergency Preparedness				
EP-417R	Power System Emergency Report	19030045	Feb. 28, 1986	10 CFR 205.350-355
Federal Energy Regulatory Commission				
FERC-500	Major Hydroelectric License—Application	19020058	Dec. 31, 1984	18 CFR 4 Subpart F
FERC-505	Application for Licenses for Water Power Projects 5 MW or Less	19020115	do	18 CFR 4 Subpart G
FERC-510	Application for Surrender of License	19020068	July 31, 1985	18 CFR 6.2
FERC-511	Application for Transfer of License	19020069	do	18 CFR 9
FERC-512	Application for Preliminary Permit	19020073	June 30, 1985	18 CFR 4 Subpart D
FERC-515	Electric License—Declaration of intention	19020079	Aug. 31, 1985	18 CFR 24.1

PART II.—DOE ACTIVE INFORMATION COLLECTIONS—Continued

[Not utilizing structured forms]

DOE No.	Title	OMB control No.	Expiration date	CFR citation
FERC-516	Electric Rate—Rate Filings	19020096	Nov. 30, 1985	18 CFR 35 Subpart A, 35.12 and 35.13.
FERC-519	Electric Rate—Corporate Applications	19020082	Apr. 30, 1986	18 CFR 33
FERC-520	Application for Authority To Hold Interlocking Directorates Positions	19020083	Oct. 31, 1985	18 CFR 45
FERC-521	Electric License—Headwater Benefits	19020067	July 31, 1986	18 CFR 11.26, 11.31 and 13.1
FERC-523	Application for Authorization of The Issuance of Securities	19020043	Dec. 31, 1983	18 CFR 34
FERC-525	Financial Audit	19020092	Mar. 31, 1986	18 CFR 41, 101, 104, 116, 141, 125, 158, 201, 204, 216, 225, 280, 351, 352, 356, and 357
FERC-530	Gas Producer Certificate: Abandonment/Termination	19020051	Nov. 30, 1984	18 CFR 157.30
FERC-531	Gas Producer Certificate: New Service	19020052	Apr. 30, 1986	18 CFR 157.23-29, and 2.75
FERC-532	Gas Producer Rate: Rate Filing	19020055	Mar. 31, 1985	18 CFR 250.9, 154.91-101, and 2.56(a)
FERC-533	Gas Producer Rate: Special Relief Petition	19020056	Mar. 31, 1986	18 CFR 2.75-2.77
FERC-534	Applications for Production Related Costs	19020057	Apr. 30, 1986	18 CFR 271 SUB K
FERC-537	Gas Pipeline Certificate	19020060	June 30, 1985	18 CFR 2.69, 2.79, 157.5-18, 157.22, 157.100, 284.107, and 284.127
FERC-538	Gas Pipeline Certificate: Initial Service	19020061	Dec. 31, 1984	18 CFR 156
FERC-539	Gas Pipeline Certificate: Import/Export Related	19020062	Apr. 30, 1984	18 CFR 153
FERC-541	Gas Pipeline Certificate: Curtailment Plan	19020066	Mar. 31, 1985	18 CFR 2.78, PT 281
FERC-542	Gas Pipeline Rate	19020070	Oct. 31, 1983	18 CFR 154.61-65, 154.91
FERC-542A	Tracking and Recovery of Alaska Natural Gas Transportation System (ANGST) Charges	19020129	Sept. 30, 1986	18 CFR 154.201, 154.213
FERC-547	Gas Pipeline Rates Refund Obligation	19020084	May 31, 1985	18 CFR 273.302
FERC-548	Gas Pipeline Rate: Staff Adjustment Under Natural Gas Policy Act Section 502(c)	19020085	Nov. 30, 1985	18 CFR 1.41
FERC-549	Gas Pipeline Rates: Natural Gas Policy Act Title III Transactions	19020086	June 30, 1985	18 CFR 294 Subparts A, D, E, F, H, 284.106
FERC-550	Oil Pipeline: Tariff	19020089	June 30, 1986	49 CFR 1300
FERC-555	Records Retention Requirements	19020098	do	18 CFR 125, 158, 160.1, 276.108, and 277.210
FERC-556	Small Power Production and Cogeneration Facilities Application and Notice Requirements	19020075	July 31, 1985	18 CFR 292
FERC-557	Cost of Service Information Under Section 133 of Public Utility Regulatory Policies Act	19020042	Dec. 31, 1983	18 CFR 290
FERC-558	Contract Summary for Applicants for Certificates of Public Convenience and Necessity	19020109	July 31, 1984	18 CFR 250.5
FERC-559	Independent Producer Rate Change or Initial Billing Statement	19020036	do	18 CFR 250.14
FERC-561	Report of Interlocking Directorates	19020099	June 30, 1986	18 CFR 46.6
FERC-566	Report of Utility's 20 Largest Purchasers	19020114	Dec. 31, 1984	18 CFR 46.3
FERC-567	Annual Report of System Flow Diagrams	19020005	July 31, 1984	18 CFR 260.8
FERC-568	Well Category Determinations	19020112	Dec. 31, 1983	18 CFR 274
FERC-569	Refund Obligations	19020111	Dec. 31, 1984	18 CFR 273
FERC-570	Recordkeeping Requirements for Certain Sales of Natural Gas	19020124	Aug. 31, 1985	18 CFR 276
FERC-571	Incremental Pricing Report	19020110	Dec. 31, 1984	18 CFR 282
FERC-574	Gas Pipeline Certificate: Hinshaw Exemption	19020116	Feb. 29, 1984	18 CFR 152 and 284.222
FERC-576	Report by Certain Natural Gas Companies of Emergency Conditions	19020004	Mar. 31, 1985	18 CFR 260.9
FERC-577	Environmental Impact Statement	19020128	June 30, 1986	18 CFR 157.14, 2.80, and 2.82
General Counsel				
GC-789	Contractor's Invention Recordkeeping/Reporting Procedures	19010253	June 30, 1985	41 CFR 9-9.107-5(a)
GC-790R	Invention Disclosure Report	19010251	do	41 CFR 9-9.107-5(e)(2)(i)
GC-791R	Petition for Waiver of Patent Rights and Related Reporting Requirements	19010259	do	41 CFR 9-9.109-6
Management and Administration				
MA-647R	Nondiscrimination in Federally Assisted Programs	19010247	Jan. 31, 1985	10 CFR 1040.4 and 1040.102
MA-845R	Foreign Ownership, Control, or Influence of Department of Energy Contractors	19010264	Mar. 31, 1984	Title 41, Chapter 9, Subpart 9-1.5203
Nuclear Waste Policy Act Program Office				
NWPA-830R	Standard Contract for Disposal of Spent Nuclear Fuel and/or High Level Radioactive Waste—Contract	19010260	Apr. 30, 1986	10 CFR 901
NWPA-830R-A-F	Standard Contract for Disposal of Spent Nuclear Fuel and/or High Level Radioactive Waste—Annual Report	19010260	do	10 CFR 901
Western Area Power Administration				
WAPA-743R	Application for Allocation of Power	19040037	Nov. 30, 1984	10 CFR 1022.4(k) and 1022.5(h)

[FR Doc. 83-32560 Filed 12-8-83; 8:45 am]

BILLING CODE 8450-01-M

Federal Energy Regulatory Commission

[Project Nos. 4360-001, et al.]

Hydroelectric Applications (Richard Kaster, et al.); Applications Filed With the Commission

Take notice that the following hydroelectric applications have been filed with the Federal Energy Regulatory Commission and are available for public inspection:

1a. Type of Application: Exemption (Small Conduit).

b. Project No.: 4360-001.

c. Date Filed: August 25, 1983.

d. Applicant: Richard Kaster.

e. Name of Project: Briggs Creek Project.

f. Location: On Briggs Creek, tributary of the Snake River, near the town of Buhl in Godding County, Idaho.

g. Filed Pursuant to: Energy Security Act of 1980, Section 408, 16 U.S.C. 2705 and 2708 *as amended*.

h. Contact Person: Mr. Rick Kaster, Route 3, Buhl, Idaho 83316.

i. Comment Date: January 9, 1984.

j. Description of Project: The proposed project would utilize an existing diversion structure and a 2500-foot-long canal. New construction will consist of: (1) A 10-foot-high headworks structure which would divert flow from the conduit to the penstock; (2) a 900-foot-long, 54-inch-diameter penstock; (3) a powerhouse containing two generating units with a total installed capacity of 750 kW; and (4) a plunge pool discharging the water into a canal leading to fish ponds. The average annual energy production would be 4,721,640 kWh.

l. Purpose of Project: Project power would be sold to local utility companies.

m. This notice also consists of the following standard paragraphs: A4, B, C, D3b.

2a. Type of Application: Surrender of Exemption.

b. Project No: 3128-002.

c. Date Filed: October 4, 1983.

d. Applicant: The New Hampshire Water Resources Board.

e. Name of Project: Lochmere Dam Project.

f. Location: On the Winnepesaukee River in Belknap County, New Hampshire.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Delbert F. Downing, Chairman, New Hampshire Water Resources Board, 37 Pleasant Street, Concord, New Hampshire 03301.

i. Comment Date: January 6, 1984.

j. The Proposal: The exemption for the Lochmere Dam Project was granted to the New Hampshire Water Resources Board (Board) by operation of law on February 24, 1983, and later modified by the Commission on March 25, 1983. The exemption authorizes the construction of new facilities at the east side of the Winnepesaukee River and Lochmere Dam to include 2 parallel penstocks, a forebay, a powerhouse with an installed capacity of 750 kW, and other appurtenances. Construction of the project has not been initiated. Subsequent to the granting of the exemption, the Board determined that the best adapted and most comprehensive development plan for the site would be utilizing the existing power canal foundation and powerhouse at the west side of the river and dam. Therefore, the Board wishes to surrender its exemption and subsequently submit an application for exemption for the construction of the project at the west bank.

k. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. 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 received on or before the specified comment date on this notice.

l. 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 application. Any of the above named documents must be filed by providing the original and the number of 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. An additional copy must be sent to: Fred E. Springer, Deputy Director, Project Management, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent or motion to intervene must also be service upon the representative of the Applicant specified herein.

a. Type of Application: License (5MW or Less).

b. Project No: 7563-000.

c. Dated Filed: August 29, 1983.

d. Applicant: South Fork II, Inc.

e. Name of Project: Weeks Falls Hydroelectric.

f. Location: On the South Fork Snoqualmie River in King County, Washington.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. Jay M. Botkin, President, South Fork II, Inc., P.O. Box AP, Snoqualmie Pass, Washington 98068.

i. Comment Date: January 27, 1984.

j. Description of Project: The proposed project would consist of: (1) A 6-foot-high diversion structure with crest elevation 1,284 feet; (2) a 60-foot-long, 20-foot-wide, 24-foot-high intake structure; (3) a 7-foot-diameter, 920-foot-long penstock; (4) a powerhouse containing one generator rated at 1.0 MW and a second generator rated at 2.4 MW, producing together an average annual output of 13.6 GWh; (5) a concrete tailrace with a minimum tailwater elevation of 1,198 feet; (6) a 12.47-kV, 3,830-foot-long underground transmission line; and (7) a 350-foot-long access road. Proposed recreational facilities include a falls overlook, a hiking trail and fisherman access routes. The total estimated project construction cost is \$6,552,000, assuming construction to be completed by December 1985.

k. Purpose of Project: To generate power for sale to a utility in the Pacific Northwest.

l. This notice also consists of the following standard paragraphs: A3, A9, B, C and D1.

a. Type of Application: Preliminary Permit.

b. Project No: 7584-000.

c. Dated Filed: September 6, 1983.

d. Applicant: Lowman Associates.

e. Name of Project: Lowman Hydro Project.

f. Location: At the Bureau of Reclamation's Deadwood Dam on the Deadwood River, near the town of Lowman, in Valley County, Idaho.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. Joel Kirk Rector, Lowman Associates, 4832 Colony Circle, Salt Lake City, Utah 84117.

i. Comment Date: January 30, 1984.

j. Description of Project: The proposed project would utilize the existing Deadwood Dam, reservoir, and outlet pipes. New construction would include: (1) A 160-foot-long, 30-inch-diameter steel penstock from the dam outlet pipes to the powerhouse; (2) a powerhouse containing one generating unit with an installed capacity of 5 MW; (3) a tailrace to discharge water back into the Deadwood River; and (4) an 85-foot-

long, 12-kV transmission line. The average annual energy production would be 18,000,000 kWh.

A preliminary permit does not authorize construction. Applicant seeks issuance of a preliminary permit for a term of 36 months during which it would conduct engineering, environmental, and feasibility studies and prepare an FERC license application at a cost of \$140,000. No roads would be constructed or destructive testing conducted during the feasibility study.

k. Purpose of Project: Project power would be sold to local municipalities or Idaho Power and Light.

l. This notice also consists of the following standard paragraphs: A5, A7, B, C, and D2.

5a. Type of Application: Preliminary Permit.

b. Project No.: 7706-000.

c. Date Filed: October 7, 1983.

d. Applicant: Red Rock Hydro Partners.

e. Name of Project: Red Rock Dam.

f. Location: Marion County, Iowa.

g. Filed Pursuant to: Federal Power Act 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. Ingolf Hermann, 1715 Soo Line Building, Minneapolis, Minnesota 55402 and Douglas A. Spaulding, Indeco, Inc., 1500 S. Lilac Drive, 351 Tyrol West Building, Minneapolis, Minnesota 55416.

i. Comment Date: January 30, 1984.

j. Description of Project: The proposed project would consist of: (1) A proposed powerhouse containing 3 generating units with a total rated capacity of 22 MW; (2) proposed intake structures; (3) a proposed 69 kV transmission line; and (4) appurtenant facilities. The Applicant would utilize an existing dam and lands owned by the U.S. Army Corps of Engineer. The estimated average energy output for the project would be 88,000,000 kWh.

k. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

l. *Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 36 months to conduct feasibility studies, prepare final design plans and a license application. Applicant estimates the cost for this work would be \$100,000.

m. *Purpose of Preliminary Permit*—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and

environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for license.

6a. Type of Application: Amendment of License.

b. Project No.: 2879-003.

c. Date Filed: October 26, 1983.

d. Applicant: Green Mountain Power Corporation.

e. Name of Project: Bolton Falls.

f. Location: Winooski River, near the town of Duxbury, Washington and Chittenden Counties, Vermont.

g. Filed Pursuant to: 16 U.S.C. 791(a)-825(r).

h. Contact Person: Jonathan H. Winer, Corporate Attorney, Green Mountain Power Corporation, 25 Green Mountain Drive, P.O. Box 850, South Burlington, Vermont 05402.

i. Comment Date: January 9, 1984.

j. Description of Proposed Amendment: Licensee has requested a two year extension of the time required to start and complete construction of the Bolton Falls Project pursuant to Article 27 of the license. Licensee indicated that the requested extension was needed in order to complete core sampling of the existing dam and its foundation in order to resolve conflicting dam restoration cost estimates it has received and to finalize the restoration scheme.

k. This notice also consists of the following standard paragraphs: B.

l. 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 application. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Deputy Director, Project Management, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any motion to intervene must also be served upon the representative of the Applicants specified herein.

7a. Type of Application: Exemption (5MW or less).

b. Project No: 7217-000.

c. Date Filed: April 12, 1983.

d. Applicant: Valsetz Power Company.

e. Name of Project: Valsetz Power.

f. Location: On Siletz River and Valsetz Lake in Polk County, Oregon near the town of Valsetz.

g. Filed Pursuant to: Energy Security Act of 1980 (16 U.S.C. 2705 and 2708 as amended).

h. Contact Person: Mr. Harry S.D. Adams, Manager Hydroelectric Resources, Boise Cascade Corporation, P.O. Box 50, One Jefferson Sq., Boise, Idaho 83728.

i. Comment Date: January 6, 1984.

j. Description of Project: The proposed project would consist of: (1) A 9-foot-high, intake structure at elevation 1,104 feet; (2) a 72-inch-diameter, 10,000-foot-long penstock; (3) a powerhouse containing a single generating unit with an installed capacity of 4,000 kW operating under a head of 261 feet; and (4) a 3-mile-long, 18-kV transmission line, tying into an existing line owned by Consumers Power Company. The estimated average annual energy output would be 17,022,000 kWh.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

k. Purpose of Project: Project power will be sold to the Consumers Power Company or the Pacific Power and Light Company.

l. This notice also consists of the following standard paragraphs: A1, A9, B, C and D3a.

8a. Type of Application: Preliminary Permit.

b. Project No: 7756-000.

c. Date Filed: October 25, 1983.

d. Applicant: Marcal Paper Mills, Incorporated.

e. Name of Project: Marcal.

f. Location: Little Androscoggin River, town of Mechanic Falls, Androscoggin County, Maine.

g. Filed Pursuant to: 16 U.S.C. 791(a)-825(r).

h. Contact Person: Christian A. Herter, III, Vice-President, Swift River Company, 44 Exchange Street, Portland, Maine 04101.

i. Comment Date: February 9, 1984.

j. Description of Project: The proposed project would consist of: (1) An existing 150-foot-long, 12-foot-high, granite block gravity dam with 20-inch-high flashboards; (2) a 27-acre reservoir with a usable storage capacity of 100 acre-feet at 295.0 feet elevation M.S.L. with flashboards; (3) an existing intake, headrace and trashrack located at the south dam abutment; (4) an existing 11-foot-diameter, 515-foot-long steel penstock; (5) an existing powerhouse containing four operating turbines connected in tandem to two turbine

generators with a total rated capacity of 1,320 kW and a new 120 kW turbine-generator to be installed; (6) a tailrace channel; (7) a transmission line; and (8) appurtenant facilities. The project would produce up to 4,300,000 kWh annually after mechanical and electrical modification to improve efficiency and the installation of the new 120 kW turbine-generator. The dam is owned by the Applicant.

k. Purpose of Project: Energy produced at the project would be sold to Central Maine Power Company.

l. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C and D2.

m. Proposed Scope and Cost of Studies under Permit: A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license.

Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would perform surveys and geologic investigations, determine the economic feasibility of the project, reach final agreement on sale of project power, secure financing commitments, consult with Federal, State and local government agencies concerning the potential environmental effects of the project, and prepare an application for an FERC license, including an environmental report. Applicant estimates the cost of the work under the permit would be \$30,000.

9a. Type of Application: Amendment of License (New Capacity).

b. Project No.: 2302-001.

c. Date Filed: June 10, 1983.

d. Applicant: The Union Water Power Company.

e. Name of Project: Lewiston Falls Project.

f. Location: Androscoggin River, City of Lewiston and the City of Auburn, Androscoggin County, Maine.

g. Filed Pursuant to: 16 U.S.C. 791(a)-825(r).

h. Contact Person: Jon S. Readnour, Esq., Central Maine Power Company, Edison Drive, Augusta, Maine 04336.

i. Comment Date: January 17, 1984.

j. Competing Application: Project No. 6862-000: Date Filed: November 18, 1983.

k. Description of Project: The Lewiston Falls Project, as currently licensed, consists of a dam comprised of four main sections of stone-masonry capped with concrete all equipped with removable steel pins to hold four feet of flashboards, a concrete section equipped with 16-inch flashboards, and a wasteway section built as part of one main section; a canal system comprised of an upper and lower canal connected

by cross-canals; a reservoir, extending upstream about two and one half miles, having a surface area of about 200 acres at elevation 168.17 feet (USCS datum); a 40-horsepower turbine used to develop mechanical power; and appurtenant facilities; * * *

Applicant proposes to include under the license 17 existing unlicensed turbine-generators which are in operation along the canal system with a total rated capacity of 6,675 kW and construct a new powerhouse on the west bank of the Androscoggin River containing two turbine-generators with a total rated capacity of 25,000 kW. The new powerhouse would be connected to an existing adjacent 34.5-kV transmission line. The existing turbine-generators and new facilities are owned by Central Maine Power Company or its wholly owned subsidiary Union Water Power Company. The redeveloped project would generate up to 140,000,000 kWh annually. In view of the proposed redevelopment, the Applicant proposes to increase its term of license from 38 to the full 50 years allowed under the Federal Power Act. The existing license was effective January 1, 1956, and would expire on December 31, 1993.

l. Purpose of Project: Energy produced at the project would be utilized by Applicant's parent company for distribution to its customers.

m. This notice also consists of the following standard paragraphs: B and D2.

n. 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 application. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Deputy Director, Project Management, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

10a. Type of Application: Preliminary Permit.

b. Project No: 7586-000.

c. Date Filed: September 6, 1983.

d. Applicant: American Hydro Power Company.

e. Name of Project: Loyalhanna Dam Water Power.

f. Location: On Loyalhanna Creek, in Conemaugh and Derry Townships, in Westmoreland County, Pennsylvania.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Peter A. McGrath, American Hydro Power Company, 4026 Chestnut Street, Philadelphia, Pennsylvania 19104.

i. Comment Date: February 9, 1984.

j. Description of Project: The proposed project would utilize the existing U.S. Army Corps of Engineers' Loyalhanna Dam, Lake, and outlet works and would consist of: (1) The addition of an intake structure, along with a penstock extension connecting from the existing outlet works to the proposed powerhouse that will have a total penstock length of about 160 feet; (2) a proposed concrete powerhouse, 30 feet by 40 feet, housing three turbine units with a total installed capacity of 2,650 kW; (3) a proposed 13,000-volt transmission line, approximately one and one-half miles long; and (4) appurtenant facilities. Applicant estimates that the average annual generation would be 8,450,000 kWh.

k. Purpose of Project: The Applicant anticipates that project energy will be sold to the West Penn Power Company.

l. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

m. Proposed Scope and Cost of Studies under Permit: A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time it would perform studies and would prepare an application for an FERC license or exemption. Applicant estimates the cost of the work under the permit would be \$50,000.

11a. Type of Application: Exemption (5 MW or Less).

b. Project No: 6755-001.

c. Date Filed: March 10, 1983.

d. Applicant: Brown's Industries, Inc.

e. Name of Project: Hard and Hazard Creeks.

f. Location: On Hard and Hazard Creeks in Idaho County, Idaho, near the town of Riggins within the Payette National Forest.

g. Filed Pursuant to: Energy Security Act of 1980 (16 U.S.C. 2705 and 2708 as amended).

h. Contact Person: Mr. Judd W. DeBoer, President, Brown's Industries, Inc., P.O. Box 100, Eagle, Idaho 83616 and Mr. Eric Schulz, 700 Clearwater Lane, P.O. Box 8748, Boise, Idaho 83707.

i. Comment Date: January 19, 1984.

j. Description of Project: The proposed project would consist of: (1) Two 5-foot-

high, 50-foot-long diversion structures both at an elevation of 3,800 feet; (2) 42-inch-diameter penstocks, one 12,500 feet long and the other 9,000 feet long; (3) a powerhouse containing a single generating unit with a rated capacity of 4,950 kW operating under a head of 490 feet; (4) a 34.5-kV transmission line, 5,000 feet long tying into an existing Idaho Power Company line. The average annual energy output would be 17,000,000 kWh.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

k. Purpose of Project: Project power would be sold to Idaho Power Company.

l. This notice also consists of the following standard paragraphs: A1, A9, B, C and D3a.

a. Type of Application: Preliminary Permit.

b. Project No: 7787-000.

c. Date Filed: October 31, 1983.

d. Applicant: Colorado Slopes Power.

e. Name of Project: Jackson Gulch Dam.

f. Location: On Jackson Gulch River, in Montezuma County, near Mancos, Colorado.

g. Filed Pursuant to: Federal Power Act 16 U.S.C. § 791(a)-825(r)

h. Contact Person: Mr. Flake H. Wells, Colorado Slopes Power, P.O. Box 12608, El Paso, Texas 79912.

i. Comment Date: February 10, 1984.

j. Description of Project: The proposed project would utilize the Jackson Gulch Dam and Reservoir under the jurisdiction of the Bureau of Reclamation and would consist of: (1) A new welded steel penstock, 100 feet long and 2 feet in diameter leading from the existing valve house to an upper powerhouse; (2) an upper powerhouse and stepup station; (3) a second section of welded steel penstock 325 feet long and 2 feet in diameter leading to a lower powerhouse; (4) a lower powerhouse and stepup station; (5) turbine/generator units with a total installed capacity of kW; (6) short tailrace channels directing the power plant discharges to the irrigation canal and to Jackson Gulch; (7) a short low-voltage transmission line; and (8) appurtenant mechanical and electrical equipment. The average annual generation of 800,000 kWh would be sold to a local, privately owned utility.

k. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

l. **Proposed Scope of Studies under Permit**—Applicant has requested a 18-month permit to prepare a definitive project report, including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Corps and other Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be \$85,000.

m. **Purpose of Preliminary Permit**—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

13a. Type of Application: License (Under 5 MW).

b. Project No: 7208-000.

c. Date Filed: April 11, 1983.

d. Applicant: Union Village Hydroelectric Company.

e. Name of Project: Union Village.

f. Location: On the Ompompanoosuc River in Orange County, Vermont.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: John L. Warshow, Union Village Hydroelectric Company, 26 State Street, Montpelier, Vermont 05602.

i. Comment Date: February 13, 1984.

j. Description of Project: The proposed project will utilize the existing U.S. Army Corps of Engineers' Union Village Dam and consist of: (1) A 13-foot-diameter, 33-foot-long, steel-lined penstock; (2) a proposed powerhouse with an installed generating capacity of 2.3 MW; (3) a proposed 500-foot-long, 12.74-kV transmission line; and (4) appurtenant facilities. The Applicant estimates the average annual energy generation to be approximately 6.0 GWh.

k. This notice also consists of the following standard paragraphs: A3, A9, B, C and D1.

14a. Type of Application: Preliminary Permit.

b. Project No: 7698-000.

c. Date Filed: October 6, 1983.

d. Applicant: Heber Light and Power.

e. Name of Project: Soldier Creek.

f. Location: Strawberry River, Wasatch County, Utah.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. Ray Farrell, Heber City Light and Power, 31 South First West, P.O. Box 330, Heber City, Utah 84032.

i. Comment Date: February 13, 1984.

j. Description of Project: The proposed project would utilize the existing Bureau of Reclamation's Soldier Creek Dam and Reservoir and would consist of: (1) A penstock, 40 feet long and 3 feet in diameter; (2) a powerhouse approximately 80 feet square housing a 540-hp Francis turbine connected to a 400-kW generator; (3) new outlet works; (4) a new 12-kV transmission line 1,000 feet long; and (5) appurtenant facilities. The average annual generation of three million kWh of electrical energy will be used by the Applicant in its own distribution system. Less than one acre of U.S. land would be within the project boundary.

k. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

l. **Proposed Scope of Studies under Permit**—Applicant has requested a 36-month permit to prepare a definitive project report, including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Corps and other Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be \$32,000.

m. **Purpose of Preliminary Permit**—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

915a. Type of Application: Preliminary Permit.

b. Project No.: 7794-000.

c. Date Filed: November 2, 1983.

d. Applicant: Environmental Power Systems, Inc.

e. Name of Project: Crystal River Project.

f. Location: On the Crystal River, near Marble, in Gunnison County, Colorado.

g. Filed Pursuant to: Federal Power Act 16 U.S.C. 791(a)-825(r).

h. Contact Person: Barbe Chambliss, Environmental Power Systems, Inc., 99 Atlantic Avenue, Aspen, Colorado 81611.

i. Comment Date: February 13, 1984.

j. Description of Project: The proposed project would consist of: (1) A reconstructed wing wall; (2) a new penstock approximately 3,000 feet long; (3) a new powerhouse containing two Francis units, one rated at 2.5 MW and the other at 2.0 MW, and one Pelton unit rated at 600 kW, all operating at a head of 380 feet; (4) a new switchyard; (5) a new 14.4-kV transmission line 1000 feet long; and (6) appurtenant mechanical and electrical facilities.

The proposed project is located within the White River National Forest. The average annual generation of 10.5 million kWh would be sold to the Colorado Ute Electric Association.

k. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

l. *Proposed Scope of Studies Under Permit*—Applicant has requested a 36-month permit to prepare a definitive project report, including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with the Corps and other Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be \$25,000.

m. *Purpose of Preliminary Permit*—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

16a. Type of Application: Preliminary Permit.

b. Project No: 7635-000.

c. Date Filed: September 22, 1983.

d. Applicant: Figas Construction.

e. Name of Project: Peach Creek Power Project.

f. Location: On North and South Forks of Peach Creek, near Orleans, in Humboldt County, California.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. Robert L. Figas, Figas Construction, 115 Redmond Road, Eureka, California 95501.

i. Comment Date: February 10, 1984.

j. Description of Project: The proposed project would consist of: (1) A 4-foot-high, 40-foot-long diversion structure on North Fork Peach Creek at elevation 1600 feet; (2) a 4-foot-high, 40-foot-long diversion structure on South Fork Peach Creek at elevation 1600 feet; (3) an 18-inch-diameter, 7,000-foot-long conduit; (4) an 18-inch-diameter, 2,000-foot-long penstock; (5) a powerhouse with a total installed capacity of 700 kW; and (6) a 1-mile-long, 12.5-kV transmission line from the powerhouse to an existing Pacific Gas and Electric Company (PG&E) transmission line. The Applicant estimates the average annual energy generation at 6.1 million kWh to be sold to PG&E.

A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a 36-month preliminary permit to conduct technical, environmental and economic studies, and also prepare an FERC license application at an estimated cost of \$15,000.

k. This notice also consists of the following standard paragraphs: A6, A7, A9, B, C and D2.

17a. Type of Application: Exemption (Conduit Facilities).

b. Project No: 7424-000.

c. Date Filed: July 5, 1983.

d. Applicant: Salt Lake City Corporation.

e. Name of Project: 5th South and 10th East Pressure Regulation Station.

f. Location: Salt Lake County, Utah.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. LeRoy W. Hooton, Director, Department of Public Utilities, 1530 South West Temple, Salt Lake City, Utah 84115.

i. Comment Date: January 23, 1984.

j. Description of Project: The proposed project would utilize municipal a water supply conduit which conveys water to Salt Lake City, Utah (City), from a water treatment plant at Mt. Dell Dam on the Parley's Canyon Creek. The proposed project would be located at the 5th South and 10th East Pressure Regulation Station and would consist of the following: (1) Enlargement of the valve house; (2) the proposed installation of one turbine/generator unit with an installed capacity of 170 kW which would replace one of the existing pressure valves at the station; and (3) appurtenant facilities. The Applicant estimates the average annual energy production to be 1.2 GWh.

k. This notice also consists of the following standard paragraphs: A3, A9, B, C and D3b.

18a. Type of Application: Application for License (over 5 MW).

b. Project No: 4285-002.

c. Dated Filed: September 16, 1983.

d. Applicant: City of Logan, Utah.

e. Name of Project: Logan No. 2 Hydroelectric Project.

f. Location: Logan River, Cache County, Utah.

g. Filed Pursuant to: Federal Power Act 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. Vann Bethers, Manager, Logan City Light and Power, 61 West First North, Logan, Utah 84321.

i. Comment Date: February 9, 1984.

j. Description of Project: The proposed project would utilize an existing U.S. Forest Service dam and reservoir which is located, along with most of the needed land for the proposed penstock, in the Cache National Forest. The proposed project would consist of: (1) An existing reinforced concrete box intake structure located at the right side of the dam; (2) a proposed 9,400-foot-long, 7-foot-diameter penstock to be located along an existing bench excavated in the hillside and running from the intake structure to a surge tank; (3) a proposed 50-foot-high, 32-foot-diameter surge tank; (4) a proposed 300-foot-long, 5.5-foot-diameter penstock running from the surge tank to the powerhouse; (5) the renovation of the existing powerhouse with the proposed installation of two turbine/generator units with a total installed capacity of 6.2 MW at an operating head of 199 feet; (6) a proposed 40-foot-long, tailrace; (7) proposed 275-foot-long 12.5 kV transmission line; and (8) appurtenant facilities. The Applicant estimates the average annual energy production to be 23.0 GWh.

k. Purpose of Project: The Applicant plans to use the power generated by the proposed project to serve the customers of its municipally owned electric utility system.

l. This notice also consists of the following standard paragraphs: A3, A9, B, C, and D1.

19a. Type of Application: Declaration of Intention.

b. Project No: EL83-27-000.

c. Dated Filed: June 17, 1983.

d. Applicant: J. D. McCollum.

e. Name of Project: Canyon Springs.

f. Location: On an unnamed tributary to the Snake River, in Twin Falls County, Idaho.

g. Filed Pursuant to: Section 23(b) of the Federal Power Act, 16 U.S.C. 817(b).

h. Contact Person: Jerry Eggleston, CH2M Hill, P.O. Box 8748, Boise, Idaho 83707.

i. Comment Date: January 23, 1984.

j. Description of Project: The proposed project would consist of a generating unit rated at 120 kW located at the head of a high pressure artesian well.

Discharge from the powerhouse would be conveyed by a closed conduit to fish ponds, and discharge from the fish ponds would be into an unnamed stream.

A Declaration of Intention requests that the Commission commence an investigation to determine if it has jurisdiction over the project.

k. Purpose of Project: Power would be transmitted into a power distribution system.

l. This notice also consists of the following standard paragraphs: B, C, D2.

20a. Type of Application: 5 MW Exemption.

b. Project No: 4049-002.

c. Date Filed: June 21, 1983.

d. Applicant: Nephi City Corporation.
e. Name of Project: Nephi Hydroelectric Project.

f. Location: Salt Creek, Juab County, Utah.

g. Filed Pursuant to: Section 408 of the Energy Security Act of 1980 (16 U.S.C. 2705 and 2708 as amended).

h. Contact Person: Mr. J. Randy McKnight, City Administrator, Nephi City Corporation, 54 North Main Street, Nephi, Utah 84648.

i. Comment Date: January 23, 1984.

j. Description of Project: The sites for the proposed diversion structure and the proposed powerhouse are owned by the City of Nephi, Utah (City); and most of the proposed penstock will be buried along the existing City water pipeline right-of-way. The project will consist of: (1) A proposed 12-foot-high, 57-foot-long diversion structure; (2) a proposed 23,400-foot-long, 22-inch diameter, steel penstock; (3) a proposed powerhouse containing one turbine/generator unit operating under a static head of 520 feet with an installed capacity of 500 kW; (4) a proposed afterbay; (5) a proposed 200-foot-long, 12.5 kV transmission line; (6) the upgrading of a 1-mile-long existing transmission line; and (7) appurtenant facilities. The Applicant estimates the average annual energy production to be 2.8 GWh.

k. Purpose of Project: The Applicant plans to use the power generated at the proposed facility in its municipally owned electrical distribution system.

l. This notice also consists of the following standard paragraphs: A1, A9, B, C, and D3a.

m. Purpose of Exemption: An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

21a. Type of Application: Preliminary Permit.

b. Project No: 7661-000.

c. Date Filed: September 28, 1983.

d. Applicant: Tennessee Hydro Associates.

e. Name of Project: Old Columbia Hydro Project.

f. Location: Duck River in Maury County, Tennessee.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. David M. Coombe, Synergies, Inc., 410 Severn Avenue, Suite 409, Annapolis, Maryland 21403.

i. Comment Date: February 9, 1984.

j. Description of Project: The proposed run-of-river project would consist of: (1) An existing concrete gravity dam, approximately 572 feet long and 22 feet high, with four spillway sections; (2) a reservoir having minimal pondage; (3) an existing powerhouse, located near the center of the dam, to be renovated and equipped with 2 turbine-generator units having rated capacities of 200 kW and 500 kW for a total rated capacity of 700 kW; (4) a tailrace returning flow to the river immediately downstream of the dam; (5) a new transmission line connecting to a nearby 46 kV line; and (6) appurtenant facilities. The Applicant estimates that the average annual energy output would be 4,200,000 kWh. Project energy would be sold to the American Electric Power Company. Project facilities are owned by the City of Columbia, Maury County, Tennessee.

k. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

l. *Proposed Scope of Studies under Permit*—Applicant has requested a 24-month permit to prepare a definitive project report, including preliminary designs, results of geological, environmental, and economic feasibility studies. The cost of the above activities, along with preparation of an environmental impact report, obtaining agreements with Federal, State, and local agencies, preparing a license application, conducting final field surveys, and preparing designs is estimated by the Applicant to be \$60,000.

m. *Purpose of Preliminary Permit*—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

22a. Type of Application: Exemption (Conduit Facilities).

b. Project No.: 7423-000.

c. Date Filed: July 5, 1983.

d. Applicant: Salt Lake City Corporation.

e. Name of Project: Parley's Conduit Pressure Regulation Station.

f. Location: Salt Lake County, Utah.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. LeRoy W. Hooton, Director, Department of Public Utilities, 1530 South West Temple, Salt Lake City, Utah 84115.

i. Comment Date: January 23, 1984.

j. Description of Project: The proposed project would utilize a municipal water supply conduit which conveys water to Salt Lake City, Utah (City), from a water treatment plant at Mt. Dell Dam on the Parley's Canyon Creek. The proposed project would be located at the City's existing Parley's Canyon Conduit Pressure Regulation Station and would consist of the following: (1) Enlargement of the valve house; (2) the proposed installation of one turbine/generator unit with an installed capacity of 520 kW which would replace the existing 16-inch pressure valve at the station; and (3) appurtenant facilities. The Applicant estimates the average annual energy production to be 3.3 GWh. There will also be an upgrading of a 2,300-foot-long single-phase transmission line to three-phase transmission line.

k. This notice also consists of the following standard paragraphs: A3, A9, B, C, and D3b.

23a. Type of Application: Preliminary Permit.

b. Project No.: 7780-000.

c. Date Filed: October 27, 1983.

d. Applicant: East Park Associates.

e. Name of Project: George Easter Hydroelectric.

f. Location: At the existing Bureau of Reclamation's East Park Dam on Little Stony Creek in Colusa County, California.

g. Filed Pursuant to: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. Contact Person: Mr. Joel Kirk Rector, East Park Associates, 4832 Colony Circle, Salt Lake City, Utah 84117.

i. Comment Date: February 9, 1984.

j. Description of Project: The proposed project would consist of: (1) A pressurized steel penstock insert within the existing concrete outlet of the East Park Dam, extending 30 feet beyond the existing point of discharge; (2) a powerhouse containing a single generating unit with a rated capacity of 900 kW, operating under an approximate head of 80 feet; and (3) a 2-mile-long, 21-

kV transmission line connecting the project with an existing Pacific Gas and Electric Company transmission line west of the project.

k. Purpose of Project: The estimated 2.2 million kWh of project energy would be sold to a local utility.

l. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

24a. Type of Application: Preliminary Permit.

b. Project No: 7755-000.

c. Date Filed: October 25, 1983.

d. Applicant: Marcal Paper Mills, Incorporated.

e. Name of Project: Welchville.

f. Location: Little Androscoggin River, town of Welchville, Oxford County, Maine.

g. Filed Pursuant to: 16 U.S.C. 791(a)-825(r).

h. Contact Person: Christian A. Herter, III, Vice-President, Swift River Company, 44 Exchange Street, Portland, Maine 04101.

i. Comment Date: February 10, 1984.

j. Description of Project: The proposed project would consist of: (1) An existing 10-foot-high, 180-foot-long, rock-filled timber crib dam with a gate structure and 1-foot-high flashboards at the dam; (2) a 383-acre reservoir with a usable storage capacity of 383 acre-feet at 302 feet elevation M.S.L. with flashboards; (3) a new powerhouse located at the north dam abutment containing a single 275-kW turbine-generator; (4) a 75-foot-long, 13.2-kV transmission line; and (5) appurtenant facilities. The project would generate up to 1,000,000 kWh annually. The dam is owned by the Applicant.

k. Purpose of Project: Energy produced at the project would be sold to Central Maine Power Company.

l. This notice also consists of the following standard paragraphs: A5, A7, A9, B, C, and D2.

m. Purposed Scope Cost of Studies under Permit: A preliminary does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license. Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would perform surveys and geologic investigations, determine the economic feasibility of the project, reach final agreement on sale of project power, secure financing commitments, consult with Federal, State and local government agencies concerning the potential environmental effects of the project, and prepare an application for an FERC license, including an environmental report. Applicant estimates the cost of the work under the permit would be \$25,000.

Competing Applications

A1. Exemption for Small Hydroelectric Power Project under 5MW Capacity—Any qualified license or conduit exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing license or conduit exemption application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such an application. Any qualified small hydroelectric exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing small hydroelectric exemption application or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing license, conduit exemption, or small hydroelectric exemption application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit will not be accepted in response to this notice.

A2. Exemption for Small Hydroelectric Power Project under 5MW Capacity—Any qualified license or conduit exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing license or conduit exemption application that proposes to develop at least 7.5 megawatts in that project, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing license or conduit exemption application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit and small hydroelectric exemption will not be accepted in response to this notice.

A3. License or Conduit Exemption—Any qualified license, conduit exemption, or small hydroelectric exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing license, conduit exemption, or small hydroelectric exemption application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing license, conduit exemption, or small

hydroelectric exemption application no later than 120 days after the specified comment date for the particular application. Applications for preliminary permit will not be accepted in response to this notice.

This provision is subject to the following exception: if an application described in this notice was filed by the preliminary permittee during the term of the permit, a small hydroelectric exemption application may be filed by the permittee only (license and conduit exemption applications are not affected by this restriction).

A4. License or Conduit Exemption—Public notice of the filing of the initial license, small hydroelectric exemption or conduit exemption application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, any competing application for license, conduit exemption, small hydroelectric exemption, or preliminary permit, or notices of intent to file competing applications, must be filed in response to and in compliance with the public notice of the initial license, small hydroelectric exemption or conduit exemption application. No competing applications or notices of intent may be filed in response to this notice.

A5. Preliminary Permit: Existing Dam or Natural Water Feature Project—Anyone desiring to file a competing application for preliminary permit for a proposed project at an existing dam or natural water feature project, must submit the competing application to the Commission on or before 30 days after the specified comment date for the particular application (see 18 CFR 4.30 to 4.33 (1982)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

A competing preliminary permit application must conform with 18 CFR 4.33 (a) and (d).

A6. Preliminary Permit: No Existing Dam—Anyone desiring to file a competing application for preliminary permit for a proposed project where no dam exists or where there are proposed major modifications, must submit to the Commission on or before the specified comment date for the particular application, the competing application itself, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 60 days after the specified comment date for the particular application.

A competing preliminary permit application must conform with 18 CFR 4.33 (a) and (d).

A7. Preliminary Permit—Except as provided in the following paragraph, any qualified license, conduit exemption, or small hydroelectric exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing license, conduit exemption, or small hydroelectric exemption application or a notice of intent to file such an application. Submission of a timely notice of intent to file a license, conduit exemption, or small hydroelectric exemption application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application.

In addition, any qualified license or conduit exemption applicant desiring to file a competing application may file the subject application until: (1) A preliminary permit with which the subject license or conduit exemption application would compete is issued, or (2) the earliest specified comment date for any license, conduit exemption, or small hydroelectric exemption application with which the subject license or conduit exemption application would compete; whichever occurs first.

A competing license application must conform with 18 CFR 4.33 (a) and (d).

A8. Preliminary Permit—Public notice of the filing of the initial preliminary permit application, which has already been given, established the due for filing competing preliminary permit applications on notices of intent. Any competing preliminary permit application, or notice of intent to file a competing preliminary permit application, must be filed in response to and in compliance with the public notice of the initial preliminary permit application. No competing preliminary permit applications or notices of intent to file a preliminary permit may be filed in response to this notice.

Any qualified small hydroelectric exemption applicant desiring to file a competing application must submit to the Commission, on or before the specified comment date for the particular application, either a competing small hydroelectric exemption application or a notice of intent to file such an application. Submission of a timely notice of intent to file a small hydroelectric exemption application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application.

In addition, any qualified license or conduit exemption applicant desiring to file a competing application may file the subject application until: (1) A preliminary permit with which the subject license or conduit exemption application would compete is issued, or (2) the earliest specified comment date for any license, conduit exemption, or small hydroelectric exemption application with which the subject license or conduit exemption application would compete; whichever occurs first.

A competing license application must conform with 18 CFR 4.33 (a) and (d).

A9. Notice of intent—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, include an unequivocal statement of intent to submit, if such an application may be filed, either (1) a preliminary permit application or (2) a license, small hydroelectric exemption, or conduit exemption application, and be served on the applicant(s) named in this public notice.

B. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. 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 received on or before the specified comment date for the particular application.

C. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing is in response. Any of the above named documents must be filed by providing the original and the number of copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Project Management Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application or motion to

intervene must also be served upon each representative of the Applicant specified in the particular application.

D1. *Agency Comments*—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are requested to provide comments pursuant to the Federal Power Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Historic Preservation Act, the Historical and Archeological Preservation Act, the National Environmental Policy Act, Pub. L. 88-29, and other applicable statutes. No other formal requests for comments will be made.

Comments should be confined to substantive issues relevant to the issuance of a license. A copy of the application may be obtained directly from the Applicant. If an agency does not file comments with the Commission within the time set for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

D2. *Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

D3a. *Agency Comments*—The U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the State Fish and Game agency(ies) are requested, for the purposes set forth in Section 408 of the Energy Security Act of 1980, to file within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency

does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

D3b. Agency Comments—The U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the State Fish and Game agency(ies) are requested, for the purposes set forth in Section 30 of the Federal Power Act, to file within 45 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 45 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Dated: December 5, 1983.

Kenneth F. Plumb,
Secretary.

[FR Doc. 83-32732 Filed 12-8-83; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-2485-7]

Availability of Environmental Impact Statements Filed November 28 Through December 2, 1983 Pursuant to 40 CFR 1506.9

Responsible Agency: Office of Federal Activities, General Information (202) 382-5075 or (202) 382-5076.

EIS No. 830625, Draft, COE, NY, Truckee Meadows Multipurpose Project, Washoe County, Due: Jan. 31, 1984

EIS No. 830626, Final, FHW, ID, Chinden-Broadway Corridor Improvement/Ext., Ada County, Due: Jan. 9, 1984

EIS No. 830627, FSUPPL, COE, IL, Moline Local Flood Protection Project, Rock Island County, Due: Jan. 9, 1984

EIS No. 830628, Draft, COE, HI, Kahawainui Stream Flood Control, Honolulu Co. Due: Jan. 23, 1984

EIS No. 830629, Final, CDB, NJ, Newport City Development, UDAG/CDBG/Section 108 Loan Guaranty, Due: Jan. 9, 1984

EIS No. 830630, Final CDB, MA, North Station Urban Renewal Project, CDBG, Suffolk County, Due: Jan. 9, 1984

EIS No. 830631, Draft MMS, CA, Santa Ynez Unit, Oil/Gas Development and Production Plan, Santa Barbara County, Due: Jan. 23, 1984

EIS No. 830632, FSUPPL, GSA, TN, Union Station Disposition, Nashville, Davidson County, Due: Jan. 9, 1984

EIS No. 830633, Final, NRC, SC, H.B. Robinson Electric Plant, Unit 2, License Amend. Due: Jan. 9, 1984

EIS No. 830634, Final, BLM, AL, S. Appalachian Coal Region, Round 2, Leasing, Due: Jan. 9, 1984

EIS No. 830635, Final, MMS, CA, PAC 1984 S. California OCS Oil/Gas Sale, Leasing, Due: Jan. 9, 1984

EIS No. 830636, FSUPPL, COE, ND, Park River Flood Control Plan, Grafton, Walsh County, Due: Jan. 9, 1984

EIS No. 830637, Draft, COE, HI, Laupahoehoe Point Navigation Improvements, Due: Jan. 23, 1984

Amended Notices:

EIS No. 800732, Draft, HUD, TX, Grogan's Crossing Subdivision, Mortgage Ins., Published Federal Register 10/3/80—Officially Withdrawn

EIS No. 820818, Draft, HUD, TX, Greenwood Valley Subdivision, Mortgage Ins., Published Federal Register 12/30/82—Officially Withdrawn

EIS No. 830502, Draft, BLM, NV, Winnemucce District WSAs, Designation Published Federal Register 9/30/83—Review extended, Due: Dec. 30, 1983

EIS No. 830609 DSUPPL, AFS, CA, Devers/Valley/Serrano Valley/Serrano Villa Park Trans. Lines, Permits, Published Federal Register 11/25/83—Incorrect status, Due: Jan. 9, 1984

Dated: December 6, 1983.

David G. Davis,
Acting Director, Office of Federal Activities.

[FR Doc. 83-32860 Filed 12-8-83; 8:45 am]

BILLING CODE 6560-50-M

[WH-FRL-2486-3]

Ocean Dumping Permit Program; Extension of Comment Period on the Tentative Determination to Issue Special and Research Permits

AGENCY: Environmental Protection Agency.

ACTION: Extension of comment period.

SUMMARY: On Friday, October 21, 1983, the Environmental Protection Agency published in the *Federal Register* (48 FR 48986), and in several newspapers, a notice of receipt of applications and a tentative determination to issue special and research permits for the incineration of chemical waste at the Gulf Incineration Site by Chemical Waste Management, Inc., Oak Brook, Illinois, and Ocean Combustion Service, B.V., Rotterdam, the Netherlands. In response to numerous requests, the comment period on the tentative determination to issue the permits is extended from December 8, 1983 to January 31, 1984.

DATES: Comments must be submitted on or before January 31, 1984.

FOR FURTHER INFORMATION CONTACT: Dr. Alan B. Rubin, Chief, Criteria Section (WH-585), Office of Water Regulation and Standards, U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460; (202) 245-3030.

Dated: December 5, 1983.

Jack E. Ravan,
Assistant Administrator for Water.

[FR Doc. 83-32794 Filed 12-8-83; 8:45 am]

BILLING CODE 6560-50-M

[OW-FRL-2485-8]

Determination of Primary Enforcement Responsibility for South Dakota Drinking Water Program

In accordance with the provisions of Section 1413 of the Safe Drinking Water Act of 1974 (SDWA), (88 Stat. 1661; 42 U.S.C. 300f et. seq.) 40 CFR Part 142 (41 FR 2918, January 20, 1976), Mr. Warren R. Neufeld, Secretary, Department of Water and Natural Resources for the State of South Dakota, has submitted an application for assumption of primary enforcement responsibility under the SDWA to the Environmental Protection Agency (EPA) for approval.

Notice is hereby given that the Regional Administrator of EPA Region VIII has approved this application for primary enforcement authority, to become effective on January 9, 1984. This action was based upon a thorough evaluation of South Dakota's water

supply supervision program in relation to the requirements of 40 CFR 142.10. Specifically, the State has adopted and implemented:

1. Primary drinking water regulations which are as stringent as the National Interim Primary Drinking Water Regulations;
 2. An inventory of public drinking water systems;
 3. A systematic program for conducting sanitary surveys of public drinking water systems;
 4. A State program for certification of laboratories performing analyses of drinking water samples;
 5. State laboratory procedures, approved by EPA, for drinking water analyses;
 6. A plan and construction review program;
 7. Statutory and regulatory enforcement authority and procedures;
 8. Requirements for suppliers of drinking water to keep appropriate records and make appropriate reports to the State;
 9. Requirements for suppliers of drinking water to give public notice for violation of State drinking water regulations;
 10. A system for required State recordkeeping and reporting;
 11. A program for issuing variances and exemptions; and
 12. A plan for providing safe drinking water under emergency circumstances.
- Any interested person may request a public hearing to consider the Regional Administrator's determination. Frivolous or insubstantial requests for a public hearing may be denied; however, if a substantial request is received on or before January 9, 1984; a public hearing will be held and notice given in the **Federal Register** and newspapers of general circulation. Requests for a public hearing shall be addressed to: Mr. John G. Wells, Regional Administrator, U.S. Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295 and shall include the following information:
1. The name, address and telephone number of the individual, organization or other entity requesting a hearing;
 2. A brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting individual intends to submit at such hearing; and,
 3. The signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

If no timely request for a hearing is received, my determination shall become effective on January 9, 1984.

If there is a substantial request for a hearing this notice shall not become effective until after such hearing, at which time I shall issue an order affirming or rescinding my determination. If the determination is affirmed it shall become effective as of the date of that order.

A complete copy of South Dakota's application for primary enforcement responsibility is available for public inspection, during normal business hours, at the Office of the EPA Regional Administrator, and at the following location in South Dakota: Office of Drinking Water, Department of Water and Natural Resources, Joe Foss Building, Pierre, South Dakota 57501.

Dated: December 5, 1983.

John G. Welles,

Regional Administrator, U.S. EPA, Region VIII.

[FR Doc. 83-32798 Filed 12-8-83; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-694-DR]

Idaho; Amendment to Notice of Major-Disaster Declaration

AGENCY: Federal Emergency Management Agency.

ACTION: Notice.

SUMMARY: This notice amends the Notice of a major disaster for the State of Idaho (FEMA-694-DR), dated November 18, 1983, and related determinations.

FOR FURTHER INFORMATION CONTACT: Sewall H.E. Johnson, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287-0501.

The notice of a major disaster for the State of Idaho dated November 18, 1983, is hereby amended to include the following area among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of November 18, 1983: Butte County as an adjacent county for Individual Assistance.

Dated: December 1, 1983.

(Catalog of Federal Domestic Assistance No. 63.516, Disaster Assistance, Billing Code 6718-02)

Dave McLoughlin,

Deputy Associate Director, State and Local Programs and Support, Federal Emergency Management Agency.

[FR Doc. 83-32772 Filed 12-8-83; 8:45 am]

BILLING CODE 6718-01-M

FEDERAL HOME LOAN BANK BOARD

Information Collection Requirements Submitted to OMB; Purchase of Branch Office(s)/Transfer of Savings Accounts Applications

AGENCY: Federal Home Loan Bank Board.

ACTION: Notice.

SUMMARY: The public is advised that the Federal Home Loan Bank Board has submitted a new information collection request for the "Purchase of Branch Office(s)/Transfer of Savings Accounts Application", to the Office of Management and Budget for approval pursuant to 5 CFR 1320.12. Requests for information, including copies of the proposed information collection request and supporting documentation, are obtainable from the Board. Comments on the proposal should be directed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for the Federal Home Loan Bank Board. Comments must be postmarked no later than December 20, 1983. The Board would appreciate commenters also sending copies of their submissions to the Board address given below.

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

FOR FURTHER INFORMATION CONTACT: K. Diane Boyle, Director, Program Analysis/Development Division, Office of District Banks, Federal Home Loan Bank Board, 202-377-6720.

Dated: November 30, 1983.

By the Federal Home Loan Bank Board.

John F. Ghizzoni,

Assistance Secretary.

[FR Doc. 83-32635 Filed 12-8-83; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL MARITIME COMMISSION**American Canadian Line, Inc. and C.P. Leasing Corp.; Issuance of Certificate [Casualty]**

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of Section 2, Pub. L. 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

American Canadian Line, Inc., and C.P. Leasing Corporation, c/o American Canadian Line, Inc., 461 Water Street, P.O. Box 368, Warren, Rhode Island 02885.

Dated: December 5, 1983.

Francis C. Hurney,
Secretary.

[FR Doc. 83-32820 Filed 12-8-83; 8:45 am]
BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM**Banks of Mid-America, Inc.; Consolidation of Bank Holding Companies**

Banks of Mid-America, Inc., Oklahoma City, Oklahoma, has applied for the Board's approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. section 1842(a)(5)) to become a bank holding company through consolidation of Liberty National Corporation, Oklahoma City, Oklahoma, parent of the Liberty National Bank and Trust Company, Oklahoma City, Oklahoma, and First Tulsa Bancorporation, Inc., Tulsa, Oklahoma, parent of the First National Bank and Trust Company of Tulsa, Tulsa, Oklahoma. 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)).

Banks of Mid-America, Inc., Oklahoma City, Oklahoma, has also applied to engage in the following nonbank activities: originating and servicing loans secured by real estate, servicing loans and extensions of credit, leasing, acting as an underwriter for credit life, credit accident, and credit health insurance, acting as an agent or broker with respect to credit-related insurance, consumer, commercial, and business financing, factoring, real estate leasing to other subsidiaries of the holding company, property management services for owner of bank premises, direct leasing, international banking, and securities brokerage activities solely on the order and for the account

of customers. Applicant has also applied to engage in direct lending activities previously approved for Liberty National Corporation. In addition to the factors considered under section 3 of the Act (banking factors), the Board will consider the nonbanking aspects of the proposal under the provisions and prohibitions of section 4 of the Act (12 U.S.C. 1843).

The application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than December 31, 1983. 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.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 83-32762 Filed 12-8-83; 8:45 am]
BILLING CODE 6210-01-M

Banks of Mid-America, Inc., Proposed Acquisition of Liberty National Corporation, First Tulsa Bancorporation, Inc., and Their Subsidiary Corporations

Banks of Mid-America, Inc., Oklahoma City, Oklahoma, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire through consolidation Liberty National Corporation, Oklahoma City, Oklahoma, and First Tulsa Bancorporation, Inc., Tulsa, Oklahoma, and indirectly to acquire voting shares of Liberty Financial Corporation, Oklahoma City, Oklahoma, Liberty Mortgage Company, Oklahoma City, Oklahoma, Mid-America Leasing Corporation, Oklahoma City, Oklahoma, Mid-America Credit Life Assurance Company, Oklahoma City, Oklahoma, Mid-America Insurance Agency, Inc., Oklahoma City, Oklahoma, Liberty Factors, Inc., Oklahoma City, Oklahoma, Liberty Real Estate Company, Oklahoma City, Oklahoma, Liberty Property Management Company, Oklahoma City, Oklahoma, Allied International Bancorp, Inc., New York, New York, Firstul Leasing and Financial

Company, Tulsa, Oklahoma, Firstul Mortgage Company, Tulsa, Oklahoma, Financial Loan and Investment Company, Tulsa, Oklahoma, Fifth & Boston Corporation, Tulsa, Oklahoma, and Irwin Securities, Inc., Tulsa, Oklahoma.

Applicant states that the proposed subsidiaries would engage in the activities of originating and servicing loans secured by real estate, servicing loans and extensions of credit, leasing, acting as an underwriter for credit life, credit accident, and credit health insurance, acting as an agent or broker with respect to credit-related insurance, consumer, commercial, and business financing, factoring, real estate leasing to other subsidiaries of the holding company, property management services for owner of bank premises, direct leasing, international banking, and securities brokerage activities solely on the order and for the account of customers; Applicant would engage in direct lending activities previously approved for Liberty National Corporation.

These activities would be performed from offices of Applicant's subsidiaries in Oklahoma City, Oklahoma, Tulsa, Oklahoma, and New York, New York, and the geographic areas to be served are the State of New York (by Allied International Bancorp, Inc.); the State of Oklahoma (by all other subsidiary corporations and by Applicant). 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 Kansas City.

Any views or 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 January 5, 1984.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-32763 Filed 12-6-83; 8:45 am]

BILLING CODE 6210-01-M

BSP Bancorp; Formation of a Bank Holding Company

The company listed in this notice 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 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)).

The application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated. With respect to the application, interested persons may express their views in writing to the address indicated. 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 San Francisco (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *BSP Bancorp*, San Pedro, California; to become a bank holding company by acquiring 100 percent of the voting shares of Bank of San Pedro, San Pedro, California. Comments on this application must be received not later than December 28, 1983.

Board of Governors of the Federal Reserve System, December 2, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-32754 Filed 12-6-83; 8:45 am]

BILLING CODE 6210-01-M

First Hysham Holding Company; Formation of a Bank Holding Company

First Hysham Holding Company, Hysham, Montana, has applied for the Board's approval under 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 97 percent of the

voting shares of the The First National Bank in Hysham. The factors that are considered in acting on the application are set forth in 3(c) of the Act (12 U.S.C. 1842(c)).

First Hysham Holding Company, Hysham, Montana, 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 acquire First Insurance Agency, Hysham, Montana.

Applicant states that the proposed subsidiary would engage in general insurance agency activities. These activities would be performed from offices of Applicant's subsidiary in Hysham, Montana, and the geographic areas to be served are Wheatland, Golden Valley, Musselshell, Sweetgrass, Stillwater, Carbon, Yellowstone, Bighorn and Treasure 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 Reserve Bank not later than December 31, 1983.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-32755 Filed 12-6-83; 8:45 am]

BILLING CODE 6210-01-M

Formation of Bank Holding Companies; The Heritage Group, Inc. and First Petersburg Bancshares, Inc.

The companies listed in this notice have applied for the Board's approval under section 3(a)(1) to the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of 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 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 were in dispute and summarizing the evidence that would be presented at a hearing.

A. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *The Heritage Group, Inc.*, Woodridge, Illinois; to become a bank holding company by acquiring 96.05 percent of the voting shares of Heritage Bank of Woodridge, Woodridge, Illinois. Comments on this application must be received not later than December 28, 1983.

B. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *First Petersburg Bancshares, Inc.*, Petersburg, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of First State Bank, Petersburg, Texas. Comments on this application must be received not later than January 3, 1984.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-32764 Filed 12-6-83; 8:45 am]

BILLING CODE 6210-01-M

Manufacturers Hanover Corporation; Application

Manufacturers Hanover Corporation, New York, New York, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the

Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire through a *de novo* subsidiary, Manufacturers Hanover Trust Company of California, San Francisco, California ("Company"), certain corporate trust, escrow, corporate agency, and stock transfer agency business of Wells Fargo Bank, N.A., San Francisco, California.

Applicant also has applied to engage *de novo*, through Company in personal trust activities, general fiduciary activities, and providing certain fiduciary services relating to equipment financing, such as acting as security trustee, collateral agent, or owner trustee. These activities would be performed from offices of Company in Los Angeles and San Francisco, California and the primary geographic areas to be served are California and the western 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 § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by the Reserve Bank not later than January 3, 1984.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 83-32765 Filed 12-8-83; 8:45 am]

BILLING CODE 6210-01-M

Midwest Financial Group; Merger of Bank Holding Companies

Midwest Financial Group, Peoria, Illinois, has applied for the Board's approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge with United Bancorporation, Inc., Rockford, Illinois and thus indirectly to acquire United Bank of Loves Park, Loves Park, Illinois; United Bank of Ogle County, N.A., Oregon, Illinois; United Bank of Rockford, Rockford, Illinois; United Bank of Rochelle, Rochelle, Illinois; United Bank of Illinois, Rockford, Illinois; United Bank of Belvidere, Belvidere, Illinois; and United Bank of Southgate, Rockford, Illinois. 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)).

The application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than December 31, 1983. 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.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 83-32756 Filed 12-8-83; 8:45 am]

BILLING CODE 6210-01-M

PNC Financial Corp; Proposed Acquisition of LeMans Group, Ltd.

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 acquire voting shares of LeMans Group, Ltd., Lancaster, Pennsylvania.

Applicant states that the proposed subsidiary would engage in the activities of the design, development, and sale of integrated computer systems that facilitate the leasing of personal property by banks, other depository institutions, and other financial institutions. These activities would be performed from offices of Applicant's subsidiary in Lancaster, 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 § 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 or 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 December 31, 1983.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 83-32759 Filed 12-8-83; 8:45 am]

BILLING CODE 6210-01-M

Rainier Bancorporation; Proposed Acquisition of North Pacific Mortgage Co., Inc.

Rainier Bancorporation, Seattle, Washington, through its subsidiary, Rainier Mortgage Company, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire the assets of North Pacific Mortgage, Co., Inc., Seattle, Washington.

Applicant states that the proposed subsidiary would engage in the activities of originating and servicing commercial mortgage loans and performing limited credit-related consulting services. These activities would be performed from offices of Applicant's subsidiary in Seattle, Washington and the geographic areas to be served are the States of Washington,

Oregon, Idaho, and Alaska. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco.

Any views or 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 December 27, 1983.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 83-32700 Filed 12-8-83; 8:45 am]
BILLING CODE 6210-01-M

Tahoka First Bancorp, Inc.; Acquisition of Bank Shares by a Bank Holding Company

The company listed in this notice has 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)).

The application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated. With respect to the application, interested persons may express their views in writing to the address indicated. 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 Dallas
(Anthony J. Montelaro, Vice President)
400 South Akard Street, Dallas Texas
75222:

1. *Tahoka First Bancorp, Inc.*, Tahoka, Texas; to acquire 100 percent of the voting shares or assets of Charter Bank, N.W., Corpus Christi, Texas, and 80 percent of the voting shares or assets of Lakeway National Bank, Lakeway, Texas. Comments on this application must be received not later than December 30, 1983.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 83-32757 Filed 12-7-83; 8:45 am]
BILLING CODE 6210-01-M

Union Bancorp of West Virginia, Inc.; Acquisition of Bank Shares by a Bank Holding Company

The company listed in this notice has 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)).

The application may be inspected at the offices of the Board of Governors, or at the Federal Reserve Bank indicated. With respect to the application, interested persons may express their views in writing to the address indicated. Any comment on the 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. *Union Bancorp of West Virginia, Inc.*, Clarksburg, West Virginia; to acquire 100 percent of the voting shares of First National Bank in Philippi, Philippi, West Virginia. Comments on this application must be received not later than December 28, 1983.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,
Associate Secretary of the Board.

[FR Doc. 83-32760 Filed 12-8-83; 8:45 am]
BILLING CODE 6210-01-M

U.S. Trust Corporation; Proposed Expansion of Trust Company Activities

U.S. Trust Corporation, New York, New York, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to expand the activities of U.S. Trust Company of Florida, Palm Beach, Florida, after the subsidiary converts to a national trust company.

Applicant states that the expanded activities would include taking deposits, including demand deposits, and making consumer loans. Applicant has stated that the subsidiary will not engaged in any transactions that the Board has stated involve commercial lending. These activities would be performed from offices of Applicant's subsidiary in Palm Beach, Florida and the geographic area to be served is Palm Beach, Florida. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or 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 December 31, 1983.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-32781 Filed 12-6-83; 8:45 am]

BILLING CODE 6210-01-M

Citicorp, et al; Proposed de Novo Nonbank Activities by Bank Holding Companies

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, mortgage lending, loan servicing, 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., to engage in 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 *de novo* office of Citicorp Homeowners, Inc. and the *de novo* office of Citicorp Financial, Inc. will be at a shared location in King of Prussia, Pennsylvania, and the proposed service area 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 January 4, 1984.

B. Federal Reserve Bank of Philadelphia (Thomas K. Desch, Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:

1. *CoreState Financial Corp.*, Philadelphia, Pennsylvania (mortgage lending activities; Pennsylvania): To engage through its indirect subsidiary, Colonial Mortgage Service Company Associates, Inc. in the origination of FHA, VA and conventional residential mortgage loans and second mortgage loans. These activities will be conducted from an office in Camp Hill, Pennsylvania serving the Commonwealth of Pennsylvania. Comments on this application must be received not later than December 31, 1983.

C. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *Peoples Equity Shares, Inc.*, Carrollton, Georgia (financing, mortgage lending, and servicing, activities; Georgia and Alabama): To engage, through its subsidiary, Peoples Equity Mortgage Co., in making or acquiring loans and other extensions of credit such as would be made by a mortgage company; and, servicing such loans for others in accordance with the Board's Regulation Y. These activities would be performed from an office in Carrollton, Georgia, serving the States of Georgia and Alabama. Comments on this application must be received not later than December 27, 1983.

D. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Texas Bancorp Shares, Inc.*, San Antonio, Texas (credit insurance underwriting activities; Texas): To engage through its *de novo* subsidiary, Texas Bancorp Life Insurance Company, in the underwriting of credit life insurance and credit accident and health insurance directly related to the extensions of credit by Texas Bank. This activity will be conducted from offices located in San Antonio, Texas, serving Texas. Comments on this application must be received not later than January 5, 1984.

E. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *BankAmerica Corporation*, San Francisco, California (discount securities brokerage and incidental activities; *de novo* offices: all fifty (50) states and the District of Columbia): To engage, through its direct subsidiary, Charles Schwab & Co., in the activities of discount securities brokerage, consisting principally of buying and selling securities solely upon the order and for the account of customers, and of extending margin credit in conformity with Regulation T. These activities will be conducted from *de novo* offices located in Tucson, Arizona, Rancho Santa Fe, California, Chevy Chase Maryland, and Omaha, Nebraska; each office serving all fifty (50) states and the District of Columbia. Comments on this application must be received not later than January 4, 1984.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-32781 Filed 12-6-83; 8:45 am]

BILLING CODE 6210-01-M

NCNB Corporation, et al.; Proposed de Novo Nonbank Activities by Bank Holding Companies

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 Richmond (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *NCNB Corporation*, Charlotte, North Carolina (consumer finance and insurance activities, sale of money orders; North Carolina); To engage through its subsidiary, *TranSouth Financial Corporation*, in making direct loans for consumer and other purposes purchasing retail installment notes and contracts, selling at retail money orders having a face value of not more than \$1,000 and acting as agent for the sale of credit life, credit accident and health and physical damage insurance directly related to its extensions of credit and through its subsidiary, *TranSouth Mortgage Corporation*, in making direct loans for consumer and other purposes under the general usury statutes, purchasing retail installment notes and contracts, making direct loans to dealers for financing of inventory (floor planning) and working capital purposes and acting as agent for the sale of credit life, credit accident and health and physical damage insurance directly related to its extensions of credit. All of the aforementioned types of credit-related insurance activities are permissible under Sections 4(c)(8), (A) and (D) of the Bank Holding Company Act of 1956, as amended by the Garn-St Germain Depository Institutions Act of 1982. These activities would be

conducted from a common office in Durham, North Carolina, serving an area consisting of a 25 mile radius of said office. Comments on this application must be received not later than January 3, 1984.

B. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Banill Corporation*, Normal, Illinois (leasing activities; Illinois): To engage in the making of leases of personal property in accordance with the Board's Regulation Y. This activity would be performed in the cities of Normal and Bloomington and the surrounding McLean County. Comments on this application must be received not later than December 22, 1983.

C. Federal Reserve Bank of Minneapolis (Bruce J. Hedblom, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Le Sueur Bancorporation, Inc.*, Le Sueur, Minnesota (financing activities; Minnesota): To engage directly in consumer and commercial finance activities, including the extension of direct loans to consumer and commercial businesses, the discount of retail and installment notes or contracts, the extension of direct loans for working capital purposes. These activities would be conducted from an office in Le Sueur, Minnesota, serving Le Sueur and the surrounding trade area. Comments on this application must be received not later than December 30, 1983.

D. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *BankAmerica Corporation*, San Francisco, California (financing, servicing, and insurance activities; expansion of geographic scope; Illinois, Indiana, Iowa, Kentucky, Missouri and Wisconsin): To continue to engage, through its indirect subsidiary, *FinanceAmerica Corporation*, a Delaware corporation, in the activities of making or acquiring for its own account loans and other extensions of credit such as would be made or acquired by a finance company; servicing loans and other extensions of credit; and offering credit-related life insurance and credit-related accident and health insurance. The aforementioned credit-related insurance activities are permissible under Section 4(c)(8)(A) of the Bank Holding Company Act of 1956, as amended by the Garn-St Germain Depository Institutions Act of 1982. Credit-related property insurance will not be offered. Such activities will include, but not be limited to, making

loans and other extensions of credit to consumers and businesses, making loans and other extensions of credit secured by real and personal property, purchasing installment sales finance contracts, and offering credit-related life and credit-related accident and health insurance directly related to extensions of credit made or acquired by *FinanceAmerica Corporation*. Credit-related life and credit-related accident and health insurance may be reinsured by *BA Insurance Company, Inc.*, an affiliate of *FinanceAmerica Corporation*. These activities will be conducted from two existing offices located in Mount Vernon, Illinois, serving the additional states of Indiana, Kentucky and Missouri; and Rockford, Illinois, serving the entire states of Illinois, Iowa and Wisconsin. Comments on this application must be received not later than January 3, 1984.

2. *Fremont Bancorporation*, Fremont, California (financing activities; California): To engage in the extension, participation, or purchase of commercial loans, both residential and non-residential, and non-commercial residential loans. These activities would be conducted from an office in Fremont, California, serving the State of California. Comments on this application must be received not later than December 30, 1983.

Board of Governors of the Federal Reserve System, December 5, 1983.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 83-32758 Filed 12-8-83; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the *Federal Register*.

The following transactions were granted early termination of the waiting period provided by law and the

premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney

General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect

to these proposed acquisitions during the applicable waiting period:

Transaction	Waiting period terminated effective
(1) 83-0875—Smith International Incorporated's proposed acquisition of voting securities of Gearhart Industries Incorporated	
(2) 83-0806—Cooper Laboratories' proposed acquisition of assets of Worthington Diagnostic Systems Incorporated, (Flow General Incorporated, UPE)	Nov. 17, 1983
(3) 83-0921—Casa Blanca Industries, Incorporated's proposed acquisition of voting securities of G-C Acquisition Corporation, (Farm House Food Corporation, UPE)	Do
(4) 83-0934—A. H. Robins Company, Incorporated's proposed acquisition of voting securities of Quinton Medical Company	Do
(5) 83-0888—Dana Corporation's proposed acquisition of voting securities of Air Refiner, Incorporated	Do
(6) 83-0865—John M. Harbert, Harbert Corporation's proposed acquisition of voting securities of Gulf Oil Corporation	Nov. 18, 1983
(7) 83-0866—Far West Financial Corporation's proposed acquisition of voting securities of Gulf Oil Corporation	Nov. 21, 1983
(8) 83-0867—Roxboro Investments (1976) Ltd's, proposed acquisition of voting securities of Gulf Oil Corporation	Do
(9) 83-0868—Wagner & Brown's proposed acquisition of voting securities of Gulf Oil Corporation	Do
(10) 83-0869—Sunshine Mining Company's proposed acquisition of voting securities of Gulf Oil Corporation	Do
(11) 83-0870—Mesa Petroleum Company's proposed acquisition of voting securities of Gulf Oil Corporation	Do
(12) 83-0926—B.A.T. Industries, p.l.c. proposed acquisition of voting securities of Eagle Star Holdings p.l.c.	Do
(13) 83-0872—Beverly Enterprises' proposed acquisition of assets of Rush Mar Corp., Sava Corporation, Haber Corporation, Ramah Corporation, Henia Corporation, and M & H Company, (Marc and Hania Liebhaber, UPE)	Do
(14) 83-0940—Unitrode Corporation's proposed acquisition of voting securities of Power General Corporation	
(15) 83-0955—American Healthcare Management Incorporated's proposed acquisition of American Health Care Enterprises, Incorporated	Nov. 23, 1983
(16) 83-0957—G. Handl'sche Papierfabriken K.G.'s proposed acquisition of certain assets of Port Townsend from Crown Zellerbach Corporation	Do
(17) 83-0936—Global Marine Incorporated's proposed acquisition of voting securities of Petdrill Incorporated	Do
(18) 83-0935—Cooper Industries, Incorporated's proposed acquisition of voting securities of Petdrill, Incorporated	Do
(19) American Financial Corporation's proposed acquisition of voting securities of FMI Financial Corporation	Do
(20) 83-0925—Eastman Kodak Company's proposed acquisition of Digital Systems Division, (The Mead Corporation, UPE)	Do
(21) 83-0943—American Brands, Inc.'s proposed acquisition of voting securities of Southland Life Insurance Corporation, (Southland Financial Corporation, UPE)	Do
(22) 83-0909—The Toronto Sun Publishing Corporation's proposed acquisition of H & C Communications, Incorporated	Do
(23) 83-0977—Texaco Incorporated's proposed acquisition of assets of Dome Petroleum Limited	Do
(24) 83-0978—Dome Petroleum Limited's proposed acquisition of voting securities of Texaco Incorporated	Do
(25) 83-0938—Huhtamaki Oy's proposed acquisition of assets of the Donruss Division and voting securities of The Donruss Company	Do
(26) 83-0941—First Bank System Incorporated's proposed acquisition of voting securities of CMB Investment Counselors, (Anthony H. Browne, UPE)	Nov. 28, 1983
(27) 83-0942—First Bank System Incorporated's proposed acquisition of voting securities of CMB Investment Counselors, (Aaron C. Clark, UPE)	Do
(28) 83-0966—DMG Incorporated's proposed acquisition of voting securities of Carlsberg Corporation	Do
(29) 83-0969—Municipal Electric Authority of Georgia's proposed acquisition of assets of Georgia Power Company, (The Southern Company, UPE)	Do
(30) 83-0937—Damson Oil Corporation's proposed acquisition of assets of Standard Oil Company	
(31) 83-0946—Damson 1982-83 Oil and Gas Income Fund's proposed acquisition of assets of Damson Oil Corporation	Nov. 29, 1983
(32) 83-0953—Texaco Incorporated's proposed acquisition of voting securities of Chevron Investments Inc., (Standard Oil Company of California, UPE)	Do
(33) 83-0902—Western Pacific Industries Incorporated's proposed acquisition of voting securities of Cone Mills Corporation	Do
(34) 83-0894—Yankase Oil & Gas Incorporated's proposed acquisition of voting securities of Sparkman Energy Corporation	Nov. 30, 1983
(35) 83-0919—The Amalgamated Sugar Company's proposed acquisition of voting securities of GAF Corporation	Do
(36) 83-0948—Royal Packaging Industries Van Leer B. V.'s proposed acquisition of assets of Inland Steel Company	Dec. 1, 1983
(37) 83-0913—Aluminum Company of America's proposed acquisition of assets of Norton Company	Do
(38) 83-0972—McDonnell Douglas Company's proposed acquisition of voting securities of Computer Sharing Services Incorporated, (Rio Grande Industries, Incorporated, UPE)	Nov. 30, 1983
(39) 83-0980—Ronald O. Perelman's proposed acquisition of voting securities of MacAndrews & Forbes Group, Incorporated	Do
	Dec. 1, 1983

FOR FURTHER INFORMATION CONTACT: Patricia A. Foster, Compliance Specialist, Premerger Notification Office, Bureau of Competition, Room 301, Federal Trade Commission, Washington, D.C. 20580, (202) 523-3894.

By direction of the Commission.

Emily H. Rock,
Secretary.

[FR Doc. 83-32792 Filed 12-8-83; 8:45 am]

BILLING CODE 6750-01-M

GENERAL SERVICES ADMINISTRATION

Agency Information Collections Under Review by the Office of Management and Budget

AGENCY: Office of Policy and Management Systems, GSA.

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the General Services Administration (GSA), plans to request the Office of Management and Budget (OMB), to review and approve the information collections listed below. GSA is required under the provisions of the Paperwork Reduction Act of 1980 (44

U.S.C. Chapter 35), to consider comments on proposed information requirements that will affect the public.

DATES: Comments on this information collection must be submitted on or before December 30, 1983.

ADDRESSES: Send comments to Franklin S. Reeder, GSA Desk Officer, Room 3235, NEOB, Washington, DC 20503, and to John F. Gilmore, GSA Clearance Officer (ORAI), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Victoria Moss, Office of Acquisition Policy, on 202-523-4799.

SUPPLEMENTARY INFORMATION: 1. Title purpose, and annual burden (respondents, responses, hours).

a. Permits, Authorities, or Franchises

Certification. Firms seeking Government contracts involving interstate transportation must certify that they hold proper licenses and permits. (50, 150, 14).

b. *U.S.-Flag Air Carriers Certification.* Firms using other than U.S.-Flag Air Carriers for U.S. Government-financial international air transportation must certify that U.S. carriers were not available and state reasons.

(respondents, responses, hours, 1 each).
2. *Obtaining copies of information proposals.* A copy of the proposals may be obtained from the Directives and Reports Management Branch (ORAI), Room 3004, GS Building, Washington, DC 20405; (202-566-0666).

Dated: December 2, 1983.

Michael G. Barbour,

Director, Information Management Division.

[FR Doc. 83-32814 Filed 12-8-83; 8:45 am]

BILLING CODE 8820-34-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Agency Forms Submitted to the Office of Management and Budget for Clearance

Each Friday the Department of Health and Human Services (HHS) publishes a list of information collection packages it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). The following are those packages submitted to OMB since the last list was published on December 2.

Public Health Service

National Institutes of Health

Subject: Cancer Information Service User Survey—New

Respondents: Individuals or households
OMB Desk Officer: Fay S. Iudicello

Centers for Disease Control

Subject: The Impact of Occupational Safety and Health Training and Educational Programs on the Supply and Demand for Occupational Safety and Health Professionals—New

Respondents: Individuals or households; business or other for profit, and not for profit institutions

Subject: Neonatal Herpes Simplex Infection Surveillance—New

Respondents: Individuals or households; State and local governments

Subject: Survey of Nontuberculous Mycobacterial Infections in Hemodialysis Facilities in the United States—New

Respondents: Businesses or other for profit organizations

OMB Desk Officer: Fay S. Iudicello

Food and Drug Administration

Subject: Good Manufacturing Practices for Blood and Blood Components (0910-0116)—Extension/No change

Respondents: Businesses, small businesses and other for profit organizations; Federal agencies or employees; not for profit institutions

Subject: Nutrition Labeling and Associated Testing—New

Respondents: Businesses, small business and other for profit organizations

Subject: Food and Drug Administration Fiscal Year 1984 Consumer Food Survey—New

Respondents: Individuals or households
OMB Desk Officer: Bruce Artim

Social Security Administration

Subject: Integrated Review Schedule (0960-0313)—Extension/no change

Respondents: State agencies

Subject: Request for Parent Locator Services (0960-0165)—Revision

Respondents: State agencies

Subject: Annual Statistical Report on Requests for Hearings (0960-0251)—Extension/No change

Respondents: State agencies administering Social Security Act public assistance programs

Subject: Direct Deposit Mass Change Listing (0960-0297)—Extension/no change

Respondents: Selective financial institutions

OMB Desk Officer: Milo Sunderhauf

Health Care Financing Administration

Subject: Integrated Review Schedule (0938-0246)—Revision

Respondents: State agencies responsible for Medicaid, AFDC, and/or Food Stamp program quality control

OMB Desk Officer: Fay S. Iudicello
Copies of the above information collection clearance packages can be obtained by calling the HHS Reports Clearance Officer on 202-245-6511.

Written comments and recommendations for the proposed information collections should be sent directly to the appropriate OMB Desk Officer designated above at the following address: OMB Reports Management Branch, New Executive Officer Building, Room 3208, Washington, D.C. 20503, Attn: (name of OMB Desk Officer).

Agency Forms Withdrawn From the Office of Management and Budget Clearance Process

The Department of Health and Human Services has withdrawn the following information collection packages previously submitted to OMB for approval under the Paperwork Reduction Act.

Public Health Service

Food and Drug Administration

Subject: Anthelmintic Drug Products for Over the Counter Human Use—New
Reference: *Federal Register*/Volume 48, No. 220/Page 51864/Monday, November 14, 1983.

Subject: Declaration of Sodium Content of Foods and Label Claims for Foods on the Basis of Sodium Content—New
Reference: *Federal Register*/Volume 48, No. 224/Page 52512/Friday, November 18, 1983.

Dated: December 5, 1983.

Robert F. Sermier,

Deputy Assistant Secretary for Management Analysis and Systems

[FR Doc. 83-32790 Filed 12-8-83; 8:45 am]

BILLING CODE 4150-04-M

Health Resources and Services Administration

Filing of Annual Report of Federal Advisory Committee

Notice is hereby given that pursuant to section 13 of Public Law 92-463, the Annual Report for the following Health Resources and Services Administration Federal Advisory Committee has been filed with the Library of Congress: National Advisory Council on Nurse Training.

Copies are available to the public for inspection at the Library of Congress, Newspaper and Current Periodical Reading Room, Room 1026, Thomas Jefferson Building, Second Street and Independence Avenue, S.E., Washington, D.C., or weekdays between 9:00 a.m. and 4:30 p.m. at the Department of Health and Human Services, Department Library, North Building, Room 1436, 330 Independence Avenue, S.W., Washington, D.C. 20201. Telephone (202) 245-6791. Copies may be obtained from Dr. Mary S. Hill, Executive Secretary, National Resources and Service Administration, Room 5C-04, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443-6193.

Dated: December 1983.

Jackie E. Baum,

Advisory Committee Management Officer, HRSA.

[FR Doc. 83-32812 Filed 12-8-83; 8:45 am]

BILLING CODE 4160-16-M

Office of Human Development Services

[Amendment of Program Announcement No. 13.600-841]

Administration for Children, Youth and Families, Head Start Projects

AGENCY: Office of Human Development Services, HHS.

ACTION: Amendment of announcement of possible financial assistance to establish or expand Head Start projects.

SUMMARY: This Document amends Program Announcement No. 13.600-841 published in the *Federal Register* September 28, 1983 (48 FR 44440) and amended November 8, 1983 (48 FR

51375). This notice takes into consideration comments received on the program announcement, clarifies the relationship between the standards in our regulations for funding grantees and the funding criteria published on September 28, and extends the due date for receipt of applications to January 3, 1984.

SUPPLEMENTARY INFORMATION: On September 28, 1983, the Administration for Children, Youth and Families (ACYF) published Program Announcement No. 13.600-841 (48 FR 44440) announcing possible financial assistance to establish or expand Head Start projects. On November 8, 1983 an amendment was published (48 FR 51375) which contained a revised table of estimated minimum funds available to States and provided for a public comment period on the September 28 announcement.

This document responds to comments on the September 28 and November 8 Notices; clarifies the relationship of the criteria published in the Program Announcement to the requirements specified in 45 CFR 1302.10, selection among applicants; and extends the date for receipt of applications to January 3, 1984.

On November 2, 1983, we forwarded a copy of the September 28, 1983 program announcement and the revised State allocations to all Head Start Grantees and Delegate Agencies with a request for comments within thirty days. In addition, in the November 8, 1983 *Federal Register* we invited comments from the public on the September 28, 1983 program announcement. We received approximately 1600 letters from representatives of Head Start programs, national organizations and other interested citizens. The largest number of comments were from parents of Head Start children.

The largest single area of concern addressed an issue not related to the program announcement. These correspondents requested that increased funds be made available to existing Head Start projects to aid in maintaining program quality by offsetting higher operating costs. The fiscal year 1984 Head Start budget contains \$16,100,000 for this purpose, which the Administration requested. These funds will be provided to current Head Start projects as cost-of-living awards.

Major comments related to the program announcement are summarized below, followed by the Department's response:

1. Part or all of the expansion funds should be awarded to existing Head Start projects without competition.

We feel strongly that expansion funds should be awarded through an open competition involving not only current Head Start grantees but also other interested public and private non-profit agencies. This is the best way to ensure that expanded Head Start services are provided by those applicants that will operate the highest quality programs and that will reach the most children. Because of their experience and excellent past performance, we expect that many current Head Start grantees will compete successfully.

2. The criterion concerning innovation should be eliminated because innovations should be tested using research or demonstration funds.

The criterion regarding innovation is intended to improve program effectiveness by encouraging applicants to propose creative programs that meet the special needs of children, families and communities which may be difficult to meet through more conventional program designs. Innovative programs will continue to provide comprehensive Head Start services and are not intended to be research projects.

3. ACYF regional offices should be responsible for the review of applications.

Applications will be reviewed centrally, in Washington, D.C. to help achieve more consistency in their review and scoring. There will be considerable involvement of ACYF regional office staff in the review process and in developing recommendations to the Commissioner of ACYF as to which highly rated projects should be funded.

4. More preference in the competitive process should be given to current Head Start grantees.

There is a requirement in the Head Start Act that, in certain instances, priority in funding be given to current Head Start grantees. The way in which this priority will be provided is explained in Section I of the September 28 program announcement. We believe that the degree of priority provided is adequate and that to give more preference may result in our funding less qualified applicants.

5. Various methods should be followed for reallocating the point values assigned to the criteria for competitive review.

Each of the six competitive criteria represents an objective that is important to Head Start. Good arguments can be made for placing greater emphasis on each one. We believe that the allocation of points contained in the September 28 program announcement reflects the best balance among these criteria.

6. Comments requested clarification of the proposed review criteria in relationship to the requirements for funding in the governing regulation, 45 CFR 1302.10.

The regulation identifies six general criteria to serve as the basis for selecting among applicants for a Head Start Program: (a) The cost-effectiveness of the program proposed to be provided; (b) the qualifications and experience of the applicant in planning, organizing, and providing comprehensive child development services at the community level; (c) the provisions made for direct participation of parents in the planning, conduct and administration of the program; (d) the opportunities provided for employment of target area residents and career development opportunities for paraprofessional and other staff; (e) the suitability of the facilities and equipment proposed to be utilized in carrying out the Head Start program; and (f) the administrative and fiscal capabilities of the applicant to administer all Head Start programs carried out in the community.

The program announcement also identified six criteria, but characterized them in different terms than are used in the regulation. The program announcement's different terminology was intended to expand on the brief description appearing in the regulation with respect to a factor of large importance and to combine certain considerations that will be given relatively less weight. Thus, the announcement's criteria of innovativeness, program design, cost efficiency, and the need for services are all elements of the regulation's criterion (a), related to cost-effectiveness. A thorough evaluation of relative cost-effectiveness demands an assessment of the nature of the proposed program, which will be measured through these four elements identified in the program announcement. Criteria (b), (d) and (f) in the regulation have largely been consolidated for evaluation purposes into the single factor on experience and capability appearing in the program announcement. Similarly, criteria (c) and (e) of the regulation have been combined into the program quality criterion of the announcement, which for purposes of convenience, also implements certain aspects of the regulation's criteria (b) and (f).

Extension of Due Date

Many commenters recommended an extension of the due date for submission of applications. We have decided to allow applicants additional time for development of their applications. The

due date for receipt of applications accordingly is extended to January 3, 1984. Section (K) of the September 28 program announcement explains the conditions under which applications will be considered to have been received on time. Please submit applications to: Head Start Expansion, Office of Human Development Services, Grants and Contracts Management Division, North Building, Room 1740, 330 Independence Avenue, SW., Washington, D.C. 20201.

We will be sending a copy of this Notice to all organizations who requested an application kit.

Dated: December 5, 1983.

Lucy C. Biggs,

Acting Commissioner, Administration for Children, Youth and Families.

Dated: December 6, 1983.

Dorcas R. Hardy,

Assistant Secretary for Human Development Services.

[FR Doc. 83-32825 Filed 12-8-83; 8:45 am]

BILLING CODE 4130-01-M

National Institutes of Health

National Diabetes Advisory Board; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the National Diabetes Advisory Board on January 30, 1984, 8:30 a.m. to adjournment, at the Bethesda Marriott, 5151 Pooks Hill Road, Bethesda, Maryland 20814. The meeting, which will be open to the public, is being held to discuss the Board's activities and to continue the evaluation of the implementation of the long-range plan to combat diabetes mellitus. Attendance by the public will be limited to space available. Notice of the meeting room will be posted in the Hotel lobby.

Mr. Raymond M. Kuehne, Executive Director, National Diabetes Advisory Board, P.O. Box 30174, Bethesda, Maryland 20205, (301) 496-6045, will provide an agenda and rosters of the members. Summaries of the meeting may also be obtained by contacting his office.

Dated: December 1, 1983.

Betty J. Beveridge,

NIH, Committee Management Officer.

[FR Doc. 83-32775 Filed 12-8-83; 8:45 am]

BILLING CODE 4140-01-M

Blood Diseases and Resources Advisory Committee; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Blood Diseases and Resources Advisory

Committee, National Heart, Lung, and Blood Institute, January 16-17, 1984, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20205. The Committee will meet in Building 31, Conference Room 8, C Wing.

The entire meeting will be open to the public from 9:00 AM to 5:00 PM on January 16, and from 8:30 AM to adjournment on January 17, to discuss the status of the Blood Diseases and Resources program needs and opportunities. Attendance by the public will be limited to space available.

Ms. Terry Bellicha, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-4236, will provide summaries of the meeting and rosters of the Committee members.

Dr. Fann Harding, Assistant to the Director, Division, of Blood Diseases and Resources, National Heart, Lung, and Blood Institute, Federal Building, Room 5A-08, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-1817, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.839, Blood Diseases and Resources Research, National Institutes of Health)

Dated: December 1, 1983.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 83-32777 Filed 12-8-83; 8:45 am]

BILLING CODE 4140-01-M

Cardiology Advisory Committee; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Cardiology Advisory Committee, National Heart, Lung, and Blood Institute, January 16-17, 1984, Building 31C, Conference Room 8, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20205.

The entire meeting will be open to the public from 8:30 a.m. on January 16 to adjournment on January 17. Attendance by the public will be limited to space available. Topics for discussion will include a review of the research programs relevant to the Cardiology area and consideration of future needs and opportunities.

Ms. Terry Bellicha, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Room 4A21, Building 31, National Institutes of Health, Bethesda, Maryland 20205, telephone (301) 496-4236, will provide summaries of the meeting and rosters of the Committee members.

Eugene R. Passamania, M.D., Associate Director for Cardiology, Division of Heart and Vascular Diseases, National Heart, Lung, and Blood Institute, Room 320, Federal Building, Bethesda, Maryland 20205, telephone (301) 496-5421, will furnish substantive program information upon request.

(Catalog of Federal Domestic Assistance Program No. 13.837, Heart and Vascular Diseases Research, National Institutes of Health)

Dated: December 1, 1983

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 83-32776 Filed 12-8-83; 8:45 am]

BILLING CODE 4140-01-M

Public Health Service

National Toxicology Program; Availability of Third Annual Report on Carcinogens

The HHS' National Toxicology Program (NTP) today announces the availability of the *Third Annual Report on Carcinogens*. For each of the 117 entries included, the *Report* provides information supplied on production and use, levels and human exposures, evidence of carcinogenicity from epidemiology or animal experiments, and federal regulations.

Publication of the *Annual Report on Carcinogens* is required by a 1978 Amendment to the Public Health Service Act (Section 262, Pub. L. 95-622) which requires HHS to publish annually "a list of all substances * * * which are either known to be carcinogens or which may reasonably be anticipated to be carcinogens * * * to which a significant number of persons residing in the United States are exposed."

For the purposes of the *Report*, "known" carcinogens are defined as substances causally related to human cancer. Substances "reasonably anticipated to be carcinogens" are those for which there is sufficient evidence of carcinogenicity in experimental animals or limited evidence in humans.

Of the 117 entries, 19 substances and three technological processes are "known" carcinogens. Ninety-five entries cover substances or groups of substances which "may reasonably be anticipated to be carcinogens."

Two of the 117 entries cover natural substances; two, food or cosmetic additives; three, occupational exposures; 12, pesticides; and 15, therapeutic agents. Of the remaining 83 substances, 25 are industrial chemicals and by-products; 19, dyes, dye

intermediates, or pigments; 13, combustion products; six, solvents; six, metals and metal compounds occurring in mining, extraction, and refining; five, research and analytical chemicals; and nine are chemicals used for miscellaneous purposes. The Report states that it does not contain all "known" or "reasonably anticipated" carcinogens.

Copies of a Summary of the *Third Annual Report on Carcinogens* are sent to those on the NTP mailing list or may be obtained without charge by writing: Steven d'Arazen, National Toxicology Program, Public Information Office, MD B2-04, P.O. Box 12233, Research Triangle Park, North Carolina 27709. The Summary contains the Executive Summary, Introduction, 117 entries, and an appendix of synonyms and trade names.

Copies of the *Third Annual Report on Carcinogens* will be available December 22, for \$32.50 from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161. Telephone: (703) 487-4650. Specify order number PB 83-135855.

Comments on the *Third Annual Report on Carcinogens* are welcome. Corrections, suggestions, or any additional information should be sent to the Director, National Toxicology Program, P.O. Box 12233, Research Triangle Park, North Carolina 27709.

Dated: December 5, 1983.

David P. Rall,

Director, National Toxicology Program.

[FR Doc. 83-32774 Filed 12-8-83; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. D-83-714; FR-1876]

Office of the Manager, Des Moines Office, Region VII (Des Moines, Iowa); Designation of Order of Succession

AGENCY: Department of Housing and Urban Development.

ACTION: Designation of Order of Succession.

SUMMARY: Updates the designation of officials who may serve as Acting Manager, Des Moines Office, Region VII (Des Moines, Iowa). This revision is necessary due to the changes in organizational structure resulting from the reorganization of the Department.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Carpenter, Director,

Management and Budget Division, Office of Administration, Kansas City Regional Office, Department of Housing and Urban Development, 1103 Grand Avenue, Kansas City, Missouri 64106, (816) 374-2676. (This is not a toll-free number.)

Designation

Each of the officials appointed to the following positions is designated to serve as Acting Manager during the absence, disability, or vacancy in the position of the Manager with all the powers, functions and duties redelegated or assigned to the Manager: Provided, that no official is authorized to serve as Acting Manager unless all preceding officials listed before him/her in this designation are unavailable to act by reason of absence, disability, or vacancy in the position:

1. Director, Housing Development Division.

2. Director, Housing Management Division.

This delegation supersedes the designation effective October 9, 1979, (44 FR 57997, October 9, 1979).

(Delegation of Authority, 27 FR 4319 (1962); sec. 9(c), Department of Housing and Urban Development Act, 42 U.S.C. 3531 note; and Interim Order II, 31 FR 815 (1966))

Dated: December 6, 1983.

Gerald F. Simpson,

Regional Administrator, Regional Housing Commissioner.

[FR Doc. 83-32816 Filed 12-8-83; 8:45 am]

BILLING CODE 4210-32-M

Office of the Manager, Omaha Office, Region VII (Omaha, Nebraska); Designation of Order of Succession

[Docket No. D-83-713; FR-1876]

AGENCY: Department of Housing and Urban Development.

ACTION: Designation of Order of Succession.

SUMMARY: Updates the designation of officials who may serve as Acting Manager, Omaha Office, Region VII (Omaha, Nebraska). This revision is necessary due to the changes in organizational structure resulting from the reorganization of the Department.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Carpenter, Director, Management and Budget Division, Office of Administration, Kansas City Regional Office, Department of Housing and Urban Development, 1103 Grand Avenue, Kansas City, Missouri 64106, (816) 374-2676. (This is not a toll-free number.)

Designation

Each of the officials appointed to the following positions is designated to serve as Acting Manager during the absence, disability, or vacancy in the position of the Manager with all the powers, functions and duties redelegated or assigned to the Manager: Provided, that no official is authorized to serve as Acting Manager unless all preceding officials listed before him/her in this designation are unavailable to act by reason of absence, disability, or vacancy in the position:

1. Deputy Manager.

2. Director, Community Planning and Development Division.

3. Chief Counsel, Legal Division.

4. Director, Housing Management Division.

5. Director, Housing Development Division.

This delegation supersedes the designation effective March 30, 1979, (44 FR 19041-2, March 30, 1979).

(Delegation of Authority, 27 FR 4319 (1962); sec. 9(c), Department of Housing and Urban Development Act, 42 U.S.C. 3531 note; and Interim Order II, 31 FR 815 (1966))

Dated: December 5, 1983.

Gerald F. Simpson,

Regional Administrator, Regional Housing Commissioner.

[FR Doc. 83-32817 Filed 12-8-83; 8:45 am]

BILLING CODE 4210-32-M

Office of the Regional Administrator—Regional Housing Commissioner for Region VII (Kansas City); Designation of Order of Succession

[Docket No. D-83-712; FR-1876]

AGENCY: Department of Housing and Urban Development.

ACTION: Designation of order of succession.

SUMMARY: Updates the designation of officials who may serve as Acting Regional Administrator—Regional Housing Commissioner for Region VII (Kansas City). This revision is necessary due to the changes in organizational structure resulting from the reorganization of the Department.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Carpenter, Director, Management and Budget Division, Office of Administration, Kansas City Regional Office, Department of Housing and Urban Development, 1103 Grand Avenue, Kansas City, Missouri 64106, (816) 374-2676. (This is not a toll-free number.)

Designation

Each of the officials appointed to the following positions is designated to serve as Acting Regional Administrator-Regional Housing Commissioner during the absence, disability, or vacancy in the position of the Regional Administrator-Regional Housing Commissioner with all the powers, functions and duties re delegated or assigned to the Regional Administrator-Regional Housing Commissioner: Provided, that no official is authorized to serve as Acting Regional Administrator-Regional Housing Commissioner unless all preceding officials listed before him/her in this designation are unavailable to act by reason of absence, disability, or vacancy in the position:

1. Deputy Regional Administrator.
2. Regional Counsel.
3. Director, Office of Administration.
4. Director, Office of Housing.

This delegation supersedes the designation effective September 28, 1981, [46 FR 47492, September 28, 1981].

(Delegation of Authority, 27 FR 4319 (1962); Section 9(c), Department of Housing and Urban Development Act, 42 U.S.C. 3531 note; and Interim Order II, 31 FR 815 (1966))

Dated: December 5, 1983.

Gerald F. Simpson,

Regional Administrator, Regional Housing Commissioner.

[FR Doc. 83-32819 Filed 12-8-83; 8:45 am]

BILLING CODE 4210-32-M

[Docket No. D-83-715; FR-1876]

Office of the Manager, St. Louis Office, Region VII (St. Louis, Missouri); Designation of Order of Succession

AGENCY: Department of Housing and Urban Development.

ACTION: Designation of Order of Succession.

SUMMARY: Updated the designation of officials who may serve as Acting Manager, St. Louis Office, Region VII (St. Louis Missouri). This revision is necessary due to the changes in organizational structure resulting from the reorganization of the Department.

EFFECTIVE DATE: December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Carpenter, Director, Management and Budget Division, Office of Administration, Kansas City Regional Office, Department of Housing and Urban Development, 1103 Grand Avenue, Kansas City, Missouri 64106. (816) 374-2676. (This is not a toll-free number.)

Designation

Each of the officials appointed to the following positions is designated to serve as Acting Manager during the absence, disability, or vacancy in the position of the Manager with all powers, functions and duties re delegated or assigned to the Manager: Provided, that no official is authorized to serve as Acting Manager unless all preceding officials listed before him/her in this designation are unavailable to act by reason of absence, disability, or vacancy in the position:

1. Deputy Manager.
2. Chief Counsel, Legal Division.
3. Director, Housing Management Division.
4. Director, Housing Development Division.
5. Director, Community Planning and Development Division.
6. Supervisory Equal Opportunity Specialist, Fair Housing and Equal Opportunity Division.
7. Administrative Officer, Administration Division.

This delegation supersedes the designation effective March 30, 1979, [44 FR 19042, March 30, 1979].

(Delegation of Authority, 27 FR 4319 (1962); sec. 9(c), Department of Housing and Urban Development Act, 42 U.S.C. 3531 note; and Interim Order II, 31 FR 815 (1966))

Dated: December 5, 1983.

Gerald F. Simpson,

Regional Administrator, Regional Housing Commissioner.

[FR Doc. 83-32819 Filed 12-8-83; 8:45 am]

BILLING CODE 4210-32-M

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

Availability of Known Geologic Structure Data Base for the Eastern States

AGENCY: Bureau of Land Management, Interior.

ACTION: Notification of the Known Geologic Structure data base availability.

SUMMARY: The Eastern States Office of the Bureau of Land Management hereby gives notice that the Known Geologic Structure Data Base for the Eastern States is available for public inspection at the following locations, during regular business hours:

Eastern States Office, 350 South Pickett Street, Alexandria, Virginia 22304.
Public Room—(703) 235-8205.
Milwaukee District Office, 310 West Wisconsin Avenue, Suite 220,

Milwaukee, Wisconsin 53203, District Manager—(414) 291-4429.

Jackson District Office, 300 Woodrow Wilson Drive, Suite 326, Jackson, Mississippi 39213, District Manager—(601) 960-5942.

Copies may be obtained for \$10.00 each (make checks payable to Bureau of Land Management) from the Bureau of Land Management, Eastern States Office, Accounts (971), 350 South Pickett Street, Alexandria, Virginia 22304.

FOR FURTHER INFORMATION CONTACT:

Bob Hall, Eastern States Office, Bureau of Land Management, 350 South Pickett Street, Alexandria, Virginia 22304, (703) 235-2846.Q02

Lane Bouman,

Acting Eastern States Director.

[FR Doc. 83-32586 Filed 12-8-83; 8:45 am]

BILLING CODE 4310-GJ-M

Fish and Wildlife Service

Endangered Species Permit; Receipt of Applications

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT 2-11062

Louis Paul Rochester, Midland, TX

The applicant requests a permit to import one trophy of a captive-bred bontebok (*Damaliscus dorcas dorcas*) culled from the herd of F. Bowker, Grahamstown, South Africa, to enhance the propagation of the herd.

PRT 2-11299

Department of Natural Resources, Terrestrial Ecology Section, Puerta de tierra, Puerto Rico

The applicant request a permits to take (capture and release) Monito geckos (*Sphaerodactylus micropithecus*) for scientific research purposes.

PRT 2-11238

Milwaukee County Zoo, Milwaukee, WI

The applicant requests a permit to import in foreign commerce one captive-bred gorilla (*Gorilla gorilla*) from the Wilhelma-Stuttgart Zoo, West Germany for enhancement of propagation and survival.

APP# 583609

Henry T. Folsom, Old Saybrook, CT

The applicant requests a permit to import one trophy of a captive-bred bontebok (*Damaliscus dorcas dorcas*) culled from the herd of Phil van der Merwe, Hutchinson, Cape Province.

South Africa, to enhance the propagation of the herd.

PRT 2-11142

New York Zoological Society, Bronx, NY

The applicant requests a permit to export two male and two female white-handed gibbons (*Hylobates lar lar*) to the National Zoological Park, New Delhi, India, for enhancement of propagation.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) in Room 601, 1000 North Glebe Rd., Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service, WPO, P.O. Box 3654, Arlington, VA 22203.

Interested persons may comment on these applications within 30 days of the date of this publication by submitting written data, views, or arguments to the above address. Please refer to the file number when submitting comments.

Dated: December 6, 1983.

Larry LaRochelle,

Acting Chief, Branch of Permits, Federal Wildlife Permit Office.

[FR Doc. 83-32854 Filed 12-6-83; 8:45 am]

BILLING CODE 4310-55-M

subsequent preleasing administrative steps to proceed in an orderly fashion. After considering the relative merits of delaying the offering to May 1984 to allow for the orderly scheduling of the prelease steps, it has been concluded that delaying the offering serves the national interest.

After analyzing whether delaying the offering by such a short period was a significant revision under section 18 of the OCS Lands Act, we have concluded that it would not be a significant revision of the 5-Year Program. Copies of this analysis are available from the address below.

FOR FURTHER INFORMATION CONTACT:

Contact Chris Oynes, Minerals Management Service (MS-645), 12203 Sunrise Valley Drive, Reston, Virginia 22092; (202) 343-6906.

Dated: November 16, 1983.

David C. Russell,

Acting Director, Minerals Management Service.

Dated: December 2, 1983.

William P. Pendley,

Deputy Assistant Secretary for Energy and Minerals.

[FR Doc. 83-32827 Filed 12-6-83; 8:45 am]

BILLING CODE 4310-MR-M

Minerals Management Service

Insignificant Revision in July 1982 5-Year Outer Continental Shelf Oil and Gas Leasing Schedule North Atlantic Lease Offering (February 1984)

AGENCY: Minerals Management Service, Interior.

ACTION: Notice.

SUMMARY: The 5-Year Outer Continental Shelf (OCS) Oil and Gas Leasing Schedule issued on July 21, 1982, provided for a North Atlantic lease offering to be held in February 1984. However, delays in the prelease administrative steps required that the offering be delayed 3 months to May 1984 in order to allow for the congressional action on the fiscal year 1984 Department of the Interior appropriations act to be analyzed in the environmental impact statement and all

Outer Continental Shelf, Navarin Basin Proposed Oil and Gas Lease Offering (April 1984)

With regard to oil and gas leasing on the Outer Continental Shelf (OCS), the Secretary of the Interior, pursuant to section 19 of the OCS Lands Act, as amended, provides the affected States the opportunity to review the proposed notice for this offering. The following is a proposed notice for the April 1984 lease offering in the waters offshore Alaska in the Navarin Basin. This notice is hereby published as a matter of information to the public.

David C. Russell,

Acting Director, Minerals Management Service.

Approved:

William P. Pendley,

Deputy Assistant Secretary of the Interior.

December 5, 1983.

BILLING CODE 4310-MR-M

UNITED STATES
DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE

OUTER CONTINENTAL SHELF, NAVARIN BASIN
PROPOSED NOTICE OF OIL AND GAS LEASE OFFERING (April 1984)

- Authority. This notice is published pursuant to the Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331-1343), as amended (92 Stat. 629), and the regulations issued thereunder (30 CFR 256, formerly 43 CFR Part 3300; see Federal Register at 47 FR 47006, October 22, 1982). A revision of those regulations appeared in the Federal Register at 47 FR 25987 on June 16, 1982.
- Filing of Bids. Sealed bids will be received by the authorized officer (Regional Manager, Alaska Outer Continental Shelf (OCS) Region, Minerals Management Service, 620 East 10th Avenue, Anchorage, Alaska 99501). Bids may be delivered in person to the above address until the Bid Submission Deadline at 10:00 a.m., Yukon Standard Time (y.s.t.), the day of Bid Opening. Delivery by mail should be addressed to P.O. Box 101159, Anchorage, Alaska 99510, and must be received by the Bid Submission Deadline. Bids received by the authorized officer later than the Bid Submission Deadline as specified above will be returned unopened to the bidders. Bids may not be modified unless written modification is received by the authorized officer prior to 10:00 a.m., y.s.t. Bids may not be withdrawn unless written withdrawal is received by the authorized officer prior to 8:30 a.m., y.s.t. Bid Opening Time will be 9:00 a.m., y.s.t., at the Anchorage, Alaska. All bids must be submitted and will be considered in accordance with applicable regulations, including 30 CFR Part 256. The list of restricted joint bidders which applies to this offering appeared in the Federal Register at 48 FR 45318, on October 4, 1983.
- Method of Bidding. Tract numbers will not be used. A separate bid in a sealed envelope, labeled "Sealed Bid for Oil and Gas Lease (insert offering name; date of offering; Official Protraction Diagram number(s); Official Protraction Diagram name(s), if applicable; and block number(s)), not to be opened until 9:00 a.m., y.s.t., must be submitted for each block or prescribed bidding unit bid upon. For example, a label would read as follows: "Sealed Bid for Oil and Gas Lease, Navarin Basin (NP 1-6, Block 273, not to be opened until 9:00 a.m., y.s.t." For those blocks which must be bid on together as a bidding unit (see paragraph 12), it is recommended that all blocks comprising the bidding unit appear in the label on the sealed envelope. A suggested bid form appears in 30 CFR 256, Appendix A. In addition, the total amount bid must be in whole dollar amounts (no cents). Bidders must submit with each bid one-fifth of the cash bonus in cash or by cashier's check, bank draft, or certified check, payable to the order of the Minerals Management Service (MMS). No bid for less than a full block or a bidding unit available for leasing will be considered. Partnerships also need to submit or have on file a list of signatories authorized to bind the partnership. All documents must be

executed in conformance with signatory authorizations on file. Bidders submitting joint bids must state on the bid form the proportionate interest of each participating bidder, in percent to a maximum of five decimal places after the decimal point, e.g., 50.12345 percent. Other documents may be required of bidders under 30 CFR 256.46. Bidders are warned against violation of 18 U.S.C. 1860, prohibiting unlawful combination or intimidation of bidders.

4. Bidding Systems. All bids submitted at this offering must provide for a cash bonus in the amount of \$71 or more per hectare (\$150 per acre) or fraction thereof. All leases resulting from this offering will provide for a yearly rental payment of \$8 per hectare (\$3 per acre) or fraction thereof. Leases awarded will provide for a minimum royalty of \$8 per hectare (\$3 per acre) or fraction thereof. The following bidding system will be used:

Bonus Bidding with a Fixed 12-1/2 Percent Royalty. Bids on the blocks and bidding units offered under this system must be submitted on a cash bonus basis with a fixed royalty of 12-1/2 percent.

5. Equal Opportunity. Each bidder must have submitted by the Bid Submission Deadline, stated in paragraph 2, the certification required by 41 CFR 60-1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, on the Compliance Report Certification Form, Form 1140-8 (June 1982) and the Affirmative Action Representation Form, Form 1140-7 (June 1982). See paragraph 14, "Information to Bidders and Lessees", subparagraph (e).

6. Bid Opening. Bids will be opened at the Bid Opening Time stated in paragraph 2. The opening of the bids is for the sole purpose of publicly announcing bids received, and no bids will be accepted or rejected at that time. If the Department is prohibited for any reason from opening any bid before midnight on the day of Bid Opening, that bid will be returned unopened to the bidder as soon thereafter as possible.

7. Deposit of Payment. Any cash, cashier's checks, certified checks, or bank drafts submitted with a bid may be deposited by the Government in an interest bearing account in the U.S. Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bid on behalf of the United States.

8. Withdrawal of Blocks. The United States reserves the right to withdraw any block or bidding unit from this offering prior to issuance of a written acceptance of a bid.

9. Acceptance, Rejection, or Return of Bids. The United States reserves the right to reject any and all bids. In any case, no bid will be accepted and no lease for any block or bidding unit will be awarded to any bidder unless:

(a) the bidder has complied with all requirements of this notice and applicable regulations;

(b) the bid is the highest valid bid; and

(c) the amount of the bid has been determined to be adequate by the authorized officer.

No bonus bid will be considered for acceptance unless it provides for a cash bonus in the amount of \$371 or more per hectare (\$150 per acre) or fraction thereof. Any bid submitted which does not conform to the requirements of this notice, the OCS Lands Act, as amended, or applicable regulations, may be returned to the person submitting that bid by the authorized officer and not considered for acceptance.

10. **Successful Bidders.** Each person who has submitted a bid accepted by the authorized officer will be required to execute copies of the lease specified below, pay the balance of the cash bonus bid with the first year's annual rental as specified below, and satisfy the bonding requirements of 30 CFR 256, Subpart 1.

For this lease offering, the Minerals Management Service will implement procedures for the electronic funds transfer (EFT) payment of four-fifths of the cash bonus bid and the first year's annual rental for each lease issued. Detailed instructions on making EFT payments will be provided by the Regional Manager when bidders are qualified to submit bids at the offering.

The following procedures for the payment of four-fifths of the cash bonus and the first year's annual rental by EFT will be in effect for successful bidders at this offering.

Bidders are required to submit the balance of the bonus and the first year's annual rental payment by EFT utilizing the Federal Reserve Communications System (FRCS) and the Treasury Financial Communications System, payable to the U.S. Department of the Interior--Minerals Management Service. Each successful bidder must have its bank EFT the balance of the bonus payment and the first year's annual rental payment through the FRCS to the account of the U.S. Treasury at the Federal Reserve Bank of New York. The Federal Reserve Bank of New York must receive the EFT payment no later than noon, Eastern Standard Time, on the tenth business day after receipt of the lease forms for execution. The term "business day" is defined as a day on which the OCS Regional Office is open for business.

11. **Official Protraction Diagrams.** Blocks offered for lease may be located on the following Official Protraction Diagrams which may be purchased for \$2.00 each from the Regional Supervisor, Leasing and Environment, Alaska Outer Continental Shelf Region, at the first address stated in paragraph 2 of this notice. Four diagrams, NP 1-3, NP 1-4, NP 1-5, and NP 1-7, are undergoing revision and will be available when the final notice of lease offering is published. Some block hectareages on these diagrams may be changed.

Outer Continental Shelf Official Protraction Diagrams.

NP 1-3 (approved February 25, 1981)
 NP 1-4 (approved February 25, 1981)
 NP 1-5 (approved February 25, 1981)
 NP 1-6 (approved April 30, 1981)
 NP 1-7 (approved February 25, 1981)
 NP 1-8 (approved December 13, 1976)
 NO 1-1 (approved December 17, 1980)
 NO 1-2 (approved February 3, 1977)
 NO 1-3 (approved December 17, 1980)
 NO 1-4 (approved February 18, 1977)

12. Description of the Areas Offered for Lease.

(a) The area offered for lease includes all of the blocks shown on the OCS Official Protraction Diagrams listed in paragraph 11, except those blocks identified below.

BLOCKS NOT OFFERED in the Navarin Basin Lease Offering (April 1984).

Official Protraction Diagram NP 1-7 (approved February 25, 1981). This diagram is being revised.

Blocks

225, 268, 269
 311 through 313
 354 through 357
 397 through 401
 441 through 445
 485 through 489
 529 through 533
 573 through 577

Blocks

617 through 621
 661 through 665
 705 through 709
 749 through 754
 793 through 798
 837 through 842
 881 through 886
 925 through 930
 969 through 974

Official Protraction Diagram NO 1-1 (approved December 17, 1980).

Blocks

2 through 8
 46 through 52
 89 through 97
 133 through 142
 177 through 186
 221 through 231
 265 through 275
 309 through 319
 353 through 363
 397 through 407

Blocks

529 through 539
 573 through 583
 617 through 627
 661 through 671
 705 through 715
 749 through 759
 793 through 803
 837 through 847
 881 through 891
 925 through 935

Official Protraction Diagram NO 1-1 (approved December 17, 1980).
Continued.

441 through 451 969 through 979
485 through 495 1013 through 1023
1045 through 1048

Official Protraction Diagram NO 1-2 (approved February 3, 1977).

1013 through 1018

Official Protraction Diagram NO 1-3 (approved December 17, 1980).

Blocks	Blocks
1 through 12	441 through 477
32 through 37	485 through 521
45 through 59	529 through 565
75 through 81	573 through 609
89 through 106	617 through 653
118 through 125	661 through 697
133 through 159	705 through 741
177 through 213	749 through 785
221 through 257	793 through 829
265 through 301	837 through 873
309 through 345	881 through 917
353 through 389	925 through 961
397 through 433	969 through 1005

Official Protraction Diagram NO 1-4 (approved February 18, 1977).

Blocks	Blocks
1 through 8	661 through 675
45 through 53	683 through 697
89 through 98	705 through 719
133 through 143	724 through 741
177 through 188	749 through 763
221 through 232	768 through 785
265 through 276	793 through 807
309 through 321	812 through 829
353 through 365	837 through 851
397 through 409	856 through 873
441 through 453	881 through 917
485 through 497	925 through 961
529 through 543	969 through 1005
573 through 587	
617 through 631	

(b) In several instances two or more blocks have been combined into bidding units and must be bid on together:

BIDDING UNITS OFFERED in the Navarin Basin Lease Offering (April 1984):
Official Protraction Diagram NP 1-3 (approved February 25, 1981). This diagram is being revised.

Blocks

913, 956, and 957
999 and 1000

Official Protraction Diagram NP 1-4 (approved February 25, 1981). This diagram is being revised.

Blocks

20 and 21	Blocks	450 and 451
63 and 64		493 and 494
106 and 107		536 and 537
149 and 150		579 and 580
182 and 193		605 and 649
235 and 236		622 and 623
278 and 279		665 and 666
297, 341, 385, 429, 473, 517, and 561		683 and 737
321 and 322		708 and 709
364 and 365		751 and 752
407 and 408		794 and 795
		837 and 838

Official Protraction Diagram NP 1-5 (approved February 25, 1981). This diagram is being revised.

Blocks

31 and 32
74 and 75

Official Protraction Diagram NP 1-6 (approved April 30, 1981).

Blocks

254, 298, 342, 386, 430, and 474
518 and 522
606 and 650

Official Protraction Diagram NP 1-8 (approved December 13, 1976).Blocks

166 and 167
211, 255, 299, 343, 387, and 431
475 and 519
563 and 607

Official Protraction Diagram NO 1-2 (approved February 3, 1977).Blocks

123 and 124
168, 212, 256, 300, 344, and 388
432 and 476
520 and 564

Official Protraction Diagram NO 1-4 (approved February 18, 1977).Blocks

36 and 37
81, 125, 169, 213, 257, and 301
345 and 389
433 and 477
521 and 565

13. Lease Terms and Stipulations.

(a) Leases resulting from this offering will have initial terms of 10 years. Leases will be issued on Form MWS-2005 (August 1982). Copies are available from the Regional Manager, Alaska Outer Continental Shelf Region, at the first address stated in paragraph 2.

(b) Except as otherwise noted, the following stipulations will be included in each lease resulting from this offering. In the following stipulations the term RSFO refers to the Regional Supervisor, Field Operations, Alaska Outer Continental Shelf Region, Minerals Management Service.

Stipulation No. 1. Protection of Cultural Resources

(a) "Cultural resource" means any site, structure, or object of historic or prehistoric archeological significance. "Operations" means any drilling, mining, or construction or placement of any structure for exploration, development, or production of the lease.

(b) If the Regional Supervisor, Field Operations (RSFO) believes a cultural resource may exist in the leased area, the RSFO will notify the lessee in writing. The lessee shall then comply with subparagraphs (1) through (3).

(1) Prior to commencing any operations, the lessee shall prepare a report, as specified by the RSFO, to determine the potential existence of any cultural resource that may be affected by operations. The report, prepared by an archeologist and geophysicist, shall be based on an assessment of data from remote sensing surveys and other pertinent cultural and environmental information. The lessee shall submit this report to the RSFO for review.

(2) If the evidence suggests that a cultural resource may be present, the lessee shall either:

(i) locate the site of any operation so as not to adversely affect the area where the cultural resource may be; or

(ii) establish to the satisfaction of the RSFO that a cultural resource does not exist or will not be adversely affected by operations. This shall be done by further archeological investigation, conducted by an archeologist and geophysicist, using survey equipment and techniques deemed necessary by the RSFO. A report on the investigation shall be submitted to the RSFO for review.

(3) If the RSFO determines that a cultural resource is likely to be present on the lease and may be adversely affected by operations, the RSFO will notify the lessee immediately. The lessee shall take no action that may adversely affect the cultural resource until the RSFO has told the lessee how to protect it.

(c) If the lessee discovers any cultural resource while conducting operations on the leased area, the lessee shall report the discovery immediately to the RSFO. The lessee shall make every reasonable effort to preserve the cultural resource until the RSFO has told the lessee how to protect it.

Stipulation No. 2 Orientation Program

The lessee shall include in any exploration and development and production plans submitted under 30 CFR 250.34 a proposed orientation program for all personnel involved in exploration or development and production activities (including personnel of the lessee's contractors and subcontractors) for review and approval by the Regional Supervisor, Field Operations. The program shall be designed in sufficient depth to inform individuals working on the project of specific types of environmental, social, and cultural

faction of the RSFO, on the basis of a site-specific survey, either that such operation will not have a significant adverse effect upon the resource identified or that a special biological resource does not exist; (3) operate during those periods of time that do not adversely affect the biological resources as established by the RSFO; and/or (4) modify operations to ensure that significant biological populations or habitats deserving protection are not adversely affected.

The lessee agrees that, if any area of biological significance should be discovered during the conduct of any operations on the leased area, the lessee shall immediately report such findings to the RSFO and make every reasonable effort to preserve and protect the biological resource from damage until the RSFO has given the lessee direction with respect to its protection.

The lessee shall submit all data obtained in the course of such surveys to the RSFO with the locational information for drilling or other activity. The lessee may not take any action that might affect the biologic populations or habitats surveyed until the RSFO provides written directions to the lessee with regard to permissible actions.

Stipulation No. 5. Protection of Bowhead Whales

Exploratory drilling and testing and other downhole exploratory activities below a predetermined threshold depth*, with the exception of testing through casing, shall be prohibited when located in water depths less than 200 meters and when an ice cover of 30% or greater, as specified in the ice cover index**, is surpassed within 15 kilometers of the drilling platform unless the Regional Supervisor, Field Operations (RSFO) determines that continued operations are necessary to prevent a loss of well control or to ensure human safety. This authority is very broad and shall be exercised to the full extent necessary to protect the bowhead whale. Once terminated, pursuant to this stipulation, exploratory drilling operations shall not resume until the ice cover of 30% or greater, as specified in the ice cover index, has retreated more than 160 kilometers from the drilling platform or when it has been determined by the RSFO, after conferring with the National Marine Fisheries Service (NMFS), that bowhead whales are unlikely to be affected by operations. Satellite imagery or the best available and safest technology shall be utilized in establishing the presence of ice.

* The threshold depth is a point above which major accumulations of hydrocarbons are not likely. The RSFO shall determine this depth on a case-by-case basis after a review of all pertinent geological and geophysical data.

** The ice cover index reflects the percentage of ice. The MMS will determine the ice cover index at least annually after conferring with the NMFS, on the basis of the then most recent information on whale habitat preference relative to ice cover.

concerns which relate to the adjacent area. The program shall be formulated by qualified instructors experienced in each pertinent field of study and shall employ effective methods to ensure that personnel are informed of archeological, geological, and biological resources, including fisheries, bird colonies, and sea mammal haulout areas, and to ensure that personnel understand the importance of avoidance and nonharassment of wildlife resources. The program shall be designed to increase the sensitivity and understanding of personnel to community values, customs, and lifestyles in areas in which such personnel will be operating. The program shall also include information concerning the domestic and foreign fishing industries in order to reduce potential conflicts.

The program shall be attended at least once a year by all personnel involved in on-site exploration or development activities (including personnel of the lessee's agents, contractors, and subcontractors) and all supervisory and managerial personnel involved in lease activities of the lessee and its agents, contractors, and subcontractors.

Stipulation No. 3. Wellhead and Pipeline Requirements

Subsea wellheads on temporary abandonments or suspended operations that leave protrusions above the seafloor are major hazards to fisheries. They shall, as appropriate, be protected in such a manner as to allow commercial fisheries trawling gear to pass over the structures without snagging or otherwise damaging the structures or the fishing gear. Latitude and longitude coordinates of these structures, along with water depths, shall be submitted to the Regional Supervisor, Field Operations. To determine the coordinates of such structures, the lessee shall use state-of-the-art navigation systems with accuracy of at least 50 feet (15.25 m) at 200 miles (322 km).

All pipelines, unless buried, including gathering lines, shall have a smooth-surface design. If an irregular pipe surface is unavoidable because of the need for valves, anodes, or other structures, it shall, as appropriate, be protected in such a manner as to allow trawling gear to pass over the object without snagging or otherwise damaging the structure or the fishing gear.

Stipulation No. 4. Protection of Biological Resources

If any biological populations or habitats which may require additional protection are identified on any blocks in the leased area, the Regional Supervisor, Field Operations (RSFO), in consultation with the Bering Sea Biological Task Force, may require the lessee to conduct environmental surveys to determine the extent and composition of such populations or habitats that might require additional protective measures. The RSFO shall notify the lessee in writing of the decision to require such surveys.

Based on any surveys which the RSFO may require of the lessee or on other information available to the RSFO on special biological resources, the RSFO may require the lessee to: (1) relocate the site; (2) establish to the satis-

14. Information to Bidders and Lessees:

- (a) The areas adjacent to the blocks offered for lease may fall in areas which may be included in fairways, precautionary zones, or traffic separation schemes which may be established, among other reasons, for the purpose of protecting maritime commerce. Bidders are advised that the United States may designate necessary fairways through leased areas pursuant to the Ports and Waterways Safety Act of 1978 (33 U.S.C. 1221 et seq.).
- (b) Corps of Engineers permits are required for construction of any artificial islands, installations and other devices permanently or temporarily attached to the seabed located on the Outer Continental Shelf in accordance with section 4(e) of the Outer Continental Shelf Lands Act of 1953, as amended.
- (c) Lessees are advised that the Departments of the Interior and Transportation have entered into a Memorandum of Understanding, dated May 6, 1976, concerning the design, installation, operation, and maintenance of offshore pipelines. Both Departments should be consulted for regulations applicable to offshore pipelines.
- (d) Lessees are also advised that in accordance with sec. 16 of each lease the lessor may require a lessee to operate under a unit, pooling or drilling agreement, and that the lessor will give particular consideration to requiring unitization in instances where one or more reservoirs underlie two or more leases.
- (e) Revisions of Department of Labor regulations on affirmative action requirements for Government contractors (including lessees) have been deferred, pending review of those regulations (see Federal Register of August 25, 1981, at 46 FR 42865 and 42968). Should those changes become effective at any time before the issuance of leases resulting from this offering, section 18 of the lease form (Form MWS-2005 August 1982) would be deleted from leases resulting from this offering. In addition, existing stocks of the affirmative action forms described in paragraph 5 of this notice contain language that would be superseded by revised regulations at 41 CFR 60-1.5(a)(1) and 60-1.7(a)(1).
- (f) Pending the issuance of revised versions of Forms 1140-7 and 1140-8, submission of Form 1140-7 (June 1982) and Form 1140-8 (June 1982) will not invalidate an otherwise acceptable bid, and the revised regulation requirements will be deemed to be part of the existing affirmative action forms.
- (g) Lessees are advised that all activities that are related to this lease offering but are located off the leasehold will comply with the National Historic Preservation Act (P.L. 89-665, 80 Stat. 915, 16 U.S.C. 470-470t). The Minerals Management Service will ensure compliance through the review of plans and permits submitted for subsequent developmental activities.
- (h) Bidders are advised that the state coastal management program contains policies which may be relevant to activities associated with these leases. In addition, local coastal management programs now being developed may have more specific policies related to energy facility siting; areas with particular shallow hazards, subsistence uses, habitats, transportation uses, and areas which have historic or prehistoric resources. Early consultation and coordination with local Coastal Resource Service Area (CRSA) Boards, local planning agencies, and state agencies involved in coastal management review could prevent unsuitable facility siting. Local coastal districts engaged in program development include the Bering Straits CRSA, Cenallulit CRSA, Bristol Bay CRSA, Aleutian Islands East CRSA, Nome, Bethel, and the Bristol Bay Borough. Other agencies which would be appropriate to contact include, but are not limited to, the Alaska Office of Coastal Management, the Federal Office of Coastal Zone Management, U.S. Fish and Wildlife Service, Alaska Department of Natural Resources, and the Alaska Department of Community and Regional Affairs.
- (i) Bidders are advised that certain areas are especially valuable for biological and cultural reasons. Marine bird and mammal intensive-use areas on and near St. Matthew, St. Lawrence, and the Pribilof Islands and seasonal ice-front habitats and polynyas are among areas of special biological and cultural sensitivity under the terms of Alaska OCS Region OCS Order No. 7 and 30 CFR 250.34-3. Areas of special biological and cultural sensitivity are defined in the Cenallulit coastal management plan, public hearing draft. Bidders are advised that appropriate local and regional organizations such as CRSA boards, planning offices, village councils, and regional nonprofit corporations may have identified specific sites requiring special biological and/or cultural consideration in oilspill contingency plans.
- (j) Bidders are advised that during the conduct of all activities related to leases issued as a result of this lease offering, the lessee and its agents, contractors, and subcontractors will be subject to the provisions of the Marine Mammal Protection Act of 1972, as amended; the Endangered Species Act of 1973, as amended; and International Treaties.

Lessees and their contractors should be aware that disturbance of wildlife could be determined to constitute harassment and thereby be in violation of existing laws. Violation under these acts and treaties may be reported to the National Marine Fisheries Service or U.S. Fish and Wildlife Service, as appropriate. Behavioral disturbance of most birds and mammals found in or near the Navarin Basin area would be unlikely if vessels and aircraft maintained at least a 1-mile distance from observed wildlife concentrations or from known wildlife concentration areas such as bird colonies and marine mammal haulout and reproductive areas. Therefore, in concurrence with the

U.S. Fish and Wildlife Service, it is recommended that aircraft or vessels operated by lessees maintain at least a 1-mile distance from observed or known wildlife concentrations. Human safety will take precedence at all times.

Of particular concern are wildlife populations of St. Matthew, Hall, and Pinnacle Islands; the Pribilof Islands; and other coastal wilderness or refuge areas. For guidance regarding prohibited activities, attention of the lessees is directed particularly to existing National Wildlife Refuge System rules, 50 CFR, Parts 27 and 215, and Part 36, rules for the Alaska National Wildlife Refuges (46 FR 31818, June 17, 1981), wherein 50 CFR 36.21(c) states: "The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited."

Maps locating major wildlife concentration areas in the Navarin Basin suitable for general route planning are available in the Navarin Basin Environmental Impact Statement or from the Regional Supervisor, Leasing and Environment, Minerals Management Service, Alaska OCS Region. Maps showing greater detail suitable for specific route planning and location of facilities are available from this office and appropriate resource agencies.

(k) Lessees are advised that the Regional Supervisor, Field Operations (RSFO), has the authority to limit or suspend any operations, including geophysical surveys, on a lease whenever endangered right or bowhead whales are present in the leased area and are near enough to be subject to disturbance from offshore oil and gas activities which would be likely to jeopardize the species.

(l) In the enforcement of the Protection of the Biological Resources stipulation, the RSFO will receive recommendations from the Bering Sea Biological Task Force (BTF) composed of designated representatives of the MMS, U.S. Fish & Wildlife Service, the National Marine Fisheries Service, and the Environmental Protection Agency. The Bering Sea BTF should consult with representatives of the State of Alaska before making recommendations to the RSFO. The RSFO will consult with the Bering Sea BTF on the conduct of biological surveys by lessees, the appropriate course of action after surveys have been conducted, and on the biological/environmental aspects of the above-mentioned stipulation.

(m) Lessees are notified that oilspill contingency plans are required under Alaska OCS Region OCS Order No. 7, pursuant to the authority prescribed in 30 CFR 250.11, 250.34, and 240.43, prior to approval of exploration plans and development and production plans. Furthermore, lessees are required under 30 CFR 250.34-2 to include in development and production plans descriptions of all vessels, pipelines and other facilities, and descriptions of all environmental safeguards. Prior to approval of development and production plans, the RSFO will review these items to determine whether those oil transportation facilities described which are regulated by MMS can safely transport oil in conditions expected in the leased area.

(n) Portions of the lease offering area may be subject to mass movement (slumping) of sediment. Placement of platforms or sea floor wellheads for the production or storage of oil and gas will not be allowed on those portions of any block or bidding unit which may be subject to mass movement of sediments unless or until the lessee has demonstrated to the satisfaction of the RSFO, that the potential for mass movement of sediments does not exist or that structures can be safely designed to withstand such mass movement at the proposed location of the structure.

Based on all shallow hazards data available to the MMS, the following list identifies proposed lease blocks which have the potential for slope instability. Adequate data to assess all blocks for this lease offering are not available. However, there is evidence of slope instability in the Holocene sediments.

Official Protraction Diagram NP 1-7 (Approved February 25, 1981). This diagram is undergoing revision.

Lease blocks having direct seismic evidence for slope instability: 270, 271, 314, 315, 316, 317, 360, 361, 402, 403, 404, 446, 447, 534, 578, 622 (N), 627 (S), 666, 670, 671, 710 (N), 711, 713, 714, 755 (N), 756, 757, 759 (S), 799, 800, 801, 802, 803, 843, 844, 845, 846, 887, 888, 889, 891, 931, 932, 933, 934, 975, 976 (N), 977, 978, and 980.

Lease blocks having an inferred potential for slope instability: 358, 359, 490, 622 (S), 710 (S), 755 (S), 758, 890, 935, 976 (E), and 979.

Official Protraction Diagram NO 1-1 (Approved December 17, 1980)

Lease blocks having direct seismic evidence for slope instability: 10 (E), 11, 12, 13, 14, 53 (E), 54, 55, 56, 57, 58, 99, 100, 101, 102, 103 (N), 143, 144, 145, 146, 147, 148 (N), 187 (N), 188, 189, 190, 191, 192, 232, 233, 234, 235, 236, 237, 276 (N), 277 (N), 280, 281, 282, 283 (S), 323, 324, 325, 326, 327, 336 (S), 368, 369, 370, 371 (N), 379, 380, 381 (N), 412, 413, 414 (N), 422 (E), 423, 465, 466, 467 (N), 468 (S), 498, 499, 500 (N), 503, 504, 509 (S), 510 (N), 541, 542, 546, 547, 548, 552 (S), 553, 554, 585 (N), 589, 590 (N), 593, 595 (S), 596, 597, 632, 633 (N), 635, 636, 637, 638, 639, 640 (N), 675, 676 (N), 679, 680, 682, 683, 718, 719 (N), 722, 723, 725, 726, 730 (N), 761, 762, 763 (S), 764 (S), 766, 768, 769 (N), 770 (N), 774, 805 (N), 806, 808 (N), 809, 810, 811, 812 (N), 851, 852, 854, 855 (N), 895, 896, 898, 937 (S), 938, 941, 942, 981 (N), 985, 989 (S), 1030, 1031, 1032, and 1033 (N).

Lease blocks having an inferred potential for slope instability: 9, 10 (N), 53 (N), 187 (S), 278, 279, 337 (S), 367, 371 (S), 411, 414 (S), 415, 416, 457 (S), 458, 459, 500 (S), 501, 502, 510 (S), 543, 544, 545, 585 (S), 586, 587, 588, 590 (S), 591, 592, 625, 630, 631, 633 (S), 634, 673, 674, 676 (S), 677, 678, 681, 717, 719 (S), 720, 721, 724, 763 (N), 764 (N), 765, 767, 807, 808 (S), 812 (S), 850, 853, 894, 897, 939, 940, 985, 1029, and 1033 (S).

Official Protraction Diagram NO 1-3 (Approved December 17, 1980)

Lease blocks having direct seismic evidence for slope instability: 18, 19, 20, 21, 22, 24 (E), 25 (W), 63, 64, 65, 66, 67, 68, 107, 108 (W), 111, 112 (W), 115, 161 (E), 162 (W), 204 (E), 205, 244, 245, 246, 250 (E), 251, 252, 268, 289, 292, 293 (E), 294, 296 (E), 297, 333, 334, 336, 337, 341 (E), 342, 343 (S), 376 (E), 377, 379 (E), 380, 381, 382, 423, 424 (W), 426 (E), 427, 429 (E), 467, 468, 469 (W), 471 (E), 472, 511, 512, 513, and 514 (W).

Lease blocks having an inferred potential for slope instability: 23, 24 (W), 25 (E), 69, 70, 71 (S), 108 (S), 109, 110, 112 (E), 113, 114, 115, 155, 156, 157, 158, 159, 160, 161 (W), 199, 200, 201, 202, 203, 204 (W), 206, 246, 247, 249, 250 (W), 290, 291, 293 (W), 295, 296 (W), 332, 335, 338, 339, 340, 341 (W), 378, 379 (W), 383, 384, 385, 421, 422, 424 (E), 425, 426 (W), 428, 429 (W), 455, 466, 469 (E), 470, 471 (W), 509, 510, and 514 (E).

Official Protraction Diagram NO 1-4 (Approved February 16, 1977)

Lease blocks having direct seismic evidence for slope instability: 241 (E), 242 (W), 285, 289 (S), 292, 328 (E), 329, 330, 331, 332, 333, 334, 335, 336, 337, 362 (S), 372 (E), 373, 374, 376, 377, 378, 379, 380, 381, 382 (W), 402, 403, 405, 406, 408 (S), 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 449, 452 (W), 453, 454, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471 (W), 496 (S), 497, 498 (W), 499, 500 (W), 506 (W), 507, 508, 509, 510, 511, 513, 514, 544, 545, 551 (W), 552, 553, 554, 555, 556, 557, 559, 560, 561, 568, 569, 590 (S), 591 (S), 596, 597, 599, 600, 601, 602 (W), 603, 604, 605, 633, 634, 635, 636 (W), 639 (E), 640, 641, 642, 643, 644, 645, 647, 648, 649, 676, 677, 678, 679, 682, 720, 723 (E), 811, and 855.

Lease blocks having an inferred potential for slope instability: 404, 407, 450, 451, 452 (S), 494, 495, 496 (W), 498 (S), 512, 551 (S), 558, 595, 598, 602 (E), 632, 636 (E), 637, 638, 639 (W), 680, 681, 721, 722, 723 (W), 754, 765, 766, 767, 808, 809, 810, 852, 853, and 854.

(o) Bidders are advised that pursuant to 30 CFR 250.34-1(a)(3), the lessee shall submit to Minerals Management Service either an expiration plan or a general statement of exploration intentions prior to the end of the ninth lease year.

15. OCS Orders. Operations on all leases resulting from this offering will be conducted in accordance with the provisions of all Alaska OCS Orders, and any other applicable OCS Order. Final Alaska OCS Orders were published in the Federal Register at 47 FR 47190, on October 22, 1982.

16. Offshore Bid Adequacy Procedures. The following system of offshore bid adequacy procedures will be used for this offering. The system is composed of two phases. Phase 1 includes market-oriented evaluation criteria for accepting some bids on blocks and determining what other bids will receive further evaluation in Phase 2. Phase 2 utilizes an independent Government

evaluation and the bid adequacy rules based upon the Mean of the Range of Values (MROV), Discounted Mean of the Range of Values (DMROV), and Geometric Average Evaluation of the Tract (GAEDT).

Phase I

Phase 1 is composed of criteria designed to partition blocks receiving bids into three general categories:

- Those receiving bids which Minerals Management Service (MMS) has identified as being non-prospective;
- Those where opportunities for strategic underbidding, information asymmetry, collusion, and other noncompetitive practices might most likely occur and where the Government has the most detailed and reliable data; and
- Those where the competitive market forces can be relied upon to assure fair market value.

Based on these categories, the following four Phase 1 criteria are applied to all blocks receiving bids:

1. High bids on all blocks classified by MMS as being either development or drainage will be referred directly for further evaluation in Phase 2.
2. All legal high bids for blocks judged by MMS not to be located on a viable prospect will be accepted.
3. After screening for anomalously low bids through application of the "one-eighth rule," all legal high bids will be accepted for prospective wildcat and proven blocks receiving three or more bids and more than the average number of bids for prospective blocks bid upon in the offering, i.e., whichever is more.
4. After adjusting for anomalously low bids through application of the "one-eighth rule," all legal high bids will be accepted for those prospective blocks classified by MMS as wildcat and proven where the geometric average bonus bid for the block is in the upper 50th percentile of the geometric average of bonus bids for all prospective wildcat and proven blocks receiving bids in the offering.

Phase 1 is conducted block-by-block and will generally be completed within 3 days of the Bid Opening.

1. Anomalously low bids will not be included in the bid number; e.g., if the lowest bid on a block is less than 1/8 of the next lowest bid, the lowest bid will not be included in the number of bids. This rule can exclude no more than one bid for a given block or bidding unit.

Phase 2

All prospective wildcat and proven blocks which are not accepted as a result of the application of the Phase 1 criteria and all drainage and development blocks will receive further evaluation by comparing the high bids with the MROV, DMSOV, and GAEDT. After the high bids are compared to the MROV, DMSOV, and GAEDT, other factors are considered on a block-by-block basis when certain circumstances are present.

These circumstances include instances when a block is subject to additional delay costs related to expeditious exploration/development or drainage, unusual bidding patterns, or an unusual degree of uncertainty regarding MMS data.

When any of these circumstances exist, in the judgment of the Regional Manager, the other factors can be considered. These factors are as follows:

- Type of block;
- Number of bids received;
- Average number of bids received for blocks of the same type;
- Reliability of MMS data;
- Drainage costs due to delays associated with bid rejection;
- Costs attributable to delays in exploration/development of other blocks located on the same prospect if the subject block(s) is not leased;
- Relative agreement of industry bids;
- Number of companies participating in the bids received for the block;
- Number of bids and bidders participating in bids received for other blocks on the same and other prospects;
- Number of companies participating in the offering.

While it is expected that most analyses would be undertaken based upon data available at the time of the offering, additional geological and geophysical analyses, including additional mapping, can be undertaken post-offering at the discretion of the RM.

The bid adequacy recommendations developed in Phase 2 will generally be completed within 3 weeks of the offering.

Since the inception of the OCS leasing program, the Department has continually sought to improve upon techniques which determine bid adequacy. Much of the best information regarding the fair market value of a block is available through observing the market for leases. The above procedures are designed to make better use of that information.

(FR Doc. 83-32808 Filed 12-9-83; 8:45 am)

BILLING CODE 4310-MR-C

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Advisory Committee on Voluntary Foreign Aid; Meeting

Pursuant to the Federal Advisory Committee Act, notice is hereby given of a meeting sponsored by the Advisory Committee on Voluntary Foreign Aid (ACVFA) which will be held December 15 and 16, 1983 in the East Auditorium, Department of State Building, Washington, D.C. Please enter building at the 21st Street, NW entrance.

On Thursday, December 15, at 8:00 a.m.: Registration and Logistics Information; 8:30 a.m.: Introductory Remarks and Old Business; 9:15 a.m.: Remarks by Deputy Administrator, AID; and at 9:30., a plenary session will be held on *A Framework for Development Education in the U.S.* The afternoon will be devoted to individual subcommittee meetings. Meeting concurrently at 2:00 p.m.: Development Education, Women in Development and PVO/University Relations. At 3:45 p.m.: PVO/Corporate Relations, Food for Peace and PVO/Policy.

Friday, December 16, at a plenary session at 9:00 a.m., the results of a year-long study on PVO-Corporate collaboration will be presented. A business session will be held at 11:15 a.m., and at 2:00 p.m., the Executive Director of the Commission on Security and Economic Assistance will present a briefing on the Commission's Final Report.

The meeting will be open to the public. Any interested person may attend, request to appear before, or file statements with the Advisory Committee, in accordance with procedures established by the Committee. Written statements should be filed prior to the meeting and should be available in thirty (30) copies.

Persons wishing to attend the ACVFA meeting must contact Wilhelmina Taylor (202) 789-5220, NLT December 10, 1983, to arrange entrance to the Department of State Building.

There will be AID representatives at the meeting. Those desiring further information may contact Lillian Halter (703) 235-3336, or by mail, c/o The Advisory Committee on Voluntary Foreign Aid, room 227, SA-8, Agency for International Development, Washington, D.C. 20523

Dated: November 28, 1983.

Julia Chang Bloch,

Assistance Administrator, Bureau for Food
for Peace and Voluntary Assistance.

[FR Doc. 83-32769 Filed 12-8-83; 8:45 am]

BILLING CODE 6116-01-M

INTERSTATE COMMERCE COMMISSION

Motor Carriers; Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

1. Parent corporation and address of principal office: Doberstein Lumber & Fence Co., P.O. Box 191, Medford, WI 54451.

2. The wholly-owned subsidiaries which will participate in the operations, and states of incorporation are: (a) Doberstein Lumber & Fence, Inc., incorporated in Wisconsin; (b) Doberstein Trucking, Inc., incorporated in Wisconsin.

1. Parent corporation and address of principal office: G.F.C. Foam Corporation, West 100 Century Road, Paramus, New Jersey 07652.

2. Wholly-owned subsidiaries which will participate in the operations, and their States of incorporation: G.F.C. Trucking Corporation, Delaware.

1. National Intergroup Incorporated, A Delaware Corporation headquartered at 20 Stanwix Street, Pittsburgh, PA 15222.

2. A National Aluminum Corporation, A Delaware Corporation headquartered at Pittsburgh, PA.

B. Bull Moose Tube Company, A Missouri Corporation headquartered at St. Louis, MO.

C. NHC Corporation, A Delaware Corporation headquartered at Pittsburgh, PA.

D. Natmin Development Corporation, A Delaware Corporation headquartered at Pittsburgh, PA.

E. International Metal, NA, A Delaware Corporation headquartered at Pittsburgh, PA.

F. National Inter-Tech, Inc., A Delaware Corporation headquartered at St. Louis, MO.

G. Huron Lime Company, An Ohio Corporation headquartered at Huron, OH.

H. National Steel Corporation, A Delaware Corporation headquartered at Pittsburgh, PA and Its Subsidiaries.

(1) National Mines Corporation, A Pennsylvania Corporation headquartered in Lexington, KY.

(2) Delray Connecting Railroad, Company, A Michigan Corporation headquartered at Detroit, MI.

(3) National Pipe and Tube Company, A Texas Corporation headquartered at Liberty, TX.

(4) American Steel Corporation, A Michigan Corporation headquartered at Detroit, MI.

(5) National Service Lines Inc., A Delaware Corporation headquartered at Gary, IN.

(6) National Steel Pellet Company, A Delaware Corporation headquartered at Keewatin, MN.

I. National Steel Service Center, Inc., A New Jersey Corporation headquartered at Parsippany, NJ and Its Subsidiaries.

(1) Integrated Distribution, Inc., A Delaware Corporation headquartered at Parsippany, NJ.

(2) NI World Trade, Inc., A Delaware Corporation headquartered at Parsippany, NJ.

1. Parent corporation and address of principal office: Peter J. Schmitt Co., Inc., 355 Harlem Road, West Seneca, New York.

2. Wholly owned subsidiaries which will participate in the operations, and the state of incorporation:

(a) Golden Dawn Foods, Inc., a Pennsylvania Corporation.

(b) Star Supermarkets, Inc., a New York Corporation.

(c) DeWitt Wholesale Grocers, Inc., a New York Corporation.

(d) D.W.G. Transport, Inc., a New York Corporation.

(e) Z & W Foods, Inc., a New York Corporation.

James H. Bayne,

Acting Secretary.

[FR Doc. 32776 Filed 12-8-83; 6:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-6 (Sub-132)]

Railroad Services Abandonment and Discontinuance of Trackage Rights; Burlington Northern Railroad Co., St. Louis County, MN; Findings

The Commission has issued a certificate authorizing Burlington Northern Railroad Company (BN) to abandon its line of railroad and discontinue service over trackage owned by the Duluth, Missabe and Iron Range Railway Company (DM&IR) between DM&IR Station 0.00 near St. Clair Junction and BN Station 416+58, near Chisholm in St. Louis County, MN.

The abandonment certificate will become effective 30 days after this publication unless the Commission also finds: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and the applicant no later than 10 days from publication of this Notice. The following notation shall be typed in bold face on the lower left-hand corner of the envelope containing the offer: "Rail Section, AB-OFA." Any offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR Part 1152.

James H. Bayno,
Acting Secretary.

[FR Doc. 83-32779 Filed 12-8-83; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Office of the Attorney General

Consent Decree Lodging Pursuant to Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on November 23, 1983, a proposed consent decree in *United States v. Witco Chemical Corporation* Civil Action No. 83-1318 was lodged with the United States District Court for the Western District of Pennsylvania.

This case arises under the Clean Air Act wherein the United States filed the complaint in this case to enjoin Witco Chemical Corporation's Sonneborn Division, Petrolia, Pennsylvania from operating eighteen volatile organic compounds storage tanks without the required pollution control equipment in violation of the Clean Air Act of the Pennsylvania State Implementation Plan as found at 25 Pa. Code §§ 129.56(a) and 129.66(b) (1) through (6). The proposed decree sets forth a schedule whereby Witco will install and equip the appropriate storage tanks with pollution control equipment.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C.

20530, and should refer to *United States of America v. Witco Chemical Corporation* D.J. Ref. 90-5-2-587.

The proposed decree may be examined at the office of the United States Attorney, Western District of Pennsylvania, attention Judith Giltenboth, 633 USPO and Courthouse, Pittsburgh, Pennsylvania, and at the Region III Office of the Environmental Protection Agency attention Margaret Cardamone 6th and Walnut Streets, Philadelphia, Pennsylvania. A copy of the consent decree may be examined at the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1714, 10th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20530. A copy of the proposed consent decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice. In requesting a copy, include a check in the amount of \$2.60 (\$0.10) per page reproduction charge) payable to the Treasurer of the United States.

F. Henry Habicht, II,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 83-32619 Filed 12-8-83; 8:45 am]

BILLING CODE 4410-01-M

Drug Enforcement Administration

[Docket No. 83-21]

Controlled Substances; Regal Pharmaceutical Co., Inc., Bedford, Massachusetts; Hearing

Notice is hereby given that on July 14, 1983, the Drug Enforcement Administration, Department of Justice, issued to Regal Pharmaceutical Co., Inc., an Order To Show Cause as to why the Drug Enforcement Administration should not deny its application, executed on April 28, 1983, for registration as a distributor under 21 U.S.C. 823(d).

Thirty days having elapsed since the said Order To Show Cause was received by Respondent and written request for a hearing having been filed with the Drug Enforcement Administration, notice is hereby given that a hearing in this matter will be held commencing at 9:30 a.m. on Tuesday, December 13, 1983, in the U.S. Tax Court Courtroom, 13th Floor, U.S. Custom House, 2 India Street, Boston, Massachusetts.

Dated: December 5, 1983.

Francis M. Mullen, Jr.,
Administrator, Drug Enforcement Administration.

[FR Doc. 83-32821 Filed 12-8-83; 8:45 am]

BILLING CODE 4410-09-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 collections, revisions, extensions, 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 OMB and Agency form numbers, if applicable.

How often the form must be filled out. Who will be required to or asked to report.

Whether small businesses or organizations 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, N.W., 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, NEOB, 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.

New

Employment and Training Administration

Quarterly Narrative Reports for State/Local Labor Market Information Planning, and Test Development Programs

1205-RC66

Quarterly

State Governments

280 responses; 560 hours

The Employment Service Reimbursable Grant, pursuant to Section 7(c) of the Wagner-Peyser Act, as amended, is one overall grant to the States to fund in FY '84 special responsibilities of the Secretary of Labor not specifically authorized under Sections 7 (a)(b) of the Act, such as State/Local Labor Market Information and Test Development. Quarterly narrative progress reports will be required for these activities.

Signed at Washington, D.C. this 6th day of December 1983.

Richard Glesener,

Acting Departmental Clearance Officer.

[FR Doc. 83-32942 Filed 12-6-83; 8:45 am]

BILLING CODE 4510-30-M

Senior Executive Service; Appointment of Members to the Performance Review Board

Title IV of the Civil Service Reform Act (Sec. 405(a), Title IV, Pub. L. 95-454; 5 U.S.C. 4314(c)(4)) provides for salary supplements called performance awards to encourage excellence in performance by career appointees to the Senior Executive Service. Such awards must be based on recommendations of the

Performance Review Board, whose members review performance appraisals based on achievement of results.

Accordingly, the following individuals are hereby appointed as members of the Performance Review Board of the Senior Executive Service for the term indicated below. These terms commenced on November 18, 1983.

Ford B. Ford, Chairperson, 2-year term
Roland G. Droitsch, 2-year term
Thomas C. Komarek, 1-year term
Thorne G. Aughter, 1-year term
Marshall H. Harris, 3-year term
Janet L. Norwood, 1-year term
Janice M. Sawyer, 3-year term
Robert S. Smith, 1-year term

For Further Information Contact: Mr. Frank A. Yeager, Director of Personnel Management, Room C5526, Department of Labor, Frances Perkins Building, Washington, D.C. 20210.

Signed at Washington, D.C., this 5th day of December 1983.

Raymond J. Donovan,

Secretary of Labor.

[FR Doc. 83-32944 Filed 12-6-83; 8:45 am]

BILLING CODE 4510-23-M

Senior Executive Service; Schedule for Awarding Performance Awards (Bonuses)

The Office of Personnel Management, in paragraph 3(b) of its Memorandum to Heads of Departments and Agencies, dated July 21, 1980, recommends that each agency "publish a notice in the Federal Register of the agency's schedule for awarding bonuses at least 14 days prior to the date on which the awards will be made."

Accordingly, the Department of Labor announces that bonuses will be paid by December 30, 1983.

For Further Information Contact: Mr. Frank A. Yeager, Director of Personnel Management, Room C5526, Department of Labor, Frances Perkins Building, Washington, D.C. 20210.

Signed at Washington, D.C., this 5th day of December 1983.

Raymond J. Donovan,

Secretary of Labor.

[FR Doc. 83-32943 Filed 12-6-83; 8:45 am]

BILLING CODE 4510-23-M

Employment and Training Administration

Investigations Regarding Certifications of Eligibility to Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 19, 1983.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 19, 1983.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 601 D Street, N.W., Washington, D.C. 20213.

Signed at Washington, D.C. this 30th day of November 1983.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

APPENDIX

Petitioner: Union/workers or former workers of--	Location	Date received	Date of petition	Petition No.	Articles produced
Fanell Co. USM Corp., Emhart Machinery Group (USWA)	Ansonia, CT	11/18/83	11/16/83	TA-W-15,116	Large machinery and machine tools.
Freemar Sportswear Corp., (workers)	New York, NY	11/21/83	11/16/83	TA-W-15,117	Sportswear, ladies.
Howmet Turbine Components Corp., Crucible Steel Casting Division (workers)	Milwaukee, Wis	11/17/83	11/12/83	TA-W-15,118	Steel castings.
Moltrup Steel Products Co. (USWA)	Beaver Falls, PA	11/25/83	11/18/83	TA-W-15,119	Cold drawn steel.
Rieter Corp., Manufacturing Division (company)	Aiken, SC	11/21/83	11/14/83	TA-W-15,120	Textile machinery.

APPENDIX—Continued

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Union Carbide Corp., Lunde Div. (workers)	Lackawanna, NY	11/18/83	11/15/83	TA-W-15,121	Oxygen for making steel products.
Wire Technology & Machinery Co., Cook Machinery Div. (workers)	Heckensack, NJ	11/22/83	11/17/83	TA-W-15,122	Wire drawing machinery.
Clayton Shoe Co. (UFCW)	Corning, AR	11/21/83	11/10/83	TA-W-15,123	Leather—lasted, outsoles put in place, repaired, finished and shipped to customers.
Harrisburg Manufacturing Co. (ACTWU)	Harrisburg, AR	11/28/83	11/17/83	TA-W-15,124	Cutting leather components for shoes.
Bertlyn Industries (workers)	Clifton, NJ	11/25/83	11/23/83	TA-W-15,125	Women's footwear—slippers, casual.
Bertlyn Industries (workers)	New York, NY	11/25/83	11/23/83	TA-W-15,126	Office & showroom.
Cidra Industries, Inc. (ILGWU)	Cidra, PR	11/22/83	11/15/83	TA-W-15,127	Accessories for brassieres.
Faultless Accessories, Inc. (ILGWU)	Cidra, PR	11/22/83	11/15/83	TA-W-15,128	Accessories for brassieres.
Gulf & Western Natural Resources Group (USWA)	Gloucester City, NJ	11/28/83	11/23/83	TA-W-15,129	Titanium dioxide.
Somersworth, Inc. (company)	Somersworth, NH	11/28/83	11/22/83	TA-W-15,130	Headquarters and production ladies' footwear.
Somersworth Shoe Co. (company)	Lancaster, NH	11/28/83	11/22/83	TA-W-15,131	Ladies' shoes and dress boots.
Somersworth Wood & Heel Co. (company)	Somersworth, NH	11/28/83	11/22/83	TA-W-15,132	Heels for ladies' footwear.

[FR Doc. 83-33948 Filed 12-6-83; 8:45 am]

BILLING CODE 4510-30-M

Job Training Partnership Act; FY 1984 Transition Period Allotments: Native American Employment and Training Programs

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: This Notice announces the final Fiscal Year (FY) 1984 transition period—the first nine months of FY 1984, October 1, 1983, through June 30, 1984—allotments to Native American Grantees for programs funded under Title IV, Section 401 of the Job Training Partnership Act (JTPA) (Pub. L. 97-300) of October 13, 1982.

FOR FURTHER INFORMATION CONTACT: Paul A. Mayrand, Acting Director, Office of Special Targeted Programs, 601 D Street, NW., Room 6122, Washington, D.C. 20213, Phone: 202/376-6225.

SUPPLEMENTARY INFORMATION: The FY 1984 Department of Labor (DOL) appropriation, Pub. L. 98-139, was signed by the President on October 31, 1983. This appropriation provides for a nine-month appropriation for the period October 1, 1983, through June 30, 1984, and a 12-month appropriation for the period July 1, 1984, through June 30, 1985, for programs under JTPA and for the Employment Service under the Wagner-Peyser Act, amended.

On September 7 the DOL published in the Federal Register Section 401 planning estimates based on a total figure of \$62,243,000 for a 12-month funding period. The Department also announced the formula used in arriving at the planning estimates and asked that comments on the estimates and formula be submitted by October 7, 1983. The Department further announced that, should a change occur because of

congressional appropriation action, it would publish the new planning estimates in the Federal Register. The Department hereby announces a change in the Native American allotments based on a transition appropriation for the period October 1, 1983—June 30, 1984, contained in Pub. L. 98-139. The Department is also announcing that there is no change in the formula or in the hold harmless factor published on September 7, 1983, which stated that no Grantee would receive less than 80 percent or more than 106% of the amount received in FY 1983 unless its territory to be served were changed. The transition period amount to be distributed is \$46,682,000. This represents a reduction of 25 percent in the September 7, 1983, 12-month planning estimates and corresponding reductions in the following listed allotment levels for individual grantees:

BILLING CODE 4510-30-M

PAGE 1

U.S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION

OFFICE OF FINANCIAL CONTROL AND MANAGEMENT SYSTEMS

FY 1984* JTPA NATIVE AMERICAN ALLOTMENTS

10/28/83.

CREEK NATION EAST OF MISS. INC.
ROUTE 3, BOX 243A
ATMORE, ALABAMA

GRANT NUMBER: 99-4-0548-55-037-02

TITLE IV-A
184,716

TOTAL
138,536

ASSOC. OF VILLAGE COUNCIL PRESIDENTS

P.O. BOX 219
MEDHEL, ALASKA

GRANT NUMBER: 99-4-2713-55-038-02

TITLE IV-A
177,468

TOTAL
583,098

COOK INLET NATIVE ASSOCIATION
670 WEST FIREWED LANE
ANCHORAGE, ALASKA

9203

GRANT NUMBER: 99-4-0113-55-041-02

TITLE IV-A
305,945

TOTAL
229,458

KAMERAK INCORPORATED

P.O. BOX 982
NOME, ALASKA

99762

GRANT NUMBER: 99-4-0123-55-181-02

TITLE IV-A
291,540

TOTAL
218,554

KODIAK AREA NATIVE ASSOCIATION

DRAWER 1277
KODIAK, ALASKA

99615

GRANT NUMBER: 99-4-0115-55-044-02

TITLE IV-A
88,943

TOTAL
66,707

ALEUTIAN/PRILOF ISLANDS ASSOC.

1889 C STREET
ANCHORAGE, ALASKA

99501

GRANT NUMBER: 99-4-0117-55-180-02

TITLE IV-A
111,403

TOTAL
83,552

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 189
DILLINGHAM, ALASKA

99576

GRANT NUMBER: 99-4-0116-55-039-02

TITLE IV-A
184,455

TOTAL
138,340

INUPIAT COMMUNITY OF THE ARCTIC SLOPE

P.O. BOX 927
BARRUM, ALASKA

99723

GRANT NUMBER: 99-4-3081-55-042-02

TITLE IV-A
134,431

TOTAL
100,823

KENAITZE INDIAN TRIBE

P. O. BOX 988
KENAI, ALASKA

99611

GRANT NUMBER: 99-4-0089-55-043-02

TITLE IV-A
90,602

TOTAL
67,951

MAUNELUK MANPOWER

P.O. BOX 725
KOTZEBUE, ALASKA

99752

GRANT NUMBER: 99-4-0124-55-045-02

TITLE IV-A
181,060

TOTAL
135,794

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 6/30/84.

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METLAKATLA INDIAN COMMUNITY
 P.O. BOX 8
 METLAKATLA, ALASKA
 99926
 GRANT NUMBER: 99-4-0064-55-046-02

TITLE IV-A
 124,085
 TRANSITION
 ALLOTMENT
 93,063

TOTAL

TOTAL
 109,557
 TRANSITION
 ALLOTMENT
 82,167

SITKA COMMUNITY ASSOCIATION
 P.O. BOX 4350
 MT. EDGECLIFF, ALASKA
 99835
 GRANT NUMBER: 99-4-1776-55-183-02

TITLE IV-A
 46,165
 TRANSITION
 ALLOTMENT
 35,074

TOTAL

TOTAL
 405,143
 TRANSITION
 ALLOTMENT
 303,856

TLINGIT AND HAIDA COJNCIL
 ONE SEALASKA PLAZA, SUITE 200
 JUNEAU, ALASKA
 99801
 GRANT NUMBER: 99-4-0114-55-040-02

TITLE IV-A
 359,056
 TRANSITION
 ALLOTMENT
 269,291

TOTAL

TOTAL
 553,309
 TRANSITION
 ALLOTMENT
 414,980

AMERICAN INDIAN ASSOC. OF TUCSON
 92 WEST SIMPSON ST.
 TUCSON, ARIZONA
 85701
 GRANT NUMBER: 99-4-0492-55-048-02

TITLE IV-A
 329,972
 TRANSITION
 ALLOTMENT
 247,478

TOTAL

TOTAL
 82,841
 TRANSITION
 ALLOTMENT
 62,130

GILA RIVER INDIAN COMMUNITY
 BOX 97
 SACATON, ARIZONA
 85247
 GRANT NUMBER: 99-4-0054-55-105-02

TITLE IV-A
 496,116
 TRANSITION
 ALLOTMENT
 372,085

TOTAL

TOTAL
 388,150
 TRANSITION
 ALLOTMENT
 291,111

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INDIAN DEV. DIST. OF ARIZONA, INC.
 1777 W. CAMELBACK ROAD, SUITE A-108
 PHOENIX, ARIZONA
 85015
 GRANT NUMBER: 99-4-0053-55-301-02

TITLE IV-A
 136,006
 TRANSITION
 ALLOTMENT
 102,004
 TOTAL

NAVAJO TRIBE OF INDIANS
 P.O. BOX 1889
 WINDOW ROCK, ARIZONA
 86515

GRANT NUMBER: 99-4-0059-55-008-02

TITLE IV-A
 6,879,163
 TRANSITION
 ALLOTMENT
 5,159,344
 TOTAL

PHOENIX INDIAN CENTER, INC.
 3302 N 7TH STREET
 PHOENIX, ARIZONA
 85014-5481

GRANT NUMBER: 99-4-0195-55-234-02

TITLE IV-A
 447,229
 TRANSITION
 ALLOTMENT
 335,420
 TOTAL

SAN CARLOS APACHE TRIBE
 P.O. BOX #0
 SAN CARLOS, ARIZONA
 85550

GRANT NUMBER: 99-4-0173-55-011-02

TITLE IV-A
 319,916
 TRANSITION
 ALLOTMENT
 239,936
 TOTAL

AM. INDIAN CENTER OF ARKANSAS, INC.
 4318 WEST MARKHAM ST.
 LITTLE ROCK, ARKANSAS
 72206

GRANT NUMBER: 99-4-1778-55-019-02

TITLE IV-A
 145,362
 TRANSITION
 ALLOTMENT
 109,023
 TOTAL

NATIVE AMERICANS FOR COMMUNITY ACTION
 15 NORTH SAN FRANCISCO STREET
 P.O. BOX 572
 FLAGSTAFF, ARIZONA 86002
 GRANT NUMBER: 99-4-1777-55-034-02

TITLE IV-A
 316,493
 TRANSITION
 ALLOTMENT
 237,368
 TOTAL

THE PAPAGO TRIBE OF ARIZONA
 P.O. BOX 837
 SELLS, ARIZONA
 85634

GRANT NUMBER: 99-4-0181-55-050-02

TITLE IV-A
 431,752
 TRANSITION
 ALLOTMENT
 323,812
 TOTAL

SALT RIVER PIMA-MARICOPA IND. COMMUN.
 ROUTE 1, BOX 216
 SCOTTSDALE, ARIZONA
 85256

GRANT NUMBER: 99-4-0476-55-051-02

TITLE IV-A
 115,039
 TRANSITION
 ALLOTMENT
 86,279
 TOTAL

WHITE MOUNTAIN APACHE TRIBE
 P.O. BOX 700
 WHITE RIVER, ARIZONA
 85941

GRANT NUMBER: 99-4-0174-55-052-02

TITLE IV-A
 417,520
 TRANSITION
 ALLOTMENT
 313,138
 TOTAL

CALIFORNIA INDIAN MANPOWER CSRT.
 4441 AUBURN BOULEVARD, SUITE J
 SACRAMENTO, CALIFORNIA
 95841

GRANT NUMBER: 99-4-2053-55-186-02

TITLE IV-A
 2,611,853
 TRANSITION
 ALLOTMENT
 1,958,879
 TOTAL

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 5/30/84.

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CANDALARIA AMERICAN INDIAN COUNCIL
 522 NORTH A STREET
 OAKLAND, CALIFORNIA
 94612

GRANT NUMBER: 99-4-0086-55-235-02

TITLE IV-A
 269,219

TRANSITION
 ALLOTMENT
 201,913

TOTAL

648,433

486,322

FRESNO AMERICAN INDIAN COUNCIL
 5150 N 6TH STREET SUITE 162-169
 FRESNO, CALIFORNIA
 93710

GRANT NUMBER: 99-4-0079-55-187-02

TITLE IV-A
 283,591

TRANSITION
 ALLOTMENT
 212,692

TOTAL

79,546

59,659

INDIAN CENTERS, INC.
 1111 W. WASHINGTON BLVD.
 LOS ANGELES, CALIFORNIA
 90015

GRANT NUMBER: 99-4-0085-55-055-02

TITLE IV-A
 1,887,602

TRANSITION
 ALLOTMENT
 1,265,695

TOTAL

238,166

179,074

NORTHERN CALIF. IND. DEV. COUNCIL, INC.
 241 F STREET
 EUREKA, CALIFORNIA
 95501

GRANT NUMBER: 99-4-0686-55-057-02

TITLE IV-A
 328,008

TRANSITION
 ALLOTMENT
 246,005

TOTAL

249,185

186,888

TULE RIVER TRIBE
 TUARE COUNTY DEPT. OF HEALTH, SAFETY & WELFARE
 P.O. BOX 589
 PORTERVILLE, CALIFORNIA 93258

GRANT NUMBER: 99-4-3219-55-188-02

TITLE IV-A
 111,032

TRANSITION
 ALLOTMENT
 83,274

TOTAL

135,274

101,455

CSPT. OF UNITED INDIAN NATIONS
 1404 FRANKLIN STREET, SUITE 420
 OAKLAND, CALIFORNIA
 94612

GRANT NUMBER: 99-4-2310-55-053-02

TITLE IV-A
 648,433

TRANSITION
 ALLOTMENT
 486,322

TOTAL

648,433

486,322

HOOPA VALLEY BUSINESS COUNCIL
 P.O. BOX 815
 HOOPA, CALIFORNIA
 95546

GRANT NUMBER: 99-4-1142-55-054-02

TITLE IV-A
 79,546

TRANSITION
 ALLOTMENT
 59,659

TOTAL

79,546

59,659

INDIAN CENTER OF SAN JOSE, INC.
 3485 EAST HILLS DRIVE
 SAN JOSE, CALIFORNIA
 95127

GRANT NUMBER: 99-4-0499-55-056-02

TITLE IV-A
 238,166

TRANSITION
 ALLOTMENT
 179,074

TOTAL

238,166

179,074

ORANGE COUNTY INDIAN CENTER, INC.
 13129 BROOKHURST STREET, SUITE #1
 GARDEN GROVE, CALIFORNIA
 92643

GRANT NUMBER: 99-4-0170-55-058-02

TITLE IV-A
 249,185

TRANSITION
 ALLOTMENT
 186,888

TOTAL

249,185

186,888

YA-KA-AWA INDIAN EDUC. AND DEV., INC.
 6215 EASTSIDE ROAD
 HEALDSBURG, CALIFORNIA
 95448

GRANT NUMBER: 99-4-0082-55-059-02

TITLE IV-A
 135,274

TRANSITION
 ALLOTMENT
 101,455

TOTAL

135,274

101,455

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 6/30/84.

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DENVER NATIVE AMERICANS UNITED
 4407 MORRISON ROAD
 DENVER, COLORADO
 80219
 GRANT NUMBER: 99-4-0076-55-016-02

TITLE IV-A

 450,025
 TRANSITION
 ALLOTMENT

 345,017

TOTAL

SOUTHERN JTE INDIAN TRIBE

P.O. BOX 737
 IGNACIO, COLORADO
 81137

GRANT NUMBER: 99-4-2714-55-050-02

TITLE IV-A

 53,513
 TRANSITION
 ALLOTMENT

 40,135

TOTAL

AMERICAN INDIANS FOR DEVELOPMENT, INC.
 21 CAROL AVENUE
 P.O. BOX 117

AERDEN, CONNECTICUT 06450

GRANT NUMBER: 99-4-0361-55-001-02

TITLE IV-A

 162,734
 TRANSITION
 ALLOTMENT

 122,050

TOTAL

FLA. GOVERNORS COUNCIL ON I.O. AFFAIRS
 521 E. COLLEGE AVENUE
 TALLAHASSEE, FLORIDA
 32301

GRANT NUMBER: 99-4-0692-55-063-02

TITLE IV-A

 353,794
 TRANSITION
 ALLOTMENT

 265,344

TOTAL

SEMINOLE TRIBE OF FLORIDA

CETA DEPARTMENT
 5073 STERLING ROAD
 HOLLYWOOD, FLORIDA 33024

GRANT NUMBER: 99-4-0004-55-055-02

TITLE IV-A

 82,912
 TRANSITION
 ALLOTMENT

 62,184

TOTAL

NATIONAL URBAN INDIAN COUNCIL, INC.
 2258 SOUTH BROADWAY
 DENVER, COLORADO
 80210

GRANT NUMBER: 99-4-2982-55-020-02

TITLE IV-A

 291,992
 TRANSITION
 ALLOTMENT

 218,993

TOTAL

JTE MOUNTAIN JTE TRIBE

P.O. BOX 30
 TOMAH, COLORADO
 81334

GRANT NUMBER: 99-4-1143-55-061-02

TITLE IV-A

 57,478
 TRANSITION
 ALLOTMENT

 52,108

TOTAL

DEPARTMENT OF LABOR, STATE OF DELAWARE
 OFFICE OF CETA PLANNING AND ADMIN.
 701 SHIPLEY STREET
 WILMINGTON, DELAWARE 19801

GRANT NUMBER: 99-4-2715-55-062-02

TITLE IV-A

 36,287
 TRANSITION
 ALLOTMENT

 27,215

TOTAL

WICOSUKEE CORPORATION
 P.O. BOX 440021, MIAMI STATION
 MIAMI, FLORIDA
 33144

GRANT NUMBER: 99-4-0052-55-054-02

TITLE IV-A

 98,233
 TRANSITION
 ALLOTMENT

 73,574

TOTAL

DEPARTMENT OF ARCHIVES AND HISTORY
 OFFICE OF INDIAN HERITAGE
 330 CAPITAL AVE., S.E.
 ATLANTA, GEORGIA 30334

GRANT NUMBER: 99-4-2717-55-055-02

TITLE IV-A

 135,275
 TRANSITION
 ALLOTMENT

 101,456

TOTAL

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 5/30/84.

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ALU LIKE, INC.
 431 KAAKAE ST. - 3RD FLOOR
 HONOLULU, HAWAII
 96814
 GRANT NUMBER: 99-4-1179-55-189-02

TITLE IV-A
 2,559,726

TITLE IV-A
 57,620

TRANSITION
 ALLOTMENT
 43,215

TOTAL

TOTAL

TRANSITION
 ALLOTMENT

IDAHO INTER-TRIBAL POLICY BOARD
 P.O. BOX 405
 FORT HALL, IDAHO
 83203
 GRANT NUMBER: 99-4-0066-55-191-02

TITLE IV-A
 180,571

TITLE IV-A
 92,690

TRANSITION
 ALLOTMENT
 69,517

TOTAL

TOTAL

TRANSITION
 ALLOTMENT

SINUSHORE-SANNOCK TRIBES
 FORT HALL INDIAN RESERVATION
 P.O. BOX 305
 FORT HALL, IDAHO 83203
 GRANT NUMBER: 99-4-1780-55-098-02

TITLE IV-A
 138,129

TITLE IV-A
 788,378

TRANSITION
 ALLOTMENT
 591,280

TOTAL

TOTAL

TRANSITION
 ALLOTMENT

KICKAPOO TRIBAL COUNCIL
 ROUTE 1, BOX 157A
 HORTON, KANSAS
 66439
 GRANT NUMBER: 99-4-2/18-55-236-02

TITLE IV-A
 58,262

TITLE IV-A
 157,328

TRANSITION
 ALLOTMENT
 43,696

TOTAL

TOTAL

TRANSITION
 ALLOTMENT

UNITED TRIBES OF KANSAS AND S.E. NEIL,
 P.O. BOX 29
 HORTON, KANSAS
 67439
 GRANT NUMBER: 99-4-0178-55-193-02

TITLE IV-A
 492,140

TITLE IV-A
 385,545

TRANSITION
 ALLOTMENT
 289,707

TOTAL

TOTAL

TRANSITION
 ALLOTMENT

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CENTRAL MAINE INDIAN ASSOCIATION, INC.

95 MAIN STREET
ORONO, MAINE
04473

GRANT NUMBER: 99-4-2719-55-070-02

TITLE IV-A
54,846
TRANSITION
ALLOTMENT
41,134

TOTAL

CITY OF BALTIMORE

731 ST. PAUL STREET

BALTIMORE, MARYLAND

21202

GRANT NUMBER: 99-4-0925-55-071-02

TITLE IV-A
212,104
TRANSITION
ALLOTMENT
204,077

TOTAL

MASHPEE-HAMPAHANG INDIAN TRIBAL COUNCIL

P.O. BOX 1048

MASHPEE, MASSACHUSETTS

02649

GRANT NUMBER: 99-4-0408-55-073-02

TITLE IV-A
68,755
TRANSITION
ALLOTMENT
51,556

TOTAL

GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS

ROUTE 1 BOX 135

SAULTS BAY, MICHIGAN

49582

GRANT NUMBER: 99-4-2121-55-074-02

TITLE IV-A
69,552
TRANSITION
ALLOTMENT
52,154

TOTAL

MICHIGAN INDIAN MAPOWER INC.

3415 SOUTH CEDAR STREET

LANSING, MICHIGAN

48910

GRANT NUMBER: 99-4-1144-55-075-02

TITLE IV-A
539,782
TRANSITION
ALLOTMENT
404,334

TOTAL

TRIBAL GOVERNORS, INC.

93 MAIN STREET

ORONO, MAINE

04473

GRANT NUMBER: 99-4-0001-55-194-02

TITLE IV-A
102,663
TRANSITION
ALLOTMENT
76,997

TOTAL

BOSTON INDIAN COUNCIL, INC.

105 S. HUNTINGTON AVENUE

JAMAICA PLAIN, MASSACHUSETTS

02130

GRANT NUMBER: 99-4-0494-55-072-02

TITLE IV-A
245,804
TRANSITION
ALLOTMENT
184,352

TOTAL

GRAND RAPIDS INTER-TRIBAL COUNCIL

45 LEXINGTON AVE. N.W.

GRAND RAPIDS, MICHIGAN

49504

GRANT NUMBER: 99-4-0694-55-195-02

TITLE IV-A
122,688
TRANSITION
ALLOTMENT
92,016

TOTAL

INTER-TRIBAL COUNCIL OF MICHIGAN, INC.

405 EAST EASTERDAY AVENUE

SAULTE ST. MARIE, MICHIGAN

49783

GRANT NUMBER: 99-4-0172-55-075-02

TITLE IV-A
95,270
TRANSITION
ALLOTMENT
71,452

TOTAL

NORTH AMERICAN INDIAN ASSOC. OF DETROIT

360 JOHN ROAD

DETROIT, MICHIGAN

48226

GRANT NUMBER: 99-4-0695-55-237-02

TITLE IV-A
342,039
TRANSITION
ALLOTMENT
256,528

TOTAL

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SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS
206 GREENOUGH STREET
SAULT STE. MARIE, MICHIGAN
49783
GRANT NUMBER: 99-4-007-55-009-02

TITLE IV-A
102,558
TRANSITION
ALLOTMENT
76,918
TOTAL
179,476

AMERICAN INDIAN FELLOWSHIP ASSN.
2 E. SECOND STREET
DULUTH, MINNESOTA
55802
GRANT NUMBER: 99-4-0254-55-077-02

TITLE IV-A
130,089
TRANSITION
ALLOTMENT
91,566
TOTAL
221,655

BOIS FORTÉ R. B. C.
P.O. BOX 698
NETT LAKE, MINNESOTA
55772
GRANT NUMBER: 99-4-0310-55-198-02

TITLE IV-A
45,082
TRANSITION
ALLOTMENT
33,811
TOTAL
78,893

LECH LAKE R.B.C.
BOX 303
CASS LAKE, MINNESOTA
56633
GRANT NUMBER: 99-4-0012-55-017-02

TITLE IV-A
245,100
TRANSITION
ALLOTMENT
183,824
TOTAL
428,924

MINNEAPOLIS AMERICAN INDIAN CENTER
1530 EAST FRANKLIN AVENUE
MINNEAPOLIS, MINNESOTA
55404
GRANT NUMBER: 99-4-0204-55-081-02

TITLE IV-A
231,542
TRANSITION
ALLOTMENT
173,656
TOTAL
405,198

SOUTHEASTERN MICHIGAN INDIANS, INC.
P.O. BOX 861
WARREN, MICHIGAN
48090
GRANT NUMBER: 99-4-3220-55-195-02

TITLE IV-A
25,426
TRANSITION
ALLOTMENT
19,319
TOTAL
44,745

AMERICAN INDIAN OPPORTUNITIES CIR.
2300 CEDAR AVE. SOUTH
MINNEAPOLIS, MINNESOTA
55404
GRANT NUMBER: 99-4-3221-55-197-02

TITLE IV-A
539,234
TRANSITION
ALLOTMENT
404,423
TOTAL
943,657

FOND DU LAC R.B.C.
105 UNIVERSITY ROAD
CLOQUET, MINNESOTA
55720
GRANT NUMBER: 99-4-0009-55-078-02

TITLE IV-A
81,690
TRANSITION
ALLOTMENT
61,257
TOTAL
142,947

MILLE LACS R.B.C.
STAR ROUTE-BOX 194
ONAMIA, MINNESOTA
56359
GRANT NUMBER: 99-4-0008-55-080-02

TITLE IV-A
46,983
TRANSITION
ALLOTMENT
35,237
TOTAL
82,220

RED LAKE TRIBAL COUNCIL
RED LAKE, MINNESOTA
56671
GRANT NUMBER: 99-4-0017-55-082-02

TITLE IV-A
179,522
TRANSITION
ALLOTMENT
134,716
TOTAL
314,238

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WHITE EARTH R.D.C.
 BOX 418
 WHITE EARTH, MINNESOTA
 55991

GRANT NUMBER: 99-4-0011-50-199-02

TITLE IV-A

 175,521
 TRANSITION
 ALLOTMENT

 131,540

TOTAL

MESQUITE VII AMERICAN INDIAN COUNCIL, INC.
 310 ARBOUR ROAD, SUITE 205
 KANSAS CITY, MISSOURI
 64116

GRANT NUMBER: 99-4-0967-50-200-02

TITLE IV-A

 365,610
 TRANSITION
 ALLOTMENT

 289,205

TOTAL

BLACKFEET TRIBAL BUSINESS COUNCIL
 P.O. BOX 1090
 BROWNING, MONTANA
 59417

GRANT NUMBER: 99-4-0906-50-201-02

TITLE IV-A

 450,000
 TRANSITION
 ALLOTMENT

 344,998

TOTAL

CONFEDERATED SALISH & KOOTENAI TRIBES
 P.O. BOX 278
 PABLO, MONTANA
 59828

GRANT NUMBER: 99-4-0031-50-079-02

TITLE IV-A

 260,145
 TRANSITION
 ALLOTMENT

 195,108

TOTAL

FT. BELKNAP AGENCY
 BOX 249
 HARLEM, MONTANA
 59526

GRANT NUMBER: 99-4-0032-50-087-02

TITLE IV-A

 129,633
 TRANSITION
 ALLOTMENT

 94,224

TOTAL

MISSISSIPPI BAND OF CHOCTAW INDIANS
 ROUTE 7, BOX 21
 PHILADELPHIA, MISSISSIPPI
 39350

GRANT NUMBER: 99-4-0005-55-083-02

TITLE IV-A

 474,958
 TRANSITION
 ALLOTMENT

 355,992

TOTAL

FORT PECK INDIAN RESERVATION
 P.O. BOX 37
 POPLAR, MONTANA
 59255

GRANT NUMBER: 99-4-0033-50-084-02

TITLE IV-A

 302,730
 TRANSITION
 ALLOTMENT

 227,046

TOTAL

CHIPPEWA CREE TRIBE, HOCKY BOYS RESERV.
 ROCKY BOY ROUTE
 BOX ELDER, MONTANA
 59521

GRANT NUMBER: 99-4-0035-55-085-02

TITLE IV-A

 129,526
 TRANSITION
 ALLOTMENT

 90,394

TOTAL

CROW INDIAN TRIBE
 P.O. BOX 550
 CROW AGENCY, MONTANA
 59022

GRANT NUMBER: 99-4-0030-50-086-02

TITLE IV-A

 218,494
 TRANSITION
 ALLOTMENT

 163,870

TOTAL

MONTANA UNITED INDIAN ASSOCIATION
 435 NORTH LAST CHANCE GULCH SUITE 2-A
 HELENA, MONTANA
 59601

GRANT NUMBER: 99-4-0074-55-202-02

TITLE IV-A

 489,528
 TRANSITION
 ALLOTMENT

 367,144

TOTAL

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 6/30/84.

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NORTHERN CHEYENNE TRIBE
 P.O. BOX 368
 LAME DEER, MONTANA
 59043

GRANT NUMBER: 99-4-0034-55-088-02

TRANSITION
ALLOTMENT

TITLE IV-A

175,959

132,719

TOTAL

NEBRASKA INDIAN INTER-TRIBAL DEV. CORP.

ROUTE 1 - BOX 66-A
 WINNEBAGO, NEBRASKA

GRANT NUMBER: 99-4-0087-55-203-02

TRANSITION
ALLOTMENT

TITLE IV-A

171,670

128,752

TOTAL

UNITED INDIANS OF NEBRASKA
 1432 SOUTH 78TH ST.
 OMAHA, NEBRASKA

63124

GRANT NUMBER: 99-4-0099-55-204-02

TRANSITION
ALLOTMENT

TITLE IV-A

84,216

63,162

TOTAL

NATIONAL AMERICAN INDIAN CENTER, INC.
 413 HOOVER AVE., ROOM ONE
 LAS VEGAS, NEVADA

89101

GRANT NUMBER: 99-4-0687-55-033-02

TRANSITION
ALLOTMENT

TITLE IV-A

56,936

42,702

TOTAL

POHATAY PENAPE NATION
 P.O. BOX 629
 AT. HOLLY, NEW JERSEY

08060

GRANT NUMBER: 99-4-3222-55-206-02

TRANSITION
ALLOTMENT

TITLE IV-A

305,839

230,128

TOTAL

LINCOLN INDIAN CENTER, INC.
 1100 MILITARY ROAD
 LINCOLN, NEBRASKA
 68508

GRANT NUMBER: 99-4-2722-55-018-02

TRANSITION
ALLOTMENT

TITLE IV-A

133,006

99,754

TOTAL

SANTEE SIOUX TRIBE OF NEBRASKA
 ROUTE 2 SANTEE
 NIORARA, NEBRASKA

68760

GRANT NUMBER: 99-4-0235-55-302-02

TRANSITION
ALLOTMENT

TITLE IV-A

37,127

27,845

TOTAL

INTER-TRIBAL COUNCIL OF NEVADA
 P.O. BOX 7440
 RENO, NEVADA

89510

GRANT NUMBER: 99-4-0058-55-205-02

TRANSITION
ALLOTMENT

TITLE IV-A

355,195

274,646

TOTAL

SHOSHONE PAIUTE TRIBES
 P.O. BOX 219
 OAYHEE, NEVADA

89632

GRANT NUMBER: 99-4-2723-55-089-02

TRANSITION
ALLOTMENT

TITLE IV-A

65,975

49,482

TOTAL

ALAMO NAVAJO SCHOOL BOARD
 P.O. BOX 907
 MAGDALENA, NEW MEXICO

87825

GRANT NUMBER: 99-4-2724-55-090-02

TRANSITION
ALLOTMENT

TITLE IV-A

50,565

37,999

TOTAL

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 5/30/84.

ALL INDIAN PUEBLO COUNCIL
P.O. BOX 5507- STAT. B
1015 INDIAN SCHOOL ROAD, N.M.
ALBUQUERQUE, NEW MEXICO 87197
GRANT NUMBER: 99-4-0023-55-300-02

TITLE IV-A
435,272

TRANSITION
ALLOTMENT
326,452

TOTAL

JICARILLA APACHE TRIBE

P.O. BOX 507

DULCE, NEW MEXICO

87528

GRANT NUMBER: 99-4-2725-55-091-02

TITLE IV-A
87,265

TRANSITION
ALLOTMENT
65,463

TOTAL

NATIONAL INDIAN YOUTH COUNCIL

201 HERMOSA DRIVE, N.E.

ALBUQUERQUE, NEW MEXICO

87108

GRANT NUMBER: 99-4-0377-55-092-02

TITLE IV-A
744,503

TRANSITION
ALLOTMENT
558,374

TOTAL

PUEBLO OF LAGUNA

P.O. BOX 194

LAGUNA, NEW MEXICO

87026

GRANT NUMBER: 99-4-1583-55-093-02

TITLE IV-A
171,337

TRANSITION
ALLOTMENT
128,502

TOTAL

PUEBLO OF ZUNI

ZUNI TRIBAL COUNCIL

P.O. BOX 339

ZUNI, NEW MEXICO 87321

GRANT NUMBER: 99-4-0021-55-031-02

TITLE IV-A
311,495

TRANSITION
ALLOTMENT
233,622

TOTAL

EIGHT NORTHERN INDIAN PUEBLO COUNCIL

P.O. BOX 969

SAN JUAN PUEBLO, NEW MEXICO

87565

GRANT NUMBER: 99-4-3223-55-207-02

TITLE IV-A
67,605

TRANSITION
ALLOTMENT
45,454

TOTAL

MESCALERO APACHE TRIBE

P.O. BOX 175

MESCALERO, NEW MEXICO

89340

TITLE IV-A
122,699

TRANSITION
ALLOTMENT
92,024

TOTAL

PUEBLO OF ACOMA

P.O. BOX 469

PUEBLO OF ACOMA, NEW MEXICO

87034

GRANT NUMBER: 99-4-2199-55-010-02

TITLE IV-A
132,800

TRANSITION
ALLOTMENT
90,599

TOTAL

PUEBLO OF TAOS

P.O. BOX 1846

TAOS, NEW MEXICO

87571

GRANT NUMBER: 99-4-2200-55-002-02

TITLE IV-A
55,782

TRANSITION
ALLOTMENT
41,836

TOTAL

MAMAH NAVAJO SCHOOL BOARD, INC.

DRAVER G

PINE HILL, NEW MEXICO

87321

GRANT NUMBER: 99-4-0145-55-032-02

TITLE IV-A
95,390

TRANSITION
ALLOTMENT
72,292

TOTAL

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SANTA CLARA INDIAN PUEBLO
 P.O. BOX 500
 ESPADOLA, NEW MEXICO
 87532

GRANT NUMBER: 99-4-3324-55-208-02

TITLE IV-A
 34,423
 TRANSITION
 ALLOTMENT
 25,817

TOTAL

AMERICAN INDIAN COMMUNITY HOUSE, INC.

842 BROADWAY, 8TH FLOOR
 NEW YORK CITY, NEW YORK
 10003

GRANT NUMBER: 99-4-0348-55-209-02

TITLE IV-A
 799,980
 TRANSITION
 ALLOTMENT
 599,982

TOTAL

THE NORTH AA, IND. CLUB OF SYRACUSE AND VICINITY, INC.

P.O. BOX 851
 SYRACUSE, NEW YORK
 13201

GRANT NUMBER: 99-4-2201-55-095-02

TITLE IV-A
 306,205
 TRANSITION
 ALLOTMENT
 229,653

TOTAL

SENECA NATION OF INDIANS

P.O. BOX 344
 SALAMANCA, NEW YORK
 14779

GRANT NUMBER: 99-4-0169-55-097-02

TITLE IV-A
 420,550
 TRANSITION
 ALLOTMENT
 315,411

TOTAL

EASTERN BAND OF CHEROKEE INDIANS

P.O. BOX 455
 CHEROKEE, NORTH CAROLINA
 28719

GRANT NUMBER: 99-4-0003-55-098-02

TITLE IV-A
 367,554
 TRANSITION
 ALLOTMENT
 275,564

TOTAL

SANTO DOMINGO TRIBE
 GENERAL DELIVERY
 SANTO DOMINGO, NEW MEXICO
 87052

GRANT NUMBER: 99-4-1781-55-023-02

TITLE IV-A
 131,407
 TRANSITION
 ALLOTMENT
 98,555

TOTAL

NATIVE AMERICAN MANPOWER PROGRAMS, INC.

1047 GRANT STREET (REAR)
 BUFFALO, NEW YORK
 14207

GRANT NUMBER: 99-4-0689-55-094-02

TITLE IV-A
 255,800
 TRANSITION
 ALLOTMENT
 191,849

TOTAL

ST. REGIS MOHAWK TRIBE

COMMUNITY BUILDING
 HOGANSBURG, NEW YORK
 13655

GRANT NUMBER: 99-4-0522-55-096-02

TITLE IV-A
 135,463
 TRANSITION
 ALLOTMENT
 101,597

TOTAL

CUMBERLAND COUNTY ASSOC. FOR IND. PEOPLE

102 INDIAN DRIVE
 FAYETTEVILLE, NORTH CAROLINA
 28301

GRANT NUMBER: 99-4-1782-55-028-02

TITLE IV-A
 130,302
 TRANSITION
 ALLOTMENT
 97,726

TOTAL

GUILFORD NATIVE AMERICAN ASSOC.

P.O. BOX 5623
 400 PRESCOTT STREET
 GREENSBORO, NORTH CAROLINA 27403

GRANT NUMBER: 99-4-2727-55-099-02

TITLE IV-A
 99,043
 TRANSITION
 ALLOTMENT
 74,282

TOTAL

LUMBE REG. DEV. ASSOC.
P.O. BOX 68
PEABROKE, NORTH CAROLINA
28372

GRANT NUMBER: 99-4-0067-55-024-02

TITLE IV-A
2,089,550

TRANSITION
ALLOTMENT

1,567,154

TOTAL

NORTH CAROLINA COMM. OF IND. AFFAIRS

P.O. BOX 27228

RALEIGH, NORTH CAROLINA

27611

GRANT NUMBER: 99-4-0070-55-025-02

TRANSITION
ALLOTMENT

299,269

TOTAL

STANDING ROCK SIOUX TRIBE

GENERAL DELIVERY

FORT YATES, NORTH DAKOTA

58538

GRANT NUMBER: 99-4-0046-55-101-02

TRANSITION
ALLOTMENT

226,904

TOTAL

TURTLE MOUNTAIN BAND OF CHEPPEMA IND.

TURTLE MOUNTAIN TRIBAL COUNCIL

BELOUCRI, NORTH DAKOTA

58316

GRANT NUMBER: 99-4-0075-55-102-02

TRANSITION
ALLOTMENT

334,325

TOTAL

OHIO INDIAN JOB TRAINING PARTNERSHIP AGENCY

5500 LARAIN AVENUE

CLEVELAND, OHIO

44102

GRANT NUMBER: 99-4-3225-55-210-02

TRANSITION
ALLOTMENT

310,883

TOTAL

TITLE IV-A

414,513

TRANSITION
ALLOTMENT

310,883

TOTAL

METROLINA NATIVE AMERICAN ASSN.
800 BRIAR CREEK ROAD
CHARLOTTE, NORTH CAROLINA
28205

GRANT NUMBER: 99-4-2726-55-100-02

TITLE IV-A

101,227

TOTAL

75,920

DEVILS LAKE SIOUX TRIBE

P.O. BOX 300

FORT TOTTEN, NORTH DAKOTA

58335

GRANT NUMBER: 99-4-0037-55-239-02

TRANSITION
ALLOTMENT

132,751

TOTAL

177,016

THREE AFFILIATED TRIBES

BOX 597

NEA TOWN, NORTH DAKOTA

58763

GRANT NUMBER: 99-4-0062-55-036-02

TRANSITION
ALLOTMENT

105,811

TOTAL

141,082

UNITED TRIBES - ED. TECH. CNTR.

3315 S. AIRPORT ROAD

BISMARCK, NORTH DAKOTA

58501

GRANT NUMBER: 99-4-0206-55-103-02

TRANSITION
ALLOTMENT

134,942

TOTAL

179,923

TITLE IV-A

179,923

TOTAL

134,942

CADDO TRIBE

P.O. BOX 487

BINGER, OKLAHOMA

73039

GRANT NUMBER: 99-4-1783-55-007-02

TRANSITION
ALLOTMENT

72,511

TOTAL

95,382

TITLE IV-A

95,382

TOTAL

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 5/30/84.

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CENTRAL TRIBES OF THE SHAWNEE AREA, INC.

624 NORTH BROADWAY
 SHAWNEE, OKLAHOMA
 74301

GRANT NUMBER: 99-4-0036-55-104-02

TITLE IV-A
 100,070

TRANSITION
 ALLOTMENT
 75,052

TOTAL

CHEYENNE-ARAPAHO TRIBES

P.O. BOX 67
 CONCHO, OKLAHOMA
 73022

GRANT NUMBER: 99-4-0048-55-105-02

TITLE IV-A
 205,901

TRANSITION
 ALLOTMENT
 199,425

TOTAL

CROGTAW NATION OF OKLAHOMA

DRAWER 1210
 DURANT, OKLAHOMA
 74701

GRANT NUMBER: 99-4-0041-55-004-02

TITLE IV-A
 781,427

TRANSITION
 ALLOTMENT
 566,067

TOTAL

COMANCHE TRIBE OF OKLAHOMA

P.O. BOX 908
 LAWTON, OKLAHOMA
 73502

GRANT NUMBER: 99-4-3150-55-107-02

TITLE IV-A
 266,201

TRANSITION
 ALLOTMENT
 199,650

TOTAL

FOUR TRIBES CONSORTIUM OF OKLAHOMA

P.O. BOX 1193
 MADARCO, OKLAHOMA
 73005

GRANT NUMBER: 99-4-2728-55-212-02

TITLE IV-A
 81,803

TRANSITION
 ALLOTMENT
 61,389

TOTAL

CHEROKEE NATION OF OKLAHOMA

P.O. BOX 943
 TALLEQUAH, OKLAHOMA
 74464

GRANT NUMBER: 99-4-0027-55-022-02

TITLE IV-A
 1,892,420

TRANSITION
 ALLOTMENT
 1,419,307

TOTAL

CHICKASAW NATION OF OKLAHOMA

P.O. BOX 1548
 ADA, OKLAHOMA
 74820

GRANT NUMBER: 99-4-0042-55-211-02

TITLE IV-A
 448,318

TRANSITION
 ALLOTMENT
 336,237

TOTAL

CITIZENS BAND POTAWATOMI IND. OF OKLA.

RT. 5, BOX 151
 SHAWNEE, OKLAHOMA
 74801

GRANT NUMBER: 99-4-2201-55-106-02

TITLE IV-A
 199,879

TRANSITION
 ALLOTMENT
 149,908

TOTAL

CREEK NATION OF OKLAHOMA

P.O. BOX 580
 OKMULGEE, OKLAHOMA
 74447

GRANT NUMBER: 99-4-0025-55-108-02

TITLE IV-A
 879,198

TRANSITION
 ALLOTMENT
 659,395

TOTAL

INTER-TRIBAL COUNCIL OF N.E. OKLAHOMA

P.O. BOX 1308
 MIAMI, OKLAHOMA
 74335

GRANT NUMBER: 99-4-1135-55-213-02

TITLE IV-A
 106,865

TRANSITION
 ALLOTMENT
 80,148

TOTAL

KAM TRIBE OF OKLAHOMA
DRAWER 50
KAM CITY, OKLAHOMA
74641

GRANT NUMBER: 99-4-2729-55-012-02

TITLE IV-A

37,287

TRANSITION
ALLOTMENT

27,965

TOTAL

KIOWA TRIBE OF OKLAHOMA

P.O. BOX 361

CARNEGIE, OKLAHOMA

73035

GRANT NUMBER: 99-4-0047-55-109-02

TITLE IV-A

215,523

TRANSITION
ALLOTMENT

161,541

TOTAL

OSAGE TRIBAL COUNCIL

P.O. BOX 147 - OSAGE AGENCY CAMPUS

PANHUSKA, OKLAHOMA

74006

GRANT NUMBER: 99-4-0022-55-110-02

TITLE IV-A

173,165

TRANSITION
ALLOTMENT

129,888

TOTAL

PANTEE TRIBE OF OKLAHOMA

P.O. BOX 470

PANTEE, OKLAHOMA

74008

GRANT NUMBER: 99-4-1785-55-112-02

TITLE IV-A

21,221

TRANSITION
ALLOTMENT

15,916

TOTAL

SEMINOLE NATION OF OKLAHOMA

P.O. BOX 745

HEBOKA, OKLAHOMA

74534

GRANT NUMBER: 99-4-0051-55-013-02

TITLE IV-A

194,122

TRANSITION
ALLOTMENT

145,091

TOTAL

KICKAPOO TRIBES OF OKLAHOMA
P.O. BOX 58
MCLLOUD, OKLAHOMA
74851

GRANT NUMBER: 99-4-3226-55-214-02

TITLE IV-A

12,511

TRANSITION
ALLOTMENT

9,383

TOTAL

OKLAHOMA TRIBAL ASSISTANCE PROGRAM, INC.

P.O. BOX 2841

TULSA, OKLAHOMA

74101

GRANT NUMBER: 99-4-0072-55-014-02

TITLE IV-A

488,458

TRANSITION
ALLOTMENT

366,342

TOTAL

OTDE-MISSOURIA INDIAN TRIBE OF OKLA.

P.O. BOX 68

RED ROCK, OKLAHOMA

74651

GRANT NUMBER: 99-4-2730-55-111-02

TITLE IV-A

45,751

TRANSITION
ALLOTMENT

34,321

TOTAL

PONCA TRIBE OF INDIANS

WHITE EAGLE - BOX 11

PONCA CITY, OKLAHOMA.

74631

GRANT NUMBER: 99-4-0029-55-113-02

TITLE IV-A

59,538

TRANSITION
ALLOTMENT

44,728

TOTAL

TONKAWA TRIBE OF OKLAHOMA

P.O. BOX 70

TONKAWA, OKLAHOMA

74653

GRANT NUMBER: 99-4-1136-55-114-02

TITLE IV-A

60,507

TRANSITION
ALLOTMENT

45,380

TOTAL

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UNITED URBAN INDIAN COUNCIL
 2900 SOUTH HARVEY
 OKLAHOMA CITY, OKLAHOMA
 73109
 GRANT NUMBER: 99-4-2731-55-115-02

TITLE IV-A
 250,599

TRANSITION
 ALLOTMENT
 412,922

TOTAL

CONFED. TRIBES OF THE UMATILLA IND. RES.

P.O. BOX 638
 PENDELTON, OREGON
 97601

GRANT NUMBER: 99-4-3065-55-116-02

TITLE IV-A
 47,471

TRANSITION
 ALLOTMENT
 35,503

TOTAL

ORGANIZATION OF FORGOTTEN AMERICANS

3949 SO. 6TH STREET
 KLAMATH FALLS, OREGON
 97601

GRANT NUMBER: 99-4-2732-55-118-02

TITLE IV-A
 395,957

TRANSITION
 ALLOTMENT
 295,966

TOTAL

COUNCIL OF THREE RIVERS

200 CHARLES STREET
 PITTSBURGH, PENNSYLVANIA
 15236

GRANT NUMBER: 99-4-0642-55-119-02

TITLE IV-A
 228,209

TRANSITION
 ALLOTMENT
 171,156

TOTAL

RHODE ISLAND INDIAN COUNCIL

444 FRIENDSHIP ST.
 ROOM 300
 PROVIDENCE, RHODE ISLAND 02907

GRANT NUMBER: 99-4-0510-55-120-02

TITLE IV-A
 128,465

TRANSITION
 ALLOTMENT
 96,348

TOTAL

CONFED. TRIBES OF SILETZ INDIANS

P.O. BOX 549
 101 E. BUFORD ST.

SILETZ, OREGON 97380

GRANT NUMBER: 99-4-3153-55-020-02

TITLE IV-A
 232,933

TRANSITION
 ALLOTMENT
 174,699

TOTAL

CONFEDERATE TRIBES OF WARM SPRINGS

P.O. BOX C
 WARM SPRINGS, OREGON
 97761

GRANT NUMBER: 99-4-0256-55-117-02

TITLE IV-A
 103,498

TRANSITION
 ALLOTMENT
 77,623

TOTAL

URBAN INDIAN COUNCIL

P.O. BOX 3198, 1634 S.A. ALDER
 PORTLAND, OREGON
 97208

GRANT NUMBER: 99-4-0164-55-215-02

TITLE IV-A
 291,243

TRANSITION
 ALLOTMENT
 218,431

TOTAL

UNITED AM. INDIANS OF THE DEL. VALLEY

225 CHESTNUT STREET
 PHILADELPHIA, PENNSYLVANIA
 19106

GRANT NUMBER: 99-4-0477-55-216-02

TITLE IV-A
 189,437

TRANSITION
 ALLOTMENT
 142,077

TOTAL

OFFICE OF THE GOVERNOR OF SOUTH CAROLINA

1800 ST. JULIAN PLACE
 COLUMBIA, SOUTH CAROLINA
 29204

GRANT NUMBER: 99-4-0403-55-217-02

TITLE IV-A
 174,156

TRANSITION
 ALLOTMENT
 130,616

TOTAL

CHEYENNE RIVER SIOUX TRIBE
P.O. BOX 798
EAGLE BUTTE, SOUTH DAKOTA
57025
GRANT NUMBER: 99-4-0039-55-121-02

TITLE IV-A
265,298

TOTAL
214,722

TRANSITION
ALLOTMENT
50,576

LOWER BROOK SIOUX TRIBE
P.O. BOX 313
LOWER BROOK, SOUTH DAKOTA
57548
GRANT NUMBER: 99-4-0073-55-219-02

TITLE IV-A
50,954

TOTAL
44,215

TRANSITION
ALLOTMENT

ROSEBUD SIOUX TRIBE
BOX 38
ROSEBUD, SOUTH DAKOTA
57570
GRANT NUMBER: 99-4-0044-55-220-02

TITLE IV-A
505,859

TOTAL
379,400

TRANSITION
ALLOTMENT

BRITISH SIOUX TRIBES DEV. CORP.
P.O. BOX 1193
PIERRE, SOUTH DAKOTA
57501
GRANT NUMBER: 99-4-0165-55-123-02

TITLE IV-A
594,462

TOTAL
445,844

TRANSITION
ALLOTMENT

ALABAMA-COUSHATTA INDIAN RESERVATION
P.O. BOX 1141
LIVINGSTON, TEXAS
77351
GRANT NUMBER: 99-4-1784-55-029-02

TITLE IV-A
446,472

TOTAL
334,952

TRANSITION
ALLOTMENT

CHOW CREEK SIOUX TRIBE
P.O. BOX 658
FORT THOMPSON, SOUTH DAKOTA
57339
GRANT NUMBER: 99-4-0060-55-218-02

TITLE IV-A
106,948

TOTAL
90,211

TRANSITION
ALLOTMENT

OSJALA SIOUX TRIBE
P.O. BOX 6
PIHL RIDGE, SOUTH DAKOTA
57770
GRANT NUMBER: 99-4-0043-55-233-02

TITLE IV-A
735,896

TOTAL
552,559

TRANSITION
ALLOTMENT

SISSETON-WAHPETON SIOUX TRIBE
P.O. BOX 252
SISSETON, SOUTH DAKOTA
57262
GRANT NUMBER: 99-4-0045-55-122-02

TITLE IV-A
170,003

TOTAL
127,502

TRANSITION
ALLOTMENT

USEY INCORPORATED
1101 KERMIT DRIVE
SUITE 800
NASHVILLE, TENNESSEE 37217
GRANT NUMBER: 99-4-2737-55-027-02

TITLE IV-A
267,091

TOTAL
200,317

TRANSITION
ALLOTMENT

DALLAS INTER-TRIBAL CENTER
CARTER PLAZA
209 EAST JEFFERSON BLVD.
DALLAS, TEXAS 75201
GRANT NUMBER: 99-4-0078-55-124-02

TITLE IV-A
384,878

TOTAL
288,657

TRANSITION
ALLOTMENT

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TIGUA INDIAN TRIBE
 P.O. BOX 17579 - YSLETA STATION
 EL PASO, TEXAS
 79917
 GRANT NUMBER: 99-4-2099-55-125-02

TOTAL
 TITLE IV-A 278,046
 TRANSITION
 ALLOTMENT 208,533

ABENAKI SELF-HELP ASSN./N.H.IND. COUNC.
 BOX 276
 SWANTON, VERMONT
 05488
 GRANT NUMBER: 99-4-3064-55-003-02

TOTAL
 TITLE IV-A 35,972
 TRANSITION
 ALLOTMENT 27,729

AMERICAN INDIAN COMMUNITY CENTER
 1007 N. COLUMBUS STREET
 SPOKANE, WASHINGTON
 99202
 GRANT NUMBER: 99-4-1138-55-238-02

TOTAL
 TITLE IV-A 152,105
 TRANSITION
 ALLOTMENT 114,079

CULVILLE CONFEDERATED TRIBES
 P.O. BOX 100
 HESPELEA, WASHINGTON
 99155
 GRANT NUMBER: 99-4-1720-55-005-02

TOTAL
 TITLE IV-A 209,561
 TRANSITION
 ALLOTMENT 157,245

LUJAI INDIAN BUSINESS COUNCIL
 2616 KATHA ROAD
 BELLINGHAM, WASHINGTON
 98225
 GRANT NUMBER: 99-4-2204-55-224-02

TOTAL
 TITLE IV-A 45,371
 TRANSITION
 ALLOTMENT 34,328

UTE INDIAN TRIBE
 P.O. BOX 190
 FORT DUCHESNE, UTAH
 84025
 GRANT NUMBER: 99-4-0049-55-126-02

TOTAL
 TITLE IV-A 113,085
 TRANSITION
 ALLOTMENT 84,814

MATTAPONI PASOQUEY MONACAN CONSORTIUM
 P.O. BOX 771
 PRINCE WILLIAM, VIRGINIA
 23085
 GRANT NUMBER: 99-4-3227-55-221-02

TOTAL
 TITLE IV-A 245,168
 TRANSITION
 ALLOTMENT 183,875

CHE-TO-OUI-SHU
 P.O. BOX 397
 ROCHESTER, WASHINGTON
 98579
 GRANT NUMBER: 99-4-0068-55-222-02

TOTAL
 TITLE IV-A 49,682
 TRANSITION
 ALLOTMENT 30,511

EASTERN WASHINGTON INDIAN CONSORTIUM
 P.O. BOX 223
 WELLPINIT, WASHINGTON
 99040
 GRANT NUMBER: 99-4-0184-55-223-02

TOTAL
 TITLE IV-A 734,461
 TRANSITION
 ALLOTMENT 570,843

N.W. INTER-TRIBAL COUNCIL
 P.O. BOX 115
 NEAN DAY, WASHINGTON
 98357
 GRANT NUMBER: 99-4-0069-55-225-02

TOTAL
 TITLE IV-A 85,526
 TRANSITION
 ALLOTMENT 64,394

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<p>POWELLUP TRIBE 202 EAST 28TH ST. TACOMA, WASHINGTON 98404 GRANT NUMBER: 99-4-1137-55-226-02</p>	<p>TRANSITION ALLOTMENT ----- 125,211</p>	<p>TRANSITION ALLOTMENT ----- 54,382</p>
<p>TITLE IV-A ----- 100,949</p>	<p>TITLE IV-A ----- 72,510</p>	<p>TITLE IV-A ----- 112,418</p>
<p>TOTAL ----- 226,160</p>	<p>TOTAL ----- 174,821</p>	<p>TOTAL ----- 224,836</p>
<p>SEATTLE INDIAN CENTER 121 STEWART STREET SEATTLE, WASHINGTON 98101 GRANT NUMBER: 99-4-0511-55-228-02</p>	<p>TRANSITION ALLOTMENT ----- 328,014</p>	<p>TRANSITION ALLOTMENT ----- 909,310</p>
<p>TITLE IV-A ----- 437,355</p>	<p>TITLE IV-A ----- 412,418</p>	<p>TITLE IV-A ----- 412,418</p>
<p>TOTAL ----- 764,670</p>	<p>TOTAL ----- 825,236</p>	<p>TOTAL ----- 821,836</p>
<p>LAC COURTE OREILLES TRIBAL GOVERNING BOARD ROUTE 2 HAYWARD, WISCONSIN 54543 GRANT NUMBER: 99-4-0018-55-127-02</p>	<p>TRANSITION ALLOTMENT ----- 76,086</p>	<p>TRANSITION ALLOTMENT ----- 55,107</p>
<p>TITLE IV-A ----- 102,249</p>	<p>TITLE IV-A ----- 74,276</p>	<p>TITLE IV-A ----- 74,276</p>
<p>TOTAL ----- 178,335</p>	<p>TOTAL ----- 148,552</p>	<p>TOTAL ----- 129,383</p>
<p>MENOMINEE INDIAN TRIBE OF WISCONSIN P.O. BOX 397 KESHENA, WISCONSIN 54135-0397 GRANT NUMBER: 99-4-0013-55-006-02</p>	<p>TRANSITION ALLOTMENT ----- 117,544</p>	<p>TRANSITION ALLOTMENT ----- 175,997</p>
<p>TITLE IV-A ----- 156,725</p>	<p>TITLE IV-A ----- 234,664</p>	<p>TITLE IV-A ----- 234,664</p>
<p>TOTAL ----- 274,269</p>	<p>TOTAL ----- 473,218</p>	<p>TOTAL ----- 410,058</p>
<p>ONEIDA TRIBE OF INDIANS OF WIS., INC. P.O. BOX 365 ONEIDA, WISCONSIN 54115 GRANT NUMBER: 99-4-0015-55-035-02</p>	<p>TRANSITION ALLOTMENT ----- 191,462</p>	<p>TRANSITION ALLOTMENT ----- 31,693</p>
<p>TITLE IV-A ----- 255,311</p>	<p>TITLE IV-A ----- 42,258</p>	<p>TITLE IV-A ----- 42,258</p>
<p>TOTAL ----- 450,772</p>	<p>TOTAL ----- 465,476</p>	<p>TOTAL ----- 73,951</p>

* - THESE ALLOTMENTS COVER THE TRANSITION PERIOD OF 10/1/83 - 5/30/84.

U. S. DEPARTMENT OF LABOR - EMPLOYMENT AND TRAINING ADMINISTRATION PAGE 20
 OFFICE OF FINANCIAL CONTROL AND MANAGEMENT SYSTEMS
 FY 1984* JTPA NATIVE AMERICAN ALLOTMENTS
 10/28/83

STOCKBRIDGE-MUNSEE COMMUNITY
 ROUTE 1
 BURLINGHAM, WISCONSIN
 54410
 GRANT NUMBER: 99-4-0500-55-129-02

TOTAL
 TITLE IV-A 63,228
 TRANSITION ALLOTMENT 47,421

WISCONSIN-MINNEBAGO BUSINESS COMMITTEE
 Rt 1 CREAMERY RD
 NEKOUSA, WISCONSIN
 54457
 GRANT NUMBER: 99-4-0019-55-130-02

TOTAL
 TITLE IV-A 148,177
 TRANSITION ALLOTMENT 111,132

NATIONAL TOTAL

TOTAL
 TITLE IV-A 62,243,000
 TRANSITION ALLOTMENTS 46,682,000

WISCONSIN INDIAN CONSORTIUM
 P.O. BOX 439
 ASHLAND, WISCONSIN
 54806
 GRANT NUMBER: 99-4-2207-55-231-02

TOTAL
 TITLE IV-A 133,563
 TRANSITION ALLOTMENT 100,172

SHOSHONE/ARAPAHOE TRIBES
 P.O. BOX 217
 FORT WASHAKIE, WYOMING
 82514
 GRANT NUMBER: 99-4-0050-55-015-02

TOTAL
 TITLE IV-A 358,404
 TRANSITION ALLOTMENT 268,802

The Department is publishing these allotment levels at this time in order to insure that Section 401 programs previously designated for funding receive these funds to continue services to eligible individuals without interruption. Proposed allotment levels for the 12-month period from July 1, 1984, through June 30, 1985, will be announced by December 31, 1983.

JTPA Section 162(a) requires that "all allotments and allocations under this Act be based on the latest available data and estimates satisfactory to the Department," and that "All data relating to economically disadvantaged and low income persons be based on the 1980 Census or later data." Further, the Regulations at § 632.252(b) state that "Allocations shall be made to eligible Native American grantees on the basis of a formula using the best available data as determined by the department in consultation with Native American groups and shall be published by the Secretary."

Consistent with the act and the regulations and following public comment the department has determined that the allocations contained in this Notice are based on the best data available to the Department.

Signed at Washington, D.C., this 22nd day of November, 1983.

Paul A. Mayrand,

Acting Director, Office of Special Targeted Programs.

[FR Doc. 83-32498 Filed 12-6-83; 8:45 am]

BILLING CODE 4510-30-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-460-CPA; ASLBP No. 83-485-02 CPA]

Washington Public Power Supply System, et al. (WPPSS Nuclear Project No. 1); Scheduling of Evidentiary Hearing

December 7, 1983.

Please take notice that the evidentiary hearing is scheduled to begin at 9:30 a.m. on January 10, 1984 and to continue through January 13, 1984, if necessary, at the Federal Building, Auditorium, 825 Jadwin Avenue, Richland, Washington 99352. The public is invited. Limited appearance statements will be heard during the morning of January 10, 1984 under limitations to be imposed by the Board.

A final prehearing conference will be convened at the same location at 9:25 a.m. on January 10, 1984, immediately preceding the evidentiary hearing, to

resolve any outstanding procedural problems.

Dated: December 7, 1983, Bethesda, Maryland.

By Order of the Board.

For the Atomic Safety and Licensing Board.

Herbert Grossman,

Chairman, Administrative Judge.

[FR Doc. 83-32998 Filed 12-5-83; 9:44 am]

BILLING CODE 7590-01-M

[Docket No. 50-277]

Philadelphia Electric Co. (Peach Bottom Atomic Power Station, Unit 2); Order Confirming Licensee Commitments on Pipe Crack Related Issues

I

The Philadelphia Electric Company (the licensee) and three other co-owners are the holders of Facility Operating License No. DPR-44 which authorizes the operation of the Peach Bottom Atomic Power Station, Unit 2 (the facility), at steady-state power levels not in excess of 3293 megawatts thermal. The facility is a boiling water reactor located at the licensee's site in York County, Pennsylvania.

II

During the current 1983 outage at Peach Bottom, Unit 2, augmented inservice inspection was performed on 126 nonconforming austenitic stainless steel piping welds in the residual heat removal (RHR) system, the recirculation system, and the reactor water clean-up system (RWCU) in accordance with Office of Inspection and Enforcement Bulletin 83-02. Except for 10 welds, all nonconforming circumferential welds were ultrasonically examined. Examinations of the 10 uninspected welds were not practicable either due to configuration, physical constraints, or high radiation.

Overall, out of a total of 126 welds inspected, a total of 26 were found to show reportable linear indications: Six 12-inch riser welds, seven RHR system welds (20-inch and 24-inch), nine 28-inch recirculation welds, and four 22-inch recirculation manifold welds.

All reported indications were in the weld heat-affected-zone (HAZ). Axial indications with lengths less than 1 inch were reported in six riser welds and one manifold end-cap weld. The deepest axial crack was reported in an end-cap weld with a depth about 86% of wall thickness. Circumferential indications were reported in all other cracked welds. The deepest circumferential crack with a depth of 85% wall thickness

and a length of 12 inches was reported in a 20-inch RHR elbow to pipe weld.

Evaluation by the licensee, submitted letters dated October 6, 1983, October 19, 1983 and November 18, 1983, indicates that the projected crack sizes, due to intergranular stress corrosion cracking (IGSCC) and fatigue crack growth, in eight defective welds at the end of a 24-month period would not exceed the ASME Code allowable limits. The licensee's evaluation also indicated that eighteen defective welds required weld overlay repairs. However, the licensee undertook to repair a total of twenty-one welds, including three 28-inch recirculation pipe welds which the licensee's consultant, General Electric, has shown to be within the Code allowable limits at the end of a 24-month period.

The staff has reviewed the licensee's submittals including the analysis of weld overlay design and the calculations of IGSCC crack growth, based on current crack growth data, to support the licensee's request dated October 6, 1983 for continuing operation at full power for a six month (approximately 4400 hours) period with twenty-one overlay repaired welds and five cracked and unrepaired welds.

The staff also performed independent calculations of crack growth rates and, as a result, has calculated that the operation of the plant with defective welds in an unrepaired condition for the next 4100 hours following start-up from this outage (limited by crack growth in weld 10-1B-3) would be acceptable. The staff's evaluation and bases for its conclusion are contained in its Safety Evaluation being issued concurrently with this Order.

III

Although the calculations discussed above indicate that the cracks in the unreinforced welds will not progress to the point of leakage during the next 4100 hours of operation following start-up from this outage, and very wide margins are expected to be maintained over crack growth which could compromise safety, uncertainties in crack sizing and growth rate still remain. Furthermore, not all welds were examined, and significant cracks could be present in welds that were not examined.

Because of these uncertainties, the staff has determined that improvements in the monitoring in the containment for unidentified leakage are required; therefore, new limiting conditions for operation and surveillance requirements have been developed. These enhanced surveillance measures will provide adequate assurance that possible cracks

in pipes will be detected before growing to a size that will compromise the safety of the plant.

The staff also has some concern regarding the long-term growth of IGSCC cracks and its effect on the long-term operation of the plant. Therefore, the staff has determined that plans for inspections, corrective actions, and/or modifications, including replacement of the recirculation and/or other reactor coolant pressure boundary piping systems during the next refueling outage, must be submitted for staff review at least one month before the start of the next refueling outage. In addition, the staff has determined that a justification for continued operation must be submitted to NRC for review and approval prior to start-up after the next refueling outage.

By letters dated August 24, 1983, November 18, 1983, and November 29, 1983, the licensee committed to the above described conditions on leakage monitoring, early submittal of inspection and/or modification plans, and providing a justification for continued operation for NRC review and approval prior to restart after its next refueling outage. I have determined that the public health and safety requires that these commitments should be confirmed by an immediately effective Order.

IV

Accordingly, pursuant to Sections 103, 161i, 161o and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, it is hereby ordered effective immediately that:

1. The licensee shall operate the reactor in accordance with the present requirements on coolant leakage in Sections 3.6.C and 4.6.C of the Technical Specifications as modified by Attachment A to this Order.

2. The licensee shall operate the reactor no longer than 4100 hours with the reactor mode switch in the "Run Mode" before placing the facility in cold shutdown for its scheduled refueling outage.

3. Plans for inspections, corrective actions and/or modifications, including replacement of the recirculation and/or other reactor coolant pressure boundary piping systems during the next refueling outage, shall be submitted for NRC review at least one month before the start of the next refueling outage.

4. At least one month prior to start-up of the facility after its next refueling outage, a justification for continued operation shall be submitted for NRC review and approval.

5. The Director, Division of Licensing, may in writing relax or terminate any of

the above provisions for good cause upon a timely written request from the licensee.

V

The licensee may request a hearing within twenty (20) days of the date of publication of this Order in the **Federal Register**. Any request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy shall be sent to the Executive Legal Director at the same address. A request for a hearing shall not stay the immediate effectiveness of this order.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section IV of this Order.

This Order is effective upon issuance.

Dated at Bethesda, Maryland, this 30th day of November 1983.

For the Nuclear Regulatory Commission,
Darrell G. Eisenhut,
Director, Division of Licensing.

ATTACHMENT A.—SURVEILLANCE AND LIMITING CONDITION OF OPERATION FOR PEACH BOTTOM ATOMIC POWER STATION, UNIT 2

Limiting conditions for operation	Surveillance requirements
<p>3.6.C. Coolant Leakage</p> <p>1. Any time irradiated fuel is in the reactor vessel and reactor coolant temperature is above 212 degrees F, the rate of reactor coolant leakage to the primary containment from unidentified sources shall not exceed 5 gallons per minute. The rate of change of unidentified leakage shall not exceed 2 gallons per minute per 24 hour surveillance period when the reactor is operated in the "Run" mode. In addition, the total reactor coolant system leakage into the primary containment shall not exceed 25 gpm averaged over any 24 hour surveillance period.</p> <p>2. The primary containment (Drywell) sump collection and flow monitoring system shall be operable during reactor power operation. From and after the time that this system is made or found to be inoperable for any reason, reactor power operation is permissible only during the succeeding 24 hours unless the system is made operable sooner. For purposes of this paragraph, the primary containment (Drywell) sump collection and flow monitoring system operability is defined as the ability to measure reactor coolant leakage.</p> <p>3. If the conditions in 1 or 2 cannot be met, an orderly shutdown shall be initiated and the reactor shall be in at least Hot Shutdown within the next 12 hours and in Cold Shutdown Condition within the following 24 hours.</p>	<p>4.6.C Coolant Leakage</p> <p>1. Reactor coolant system leakage shall be determined by the primary containment (Drywell) sump collection and flow monitoring system and recorded every 4 hours or less</p>

[FR Doc. 83-32834 Filed 12-8-83; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-244-OLA; ASLBP No. 79-427-07 OLA]

Rochester Gas & Electric Corp. (R. E. Ginna Nuclear Plant, Unit No. 1); Consideration of Conversion of Provisional Operating License and Opportunity for Hearing

December 2, 1983.

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of a full-term facility operating license to Rochester Gas and Electric Corporation (the applicant), for operation of the R. E. Ginna Nuclear Plant, Unit No. 1, located on Lake Ontario, Wayne County, New York at its presently license steady state power level of up to 1250 megawatts (thermal) for a period of up to 40 years from April 25, 1966, the issuance date of the construction permit (CPR-19). The

facility is presently being operated in accordance with Provisional Operating License No. DPR-18 which was issued by the Commission on September 19, 1969. The Commission has previously noticed consideration of the conversion of the license on November 22, 1972. 37 FR 26144 (December 8, 1972). This additional notice of conversion of the license is issued at the direction of the Atomic Safety and Licensing Board which is presiding over a hearing on the conversion. *Rochester Gas and Electric Corporation* (R. E. Ginna Nuclear Plant, unit No. 1), LBP-83-73, 17 NRC—(November 7, 1983).

Pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in 10 CFR Part 51, the applicant filed an environmental report, dated August 15, 1972, as part of the application. The

report, which discusses environmental considerations related to the proposed operation of the facility, is available at the Rochester Public Library, 115 South Avenue, Rochester, N.Y. 14627 and at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C.

The environmental report has been analyzed by the Commission's Staff. A Draft Environmental Statement (DES) was issued in April 1973 and the Final Environmental Statement (FES) issued in December 1973. The Staff has also prepared an Environmental Evaluation (EE) to determine if an FES supplement is necessary. The EE was issued on June 17, 1983 and concluded that an FES supplement was not necessary. The availability of these documents has previously been noticed in the Federal Register and they are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Rochester Public Library, 115 South Avenue, Rochester, N.Y. 14627.

The environmental review required by the Commission's regulations in 10 CFR Part 51 has been completed. The Staff is conducting its safety review of the application and has issued: (1) An Integrated Plant Safety Assessment Report (IPSAR) (NUREG-0821), dated December 1982 and IPSAR Supplement No. 1, dated August 1983, which document the NRC Staff evaluation of the facility's degree of compliance with current licensing requirements and any needed backfitting; and (2) the Staff's Safety Evaluation Report (NUREG-0944), dated October 1983. The Staff will await receipt of a report on the applicant's for a full-term operation license by the Advisory Committee on Reactor Safeguards (ACRS) before providing a final recommendation on the issuance of the full-term operating license.

Before issuance of the full-term operating license, the Commission will have made the finding that the application, as amended, complies with the requirements of the Atomic Energy Act, as amended (the Act), and the Commission's regulations in 10 CFR Chapter I.

By January 31, 1984, any person whose interest may be affected by the issuance of the full-term operating license to the subject facility and who wishes to participate as a party in the proceeding must file a written petition to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for

leave to intervene is filed by the above date, the Atomic Safety and Licensing Board presiding over the conversion proceeding will rule on the request and/or petition and will issue an appropriate order. Mr. Michael L. Slade has already been admitted as an Intervenor pursuant to the original notice of the conversion of the license and need not file an additional petition for leave to intervene.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who files a petition for leave to intervene may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding to consider the new petitions to intervene, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding to consider the new petitions to intervene, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party. Intervenor Michael L. Slade, whose contentions have already been admitted, may file revised (or additional) contentions by the date other petitioners' supplements to petitions are due. If no petitions to intervene are received by the required date (January 31, 1984), the Board will set a further date for the filing of Mr. Slade's revised contentions.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to

participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or petition for leave to intervene must be filed with Herbert Grossman, Administrative Judge, Chairman of the Ginna Atomic Safety and Licensing Board, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch—or may be delivered to the Commission's Public Document Room—1717 H Street, N.W., Washington, D.C., by the above date. A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Harry H. Voigt, LeBoeuf, Lamb, Lieby & MacRae, 1333 New Hampshire Avenue, N.W., Suite 1100, Washington, D.C. 20036, attorney for the applicant.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing filed pursuant to this notice will not be entertained absent a determination by the Atomic Safety and Licensing Board that the petitioners has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the: (1) Application's applicant for conversion of Provisional Operating License No. DPR-18 to a full-term operating license, dated August 15, 1972 and applicant's environmental report which is part of the application; (2) the Draft Environmental Statement, dated April 1973; (3) the Final Environmental Statement, dated December 1973; (4) the Environmental Evaluation, dated June 17, 1983; (5) the Integrated Plant Safety Assessment Report (NUREG-0821), dated December 1982 and IPSAR Supplement No. 1, dated August 1983; and (6) NRC Staff's Safety Evaluation Report (NUREG-0944), dated October 1983. In addition, the history of the plant's operations is set forth in the Integrated Plant Safety Assessment Report (NUREG-0821), dated December 1982, Section 1.4 and Appendix F. An Itemization of major NRC requirements which did not exist at the time of the original application is in "Conversion of Provisional Operating Licenses to Full-Term Licenses," SECY-83-19, dated January 17, 1983, at Tables 4 through 6. Exemptions from the NRC's regulations granted to the facility have previously been noticed in the Federal Register and are as follows: Relief from

certain in-service inspection requirements, 42 FR 31201, June 20, 1977; exemption from certain emergency core cooling system requirements, 43 FR 15813, April 14, 1978; revision of in-service inspection relief, 46 FR 29576, June 2, 1981; and exemption from certain annual emergency planning exercise requirements, 48 FR 13299, dated March 30, 1983. Items (1)-(6) noted above as well as SECY-83-19 are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Rochester Public Library, 115 South Avenue, Rochester, N.Y. 14627.

December 2, 1983, Bethesda, Maryland.
The Atomic Safety and Licensing Board.

Richard F. Cole,

Administrative Judge.

Emmeth A. Luebke,

Administrative Judge.

Herbert Grossman,

Chairman, Administrative Judge.

[FR Doc. 83-32835 Filed 12-6-83; 8:45 am]

BILLING CODE 7590-01-M

Abnormal Occurrence Report; Section 208 Report Submitted to the Congress

Notice is hereby given that pursuant to the requirements of Section 208 of the Energy Reorganization Act of 1974, as amended, the Nuclear Regulatory Commission (NRC) has published and issued the periodic report to Congress on abnormal occurrences (NUREG-0090, Vol. 6, No. 2).

Under the Energy Reorganization Act of 1974, which created the NRC, an abnormal occurrence is defined as "an unscheduled incident or event which the Commission (NRC) determines is significant from the standpoint of public health or safety." The NRC has made a determination, based on criteria published in the *Federal Register* (42 FR 10950) on February 24, 1977, that events involving an actual loss or significant reduction in the degree of protection against radioactive properties of source, special nuclear, and byproduct materials are abnormal occurrences.

This report to Congress is for the second calendar quarter of 1983. The report identifies the occurrences or events that the Commission determined to be significant and reportable; the remedial actions that were undertaken are also described. During the report period, there was one abnormal occurrence at the nuclear power plants licensed by the NRC to operate. The event involved the unavailability of the auxiliary feedwater system. There were no abnormal occurrences for the other NRC licensees. There were three

abnormal occurrences at Agreement State licensees. One involved an overexposure of two radiographers. The second involved a missing radioactive source. The third involved exposures to americium-241.

The report also contains information updating some previously reported abnormal occurrences.

Interested persons may review the report at the NRC's Public Document Room, 1717 H Street, NW, Washington, DC, or at any of the nuclear power plant Local Public Document Rooms throughout the country. Single copies of the report, designated NUREG-0090, Vol. 6, No. 2, may be purchased from the National Technical Information Service, Springfield, Virginia 22161.

A year's subscription to the NUREG-0090 series publication, which consists of four issues, is available from the NRC/GPO Sales Program, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Microfiche of single copies of the publication are also available from this source.

Dated at Washington, DC this 5th day of December 1983.

For the Nuclear Regulatory Commission,

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 83-32833 Filed 12-6-83; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 23147; 70-6915]

Columbia Gas System, Inc.; Proposal of Parent to Indemnify Subsidiaries

December 2, 1983.

The Columbia Gas System, Inc., ("CG"), 20 Montchanin Road, Wilmington, Delaware 19807, a registered holding company, has filed a declaration with this Commission pursuant to Section 12(b) of the Public Utility Holding Company Act of 1935 and Rule 45 thereunder.

CG requests authorization to guarantee, as required by Pennsylvania and Ohio law, the payment of Worker's Compensation by its self-insured subsidiaries, Columbia Gas of Pennsylvania, Columbia Gas Transmission Corporation, Columbia Gas of Ohio, Columbia Gas System Service Corporation and Columbia LNG Corporation.

CG also requests authorization to act as indemnitor in an aggregate amount not to exceed \$15 million in agreements with surety bonding companies to

make surety bonds for CG subsidiaries available when required, in the ordinary course of the subsidiary's business, by any governmental authority or agency by reason of law, regulation or otherwise.

The declaration 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 December 26, 1983, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant 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 declaration, as filed or it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-32851 Filed 12-6-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 13654; 812-5675]

Dean Witter Reynolds Inc., et al.; Application

December 2, 1983.

Notice is hereby given that Sears Tax Exempt Investment Trust, Long Term Municipal Portfolio Series 1 and Subsequent Series ("Long Term Series"), Sears Tax Exempt Investment Trust, Intermediate Term Municipal Portfolio Series 1 and Subsequent Series ("Intermediate Term Series"), Sears Tax Exempt Investment Trust, Short Term Municipal Portfolio Series 1 and Subsequent Series ("Short-Term Series"), Sears Tax Exempt Investment Trust, Discount Municipal Portfolio Series 1 and Subsequent Series ("Discount Series"), Sears Tax-Exempt Investment Trust, Multiple Maturity Portfolio Series 1 and Subsequent Series ("Multiple Maturity Series"), Sears Tax Exempt Investment Trust, Multi-State Program Series 1 and Subsequent Series ("Multi-State Series"), Sears Tax Exempt Investment Trust, California Municipal Portfolio Series 1 and Subsequent Series ("California Series"),

Sears Government Investment Trust, GNMA Portfolio Series 1 and Subsequent Series ("GNMA Series"), Sears Tax Exempt Investment Trust and Similar Series of Trust and Sears Government Investment Trust and Sears Corporate Investment Trust and Similar Series of Trust (collectively the "Trusts"), and Dean Witter Reynolds Inc., Sponsor of the Trusts ("Sponsor") (collectively with the Trusts, "Applicants"), c/o Dean Witter Reynolds Inc., 130 Liberty Street, New York, NY 10006, filed an application on October 13, 1983, for an order of the Commission: (i) Pursuant to Section 11(a) of the Investment Company Act of 1940 (the "Act"), permitting the exchange of units of any series of any of the Trusts for units of any other series thereof at a reduced sales load; and (ii) pursuant to Section 6(c) of the Act exempting such exchange transactions from the provisions of Section 22(d) 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 the applicable sections.

The application states that Long Term Series, GNMA Series, Intermediate Term Series, Short Term Series, Discount Series, and Multi-State Series are unit investment trusts registered under the Act. Multiple Maturity Series and Sears Corporate Investment Trust are unit investment trusts which Applicants anticipate will be created and registered under the Act in the future. According to the application, the Trusts have a variety of investment objectives. The application further states that while not obligated to do so, the Sponsor presently intends to maintain a market for units of each Trust and continuously to offer to purchase such units at prices in excess of the redemption prices as described in the applicable prospectus.

Applicants represent that the Sponsor proposes to allow purchasers of units of any of the Trusts ("Certificateholders") to exchange units which they hold in any one of the Trusts or future Trusts for units of other series of the same Trust or of any of the other Trusts or future Trusts which the Sponsor has repurchased and which have not been tendered for redemption. Applicants state that the Sponsor would impose a reduced fixed sales charge per unit exchanged. Applicants further state that the structures of the various Trusts are very similar, but that the investment objective of each is different. Applicant

further states that the Sponsor intends to hold the exchange option open under most circumstances, but it does, however reserve the right to modify, suspend or terminate the exchange option at any time without further notice to Certificateholders.

According to the application, the Sponsor acquires a portfolio of securities, satisfying the standards applicable to the investment objectives of each series. These securities are then deposited in trust with the Trustee in exchange for certificates representing units of undivided interest in the deposited portfolio. These units are then offered to the public at a public offering price based upon the offering prices of the underlying securities plus a sales charge. Applicants state that the sales charge applicable to future series and future trusts may be varied by the Sponsor.

Applicants state that the exchange option would only apply to units of various series of the Trusts for which there is a secondary market. Applicant also states that while it is not presently contemplated that Certificateholders would be permitted to exchange their units into units of other series of the same trust or into units of any series of the Trusts which are available on original issue, the Sponsor might at some future date determine to permit such exchanges and therefore desires that any exemptive order issued pursuant to this application also apply to units of other series of the same trust or units of any series of the Trust which are available on original issue.

The application states that an exchange pursuant to the exchange option would operate in a manner essentially identical to any secondary transaction, except that the Sponsor would impose a reduced sales charge on each transaction completed under the exchange option. Applicants represent that units of any series repurchased by the Sponsor will be resold by the Sponsor at a public offering price based upon the offering side evaluation of the underlying securities plus a sales charge. Applicants seek authority to permit the Sponsor to sell units of the Trusts pursuant to the exchange option at a price equal to the offering side evaluation of the underlying securities divided by the number of units outstanding ("Unit Offering Price"), plus a fixed charge of \$15 per unit. Applicants assert that the \$15 fixed charge can be expected to approximate about 1½% of the offering price. Applicants state that the Sponsor reserves the right to increase or

decrease this fixed charge from time to time in the event of fluctuations in the costs of professional assistance and operational expenses in connection with these exchange transactions.

According to the application, a Certificateholder who has paid a per unit sales charge which was less than the per unit sales charge of the series of the Trust for which the Certificateholder desires to exchange would be allowed to exercise the exchange option at the Unit Offering Price plus a fixed sales charge of \$15 per unit, provided the Certificateholder has held his units for at least eight months. Any Certificateholder who has not held the units to be exchanged for eight months would be required to exchange his units at the Unit Offering Price plus a sales charge based on the greater of \$15 per unit or an amount which, together with the initial sales charge paid in purchasing the units being exchanged, equals the sales charge of the series of the Trust for which such Certificateholder desires to exchange, determined as of the date of the exchange. The application further states that a Certificateholder would not be allowed to make up any difference between the amount representing the units being submitted for exchange and units being acquired. Applicants assert that the purpose of the exchange option is to permit the Sponsor to pass on to the Certificateholder the cost savings resulting from reductions in time and expense related to advice, financial planning, and operational expense required to exchange units pursuant to the exchange option.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than December 27, 1983, at 5:30 p.m., do so by submitting 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.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-32849 Filed 12-6-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 23148; 70-6913]

Middle South Utilities, Inc., et al.;

December 2, 1983.

In the matter of Middle South Utilities, Inc., 225 Baronne Street, New Orleans, Louisiana, 70112, and Middle South Energy, Inc., P.O. Box 61000, New Orleans, Louisiana, 70161.

Middle South Utilities, Inc. ("Middle South"), a registered holding company, its wholly owned subsidiary Middle South Energy, Inc. ("MSE"), and Middle South's electric utility subsidiaries, have filed with this Commission an application-declaration and an amendment thereto under Sections 6(a), 7, 9(a), 10, and 12 of the Public Utility Holding Company Act of 1935 ("Act") and Rules 43 and 50(a)(2) under the Act.

In order to finance the installation of pollution control facilities ("facilities") at its Grand Gulf Nuclear plant, MSE proposes to enter into installment sales agreements ("agreements") with Claiborne County, Mississippi ("County"). The County would issue and sell two series of its pollution control revenue bonds ("bonds"), in an aggregate amount up to \$80 million, pursuant to trust indentures. The net proceeds would be deposited with an indenture trustee and applied toward the purchase of the facilities. The agreements will require that MSE pay the County the purchase price of the facilities in installments over a term of years. The purchase price will be an amount sufficient to pay the principal of, premium, if any, and interest on, the bonds, as well as related agency fees and expenses incurred by the County or trustee.

It is anticipated that one series of bonds will have a term of 30 years, subject to earlier redemption provisions. The second series may have a term of from 3 to 35 years. The trust indenture provides that the bonds will be redeemable at the direction of MSE upon the occurrence of certain events relating to the cessation of plant construction or operations and will be subject to mandatory redemption in other cases relating to a change in the tax-exempt status of the interest payable on the bonds. The bonds will be subject to optional redemption in whole at any time, or in part from time to time, prior to the final rate period, at

redemption rates of 100% to 100% of principal. Redemption prices during the final rate period have yet to be determined.

The agreements and indentures provide for a fixed interest rate on the bonds, based on current tax-exempt market rates for comparable securities, for an initial rate period expected to be 3 years for the first series. After the initial period, the rate will be adjustable and will be reset for one-year periods. Kenny Information Systems, Inc. will be appointed Indexing Agent to determine a rate index upon which the variable rate will be based from year to year. During each variable-rate period, the rate may not exceed a maximum stated rate of 15% and may not be more than 20% above or 20% below the rate set by the Indexing Agent. Under the terms of the indenture, the interest rate for the final rate period, of whatever duration at the option of MSE, will be fixed rate and may not exceed 18%.

Bondholders will have the right to tender their bonds for purchase, at a price equal to the principal amount, between 30 and 15 days prior to the beginning of a new rate period (such right to cease when a final, fixed-rate period is established). The bonds will be purchased on the first day of the new rate period. MSE will be obligated to pay any amounts necessary to purchase such tendered bonds, less amounts available from resales of such bonds by a remarketing agent. The remarketing agent will be required to use its best efforts to resell tendered bonds at a price equal to the principal amount and at a stated annual interest rate within the established twenty-percent range of the rate index for the new period. It is represented that under some circumstances, the remarketing agent may be required to sell the bonds at a premium or a discount (not to exceed 5% of principal) when the twenty-percent range may not allow for sufficient rate adjustment in response to rapid variations in market rates.

In order to obtain a favorable rating on the bonds, letters of credit from Citibank, N.A. ("Citibank") have been arranged to secure MSE's payment obligations. Under accompanying reimbursement agreements, MSE agrees to reimburse Citibank for any amounts paid under the letters, within one year and, in some situations, upon demand. Amounts owing under the reimbursement agreements will carry an interest rate for the first 30 days at an Alternate Base Rate ("ABR"), and thereafter, at a rate equal to 110% times the sum of the ABR and 1.3%. The ABR will fluctuate and will be the higher of: (1) A rate announced by Citibank as its

base rate; or (2) ½% above a moving average of major money market banks' three-month certificates of deposit. The reimbursement agreements will require the payment of commitment fees which have yet to be finalized. The letters of credit mature in five years but can be extended by redemption. In the event of expiration of the letters, the bonds may be subject to mandatory redemption. As further security for its obligations under the reimbursement agreements, MSE will assign, for the benefit of Citibank, its rights under an Availability Agreement (under which Middle South's electric utility subsidiaries guarantee payment of MSE's operating expenses) and under a Capital Funds Agreement (under which Middle South guarantees to maintain certain levels of equity capital in MSE).

The application-declaration 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 December 27, 1983, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants-declarants at the addresses specified above. Proof of service, by affidavit or, in the 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 and will receive a copy of any notice or order issued. After said date, the application-declaration, as then amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-32853 Filed 12-6-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 13653; 813-56]

PB-SB 1983 Investment Partnership IV and PB-SB Ventures Inc.; Application

December 2, 1983.

Notice is hereby given that PB-SB 1983 Investment Partnership IV ("Partnership IV"), a limited partnership, and PB-SB Ventures Inc., the general partner of Partnership IV (the "General Partner" and, together with Partnership IV, "Applicants"). One New York Plaza, New York, New York, 10004 filed an application of July 29, 1983, and an

amended application on November 23, 1983, pursuant to Sections 6(b) and 6(e) of the Investment Company Act of 1940 ("Act") for an order exempting Partnership IV and other limited partnerships which may be offered in the future to the same or similar classes of persons as will be eligible to invest in Partnership IV ("Subsequent Partnerships" and, together with Partnership IV, the "Partnerships") from each and every provision of the Act, other than Sections 9, 17(a) and 17(d) (subject to certain exceptions), 36(a), 36(b) and 38 through 53 of the Act, and pursuant to Section 6(c) of the Act for an order exempting the Partnerships from Sections 6(b) and 2(a)(13) of the Act to the extent requested. Applicants further request confidential treatment under Section 45(a) of the Act for certain reports which they have undertaken to file with the Commission. 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 the Rules thereunder for the text of the provisions which are relevant to a consideration of the application.

Applicants state that the organization of Partnership IV was initiated by employees of Salomon Brothers Inc ("Salomon") and its corporate parent, Phibro-Salomon Inc. ("PSB"). It is represented that Partnership IV was established to enable certain officers and other employees of PSB, its subsidiaries and their successors in interest (collectively, the "Employers") to pool their investment resources and to participate in an aggressive equity investment program. Subsequent Partnerships, if established, will similarly be limited to aggressive equity investment programs.

Applicants state that participation in the Partnerships will be limited to current employees of the Employers and certain other persons, described below, in each case who meet the criteria set forth by the Employers. Each employee of an Employer (except non-U.S. resident foreign nationals, who will not be eligible to participate in the Partnerships) with an income from his respective Employer of at least \$150,000 in the preceding year (or, if such employee was employed by an entity other than such Employer for part of such preceding year and has received a guarantee of at least \$150,000 in income from his respective Employer for the current year, a combined income for the preceding year from such Employer and such other entity of at least \$150,000) who is an "accredited investor" within

the meaning of Regulation D promulgated under the Securities Act of 1933 ("Regulation D") will be permitted to become a limited partner of a Partnership ("Limited Partner"). Applicants claim that, because of the nature of the Employers' businesses, each of the employees of the Employers who meets the foregoing criteria will of necessity have substantial personal knowledge and experience with respect to financial matters so as to be able to perform the duties associated with his position at his respective Employer. Applicants represent that, in order to ensure that each Limited Partner will be a sophisticated investor, each employee who meets the criteria set forth above shall also be required to represent to the General Partner and the Partnership, prior to his becoming a Limited Partner of a Partnership, that he has such knowledge and experience in financial and business matters that he is capable of evaluating the merits and material risks of his investment in such Partnership and is able to bear the economic risks of such investment.

In addition to employees who meet the eligibility criteria set forth in the preceding paragraph, the following persons shall also be Eligible Persons who will be permitted to become Limited Partners of the Partnerships: (a) Any immediate family member of an eligible employee who has the same principle residence as such employee; (b) any immediate family member (whether or not living in the same household) of an eligible employee who is an "accredited investor" within the meaning of Regulation D; and (c) any trust for the benefit of one or more children of an eligible employee. Applicants represent that, in the case of a person eligible to invest under clause (a) or (c) of the preceding sentence, the eligible employee from whom such person derives his eligibility will be required to act as such person's "purchaser representative" (within the meaning of Regulation D) in connection with an investment in a Partnership, thereby assuring that someone who is sophisticated and knowledgeable with respect to financial matters will be advising such person as to the merits and risks of an investment in the Partnership. Applicants further represent that the Partnership will require that each of the foregoing persons who wishes to become a Limited Partner (together with the employee from whom such person's eligibility is derived) make representations regarding his investment in a Partnership which are substantially identical to the representations which

will be required to be made by eligible employees who become Limited Partners.

Applicants state that management of the Partnerships will be exclusively vested in the General Partner, an indirect wholly-owned subsidiary of PSB. Applicants further state that all directors, officers and employees of the General Partner will be employees of the Employers. No compensation will be paid to the General Partner for its services other than for certain out-of-pocket expenses. Applicants represent that each of the present officers of the General Partner intends to become a Limited Partner of Partnership IV, and it is expected that at least a majority of such persons would become Limited Partners of each Subsequent Partnership, if any is formed.

Applicants state that each Partnership will have an investment adviser ("Adviser") selected by the General Partner, which will be retained by the Partnership pursuant to a written advisory agreement. Pursuant to the advisory agreement, the Adviser for Partnership IV will select, subject to the approval of the General Partner, various multi-manager and multi-asset combinations and will monitor the investment managers' progress. The application represents that the advisory agreement for the Subsequent Partnerships will contain provisions substantially similar to those in the advisory agreement between Partnership IV and its Adviser. The Partnerships will employ each of their respective several managers ("Managers") pursuant to a written agreement with the Partnership and the Adviser. Applicants represent that none of the Advisers or Managers will be affiliated with the General Partner or any officer or director of the General Partner, or any of the Limited Partners or the Employers. Each Partnership will pay the management fees of its Adviser and of each of its Managers.

Applicants have agreed to comply with Sections 9, 17(a), 17(d), 36(a), 36(b) and 38 through 53 of the Act, with the following exceptions:

(1) That Sections 17(a) and 17(d) and Rule 17d-1 thereunder not apply to prohibit:

(a) Each Manager, acting on behalf of a Partnership, to engage in transactions with other Managers and "affiliated persons" of such other Managers. Applicants believe that, due to the Partnerships' employment of multiple Managers and method of operation, in the absence of such exemptive relief, the Partnerships could not comply with Sections 17(a) and 17(d) and Rule 17d-1

thereunder. Applicants represent that each of the Managers of the Partnerships will operate independently of, and will not be affiliated with, any of the other Managers or the General Partner and its officers and directors, and neither the General Partner nor the Adviser will direct the Managers' specific investments of Partnership assets. Applicants submit that there is not expected to be any exchange of information between or among the Managers of a Partnership with respect to the Managers' investments on behalf of the Partnership. Applicants represent that under no circumstances will the General Partner receive any compensation in connection with a transaction of the type for which exemptive relief is requested, and under no circumstances will any Manager effect such a transaction with an affiliated person of such Manager, or with Salomon or another Employer or their respective affiliates;

(b) The Managers, acting on behalf of a Partnership, to engage in transactions with Limited Partners and "affiliated persons" of Limited Partners (the Limited Partners and such affiliated persons collectively referred to herein as "Partner Affiliates"), and to participate in transactions in which Partner Affiliates may also be participating, which might constitute inadvertent violations of Section 17(a) and/or Section 17(d) and Rule 17d-1 thereunder. Applicants submit that the exemptive relief requested is necessary due to the number and sophistication of the potential Limited Partners of the Partnerships, most of whom have extensive involvement in the securities business. Applicants represent that the transactions for which exemptive relief is requested would be undertaken by the parties thereto without knowledge that such transactions might constitute violations of Section 17(a) and/or 17(d). Applicants further represent that under no circumstances will any Limited Partner consult with any Manager with a view to effecting a purchase or sale of securities prohibited by Section 17(a), or a joint transaction with a Partnership within the meaning of Section 17(d), and Applicants are not requesting exemptive relief for any such purchase, sale or joint transaction undertaken pursuant to an arrangement, agreement or understanding between a Limited Partner and any Manager.

(2) That Section 17(a) not apply to prohibit a Partnership's custodian, acting on behalf of a Partnership, to lend securities of the Partnerships to Salomon. Applicants represent that all securities lending activities engaged in

by the Partnerships will comply with the guidelines of the Commission staff then applicable to such activities.

(3) That Section 17(d) and Rule 17d-1 thereunder not apply to prohibit the Managers, acting on behalf of the Partnerships, to participate in transactions in which Salomon, in the ordinary course of its business, may also be participating and which might constitute inadvertent violations of Section 17(d) and Rule 17d-1 thereunder. Applicants believe that the exemptive relief requested is necessary due to Salomon's extensive involvement, in the ordinary course of its business, in the securities business. Applicants represent that each Manager will independently manage the portion of a Partnership's assets allocated to it and neither the General Partner nor Salomon will direct the Managers' specific investments of Partnership assets. Applicants further represent that under no circumstances will Salomon consult with any Manager with a view to effecting a joint transaction within the meaning of Section 17(d) with the Partnership, and that Applicants are not requesting exemptive relief for any such joint transaction undertaken pursuant to an arrangement, agreement or understanding between Salomon and any Manager.

As a condition to the granting of the order requested pursuant to Sections 6(b) and 6(e) of the Act, Applicants agree to file with the Commission, within 120 days after the end of each partnership year, a copy of the annual report of each Partnership required by the terms of the partnership agreements to be sent to Limited Partners. Applicants also agree that, if and when the Commission adopts a revised Form N-1R, each of the Partnerships will file with the Commission reports on such revised Form in accordance with the instructions to such Form, and will send copies of such reports to its Limited Partners; provided, however, that no Partnership will be required to disclose in any such report the amount of the fees paid or payable to individual Managers, or the method of calculating such fees. In connection with their undertaking to file such reports, Applicants request that such filings be afforded confidential treatment under Section 45(a) of the Act.

Applicants also request that the Commission enter an order pursuant to Section 6(c) of the Act exempting the Partnerships from Sections 6(b) and 2(a)(13) of the Act to the extent necessary to permit the Partnerships to admit as Limited Partners, in addition to employees of the Employers who meet

the eligibility requirements described above and members of their immediate families, trusts for the benefit of children of such eligible employees ("Eligible Trust"). Applicants assert that since the eligible employee from whom an Eligible Trust derives its eligibility to invest in the Partnership will be required to act as the Eligible Trust's "purchaser representative", investment decisions for Eligible Trusts will be made by sophisticated persons with substantial personal knowledge and experience with respect to financial matters. It is further asserted that permitting Eligible Trusts to become Limited Partners of the Partnerships is necessary to permit eligible employees to make investment decisions, on their own behalf and on behalf of their children, which are consistent with their estate and tax planning objectives.

Notice is further given that any interested person wishing to request a hearing on the application may, not later than December 27, 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 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.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 83-32850 Filed 12-8-83; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 20438; SR-CBOE-83-38]

**Self-Regulatory Organizations;
Chicago Board Options Exchange,
Inc.; Order Approving Proposed Rule
Change**

December 2, 1983.

The Chicago Board Options Exchange, Incorporated ("CBOE") LaSalle at Jackson, Chicago, IL, 60604, submitted on October 13, 1983, copies of a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, to expand its

rule permitting consecutive month expiration intervals for broad-based index options to include single industry index options. The American Stock Exchange's ("Amex") extension of its monthly expiration rule to narrow-based or single-industry index options was approved by the Commission in Securities Exchange Act Release No. 20414, November 25, 1983, contingent upon a two-week notice period to members prior to the introduction of the monthly expirations.

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. 20299, October 18, 1983) and by publication in the *Federal Register* (48 FR 49565, October 26, 1983). No comments were received with respect to the proposed rule filing.¹

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. However, the Commission conditions the effectiveness of this order upon a two-week notice to members preceding CBOE's introduction of monthly expirations in industry index options.²

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and as conditioned, hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

Shirley E. Hollis,
Assistant Secretary.

[FR Doc. 83-32852 Filed 12-8-83; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 20437; SR-Phlx-83-17]

**Self-Regulatory Organizations;
Philadelphia Stock Exchange, Inc.;**
**Order Approving Proposed Rule
Change**

December 2, 1983.

The Philadelphia Stock Exchange, Inc. ("Phlx") 1900 Market Street, Philadelphia, PA 19103, submitted on October 20, 1983, copies of a proposed

¹ The similar filing by the Amex, however, includes relevant data concerning that exchange's experience with the trading concentration in those of its narrow-based index options having the nearest expiration month. See File No.

² A similar condition was imposed in the Commission order approving the Amex proposed rule change.

rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") and Rule 19b-4 thereunder, to revise Phlx's rules to accommodate the trading of options on stock indices and to introduce trading in options on two specific stock indices, the Gold/Silver and Gaming/Hotel indices.¹

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. 20325, October 25, 1983) and by publication in the *Federal Register* 48 FR 50189, October 31, 1983). No comments were received with respect to the proposed rule filing.

Both the proposed indices are market-weighted,² narrow-based (or "industry") indices.³ The Gold/Silver index consists of seven New York Stock Exchange, Inc. ("NYSE") listed stocks, whose total capitalization was \$4.6 billion as of October 14, 1983. While no single stock dominates the index, the three largest companies (in terms of capitalization) in the index comprise approximately 70 percent of the total index value.⁴

The Gaming/Hotel index consists of nine stocks, seven of which are listed on the NYSE and two of which are listed on the American Stock Exchange, Inc. ("Amex"). The total capitalization of the index as of October 14, 1983, was \$6.2 billion. One stock, Holiday Inns, Inc., comprises 31.8 percent of the total index value, and the top three stocks in the index comprise 64.5 percent of the total index value.⁵

This index multiplier for both index options would be \$100.00⁶ and exercise

¹ On November 23, 1983, Phlx submitted Amendment No. 1 to this filing. Because Amendment No. 1 was technical in nature, notice of its filing has not been published.

² A market-weighted index is calculated by (1) multiplying the price of one share of stock by the number of shares outstanding for each issuer in the index; (2) adding these values; and (3) multiplying that sum by a pre-established divisor that reflects the value of the index at a fixed historical point in time.

³ The indices are so designated by the Phlx in its filing.

⁴ These three companies and their percentage share of the total index value are: Campbell Red Lake Mines (25.89 percent), Homestake Mining Co. (23.05 percent), and Dome Mines, Ltd. (22.20 percent).

⁵ After Holiday Inns, Inc., the next two most highly capitalized stocks in the index are Hilton Hotel Corp., which comprises 22.76 percent of the total index value; and Bally Manufacturing Co., which comprises 10.01 percent of the total index value.

⁶ The index multiplier is the amount by which the closing index value is to be multiplied to arrive at the value required to be delivered to the holder of a call or put upon valid exercise of the contract.

price intervals for both options will be set at 5 points. Options on the Gaming/Hotel index will expire on a January/April/July/October cycle, and options on the Gold/Silver Index will expire on a February/May/August/November cycle.

The rules Phlx proposes to apply to its index options are identical or substantially equivalent to the rules the Commission has previously approved for index options trading by other exchanges.⁷ Thus, because these two indices are narrow-based, Phlx has applied margin, position and exercise limits and trading halts procedures consistent with those which the Commission has required for other narrow-based index options.⁸

The two index options the Phlx proposes to trade are not materially different in composition than the narrow-based indices the Commission has approved to date.⁹ As discussed above, the rules Phlx proposes to apply to trading in index options on its exchange are substantially equivalent and in most cases identical to those the Commission has previously approved for index options trading on the Amex and CBOE.¹⁰ The Phlx has already submitted to the Commission an adequate agreement regarding the surveillance of trading in these two index options. In addition, as it did with Amex and CBOE, the Commission is requiring the Phlx to delay trading at least two weeks between announcement of its intention to start trading in these two index options and the actual start-

⁷ See Securities Exchange Act Release No. 19264, November 22, 1982 (approving index options rules proposed by Amex, the Chicago Board Options Exchange, Incorporated ("CBOE"), and the NYSE); Securities Exchange Act Release No. 20075, August 12, 1983 (approving narrow-based index options rules proposed by Amex); and Securities Exchange Act Release No. 20125, August 26, 1983 (approving narrow-based index options rules proposed by CBOE).

⁸ Under Phlx's proposal, as under the existing rules of the other exchanges trading narrow-based index options, the margin rules are generally equivalent to those governing trading in individual stock options. In addition, because of the substantial concentration of both of these indices in a small number of stocks, Phlx has set position and exercise limits at 4,000 contracts for both indices. See the discussion of these rules in Securities Exchange Act Release No. 20075, August 12, 1983 (approving Amex's two narrow-based index options).

⁹ See releases cited in n. 7 and 8, *supra*.

¹⁰ As CBOE has done, Phlx will commence trading in its two index options without having a rule governing replacements of stocks in the index. Like CBOE, Phlx has agreed to submit to the Commission pursuant to Rule 19b-4 under the Act any changes to the stocks comprising the index and has agreed to attempt to formulate a rule that will govern this process. Letter dated November 22, 1983, from Barbara Rothenberg, Phlx, to Alden Adkins, SEC.

up of trading in order to permit industry participants sufficient time to prepare operationally for these new products.

The Commission finds that, subject to this two week delay in actual trading, 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 6.¹¹

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change is approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 83-32648 Filed 12-6-83; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements for OMB Review

AGENCY: Small Business Administration

ACTION: Notice of reporting requirements submitted for OMB review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the *Federal Register* notifying the public that the agency has made such a submission.

DATE: Comments must be received on or before January 13, 1984. If you anticipate commenting on a submission but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB reviewer and the agency clearance officer of your intent as early as possible.

Copies of the proposed form, the requests for clearance (S.F. 83), supporting statement, instructions, transmittal letters, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Comments on the items listed should be submitted to the Agency Clearance officer and the OMB Reviewer.

¹¹ The Commission notes that under the phase-in program for narrow-based index options recently adopted by the Commission (Securities Exchange Act Release No. 20396, November 18, 1983), the Phlx will not be able to introduce trading in any more narrow-based index options until February 1, 1983.

FOR FURTHER INFORMATION CONTACT:
Agency Clearance Office: Elizabeth M. Zaic, Small Business Administration, 1441 L St., NW., Room 200, Washington, D.C. 20416, telephone: (202) 653-8538.

OMB Reviewer: J. Timothy Sprehe, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3235, New Executive Office Building, Washington, D.C. 20503, telephone: (202) 395-4814.

Forms Submitted for Review

Title: Certified Development Company Annual Report Guide

Form Nos.: 1253, 1253A, 1253B

Frequency: Annually

Description of Respondents: Certified Development Companies

Annual Responses: 648

Annual Burden Hours: 648

Type of Request: Extension

Dated: December 1, 1983.

Elizabeth M. Zaic,

Chief, Paperwork Management Branch, Small Business Administration.

[FR Doc. 83-32847 Filed 12-6-83; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

National Airspace Review; Meeting

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of meeting.

SUMMARY: Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of Task Group 2-2 of the Federal Aviation Administration (FAA) National Airspace Review Advisory Committee. The agenda for this meeting is as follows: The impacts of increasing parachute, glider, and ultralight operations on the ATC system will be studied. A review of information dissemination and advisory/flight following services related to those operations will be performed.

DATE: Beginning Wednesday, January 4, 1984, at 9 a.m., continuing daily, except Saturday, Sundays, and holidays, not to exceed two weeks.

ADDRESS: The meeting will be held at the Federal Aviation Administration, conference room 7 A/B, 800 Independence Avenue, S.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:
National Airspace Review Program Management Staff, Room 1005, Federal

Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591, (202) 426-3560. Attendance is open to the interested public, but limited to the space available. To insure consideration, persons desiring to make statements at the meeting should submit them in writing to the Executive Director, National Airspace Review Advisory Committee, Air Traffic Service, AAT-1, 800 Independence Avenue, S.W., Washington, D.C. 20591, by December 28, 1983. Time permitting and subject to the approval of the chairman, these individuals may make oral presentations of their previously submitted statements.

Issued in Washington, D.C. on November 30, 1983.

Karl D. Trautmann,

Manager, Special Projects Staff, Air Traffic Service.

[FR Doc. 83-32752 Filed 12-6-83; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

Public Information Collection Requirements Submitted To OMB for Review

On December 2, 1983 the Department of Treasury submitted the following public information collection requirement(s) to OMB (listed by submitting bureaus), for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of these submissions may be obtained from the Treasury Department Clearance Officer, by calling (202) 535-6020. Comments regarding these information collections should be addressed to the OMB reviewer listed at the end of each bureau's listing and to the Treasury Department Clearance Officer, Room 7227, 1201 Constitution Avenue, NW., Washington, D.C. 20220.

Internal Revenue Service

OMB Number: None

Form Number: None

Type of Review: New

Title: Focus Groups for Burden Baseline Study

OMB Reviewer: Norman Frumkin (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

Dated: December 2, 1983.

James V. Nasche, Jr.,
Acting Chief, Information Resources
Management Division.

[FR Doc. 83-32674 Filed 12-9-83; 8:45 am]

BILLING CODE 4010-25-M

UNITED STATES INFORMATION AGENCY

[Delegation Order No. 83-10]

Inspector General; Delegation of Authority

Pursuant to the Authority vested in me as Director of the United States Information Agency by the Accounting and Auditing Act of 1950 (Pub. L. 81-784 as amended), by Executive Order No. 12301 of March 26, 1981, by the Civil Service Reform Act of 1978, by the Federal Managers Financial Integrity Act (Pub. L. 97-255), by the United States Information Agency Authorization Act (Pub. L. 97-241) of August 24, 1982, by Executive Order No. 12388 of October 14, (Pub. L. 97-241) of August 24, 1982, by Executive Order No. 12388 of October 14, 1982; and by Executive Order No. 10450 of April 27, 1953 there is hereby delegated to the Inspector General the following described authority:

1. The authority to evaluate whether the financial statements and records of the Agency present fairly the financial position and the results of financial operations in accordance with generally accepted accounting principles and whether the Agency has complied with laws and regulations that may have a material effect upon the financial statements and records.

2. The authority to evaluate whether the Agency is managing and utilizing its resources economically and efficiently; to assist in identifying the causes of any inefficiencies or uneconomical practices; and to evaluate whether the Agency has complied with laws and regulations concerning matters of economy and efficiency.

3. The authority to evaluate whether the Agency is carrying out programs in conformity with laws and regulations, whether the Agency has adequate criteria, system and methods to measure program results, and whether the Agency has considered alternatives that may yield desired results at a lower cost.

4. The authority to submit written reports of findings and recommendations to the appropriate Agency officials in charge of the organization reviewed, and to the appropriate officials of organizations requiring or arranging for the review

unless legal restriction or ethical considerations prevent it.

5. The authority to report to the Director any Agency official who has not taken action on the findings and recommendations within 60 days of the written report date or date of receipt, whichever is later.

6. The authority to represent the Agency on the Coordinating Conference of the President's Council on Integrity and Efficiency and to evaluate the Agency's followup system on General Accounting Office recommendations that are accepted by the Agency.

7. The authority to receive from an employee or applicant complaints (commonly known as 'whistleblower') regarding information that he or she believes evidences a violation of any law, rule or regulation, mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health or safety and to track all complaints from beginning to end, to receive and pursue additional information from whistleblowers, to coordinate investigation of the complaints and to report regularly the results to the Director.

8. The authority to provide technical assistance in the Agency's effort to evaluate and improve internal controls and to advise the Director whether the Agency's internal control evaluation process has been conducted in accordance with Guidelines for the Evaluation and Improvement of and Reporting for Internal Control Systems in the Federal Government issued by OMB in December 1982.

9. The authority to prepare for and to participate in conferences or negotiations with foreign governments or international organizations with respect to the functions delegated hereunder, in association with other elements of the Agency as may be appropriate. The assistance and participation of the office of the General Counsel shall be considered necessary in all negotiations of consequence.

10. The authority to exercise any authority or to discharge any responsibility arising out of any existing interagency agreement between the United States Information Agency and the Department of State, or between either of the foregoing and any other agency or department, or component thereof, which agreement was concluded under functions delegated or transferred to the Director or to the Agency and is related to the authorities granted herein.

11. The authority to enter into interagency agreements to further the discharge of responsibilities set forth herein.

12. The authority to issue requisitions for personal property and services to be acquired by the Agency Procurement Executive. This Order does not include the authority to make contracts or grants.

13. The authority to redelegate any authority granted herein together with the power of further redelegation.

14. Except as otherwise expressly provided, all delegations of authority in force on September 30, 1983, and related to the exercise of functions and responsibilities herein granted to the Inspector General shall remain in force.

15. Notwithstanding any other provision of this Order, the Director may at any time exercise any function or authority delegated herein.

16. All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the Date of this Order, are hereby confirmed and ratified, and shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended or suspended.

This Order is effective as of September 6, 1983.

Dated: December 1, 1983.

Charles Z. Wick,

Director.

[FR Doc. 83-32788 Filed 12-6-83; 8:45 am]

BILLING CODE 6230-01-M

Reporting and Information Collection Requirement Under OMB Review

AGENCY: United States Information Agency.

ACTION: Notice of reporting requirement submitted for OMB review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed or established reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the Federal Register notifying the public that the agency has made such a submission. USIA is requesting approval of a form used in the processing of applications for grants under our educational and cultural programs created pursuant to the Mutual Educational and Cultural Exchange Act of 1961, Pub. L. 87-256.

DATE: Comments must be received by January 10, 1984.

Copies

Copies of the request for clearance (SF-83), supporting statement, instructions, transmittal letter and other documents submitted to OMB for review may be obtained from the USIA

Clearance Officer. Comments on the item listed should be submitted to the Office of Information and Regulatory Affairs of OMB, attention Desk Officer for USIA.

FOR FURTHER INFORMATION CONTACT: Agency Clearance Officer, Charles N. Canestro, United States Information Agency, M/M. 301 Fourth Street SW., Washington, D.C. 20547, telephone (202) 485-8676. And OMB Review: David S. Reed, Office of Information and Regulatory Affairs, Office of

Management and Budget, New Executive Office Building, Washington, D.C. 20503, telephone (202) 395-7231.

SUPPLEMENTARY INFORMATION: Title "Bureau of Educational and Cultural Affairs Grant Application Cover Sheet", and unnumbered form. Abstract: This form is used to gather, on one easily accessible page, various types of information necessary for adequate grant panel review. The cover sheet is also designed to assist program officers in grant monitoring once a grant award

has been made. Grants are awarded by USIA in furtherance of educational and cultural programs conducted under the authority of the Mutual Educational and Cultural Exchange Act of 1961.

Dated: December 6, 1983.

Charles N. Canestro,
Management Analyst, Federal Register Liaison.

[FR Doc. 83-32789 Filed 12-8-83; 8:45 am]

BILLING CODE 8230-01-M

Sunshine Act Meetings

Federal Register

Vol. 48, No. 238

Friday, December 9, 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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1

FEDERAL DEPOSIT INSURANCE CORPORATION CHANGES IN SUBJECT MATTER OF AGENCY MEETING

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, December 5, 1983, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Mr. Doyle L. Arnold, acting in the place and stead of Director C. T. Conover (Comptroller of the Currency), that Corporation business required the withdrawal from the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Application of Equibank, Pittsburgh, Pennsylvania, for consent to establish a branch at 1740 Washington Road, Upper St. Clair Township, Pennsylvania.

The Board further determined, by the same majority vote, that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Memorandums and Resolution re: Proposed Change in Section 7.4 of the Net Worth Assistance Agreement under Section 13(i) of the Federal Deposit Insurance Act.

The Board further determined, by the same majority vote, that no earlier notice of these changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matter added to the agenda in a meeting open to public

observation; and that the matter added to the agenda could be considered in a closed meeting by authority of subsections (c)(4) and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(4) and (c)(9)(B)).

Dated: December 5, 1983.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[83-S-1713 Filed 12-6-83; 4:38 pm]

BILLING CODE 6714-01-M

2

FEDERAL DEPOSIT INSURANCE CORPORATION CHANGE IN SUBJECT MATTER OF AGENCY MEETING

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, December 5, 1983, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Mr. Doyle L. Arnold, acting in the place and stead of Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,850-L, Banco Credito y Ahorro Ponceno, Ponce, Puerto Rico

By the same majority vote, the Board further determined that no earlier notice of this change in the subject matter of the meeting was practicable.

Dated: December 5, 1983.
Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[8-1714-83 Filed 12-6-83; 4:38 pm]

BILLING CODE 6714-01-M

3

FEDERAL RESERVE SYSTEM

TIME AND DATE: Approximately 12:30 p.m., Wednesday, December 14,

following a recess at the conclusion of the open meeting.

PLACE: 20th Street and Constitution Avenue, NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: December 6, 1983.

William W. Wiles,

Secretary of the Board.

[8-1710-83 Filed 12-6-83; 4:05 pm]

BILLING CODE 6210-01-M

4

FEDERAL RESERVE SYSTEM

TIME AND DATE: 10:00 a.m., Wednesday, December 14, 1983.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Proposed revision of Regulation Y (Bank Holding Companies and Change in Bank Control). (Proposed earlier for public comment; Docket No. R-0470).

2. Proposed Federal Reserve Board budget for 1984.

3. Any items carried forward from a previously announced meeting.

Note.—This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board's Freedom of Information Office, and copies may be ordered for \$5 per cassette by calling (202) 452-3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

CONTACT PERSON FOR MORE

INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204.

Dated: December 6, 1983.

William W. Wiles,

Secretary of the Board.

[8-1711-83 Filed 12-6-83; 4:13 pm]

BILLING CODE 6210-01-M

5

INTERNATIONAL TRADE COMMISSION**[USITC SE-83-54]****TIME AND DATE:** 10:00 a.m., Thursday, December 22, 1983.**PLACE:** Room 117, 701 E Street, NW., Washington, D.C. 20436.**STATUS:** Open to the public.**MATTERS TO BE CONSIDERED:**

1. Investigation 731-TA-126 [Final] (Potassium Permanganate from Spain)—briefing and vote.
2. Investigation 701-TA-206 [Preliminary] (Iron Bars from Brazil)—briefing and vote.
3. Investigations 731-TA-155 and -156 [Preliminary] (Choline Chloride from Canada and the United Kingdom)—briefing and vote.

CONTACT PERSON FOR MORE**INFORMATION:** Kenneth R. Mason, Secretary, (202) 523-0161.

[S-1716-83 Filed 12-7-83; 2:56 pm]

BILLING CODE 7020-02-M

6

INTERNATIONAL TRADE COMMISSION**[USITC SE-83-53]****TIME AND DATE:** 11:00 a.m., Tuesday, December 20, 1983.**PLACE:** Room 117, 701 E Street, NW., Washington, D.C. 20436.**STATUS:** Open to the public.**MATTERS TO BE CONSIDERED:**

1. Agenda.
2. Minutes.
3. Ratifications.
4. Petitions and complaints.
 - a. Vinyl-covered foam blocks (Docket No. 1001).
5. Investigations 701-TA-204 through 207 [Preliminary] (Certain Carbon Steel Products from Brazil)—briefing and vote.
6. Any items left over from previous agenda.

CONTACT PERSON FOR MORE**INFORMATION:** Kenneth R. Mason, Secretary, (202) 523-0161.

[S-1717-83 Filed 12-7-83; 2:56 pm]

BILLING CODE 7020-02-M

7

MERIT SYSTEMS PROTECTION BOARD**TIME AND DATE:** 10:30 a.m., Monday, December 19, 1983.**PLACE:** Eighth Floor, 1120 Vermont Avenue, NW., Washington, D.C. 20419.**STATUS:** Closed.**MATTERS TO BE CONSIDERED:**

1. *Herman Marshall v. Government Printing Office*, MSPB Docket No. DC07528110861.
2. *Victory E. Kinanard v. U.S. Postal Service*, MSPB Docket No. SF07528210204.
3. *William Korb v. Army*, MSPB Docket No. SF07528310704.
4. *Richard Strand v. Army*, MSPB Docket No. SE07528210092.
5. *Daphney Pinnix v. OPM*, MSPB Docket No. AT08318210439.
6. *Lloyd Oglesby v. OPM*, MSPB Docket No. DE831L8310132.
7. *Smith v. DOT*, MSPB Docket No. AT03538210848.
8. *Ann F. Huizar v. OPM*, MSPB Docket No. DA08318310057.
9. *Aldean Porter v. Agriculture*, MSPB Docket No. AT07528211337.
10. *Patrick J. Paglia v. USPS*, MSPB Docket No. NY07528310346.
11. *Kenneth Crampton v. Treasury*, MSPB Docket No. AT03518090013.
12. *William J. McCarthy v. USPS*, MSPB Docket No. NY07528210638.
13. *Department of State v. OPM*, MSPB Docket No. DC08318310309.
14. *William Santiago v. Department of the Navy*, MSPB Docket No. SF07528210990.
15. *Dale R. Renner v. OPM*, MSPB Docket No. DE831L8310218.

CONTACT PERSON FOR ADDITIONAL**INFORMATION:** Robert E. Taylor, Secretary, (202) 653-7200.

Dated: December 7, 1983 at Washington, D.C.

For the Board.

Robert E. Taylor,
Secretary.

[S-1715-83 Filed 12-7-83; 2:23 pm]

BILLING CODE 7400-01-M

8

NATIONAL TRANSPORTATION SAFETY BOARD**[NM-83-28]****"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT:** 48 FR 54743, December 6, 1983.**PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING:** 9 a.m., Tuesday, December 13, 1983.**CHANGE IN MEETING:** A majority of the Board determined by recorded vote that the business of the Board required revising the agenda of this meeting and that no earlier announcement was possible. The following open-meeting item was added to the agenda:*Letter to the Federal Aviation Administration regarding Notice of Proposed*

Rulemaking, "Miscellaneous Amendments," Dkt. No. 23781, Notice No. 83-13.

CONTACT PERSON FOR MORE**INFORMATION:** Sharon Flemming, (202) 382-6525.

December 7, 1983.

[S-1718-83 Filed 12-7-83; 3:52 pm]

BILLING CODE 4910-58-M

9

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of December 12, 1983, at 450 Fifth Street, NW., Washington, D.C.

A closed meeting will be held on Tuesday, December 13, 1983, at 9:30 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).

Commissioner Treadway, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, December 13, 1983, at 9:30 a.m., will be:

- Formal order of investigation.
- Settlement of administrative proceeding of an enforcement nature.
- Institution of administrative proceedings of an enforcement nature.
- Institution of injunctive actions.

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: Michael Lefever at (202) 272-2468.

December 6, 1983.

[S-1712-83 Filed 12-6-83; 4:21 pm]

BILLING CODE 8010-01-M

federal register

Friday
December 9, 1983

Part II

Department of Labor

**Employment Standards Administration,
Wage and Hour Division**

**Minimum Wages for Federal and
Federally Assisted Construction; General
Wage Determination Decisions**

DEPARTMENT OF LABOR

Employment Standards
Administration, Wage and Hour
DivisionMinimum Wages for Federal and
Federally Assisted Construction;
General Wage Determination
Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the *Federal Register* without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas
Decisions to General Wage
Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the *Federal Register* without limitation as to time and are to

be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

Modifications to General Wage
Determination Decisions

The numbers of the decisions being modified and their dates of publication in the *Federal Register* are listed with each State.

California: CA83-5116	Aug. 5, 1983.
Colorado:	
CO83-5113	July 15, 1983.
CO83-5109	Apr. 8, 1983.
Iowa: IA83-4056	July 29, 1983.
Maryland:	
MD80-3047	Aug. 29, 1980.
MD81-3031	May 15, 1981.
Michigan: MI83-2007	Feb. 11, 1983.
Missouri: MO83-4043	June 3, 1983.
New Mexico: NM83-4071	Oct. 7, 1983.
New York:	
NY83-3003	Mar. 25, 1983.
NY81-3030	May 1, 1981.
South Carolina: SC83-1089	Nov. 25, 1983.
Tennessee:	
TN83-1087	Do.
TN83-1088	Do.
West Virginia:	
WV83-3022	Nov. 18, 1983.
WV83-3023	Nov. 25, 1983.

Supersedeas Decisions to General Wage
Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the *Federal Register* are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

California: CA83-5112 (CA83-5128)	July 1, 1983.
Montana: MT81-5138 (MT83-5126)	Aug. 7, 1981.
Nebraska: NE83-4023 (NE83-4085)	Mar. 18, 1983.

Signed at Washington, D.C. this 2nd day of December 1983.

James L. Valin,
Assistant Administrator.

BILLING CODE 4510-27-M

MODIFICATIONS PAGE 1

This is to advise all interested parties that the Department of Labor is withdrawing from the date of this notice, Faribault County, Minnesota, for residential construction only, from General Wage Determination No. M883-2060 dated August 5, 1983 in 48 FR 35846.

Agencies with construction projects pending to which residential construction for Faribault County would have been applicable should utilize the project determination procedure by submitting a SF-308. See Regulations Part 1 (29 CFR), Section 1.5. Contracts for which bids have been opened shall not be affected by this notice. Also consistent with 29 CFR 1.6(c)(2)(i)(A), the incorporation of the withdrawn decision in contract specifications, the opening of bids is within ten (10) days of this notice, need not be affected.

DECISION NO. C083-5116 - WOD. #1	Basic Hourly Rate	Fringe Benefits
148 FR 35821 - August 5, 1983 Statewide, California	\$8.39	\$2.65
Drillers	6.85	2.12
Driller's Helpers	5.85	1.85
Pump Installer	5.39	1.65
ADD: Santa Clara County: Drillers		
Driller's Helpers		
Pump Installer		
DECISION NO. C083-5113 - WOD. #2	Basic Hourly Rate	Fringe Benefits
148 FR 32451 - July 15, 1983 Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagle, Elbert, Gilpin, Grand, Jefferson, Lake, Lincoln, Morgan, Park, Summit, and Weld Counties, Colorado	\$10.75	\$3.04
Chabosi Asbestos Workers		

DECISION NO. C083-5109 - WOD. #1	Basic Hourly Rate	Fringe Benefits
148 FR 15404-April 8, 1983 Statewide, Colorado	ZONE 1	
CHANGE: COLDFRSE CO. ONLY		
POWER EQUIPMENT OPERATORS (other than for work in Tunnels, Shafts and Raises):		
Group 1	15.15	15.90
Group 2	15.50	16.25
Group 3	15.85	16.60
Group 4	16.00	16.75
Group 5	16.15	16.90
Group 6	16.30	17.05
(for work in Tunnels, Shafts and Raises):		
Group 1	15.70	16.05
Group 2	15.65	16.40
Group 3	15.75	16.20
Group 4	16.00	16.75
Group 5	16.15	16.19
Group 6	16.55	17.30
Group 7	16.70	17.05
FRINGE BENEFITS:		\$1.45

DECISION NO. IAS3-4056 - WOD. #7	Basic Hourly Rate	Fringe Benefits
148 FR 34511 - 7/19/83 Black Hawk, Cerro Gordo, Clinton, Des Moines, Du- rage, Johnson, Linn & Polk Cos., Iowa	Basic Hourly Rate	Fringe Benefits
CHANGE:		
Zone 1		
Zone 2		
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Zone 5		
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Zone 7		
Zone 8		
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MODIFICATIONS PAGE 2

DECISION NO., MODIFICATION NO., DATE	Basic Hourly Rate	Final Benefits
DECISION NO. MO80-3047- MOD. #1 (48 FR 57922-August 29, 1983) Allegany & Garrett Crys. MO		
CHANGE: SPARE EQUIPMENT OPERATORS: LAY CONSTRUCTION:		
GROUP 1	\$15.70	3.05
GROUP 2	15.15	3.05
GROUP 3	14.56	3.05
GROUP 4	14.08	3.05
GROUP 5	13.64	3.05
GROUP 6	13.09	3.05
MINING CONSTRUCTION:		
GROUP 1	15.49	3.05
GROUP 2	14.89	3.05
GROUP 3	14.25	3.05
GROUP 4	13.83	3.05
GROUP 5	13.34	3.05
GROUP 6	12.85	3.05
DECISION NO. MO81-3031- MOD. #3 (45 FR 27051-May 15, 1981) ALLEGANY & GARRETT CRYS. MO		
CHANGE: SPARE EQUIPMENT OPERATORS:		
GROUP 1	15.31	3.05
GROUP 2	14.72	3.05
GROUP 3	14.25	3.05
GROUP 4	14.25	3.05
GROUP 5	13.74	3.05
GROUP 6	13.26	3.05
GROUP 7	15.88	3.05
Hourly additional pay for loop boom cranes (includ- ing jib) pile driver machines with leads: 130' to 165' Plus \$.40 170' to 205' Plus .60 210' to 245' Plus .80 250' to 299' Plus 1.00 300' & over plus 1.25		
DECISION NO. NY81-1010 - MOD. #11 (45 FR 34850 - May 1, 1981) CATARAUGUS, CHAUTAUGUS & ERIE COUNTIES, NEW YORK		
CHANGE: ELECTRICIANS Erie County & Cattaraugus County (Remainder of County) Electricians Cable Splicers	17.89	5.15+3N
	18.39	5.15+3N
DECISION NO. NY83-3003 - MOD. #3 (48 FR 16647 - March 25, 1983) ONONDAGA COUNTY, NEW YORK		
CHANGE: STEAMFITTERS	16.145	3.82
DECISION NO. NY83-4043-MOD#1 (48 FR 35102-June 3, 1983) Cass, Clay, Jackson, Platte, Stearns, Johnson, Lafayette, and Ray Counties, Missouri and Wyandotte Counties, Kansas		
CHANGE: Roofers:		
Roofers	15.68	2.71
DECISION NO. NY83-4071 - MOD. #3 (48 FR 45910 - 10/7/83) Statewide New Mexico		
CHANGE: Electricians: Zone I: Area 1-A Area 1-B Area 1-C Area 1-D Zone II Y-3-1/28+2.00 Zone III: 3-A 3-B Cable splicers: Zone I: Area 1-A Area 1-B Area 1-C Area 1-D Zone II K-3-1/28+2.00 Zone III: 3-A 3-B Commercial Line Work: Area A Linemen-technicians: Zone I Zone II Zone III Zone IV Cable splicers: Zone I Zone II Zone III Zone IV Equipment opr. (includes helicopter op.): Zone I Zone II Zone III Zone IV Equipment mechanic (in- cludes helicopter tech.) & powderman: Zone I Zone II Zone III Zone IV Groundman-Jackhammer: Zone I Zone II Zone III Zone IV P - J-1/28+2.00	\$17.00 18.53 18.55 18.82 19.55 14.20 15.65 18.79 20.23 21.25 21.25 23.12 21.25 14.45 15.90 17.00 18.53 19.55 21.82 18.70 20.23 21.25 23.12 16.15 17.68 18.70 20.57 14.19 15.72 17.34 19.21 12.07 13.60 14.62 16.45	Final Benefits

MODIFICATIONS PAGE 3

DECISION NO., MODIFICATION NO., DATE	Basic Hourly Rate	Final Benefits
DECISION NO. NY83-4071 MOD. #3 (Cont'd)		
Commercial Line Work (Cont'd): Area B Linemen-technicians: Zone I Zone II Cable splicers: Zone I Zone II Equipment opr/include helicopter op.): Zone I Zone II Equipment mechanic (including helicop- ter mechanic): Zone I Zone II Powderman: Zone I Zone II Groundman & Jackhammer: Zone I Zone II Area C Linemen-technicians: Zone I Zone II Zone III Zone IV Cable splicers: Zone I Zone II Zone III Zone IV Equipment opr. & mechanic (includes helicopter op. & mechanic): Zone I Zone II Zone III Zone IV Powderman: Zone I Zone II Zone III Zone IV Groundman-Jackhammer: Zone I Zone II Zone III Zone IV P - J-1/28+2.00	\$14.20 15.65 14.45 15.90 12.35 13.62 10.08 11.11 16.50 16.95 17.10 17.35 16.85 17.30 17.45 17.90 14.36 14.81 14.96 15.21 13.86 14.31 14.46 14.71 11.72 12.17 12.32 12.57	Final Benefits

SUPERSEDES DECISION

STATE: California

COUNTIES: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba

DECISION NUMBER: CA83-5128 DATE: Date of Publication
 Supercedes Decision No. CA83-5112 dated July 1, 1983, in 48 FR 39557
 DESCRIPTION OF WORK: Building Heavy (excluding 1887, 18, 48 FR 39557
 Highway Projects; and Residential Projects (Including Alpine, Butte, Colusa,
 Fresno, Glenn, Kings, Lake, Lassen, Madera, Mendocino, Modoc, Plumas, Shasta,
 Sierra, Siskiyou, Stanislaus, Tehama, Trinity, and Tulare Counties)

Basic Hourly Rate	fringe Benefits	Basic Hourly Rate	fringe Benefits
\$24.20	44.51	CARPENTERS: (Cont'd)	
21.39	3.96	Area 3 (Residential)	\$21.80 55.125
18.52	6.10	Area 4:	16.95 6.455
18.90	4.95	Carpenters	
17.35	3.30	Hardwood Floor Layers;	
17.53	3.46	Shinglers; Power Saw	
15.99	3.53	Operators; Steel	
20.10	3.87	Scaffold Erector and	
17.57	3.89	Steel Shoring; Saw	
17.19	4.11	Pilers	17.10 6.455
		Millwrights	17.85 7.455
		Piledrivermen	19.38 8.105
14.73	3.05	Insulator (Hopper or	
15.48	3.70	Blower Operator)	
15.24	3.46	(Residential)	
14.99	3.46	CONCRETE MASONS:	8.475 6.455
15.98	3.46	Cement Masons	
15.18	3.10	Swing of Slip Form	15.52 5.93
16.55	3.45	Scaffolds or	
17.05	3.45	Composition Masons	15.77 5.93
		COMMUNICATION TECHNICIAN	12.85 3.07
		DIVERS:	
19.28	6.455	Divers	13.89 6.225
		Stand-by Divers	18.05 5.225
		DRYWALL INSTALLERS/LATHERS:	
		Drywall Installers;	
		Lathers	20.12 6.225
19.43	6.455	Residential Drywall;	
19.28	7.455	Lathers:	
19.38	8.105	Area:	13.57 6.225
		ELECTRICIANS:	
16.65	6.455	Area 1:	22.56 6.258+
		Electricians	38
		Area 2:	
16.80	6.455	Electricians	15.80 4.75+
17.35	7.455	Residential Electrician	38
19.38	8.105		38

AGESTOS WORKERS
 BOILERMAKERS
 BRICKLAYERS; Stone masons:
 Area 1
 Area 2
 Area 3
 Area 4
 Area 5
 Area 6
 Area 7
 Area 8
 BRICK TENDERS:
 Area 1
 Area 2
 Area 3
 Area 4
 Area 5
 Area 6
 Area 7
 Area 8
 CARPENTERS:
 Area 1:
 Carpenters
 Barwood Floorlayers;
 Shinglers; Power Saw
 Operators; Steel Scal-
 fold Erector and Steel
 Shoring Saw Filers
 Millwrights
 Piledrivermen
 Area 2:
 Carpenters
 Barwood Floorlayers;
 Shinglers; Power Saw
 Operators; Steel Scal-
 fold Erector and Steel
 Millwrights
 Piledrivermen

MODIFICATIONS PAGE 4

DECISION NO. / Mod # / DATE	Basic Hourly Rate	fringe Benefits
DECISION #8183-1022-MOD#2 (48 FR 51547-November 15, 1983)	\$16.39	.05
Statewide West Virginia excluding the counties of Bertley, Jefferson and Morgan.	15.69	.05
CEMENCE: CEMENT MASONS & PLASTERERS AREA 7	14.46	3.34
Cement Masons	14.46	3.11
Plasterers	12.88	279.50 per/200
MILLWRIGHTS: AREA 3		
SHIELD METAL WORKERS: AREA 5		
TRUCK DRIVERS: AREA 4 Group 1		

DECISION NO. / Mod # / DATE	Basic Hourly Rate	fringe Benefits
DECISION NO. WV-83-1023 MOD #1 (48 FR - November 25, 1983)		
HEAVY & HIGHWAY CONSTRUCTION STATEWIDE, WEST VIRGINIA		
CEMENCE: LABOURERS: HEAVY CONSTRUCTION: Group 1	\$13.60	2.45
Group 2	13.05	2.45
Group 3	12.65	2.45
Group 4	12.20	2.45
Group 5	11.85	2.45
HIGHWAY CONSTRUCTION: Group 1	13.35	2.45
Group 2	12.80	2.45
Group 3	12.35	2.45
Group 4	11.90	2.45
Group 5	11.50	2.45

DECISION NO. / Mod # / DATE	Basic Hourly Rate	fringe Benefits
DECISION NO. TB83-1087 Mod # 1 (48 FR 53270 - November 25, 1983)	\$14.67	1.57
BRICKLAYERS & STONE MASONS: All Other Counties		

DECISION NO. / Mod # / DATE	Basic Hourly Rate	fringe Benefits
DECISION NO. TB83-1088 Mod # 1 (48 FR 53272 - November 25, 1983)	\$ 6.75	
MASSALE, TILE & TERRAZZO FINISHERS		

CEMENCE:
 BRICKLAYERS & STONE MASONS:
 All Other Counties

CEMENCE:
 LABOURERS:
 HEAVY CONSTRUCTION:
 Group 1
 Group 2
 Group 3
 Group 4
 Group 5
 HIGHWAY CONSTRUCTION:
 Group 1
 Group 2
 Group 3
 Group 4
 Group 5

DECISION NO.	Basic Hourly Rate	Fringe Benefits
CASJ-5128		
ELECTRICIANS: (Cont'd)		
Area 3: Electricians	\$22.78	\$4.14+
Cable Splicers	24.91	4.14+
Area 4: Electricians	15.71	4.06
Residential Electricians	12.87	3.51+
Area 5: Electricians	19.81	4.24+
Cable Splicers	22.29	4.24+
Residential Electricians	10.25	1.20+
Area 6: Electricians	24.16	5.20+
Cable Splicers	26.16	5.20+
Area 7: Electricians	17.08	1.54+
Cable Splicers	18.45	1.54+
Area 8: Electricians	18.25	4.06+
Cable Splicers	20.08	4.06+
Residential Electricians	10.00	1.01+
Area 9: Electricians	21.85	3.81+
Cable Splicers	24.04	3.81+
Area 10: Electricians	14.37	3.92
Residential Electricians	9.25	1.15+
Area 11: Electricians	18.89	6.68+
Cable Splicers	21.25	6.68+
Area 12: Electricians	23.34	5.05+
Cable Splicers	26.26	5.05+
Page 2		
ELECTRICIANS: (Cont'd)		
Area 13: Electricians	\$24.40	\$7.17
Cable Splicers	27.45	7.17
Area 14: Electricians	24.535	4.84+
Cable Splicers	27.69	4.84+
Area 15: Electricians	25.00	5.42+
ELEVATOR CONSTRUCTORS: Mechanics	28.35	3.00+
Helpers	19.845	3.00+
GLAZIERS: Probationary Selper	14.175	
Area 1	20.92	5.66
Area 2	15.75	5.44
Area 3 (Residential)	10.00	3.72
Area 4 (Residential)	9.82	1.70
Area 5	16.40	5.52
Area 6	13.58	2.84
Area 7	20.06	5.11
Fence Erectors	16.41	8.53
Reinforcing, Ornamental, and Structural	17.30	8.53
LINE CONSTRUCTION: Area 1: Groundman	18.12	4.95+
Line Equipment Operators	21.74	4.95+
Linemen	24.16	4.95+
Cable Splicers	26.16	4.95+
Area 2: (Zone 1): Group 1	19.93	2.75+
Group 2	18.01	2.75+
Group 3	16.25	2.75+
Group 4	15.51	2.05+
Page 3		
LINE CONSTRUCTION: (Cont'd)		
Area 8: Groundmen	\$13.56	\$2.05+
Linemen; Equipment Operators	13.55	2.05+
Cable Splicers	12.74	2.05+
Zone Differential (add to Zone 1 labels)		
Zone 2 - \$2.40		
Zone 3 - 3.15		
Zone 4 - 3.90		
Zone 5 - 5.15		
Area 9: Groundmen	17.88	3.71+
Linemen; Line Equipment Operators	18.70	3.71+
Area 10: Groundmen	14.86	4.24+
Line Equipment Operators	17.83	4.24+
Linemen	19.81	4.24+
Cable Splicers	22.29	4.24+
Area 11: Groundmen	11.60	2.75+
Linemen	15.47	2.75+
Cable Splicers	17.02	2.75+
Area 12: Groundmen	15.42	5.86+
Linemen, Technicians; Equipment Operators	21.89	7.23+
Cable Splicers	24.63	7.23+
Area 13: Groundman & Truck Driver	14.68	4.09+
Linemen	22.30	4.09+
Cable Splicers	22.30	4.09+
Page 3		
LINE CONSTRUCTION: (Cont'd)		
Area 8: Groundmen	\$13.02	\$3.06+
Linemen; Equipment Operators	16.28	3.06+
Cable Splicers	17.91	3.06+
Area 9: Groundmen and Truck Drivers	18.42	6.295+
Linemen	24.56	5.295+
Heavy Equipment Operators	22.10	6.295+
Area 10: Groundmen	12.00	3.10+
Equipment Operators	13.00	3.10+
Linemen	15.00	3.10+
Area 11: Groundmen	21.25	5.42+
Line Equipment Operators	22.50	5.42+
Linemen	25.00	5.42+
Area 12: Groundmen	13.66	1.54+
Heavy Equipment Operators	15.37	1.54+
Linemen	17.08	1.54+
Cable Splicers	18.45	1.54+
Area 13: Groundmen	20.85	4.84+
Linemen; Technicians	24.535	4.84+
Cable Splicers	27.60	4.84+

Job Title	Hourly Rate	Fringe Benefits	Job Title	Hourly Rate	Fringe Benefits	Job Title	Hourly Rate	Fringe Benefits
LINE CONSTRUCTION: (Cont'd)			PARKING LOT STRIPING WORK and/or HIGHWAY MARKERS: (Cont'd)			SOOFERS:		
Area 14: Grounds	\$18.70	\$5.75+	Area 2: Traffic Delineating Device Applicator; Wheel Stop Installer; Traffic Surface Sand-blaster	\$21.23	\$4.18	Area 1: Roofers	\$16.25	\$5.87
Linemen; Line Equipment Operators	22.00	5.75+	Area 3: Slurry Seal Operations; Mixer Operator	21.73	4.18	men (2 kettles w/o pumps)	16.50	5.87
Cable Splicers	24.75	5.75+	Area 4: Squeegee Man	21.53	4.18	Bitumastic; Enamellers; Pipewrappers; Coal Tar Built up	18.75	5.87
Area 15: Grounds	18.28	4.74+	Area 5: Applicator Operator	22.48	4.18	Area 2	16.85	5.87
Heavy Equipment Operator	20.57	4.74+	Area 6: Top Man	21.98	4.18	Area 3	14.80	3.35
Linemen	22.85	4.74+	PLASTERERS:	9.80	1.35	Area 4	15.10	3.35
Cable Splicers	25.14	4.74+	Area 1	16.30	1.35	Area 5	16.00	6.64
MARBLE SETTERS	20.52	6.10	Area 2	19.79	5.38	men (2 kettles w/o pumps)	16.25	6.64
Area 1	14.25	3.88	Area 3	20.29	5.38	Bitumastic; Enamellers; Pipewrappers; Coal Tar Pitch	18.00	6.64
Area 2	18.85	2.50	Area 4	20.54	5.38	Area 6	10.32	1.15
PAINTERS:			Area 5	20.18	5.38	Area 7	19.10	4.00
Area 1: Brush	13.39	4.60	Area 6	11.08	2.67	Area 8:	16.80	6.09
Spray	14.14	4.60	Area 7			Roofers		
Sheetrock; Taper; Swing Stage; Scaffold; Sand-blaster Structural Steel	13.79	4.60	Area 8			Mastic Workers; Kettle men (2 kettles w/o pumps)	17.25	6.09
Area 2:			Area 9			Bitumastic; Enamellers; Pipewrappers; Coal Tar	18.80	6.09
Brush; Roller; Taper	15.22	1.59	Area 10			Area 9:		
Spray; Sandblasters; Structural Steel; Paperhangers; and Essooka Operators	15.72	1.59	PLUMBERS:			Soofers (slate, tile and composition)	24.45	7.34
Area 3:			Area 1	13.95	1.65+	Enameler and Pitch	16.45	7.34
Brush	16.20	2.57	Area 2			Area 10:		
Hazardous Coating	17.20	2.57	Area 3			Settlemen (1 kettle)	15.83	5.52
Spray; Sandblasting; Taping	16.70	2.57	Area 4			Settlemen (2 kettles)	16.83	5.52
Area 4:			Area 5			Bitumastic; Enamellers; Coal Tar; Pitch and Mastic	17.83	5.92
Brush	20.58	4.18	Area 6			SHEET METAL WORKERS:		
Tapers	21.38	4.18	Area 7			Area 1	25.73	5.71
Area 5:			Area 8			Area 2	16.93	4.67
Brush	20.08	4.18	Area 9			Area 3	17.54	4.55+
Tapers	21.38	4.18	Area 10			Area 4	18.25	4.72
Area 5:			Area 1	13.95	1.65+	Area 5	20.77	6.26
Brush and Roller	17.45	1.95	Area 2			Area 6	17.09	3.76
Spray; Sandblaster; Paperhanger; and Taper	17.95	1.95	Area 3			Area 7	26.18	4.74
Brush - Swing Stage up to 40 ft.; Brush-steel	17.70	1.95	Area 4					
Spray - Swing Stage up to 40 ft.; Spray-steel	18.20	1.95	Area 5					

DECISION NO. CA83-5128

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DECISION NO. CA83-5128

Job Title	Basic Hourly Rate	Fringe Benefits	AREA 1	AREA 2	AREA 3	AREA 4
SHEET METAL WORKERS: (Cont'd)						
Area 8	\$18.38	4.22				
Area 9	25.06	5.92				
Area 10	27.16	4.73				
Area 11	21.76	6.52				
Area 12	24.51	8.84				
Area 13	25.73	5.14				
SOFT FLOOR LAYERS:						
Area 1	16.01	3.00				
Area 2	13.74	.90				
Area 3	19.42	3.93				
Area 4	11.96	2.27				
SPRINKLER FITTERS:						
Area 1	26.77	7.29				
Area 2	21.87	3.23				
STEAMFITTERS:						
Area 1	27.66	4.22				
TERAZZO WORKERS:						
Area 1	20.52	6.10				
Area 2	17.53	3.46				
Area 3	20.25	2.87				
TILE SETTERS:						
Area 1	20.76	4.17				
Area 2	18.02	3.14				
TERAZZO WORKERS and TILE SETTERS:						
Area 1	16.15	2.90				
Area 2	20.23	3.69				
TERAZZO FINISHERS:						
Area 1:						
Terrazzo Finishers	15.81	3.10				
Base Machine Operator	18.51	3.10				
LABORERS:						
Area 1:						
Group 1	14.56	5.11				
Group 2	14.78	5.11				
Group 3	14.61	5.11				
Group 4	14.61	5.11				
Area 2:						
Group 1	13.56	5.11				
Group 2	13.78	5.11				
Group 3	14.06	5.11				
Group 4	13.81	5.11				
Group 5	14.11	5.11				
LABORERS: (Cont'd)						
Area 2:						
Group 1	14.02	5.11				
Group 2	13.43	5.11				
Group 3	12.31	5.11				
Group 4	12.31	5.11				
TUNNEL and SHAFT LABORERS:						
Group 1	16.46	5.11				
Group 2	16.03	5.11				
Group 3	15.78	5.11				
Group 4	15.62	5.11				
WRECKING WORK:						
Group 1	13.56	5.11				
Group 2	13.41	5.11				
Group 3	13.31	5.11				
HOUSEMOVING LABORERS:						
Group 1	13.56	5.11				
CONCRETE LABORERS:						
Group 1	13.02	5.11				
Group 2	12.43	5.11				
Group 3	13.31	5.11				
TUNNEL and SHAFT LABORERS:						
Group 1	15.46	5.11				
Group 2	15.03	5.11				
Group 3	14.78	5.11				
Group 4	14.62	5.11				
WRECKING WORK:						
Group 1	12.56	5.11				
Group 2	12.41	5.11				
Group 3	12.31	5.11				
HOUSEMOVING LABORERS:						
Group 1	12.56	5.11				

POWER EQUIPMENT OPERATORS:

- Group 1
- Group 2
- Group 3
- Group 4
- Group 5
- Group 6
- Group 7
- Group 8
- Group 9
- Group 10
- Group 10-A
- Group 11
- Group 11-A
- Group 11-B
- Group 11-C

FRINGE BENEFITS:

\$8.75

DREDGING - SCHEDULE I

- Classshell and Dipnet Dredging (New Construction):
- Group 1
- Group 2
- Group 3
- Group 4
- Group 4-A

DREDGING - SCHEDULE II

Hydraulic suction dredging and all other Dredging:

- Group A-1
- Group A-2
- Group A-3
- Group A-4

FRINGE BENEFITS:

\$8.56

Job Title	Basic Hourly Rate	Fringe Benefits	AREA 1	AREA 2	AREA 3	AREA 4
Group 1	\$14.05	\$15.05				
Group 2	14.55	16.55				
Group 3	14.85	16.85				
Group 4	14.82	17.62				
Group 5	12.92	17.92				
Group 6	16.13	18.13				
Group 7	16.35	18.35				
Group 8	16.97	18.97				
Group 9	17.28	19.28				
Group 10	17.60	19.60				
Group 10-A	17.77	19.77				
Group 11	18.01	20.01				
Group 11-A	18.65	21.65				
Group 11-B	20.04	22.04				
Group 11-C	23.05	22.05				
Classshell and Dipnet Dredging (New Construction):						
Group 1	14.11	15.37				
Group 2	17.01	18.37				
Group 3	17.01	18.37				
Group 4	18.06	19.80				
Group 4-A	13.68	21.08				
Hydraulic suction dredging and all other Dredging:						
Group A-1	14.09	15.35				
Group A-2	15.45	16.76				
Group A-3	16.36	17.72				
Group A-4	17.60	18.98				

WELDERS - receive rate prescribed for craft performing operation to which welding is incidental

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

- a. Employer contributes 8% of basic hourly rate for over 5 years' service, and 6% of basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F per hour to Vacation Fund for the first year of employment; 1 year but less than 5 years \$.42 per hour to Vacation Fund; 5 years but less than 10 years \$.60 per hour to Vacation Fund; over 10 years \$.80 per hour to Vacation Fund

AREA DESCRIPTIONS

BRICKLAYERS: STONEMASONS:

- Area 1: Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma, and Trinity Cos.
- Area 2: Alameda and Contra Costa Counties
- Area 3: Fresno, Kings, Madera, Mariposa, and Merced Counties
- Area 4: Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo, and Yuba Counties
- Area 5: Monterey and Santa Cruz Counties
- Area 6: San Benito and Santa Clara Counties
- Area 7: Alpine, Amador, Calaveras, San Joaquin, Stanislaus, and Tuolumne Counties
- Area 8: Tulare County

BRICK TENDERS:

- Area 1: Amador, El Dorado, Nevada, Placer, Sacramento, and Yolo Cos.
- Area 2: San Francisco and San Mateo Counties
- Area 3: Fresno, Kings, Madera, and Tulare Counties
- Area 4: Remaining Counties
- Area 5: Marin County
- Area 6: Alameda and Contra Costa Counties
- Area 7: Santa Cruz County
- Area 8: San Benito and Santa Clara Counties

CARPENTERS:

- Area 1: Alameda, Contra Costa, Marin, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Counties
- Area 2: Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Mariposa, Mendocino, Merced, Modoc, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba Counties
- Area 3: (Residential) Calaveras, Del Norte, Humboldt, Mariposa, and Merced Counties
- Area 4: Monterey and Santa Clara Counties

Group	Basic Hourly Rate	Group Benefits
Group 1	\$15.55	6.19
Group 2	15.61	6.19
Group 3	15.67	6.19
Group 4	15.73	6.19
Group 5	15.79	6.19
Group 6	15.85	6.19
Group 7	15.91	6.19
Group 8	15.97	6.19
Group 9	16.03	6.19
Group 10	16.09	6.19
Group 11	16.15	6.19
Group 12	16.21	6.19
Group 13	16.27	6.19
Group 14	16.33	6.19
Group 15	16.39	6.19
Group 16	16.45	6.19
Group 17	16.51	6.19
Group 18	16.57	6.19
Group 19	16.63	6.19
Group 20	16.69	6.19
Group 21	16.75	6.19
Group 22	16.81	6.19
Group 23	16.87	6.19
Group 24	16.93	6.19
Group 25	16.99	6.19
Group 26	17.05	6.19
Group 27	17.11	6.19
Group 28	17.17	6.19
Group 29	17.23	6.19
Group 30	17.29	6.19
Group 31	17.35	6.19
Group 32	17.41	6.19
Group 33	17.47	6.19
Group 34	17.53	6.19
Group 35	17.59	6.19
Group 36	17.65	6.19
Group 37	17.71	6.19
Group 38	17.77	6.19

Group	Basic Hourly Rate	Group Benefits
Group 1	\$10.86	3.37
Group 2	12.17	3.86
Group 3	12.17	3.86
Group 4	14.12	8.75
Group 5	14.61	8.75
Group 6	14.90	8.75
Group 7	14.90	8.75
Group 8	15.48	8.75
Group 9	15.98	8.75
Group 10	16.20	8.75
Group 11	16.41	8.75
Group 12	17.04	8.75
Group 13	17.87	8.75
Group 14	18.08	8.75
Group 15	19.71	8.75
Group 16	14.79	8.75
Group 17	15.33	8.75
Group 18	16.81	8.75
Group 19	17.00	8.75
Group 20	17.46	8.75
Group 21	18.18	8.75
Group 22	18.79	8.75
Group 23	19.23	8.75
Group 24	19.65	8.75
Group 25	21.15	8.75

DECISION NO. CAB3-5128

POWER EQUIPMENT OPERATORS:

DREDGING (Cont'd)
 TOW BOATS:
 Work on self-propelled vessels (except Skiffs powered by outboard motors) engaged in towing vessels and water borne craft or in the transportation by water of personnel, materials, equipment and supplies:
 Deckhand/Mechanic/Operator
 Watch Engineer
 Work on self-propelled vessels):
 Boat Operators

PILEDRIVING:

- Group 1
- Group 1A
- Group 1B
- Group 2A
- Group 2B
- Group 2C
- Group 2D
- Group 3
- Group 3A
- Group 4
- Group 5
- Group 6

STEEL ERECTION:

- Group 1
- Group 2
- Group 3
- Group 4
- Group 4A
- Group 5
- Group 6
- Group 7
- Group 8
- Group 9

TRUCK DRIVERS:

- Group 1
- Group 2
- Group 3
- Group 4
- Group 5
- Group 6
- Group 7
- Group 8
- Group 9
- Group 10
- Group 11
- Group 12
- Group 13
- Group 14
- Group 15
- Group 16
- Group 17
- Group 18
- Group 19
- Group 20
- Group 21
- Group 22
- Group 23
- Group 24
- Group 25
- Group 26
- Group 27
- Group 28
- Group 29
- Group 30
- Group 31
- Group 32
- Group 33
- Group 34
- Group 35
- Group 36
- Group 37
- Group 38

AREA DESCRIPTIONS (Cont'd)

DRYWALL INSTALLERS/LATHERS:

Residential:
Area 1: Calaveras, Mariposa, Merced, and Tuolumne Counties

ELECTRICIANS:

Area 1: Alameda County
Area 2: Amador, Colusa, Sacramento, Sutter, Yolo, and Yuba Counties;
Alpine, El Dorado, Nevada, Placer, and Sierra Counties (those por-
tions west of the Sierra Mountain Watershed)
Area 3: Lassen and Plumas Counties; those portions of Alpine,
El Dorado, Nevada, Placer, and Sierra Counties lying east of the
Main Watershed Divide
Area 4: Butte, Glenn, Modoc, Shasta, Siskiyou, Tehama, and Trinity
Counties
Area 5: Calaveras and San Joaquin Counties
Area 6: Contra Costa County
Area 7: Del Norte and Humboldt Counties
Area 8: Fresno, Kings, Madera, and Tulare Counties
Area 9: Lake, Marin, Mendocino, and Sonoma Counties
Area 10: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 11: Monterey, San Benito, and Santa Cruz Counties
Area 12: Napa and Solano Counties
Area 13: Santa Clara County
Area 14: San Francisco County
Area 15: San Mateo County

GLAZIERS:

Area 1: Alameda, Contra Costa, Monterey, Napa, San Benito, Santa Clara,
and Santa Cruz Counties
Area 2: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn,
Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, San Joaquin,
Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama,
Tuolumne, Yolo, and Yuba Counties
Area 3: (Residential) Sutter and Yuba Counties
Area 4: (Residential) Amador, Calaveras, El Dorado, Nevada, Placer,
Sacramento, San Joaquin, Solano, Tuolumne, and Yolo Counties
Area 5: Fresno, Madera, Mariposa, Merced, Kings, and Tulare Counties
Area 6: Del Norte and Humboldt Counties
Area 7: Lake, Marin, Mendocino, San Francisco, San Mateo, and Sonoma
Counties

LINE CONSTRUCTION:

Area 1: Contra Costa County
Area 2: Del Norte, Modoc, and Siskiyou Counties:
Group 1: Cable Splicer, Leadman Pole Sprayer
Group 2: Linesman, Pole Sprayer, Heavy Line Equipment
Man, Certified Lineman Welder
Group 3: Tree Trimmer
Group 4: Line Equipment Man
Group 5: Head Groundman, Powderman, Jackhammer Man
Group 6: Head Groundman (Chipper)
Group 7: Groundman

*Groups 3 and 6 receive BASE RATE (ZONE 1) Rate ONLY (no Zone
Differential).

AREA DESCRIPTIONS (Cont'd)

LINE CONSTRUCTION: (Cont'd)

Area 2: (Cont'd)

Zone Definitions: Zone 1: 0 to 3 miles radius from the geographical
center of Alturas and Yreka, California
Zone 2: 3 to 20 miles radius
Zone 3: 20 to 35 miles radius
Zone 4: 35 to 50 miles radius
Zone 5: Over 50 miles radius

BASE RATE (ZONE 1) is paid when working out employer's Permanent Shop

Area 3: Fresno, Kings, Madera, and Tulare Counties
Area 4: Calaveras and San Joaquin Counties
Area 5: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 6: Monterey, San Benito, and Santa Cruz Counties
Area 7: Napa and Solano Counties
Area 8: Butte, Glenn, Lassen, Plumas, Shasta, Tehama, and Trinity Cos.
Area 9: Alameda County
Area 10: Amador, Colusa, Sacramento, Sutter, Yolo, and Yuba Counties;
Alpine, El Dorado, Nevada, Placer, and Sierra Counties (those portions
west of the Main Sierra Mountain Watershed)
Area 11: San Mateo County
Area 12: Humboldt County
Area 13: San Francisco County
Area 14: San Clara County
Area 15: Lake, Marin, Mendocino, and Sonoma Counties

MARBLE and TILE FINISHERS:

Area 1: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin,
Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo,
Santa Clara, Santa Cruz, Siskiyou, Sonoma, Solano, and Trinity Cos.
Area 2: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn,
Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, San Joaquin,
Shasta, Sierra, Stanislaus, Sutter, Tehama, Yolo, and Yuba Counties

PAINTERS:

Area 1: Alpine, Amador, Calaveras, and San Joaquin Counties
Area 2: Fresno, Kings, Madera, and Tulare Counties
Area 3: Mariposa, Merced, Stanislaus, and Tuolumne Counties
Area 4: San Benito, San Mateo, and Santa Cruz Counties
Area 5: Monterey and Santa Cruz Counties
Area 6: Lassen County (that portion that lies eastward of Highway
#395, northward to and including Honey Lake); Lake Tahoe Area
Area 7: Lake, Marin, Mendocino, San Francisco, and Sonoma Counties
Area 8: Butte, Colusa, and Glenn Counties; Lassen County (excluding
the extreme SE corner); Modoc, Plumas, Shasta, Siskiyou, Sutter,
Tehama, Trinity, and Yuba Counties
Area 9: Alameda, Contra Costa, El Dorado, Nevada, Placer, Solano,
Sacramento, Sierra, Placer, and Yolo Counties (excluding portions
of Counties in the Lake Tahoe Area)
Area 10: Del Norte and Humboldt Counties

AREA DESCRIPTIONS (Cont'd)

AREA DESCRIPTIONS (Cont'd)

PARKING LOT STRIPING WORK and/or HIGHWAY MARKERS:

- Area 1: Fresno, Kings, and Tulare Counties
- Area 2: Remaining Counties

PLASTERERS:

- Area 1: Alameda and Contra Costa Counties
- Area 2: San Francisco and San Mateo Counties
- Area 3: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Siskiyou, Sutter, Tehama, Trinity, Yolo and Yuba Cos.
- Area 4: Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, Solano, and Sonoma Counties
- Area 5: San Benito, Santa Clara, and Santa Cruz Counties
- Area 6: Fresno, Kings, Madera, and Tulare Counties
- Area 7: Monterey County
- Area 8: Mariposa, Merced, Stanislaus, and Tuolumne Counties

PLASTERERS' TENDERS:

- Area 1: Alameda and Contra Costa Counties
- Area 2: Fresno, Kings, Madera, and Tulare Counties
- Area 3: San Francisco and San Mateo Counties
- Area 4: Alpine, Amador, El Dorado, Nevada, Placer, Sacramento, Sierra and Yolo Counties
- Area 5: Calaveras and San Joaquin Counties
- Area 6: Marin County
- Area 7: Monterey County
- Area 8: San Benito, Santa Clara and Santa Cruz Counties
- Area 9: Solano County
- Area 10: Napa County

PLUMBERS:

- Area 1: Alameda County
- Area 2: Contra Costa County

PLUMBERS: STEAMFITTERS:

- Area 1: Amador County (northern half); Sacramento, Yolo, El Dorado, Nevada, Placer, and Sierra Counties (excluding Lake Tahoe Area)
- Area 2: Lake Tahoe Area
- Area 3: Marin, Mendocino, San Francisco, and Sonoma Counties
- Area 4: Alpine County; Amador County (southern portion); Butte, Calaveras, Colusa, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Monterey, Plumas, San Joaquin, Santa Cruz, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, and Yuba Counties
- Area 5: Lake, Napa, and Solano Counties
- Area 6: Del Norte and Humboldt Counties
- Area 7: San Benito and Santa Clara Counties
- Area 8: San Mateo County

ROOFERS:

- Area 1: Alameda and Contra Costa Counties
- Area 2: Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus, and Tuolumne Counties

ROOFERS: (Cont'd)

- Area 3: Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, and Yuba Counties
- Area 4: Fresno, Kings, Madera, and Tulare Counties
- Area 5: Lake, Marin, Mendocino, Napa, Solano, and Sonoma Counties
- Area 6: Del Norte and Humboldt Counties
- Area 7: Monterey and Santa Cruz Counties
- Area 8: San Francisco and San Mateo Counties
- Area 9: Amador, Sacramento, and Yolo Counties
- Area 10: San Benito and Santa Clara Counties

SECRET METAL WORKERS:

- Area 1: Alameda and Contra Costa Counties
- Area 2: Alpine, Calaveras, and San Joaquin Counties
- Area 3: Amador, Butte, Colusa, El Dorado, Glenn, Modoc, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Sutter, Tehama, Yolo, and Yuba Counties
- Area 4: Mariposa, Merced, Stanislaus, and Tuolumne Counties
- Area 5: Monterey and San Benito Counties
- Area 6: Del Norte, Humboldt, and Trinity Counties
- Area 7: San Mateo County
- Area 8: Fresno, Kings, Madera, and Tulare Counties
- Area 9: San Francisco County
- Area 10: Marin, Mendocino, Sonoma, and Lake Counties
- Area 11: Santa Cruz Counties
- Area 12: Santa Clara County
- Area 13: Napa and Solano Counties

SOFT FLOOR LAYERS:

- Area 1: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, and Lassen Counties (excluding Honey Lake Area); Merced County (east of San Joaquin River); Plumas, San Joaquin, Shasta, Sacramento, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Yolo, and Yuba Counties; El Dorado, Nevada, Placer, and Sierra Counties (those portions excluding Lake Tahoe Area)
- Area 2: Honey Lake Area and Lake Tahoe Area
- Area 3: Alameda, Contra Costa, Lake, Marin, Mendocino, Merced, Monterey, Napa, San Francisco, San Benito, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma Counties
- Area 4: Del Norte and Humboldt Counties

SPRINKLER FITTERS:

- Area 1: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties
- Area 2: Remaining Counties

STEAMFITTERS:

- Area 1: Alameda and Contra Costa Counties

AREA DESCRIPTIONS (Cont'd)

TERRAZO WORKERS:

Area 1: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma, and Trinity Counties
 Area 2: Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo, and Yuba Counties
 Area 3: San Benito and Santa Clara Counties

TILE SETTERS:

Area 1: Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo, and Yuba Counties
 Area 2: Alpine, Amador, Calaveras, San Joaquin, Stanislaus, and Tuolumne Counties

TERRAZO WORKERS and TILE SETTERS:

Area 1: Fresno, Kings, Madera, Mariposa, Merced, and Tulare Counties
 Area 2: Monterey and Santa Cruz Counties

TERRAZO FINISHERS:

Area 1: Alpine, Calaveras, Alameda, Monterey, San Joaquin, San Benito, Stanislaus, and Santa Clara Counties

LABORERS

Area 1: Alameda, Contra Costa, Marin, San Francisco, San Mateo, and Santa Clara Counties
 Area 2: Remaining Counties

Group 1: Asphalt Ironers and Pavers; Asphalt Spreader Boxes (all types); Barrio, Wacker and similar type Tampers; Suggmobiles; Chain-saw, Faller, Logloader and Sucker; Compactors of all types; Concrete and Aggregate Mixer, 1/2 yd. and under; Concrete Pan Work; Concrete Saw; Concrete Sander; Cribber and/or Shoring; Cut Granite Curb Setter; Form Raisers; Slip Forms; Green Cutters, Headerboardmen, Hubsetters, Aligners; Jackhammer Operators; Jacking of Pipe over 12 inches; Jackson and similar type Compactors; Kettlemen, Pokmen and Men applying asphalt, lay-hold, creosote, lime, caustic and similar type materials; Lagging, Sheeting, Whaling, Bracing, Trenchjacking, hand-guided Lagging Hammer; Magnesite, Epoxyresin, Fiberglass, Mastic Workers (wet or dry); Ferma Curbs; Precast-manhole Setters; Cast-in-Place Manhole Form Setters; Pressure Pipe Tester; Pavement Breakers and Spaders, including Tool Grinder; Pipelayers, Caulkers, Sanders, Pipewrappers, Conduit Layers, Plastic Pipelayers; Post Hole Diggers, air, gas, and electric; Power Broom Sweepers; Power Tampers of all types (except as shown in Group 2); Ram Set Gun and Stud Gun; Riprap-stonespaver and Rock-slinger, including placing of sacked concrete and/or sand (wet or dry); Rotary Scarifier, Multiple Head Concrete Chipper; Davis Trencher, 300 or similar type (and all small Trenchers); Roto and Ditch Witch; Roto-tiller; Sandblasters, Potmen, Gunman, Nozzle-man; Signaling and Rigging; Tank Cleaners; Tree Climbers; Vibrascreed, Bull Float in connection with Laborers' work; Vibrators; Dripak-it Machine; High Pressure Blow Pipe 1 1/2" or over, 100 lbs. pressure and over); Hydro Seeder and similar type; Laser Beam in connection with Laborers' work

Group 1(a): Joy Drill Model TW-2A; Gardner-Denver Model D8143 and similar type drills; Track Drillers; Jack Leg Drillers; Diamond Drillers; Wagon Drillers; Mechanical Driller, all types regardless of type or method of power; Multiple Unit Drills; Slasters and Powder-men; all work of loading, placing and blasting of all power and explosives of whatever type regardless of method used for such loading and placing; High Sealers (including drilling of same); Tree Topper; Bit Grinder

Group 1(b): Sewer Cleaners receive an additional \$4.00 per day, \$5.00 per day on recently active large diameter sewers or sewer manholes

Group 1(c): Burning and Welding in connection with Laborers' work

Group 1(d): Repair Trackmen and Road Beds (cut and cover work of subway after the temporary cover has been placed)

Group 1(e): Laborers on general construction work on or in Bell Sole Footings and Shaft

Group 1(f): Wire Winding Machine in Connection with Guniting or Shotcrete - Aligner

LABORERS - AREAS 1 and 2 (Cont'd)

Group 1(g): Contra Costa County Only: Pipelayers, Caulkers, Banders, Pipefitters, Conduit Layers and Plastic Pipelayers; Pressure Pipe Tester, no joint pipe and stripping of same, including repair of voids, Precast Manhole Setters, Cast-in-place Manhole Form Setters

Group 2: Asphalt Shovelers; Cement Dumpers and handling dry cement or gypsum; Choke-setter and Digger (clearing work); Concrete Bucket Dumper and Chute-man; Concrete Chipping and Grinding; Concrete Bucket (wet or dry); Chuck Tender; High Pressure Nozzle-man, Adductors; GROUT crew; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh Chipper and similar type Brush Shredders; Slopers; Singlefoot, hand held, pneumatic Tamper; All pneumatic, air, gas and electric tools not listed in Groups 1 through 1(f); Jacking of Pipe under 12 inches

Group 3: All Cleanup work of debris, grounds and buildings including but not limited to street cleaners; Cleaning and washing windows; Construction Laborers including Bridge and General Laborers; Dumpmen; Load Spotter; Fire Watcher; Street Cleaners; Gardeners, Horticultural and Landscape Laborers; Jetting; Limbers; Brush Loaders; Filers, Maintenance Landscape Laborers on new construction; Maintenance, Repair Trackmen and Road beds; Streetcar and Railroad Construction Truck Laborers; Temporary air and water lines; Victaulic or similar; Tool Room Attendant; Fence Erectors; Guardsail Erectors; Pavement Markers (button setters)

Group 4: Brick Cleaners, Lumber Cleaners, and Landscape Maintenance (such as Gardeners, Horticultural, mowing, trimming, replanting, watering)

GUNNITE

Group 1: Nozzleman (including Gunman, Potman); Rodmen, Groundman

Group 2: Reboundman

Group 3: General Laborers

TUNNEL and SHAFT WORK

Group 1: Diamond Driller; Groundman; Gunite and Shotcrete Nozzleman; Rodmen; Shaft Work and Raise (below actual or excavated ground level)

LABORERS - AREAS 1 and 2 (Cont'd)

TUNNEL and SHAFT WORK (Cont'd)

Group 2: Bit Grinder; Blaster; Drillers, Powderman-heading; Cherry Pickermen - where car is lifted; Concrete Finisher in Tunnel; Concrete Screenshot Man; Grout Pumpman and Potman; Gunite and Shotcrete Gunmen and Potmen; Headmen; High Pressure Nozzleman; Miners - Tunnel, including Top and Bottom Man on Shaft and Raise Work; Ripper Nozzleman on slick line; Sandblaster-potman (work assignment interchangeable) Steel Form Raisers and Setters; Timberman, Retalberman - wood or steel or substitute materials therefore; Tugger

Group 3: Cabletender; Chucktender; Powderman - Primer Bouse; Vibrators, Pavement Breakers

Group 4: Bull Gang - Muckers, Trackmen; Concrete Crew - includes rodding and spreading; Dumpmen (any method); Grout Crew Reboundmen; Swamper

WRECKING WORK

Group 1: Skilled Wrecker (removing and salvaging of sash, windows, doors, plumbing and electric fixtures)

Group 2: Semi-skilled Wrecker (salvaging of other building materials)

Group 3: General Laborer (includes all cleanup work, loading lumber, loading and burning of debris)

ROOSEMOVING

Group 1: Skilled Housesover

POWER EQUIPMENT OPERATORS
AREAS I and II

Group 1: Assistants to Engineers (Brakeman; Fireman; Heavy Duty Repairman Tender; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partisan (heavy duty repair shop parts room)

Group 2: Compressor Operator; Concrete Mixer (up to and including 1 yd.); Conveyor Belt Operator (tunnel); Fireman Bot Plant; Hydraulic Monitor; Mechanical Conveyor (handling building materials); Mixer Box Operator (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II (Cont'd)

Group 8: Armor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Laying Machine; Combination Slusher and Motor Operator; Concrete Batch Plant (multiple units); Dorer; Heading Shield Operator; Heavy Duty Repairman and/or Welder; Kem Seal Machine (or similar); Kolan Loader; Loader (up to 2 yds.); Mechanical Trench Shield; Portable Crushing and Screening Plants; Push Cat; Rubber-tired Earth-moving Equipment (up to and including 45 cu. yds. "struck" M.R.C.) Euclids, T-pulls, D-10, 20, 21, and similar; Rubber-tired Doser; Self-propelled Compactor with Doser; Sheepfoot; Timber Skidder (rubber tired or similar equipment); Tractor drawn Scraper; Tractor; Trenching Machine; Tri-batch Paver; Tunnel Mole Boring Machine; Welder; Woods-mixer (and other similar pugmill equipment).

Group 9: Canal Finger Drain Digger; Chicago Room; Combination Mixer and Compressor (Gumite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-lift or similar (20 ft. or over); Mucking Machine (rubber tired, rail or track type); Tractor (with boom) (D-6 or larger and similar)

Group 10: Booms-type Backfilling Machine; Bridge Crane; Carry-lift (or similar); Chemical GROUTING Machine, truck mounted; Combination Backhoe and Loader (up to and including 1/2 cu. yd. M.R.C.); Derrick (2 operators required when swing engine remote from Hoist); Derrick Barges (except excavation work); Do-sor Loader; Adams Elevator; Elevating Grader; Heavy Duty Sotoary Drill Rig (including grader); Foundation work and Euclid Loader and similar type; Robbins Caisson Foundation Squeezer (or similar); Lift Slab Machine type drills; Koehring Squeezer (or similar); Loader (2 yds. up to and including 4 yds.); Locomotive, 100 tons (single or multiple units); Multiple Engine Earthmoving Machine (Euclids, Doser, etc.); Jino tandem Scraper; pre-stress Wire Wrapping Machine; Reservoir-derrick Tug (self-propelled floating); Rubber-tired Scraper; Self-loading (paddle wheel, etc.); Shuttle Car (reclaim station); Single engine Scaper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gorrier or other automatic type); Tractor, Compressor Drill Combination; Track Laying type Earth Moving Machine (single engine with Tandem Scrapers); Train Loading Station; Trenching Machine, multi-engine with slipping attachment, Jeffco or similar; Vacuum Cooling Plant; Whitley Crane (up to and including 25 tons)

Group 10-A: Backhoe (Hydraulic) (up to and including 1 cu. yd. M.R.C.); Backhoe (cable) (up to and including 1 cu. yd. M.R.C.); Combination Backhoe and Loader (over 3/4 cu. M.R.C.); Continuous Flight Tie Back Auger (Crane attached/separate controls); Cranes not over 35 tons; Gamberhead and Gantry; Gradalls (up to and including 1 cu. yd.); Power Blade Operator (single engine); Power Shovels, Clamsshell, Draglines (up to and including 1 cu. yd. M.R.C.) (long Boom Pay); Rubber-tired Scraper, self-loading (paddle wheel, twin engine); Self-propelled Booms-type lifting device (center mount) (over 10 tons up to and including 25 tons); CMI Dual Lane Auto Grader SP-30 or similar

POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II (Cont'd)

Group 3: Box Operator (bunker); Helicopter Radioman (Signalman); Motor-man; Locomotive (30 tons or under); Oiler; Ross Carrier (construction job site); Notomist Operator; Scedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (max. max digging capacity 5 ft. depth); Tugger Hoist, single drum; Truck Crane Oiler; Boiler Tender

Group 4: Ballast Jack Tapper; Ballast Regulation; Ballast Tamper Multi-purpose; Boxman (asphalt plant); Elevator Operator (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Material Hoist (1 drum); Shuttlecar; Tie Spacer; Towermobile

Group 5: Compressor Operator (over 2); Concrete Mixers (over 1 yd.); Concrete Pumps of Pumcrete Guns; Generators; Grouting Machine; Pressweld (air operated); Pumps (over 1); Welding Machines (powered other than by electricity)

Group 6: BLS Lima Road Pactor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (self-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to Waterliners, Wagon Drills or Jackhammers); Graderetter, Grads Checker (mechanical or otherwise); Highline Cableway Signalman; Locomotives (steam of over 30 tons); Macinnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or similar types); Mechanical Burs, Curb and/or Curb and Cutter Machine, concrete or asphalt; Portable Crusher; Post Driver (M-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller (except asphalt); Screedman (Barber-Greene and similar) (asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine, Perault, CBC, or similar types; Slip forms Pumps (lifting device for concrete forms); Small Rubber Tired Tractor; Surface Heater; Self-propelled Power Sweeper; Self-propelled Tape Machine; Auger-type drilling equipment, up to and including 30 ft. depth digging capacity M.R.C.

Group 7: Concrete Conveyor or Concrete Pump, Truck or equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Riser (or similar); Hydrator-hammer (or similar); Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar); Mite or Shaft Hoist; Mixerobile; Pavement Breaker with or without Compressor; Combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lifting device (center mount) (10 tons or less M.R.C.); Self-propelled Elevating Grader Plane; Slusher Operator; Small tractor (with boom); Soil Tester; Truck type Loader; Welding Machines (gasoline or diesel)

Group 11: Automatic Concrete Slip-form Paver (Gradesetter, Screed-man); Automatic Railroad Car Dumper; Canal Trimmer with ditching attachments; Cary Lift, Campbell or similar, Continuous Flight Tilt Back Auger (Crane attached, single controls); Cranes (over 25 tons up to and including 125 tons); Drott Travelift 650-A-1 or similar (45 ton or over); Euclid Loader when controlled from the Pullcat; Highline Cableway (over 5 tons); Loader (over 4 cu. yds., up to and including 12 cu. yds.); Miller Formless M-900 Slope Paver or similar (Grade Setter required); Multiple Engine Scraper (when used as Push Pull); Power Blade Operator (multi-engine); Power Shovels, Clamshells, Draglines, Backhoes, Gradalls (over 1 cu. yd. and up to and including 7 cu. yds. M.R.C., Long Boom Pay); Rubber-tired Earthmoving Machines (multiple propulsion power units and two or more Scrapers) (up to and including 75 cu. yds. Struck M.R.C.); Self-propelled Compactor Boom-type lifting device (center mount) (over 25 tons M.R.C.); Single engine Rubber-tired Earthmoving Machines (with Tandem Scrapers); Slip-form Paver (concrete or asphalt) (Screedman required); Tandem Cats; Tower Cakes Mobile (including rail mounted); Trencher (pulling attached shield); Tower Cranes, Universal Liebherr and similar types (in the erection, dismantling and moving of equipment); Wheel Excavator (up to and including 750 cu. yds. per hour); Whirley Crane (over 25 tons); Multi-earthmoving Equipment (up to and including 75) cu. yds. "struck" M.R.C.); Truck mounted Hydraulic Crane when remote control equipped (over 10 tons up to and including 25 tons)

Group 11-A: Band Wagons (in conjunction with wheel excavator); Cranes (over 125 tons); Loader (over 12 cu. yds., up to and including 18 cu. yds.); Power Shovels, Clamshells, Backhoes, Gradalls, and Draglines (over 7 cu. yds. M.R.C.); Rubber-tired Multi-purpose Earth Moving Machines (2 units over 75 cu. yds. "struck" M.R.C.); Wheel Excavator (over 750 cu. yds. per hour)

Group 11-B: Loader (over 18 yards)

Group 11-C: Operator of Helicopter (when used in erection work); Remote controlled Earthmoving equipment

AREA DEFINITIONS FOR SCHEDULES I and II

Four Centers designated: City Halls of Oakland, San Francisco, Area 1: Up to 20 road miles from said Centers
Area 2: More than 20 road miles to and including 30 road miles from said Centers
Area 3: Outside of 30 road miles from said Centers
Area 4: An area extending 15 road miles from shoreline of Lake Tahoe

SCHEDULE I

CLAMSHELL and DIPPER DREDGING (New Construction)

Group 1: Bargeman; Deckhand; Fireman; Oiler

Group 2: Deck Engineers; Deck Mate

Group 3: Welder; Mechanic Welder; Watch Engineer

Group 4: Clamshell Operator (up to and including 7 cu. yds. M.R.C.) (Long Boom Pay)

Group 4A: Clamshell Operator (over 7 cu. yds. M.R.C.) (Long Boom Pay)

SCHEDULE II

HYDRAULIC SUCTION DREDGING and all other CLAMSHELL and DIPPER DREDGING

Group A-1: Bargeman; Deckhand; Leveehand; Fireman; Oiler

Group A-2: Winchman (Stern Winch on Dredge); Deck Engineer

Group A-3: Watch Engineer; Welder; Welder Mechanic; Deckmate; Booster Pump Operator (Mud Cat)

Group A-4: Leverman; Clamshell Operator

FILEDRIVING

Group 1: Assistant to Engineer (Fireman, Oiler, Deckhand)

Group 1A: Compressor Operator

Group 1B: Assistant to Engineer (Truck Crane Oiler)

Group 2A: Tugger Hoist Operator (hoisting material only)

Group 2B: Forklift Operator

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POWER EQUIPMENT OPERATORS (Cont'd)
STEEL ERECTION (Cont'd)

Group 5: Boom Truck or Dual Purpose A-Frame Truck; Boom Cat; Chicago Boom, Crawler Cranes and Truck Cranes (15 tons M.R.C. or less) (Assistant to Engineer required); Self-propelled boom-type lifting device (center mount) (10 ton capacity or less M.R.C.); Single drum Hoist; Tugger Hoist

Group 6: Cary Lift, Campbell or similar; Crawler Cranes and Truck Cranes (over 15 tons M.R.C.) (Assistant to Engineer required); Dericks (2 Operators when swing engine remote from hoist); Gantry Rider (or similar equipment); Highline Cabloway (Signalman required); Self-propelled boom-type lifting device (center mount) (over 10 tons up to and including 25 tons); Tower Cranes Mobile including rail mounted (Assistant to Engineer required); Tower Cranes, Universal Liebherr and similar types (in the erection, dismantling and moving of equipment there shall be an additional Operating Engineer)

Group 7: Self-propelled boom-type lifting device (center mount) (over 25 tons) (Assistant to Engineer required)

Group 8: Cranes (over 125 tons) (Assistant to Engineer required)

Group 9: Helicopter Operator

TRUCK DRIVERS

Group 1: Bulk Cement Spreader (w/wo Auger, under 4 yds. water level); Bus or Manhaul Driver; Concrete Pump Machine; Concrete Pump Truck (when Flat Rack truck is used appropriate Flat Rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete Truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or Pilot Car Driver; Nipper Truck (when Flat Rack Truck is used appropriate Flat Rack rate shall apply); Pickups; Skids (Debris Box, under 4 yds. water level); Team Drivers; Trucks (Dry Pre-batch Concrete Mix, under 4 yds. water level); warehouses

Group 2: Teamster Oiler and/or Greaser and/or Service Man

Group 3: Bulk Cement Spreader (w/wo Auger, 4 yd. and under 6 yds. water level); Dump (4 yds. and under 6 yds. water level); Dumpster (4 yds. and under 6 yds. water level); Dumpster (4 yds. and under 6 yds. water level); Skids (Debris Box, 4 yds. and under 6 yds. water level); Single Unit Flat Rack (2 axle unit); Industrial Lift Truck (mechanical Tailgate); Trucks (Dry Pre-batch Concrete Mix, 4 yds. and under 6 yds. water level)

Group 4: Jetting Truck and Water Truck (under 2,500 gallons)

Group 5: Road Oil Trucks or Boot Man

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POWER EQUIPMENT OPERATORS (Cont'd)
PILEDRIVING (Cont'd)

Group 2C: Compressor Operator (over 2); Generators; Pumps (over 4); Welding Machines (powered by other than electricity)

Group 2D: A-Frames

Group 3: Deck Engineer (Deck Engineer Operator required when deck engine is used); Self-propelled boom-type lifting device (center mount) (10 ton capacity or less M.R.C.)

Group 3A: Heavy Duty Repairman and/or Welder

Group 4: Operating Engineer in lieu of Assistant to Engineer tending boiler or compressor attached to Crane Piledriver; Operator of Piledriving Rigs, Skid or Floating and Derrick Barges (Assistant to Engineer required); Operator of diesel or gasoline power Crane Piledriver (without boiler) up to and including 1 cu. yd. rating (Assistant to Engineer required); Self-propelled boom-type lifting device (center mount) (over 10 tons up to and including 25 tons); Truck Crane Operator (up to and including 25 tons) (hoisting material only (Assistant to Engineer required))

Group 5: Operator of diesel or gasoline powered Crane Piledriver (with boiler) over 1 cu. yd. rating (Assistant to Engineer required); Operator of Cranes (with steam, flash boiler, pump or compressor attached) (Group 4 Engineer required); Operator of steam powered Crawler or Universal type Driver (Raymond or similar) (Assistant to Engineer required) Truck Crane Operator (over 25 tons) (hoisting material or performing Piledriving work) (Assistant to Engineer required); Self-propelled boom-type lifting device (center mount) (over 25 tons) (Assistant to Engineer required)

Group 6: Cranes (over 125 tons) (Assistant to Engineer required)

STEEL ERECTION

Group 1: Assistant to Engineer (Oiler)

Group 2: Compressor Operator, Generator, gasoline or diesel driven (100 K.W. or over) (structural steel or tank construction only)

Group 3: Compressors, Generators and/or Welding Machines or combination (2 to 6) (Over 6 additional Engineers required) (structural steel or tank erection only)

Group 4: Heavy Duty Repairman, Tractor Operator

Group 4A: Combination Heavy Duty Repairman and/or Welder

TRUCK DRIVERS (Cont'd)

- Group 6: Lift Jitneys, Fork Lift
- Group 7: Transit Mix, Agitator (under 6 yds.)
- Group 8: Fuel and/or Grease Truck Driver or Fuelman
- Group 9: Vacuum Truck, under 3,500 gallons
- Group 10: Scissor Truck; single unit Flat Rack (2 axle unit); Industrial Lift Truck (mechanical tailgate); Small rubber tired tractor (when used within Testers' Jurisdiction)
- Group 11: Jetting Truck and Water Trucks, 2,500 gallons and under 4,000 gallons
- Group 12: Combination Winch Truck with Hoist; Transit Mix Agitator (6 yds. and under 8 yds.)
- Group 13: Vacuum Truck, 3,500 gallons and under 5,500 gallons
- Group 14: Rubber-tired Muck Car (not self-loaded)
- Group 15: Bulk Cement Spreader (w/wo Auger, 6 yds. and under 8 yds. water level); Dump (6 yds. and under 8 yds. water level); Dumpcrete (6 yds. and under 8 yds. water level); Dumpster (6 yds. and under 8 yds. water level); Skids (Debris Box, 6 yds. and under 8 yds. water level); Trucks (Dry Pre-batch Concrete Mix, 6 yds. and under 8 yds. water level)
- Group 16: A-Frame, Winch Truck; Buggy; Jetting and Water Truck (4,000 gallons and under 5,000 gallons); Rubber tired Jumbo
- Group 17: Heavy Duty Transport (high bed)
- Group 18: Ross Hyster and similar Straddle Carrier
- Group 19: Transit Mix Agitator (8 yds. through 10 yds.)
- Group 20: Vacuum Truck (5,500 gallons and 7,500 gallons)
- Group 21: Jetting Truck and Water Truck (5,000 gallons and under 7,000 gallons)
- Group 22: Combination Bootman and Road Oiler
- Group 23: Transit Mix Agitator (over 10 yds. through 12 yds.)
- Group 24: Bulk Cement Spreader (w/wo Auger, 8 yds. and including 12 yds. water level); Dump (8 yds. and including 12 yds. water level); Dumpcrete (8 yds. and including 12 yds. water level); Self-propelled Street Sweeper with self-contained refuse bin; Skids (Debris Box, 8 yds. and including 12 yds. water level); Snow Go and/or Snow Plow; Truck (Dry Pre-batch Concrete Mix, 8 yds. and including 12 yds. water level)

TRUCK DRIVERS (Cont'd)

- Group 25: Heavy Duty Transport (Gooseneck Lowbeeb)
- Group 26: Transit Mix Agitator (over 12 yds. through 17 yds.)
- Group 27: Ammonia Nitrate Distributor Driver and Mixer; Bulk Cement Spreader (w/wo Auger, over 12 yds. and including 18 yds. water level); Dump (over 12 yds., and including 18 yds. water level); Dumpcrete (over 12 yds. and including 18 yds. water level); Dumpster (over 12 yds. and including 18 yds. water level); Truck (Dry Pre-batch Concrete Mix, over 12 yds. and including 18 yds. water level)
- Group 28: Double Gooseneck (7 or more axles); Heavy Duty Transport Filler Man
- Group 29: P.B. or similar type self-loading Truck
- Group 30: Transit Mix Agitator (over 14 yds. through 16 yds.)
- Group 31: Bulk Cement Spreader (w/wo Auger, over 18 yds. and including 24 yds. water level); Combination Dump and Dump Trailer; Dump (over 18 yds. and including 24 yds. water level); Dumpcrete (over 18 yds. and including 24 yds. water level); Dumpster (over 18 yds. and including 24 yds. water level); Skid (Debris Box, over 18 yds. and including 24 yds. water level); Transit Mix Agitator (over 12 yds. through 16 yds.); Trucks (Dry Pre-batch Concrete Mix, over 18 yds. and including 24 yds. water level)
- Group 32: Bulk Cement Spreader (w/wo Auger, over 24 yds. and including 35 yds. water level); Dump (over 24 yds. and including 35 yds. water level); Dumpcrete (over 24 yds. and including 35 yds. water level); Dumpster (over 24 yds. and including 35 yds. water level); DW 10's, 20's, 21's and other similar Cat type, Terra Cobra, Letournapulis, Tourmarocker, Euclid and similar type equipment when pulling Fuel and/or Grease Tank Trailers or other misc. Trailers; Skids (Debris Box, over 24 yds. and including 35 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 24 yds. and including 35 yds. water level)
- Group 33: Truck Repairman
- Group 34: Bulk Cement Spreader (w/wo Auger, over 35 yds. and including 50 yds. water level); Dump (over 35 yds. and including 40 yds. water level); Dumpcrete (over 35 yds. and including 50 yds. water level); Dumpster (over 35 yds. and including 50 yds. water level); Skids (Debris Box, over 35 yds. and including 50 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 35 yds. and including 50 yds. water level)
- Group 35: DW 10's, 20's, 21's and other similar Cat type, Terra Cobra, Letournapulis, Tourmarocker, Euclid and similar type equipment when pulling Aqua/Pak or Water Tank Trailers

AREA DESCRIPTIONS (Cont'd)
FOR
POWER EQUIPMENT OPERATORS
AREAS I and II

Thence Northerly to the N.E. corner of township 21S, range 29E, Thence Westerly to the N.W. corner of township 21S, range 29E, Thence Northerly to the N.E. corner of township 13S, range 28E, Thence Westerly to the N.W. corner of township 13S, range 28E, Thence Northerly to the N.E. corner of township 11S, range 27E, Thence Westerly to the N.W. corner of township 11S, range 27E, Thence Northerly to the N.E. corner of township 10S, range 26E, Thence Westerly to the N.W. corner of township 10S, range 26E, Thence Northerly to the N.E. corner of township 9S, range 25E, Thence Westerly to the N.W. corner of township 9S, range 25E, Thence Northerly to the N.E. corner of township 8S, range 24E, Thence Westerly to the N.W. corner of township 8S, range 24E, Thence Northerly to the N.E. corner of township 5S, range 19E, Thence Westerly to the N.W. corner of township 5S, range 19E, Thence Northerly to the S.E. corner of township 5S, range 19E, Thence Westerly to the N.W. corner of township 5S, range 19E, Thence Northerly to the N.E. corner of township 3S, range 18E, Thence Westerly to the N.W. corner of township 3S, range 18E, Thence Northerly to the N.E. corner of township 3S, range 18E, Thence Northerly to the N.E. corner of township 2S, range 17E, Thence Westerly to the N.W. corner of township 2S, range 17E, Thence Northerly crossing the Mt. Diablo Baseline to the N.E. corner of township 2N, range 16E, Thence Westerly to the N.W. corner of township 2N, range 16E, Thence Northerly to the N.E. corner of township 3N, range 15E, Thence Westerly to the N.W. corner of township 3N, range 15E, Thence Northerly to the N.E. corner of township 4N, range 14E, Thence Westerly to the N.W. corner of township 4N, range 14E, Thence Northerly to the N.E. corner of township 4N, range 14E, Thence Northerly to the N.E. corner of township 5N, range 13E, Thence Westerly to the N.W. corner of township 5N, range 13E, Thence Northerly to the N.E. corner of township 10N, range 12E, Thence Westerly to the N.W. corner of township 11N, range 12E, Thence Northerly to the S.E. corner of township 11N, range 12E, Thence Northerly to the N.E. corner of township 11N, range 12E, Thence Northerly to the N.E. corner of township 15N, range 10E, Thence Northerly to the N.E. corner of township 15N, range 10E, Thence Northerly to the N.E. corner of township 16N, range 11E, Thence Northerly to the N.E. corner of township 16N, range 11E, Thence Northerly to the S.E. corner of township 17N, range 14E, Thence Northerly to the S.E. corner of township 17N, range 14E, Thence Northerly to the S.W. corner of township 14N, range 14E, Thence Northerly to the S.E. corner of township 14N, range 14E, Thence Northerly to the S.W. corner of township 13N, range 16E, Thence Northerly to the S.E. corner of township 13N, range 16E, Thence Northerly to the S.E. corner of township 12N, range 17E, Thence Northerly to the S.W. corner of township 12N, range 17E, Thence Northerly to the S.W. corner of township 12N to the Eastern Boundary of the State of California, to the State of California, to the N.E. corner of township 17N, range 18E, Thence Northerly to the N.W. corner of township 17N, range 18E, Thence Northerly to the N.E. corner of township 20N, range 10E,

TRUCK DRIVERS (Cont'd)

Group 36: Bulk Cement Spreader (w/wo Auger, over 50 yds. and under 65 yds. water level); Dump (over 50 yds. and under 65 yds. water level); Dumpcrete (over 50 yds. and under 65 yds. water level); Dumpster (over 50 yds. and under 65 yds. water level); Helicopter Pilot (when transporting men or materials); Skids (Debris Box, over 50 yds. and under 65 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 50 yds. and under 65 yds. water level)

Group 37: Bulk Cement Spreader (w/wo Auger, over 65 yds. and including 80 yds. water level); Dump (65 yds. and including 80 yds. water level); Dumpcrete (over 65 yds. and including 80 yds. water level); Dumpster (over 65 yds. and including 80 yds. water level); Skids (Debris Box, 65 yds. and including 80 yds. water level); Trucks (Dry Pre-batch Concrete Mix, 65 yds. and including 80 yds. water level)

Group 38: Bulk Cement Spreader (w/wo Auger, over 80 yds. and including 95 yds. water level); Dump (over 80 yds. and including 95 yds. water level); Dumpcrete (over 80 yds. and including 95 yds. water level); Dumpster (over 80 yds. and including 95 yds. water level); Skids (Debris Box, over 80 yds. and including 95 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 80 yds. and including 95 yds. water level)

AREA DESCRIPTIONS

FOR
POWER EQUIPMENT OPERATORS
AREAS I and II

**AREA I: All areas included in the description defined below which is based upon Township and Range Lines of AREAS I and II.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S, Thence Easterly along the Southerly line to Township 19S, crossing the Mt. Diablo Meridian to the S.W. corner of Township 19S, range 6E, Mt. Diablo Base Line and Meridian, 6S, Thence Southerly to the S.W. corner of township 20S, range 13E, Thence Easterly to the S.W. corner of township 20S, range 13E, Thence Southerly to the S.W. corner of township 21S, range 17E, Thence Easterly to the S.W. corner of township 22S, range 17E, Thence Southerly to the S.W. corner of township 22S, range 17E, Thence Easterly to the S.E. corner of township 23S, range 18E, Thence Southerly to the S.W. corner of township 23S, range 18E, Thence Southerly to the S.E. corner of township 24S, range 19E, Thence Southerly to the S.W. corner of township 24S, range 19E, falling on the Southerly Line of Kings County, thence Easterly along the Southerly Boundary of Kings County and the Southerly Boundary of Tulare County, to the S.E. corner of township 24S, range 19E,

AREA DESCRIPTIONS (Cont'd)
FOR
POWER EQUIPMENT OPERATORS
AREAS I and II

Thence Westerly to the N.W. corner of township 20N, range 20E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 27N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner of township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo Meridian to the N.E. corner
of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 5W,
Thence Southerly to the N.E. corner of township 32N, range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7N,
Thence Easterly to the S.E. corner of township 30N, range 7N,
Thence Southerly to the S.W. corner of township 15N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 5W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, range 7W,
Thence Northerly to the N.E. corner of township 15N, range 7W,
Thence Westerly to the S.E. corner of township 15N, range 8W,
Thence Northerly to the N.E. corner of township 16N, range 12W,
Thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 12W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 15N, range 13W,
Thence Westerly to the N.W. corner of township 15N, range 13W,
Thence Southerly to the S.W. corner of township 13N, range 11W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly to the S.E. corner of township 11N, range 12W,
Thence Westerly along the Eastern line to range 12W, to the
Pacific Ocean excluding that portion of Northern California
within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E,
Mt. Diablo Baseline and Meridian:
Thence in a Southerly direction to the S.W. corner of township
7E, range 3E,
Thence in a Easterly direction to the S.E. corner of township
7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township
6E, range 4E.

AREA DESCRIPTIONS (Cont'd)
for
POWER EQUIPMENT OPERATORS
AREAS I and II

Thence in a Westerly direction to the N.W. corner of township
6S, range 3E, to the point of beginning which portion is a
part of Area 2.

AREA I: also includes that portion of Northern California within
the following lines:

Commencing in the Pacific Ocean on a extension of the Southerly
line to township 2N, Humboldt Baseline and Meridian:

Thence Easterly along the Southerly line to Township 2N, to

the S.W. corner of township 2N, range 1W,

Thence Southerly to the S.W. corner of township 1N, range 1W,

Thence Easterly along the Humboldt Baseline to the S.W. corner

of township 1N, range 2E,

Thence Southerly to the S.W. corner of township 2S, range 2E,

Thence Easterly to the S.E. corner of township 2S, range 2E,

Thence Southerly to the S.W. corner of township 4S, range 3E,

Thence Easterly to the S.E. corner of township 4S, range 3E,

Thence Northerly to the N.E. corner of township 2S, range 3E,

Thence Westerly to the N.W. corner of township 2S, range 3E,

Thence Northerly crossing the Humboldt Baseline to the S.W.

corner of township 1N, range 3E,

Thence Easterly along the Humboldt Baseline to the S.E. corner

of township 1N, range 3E,

Thence Northerly to the N.E. corner of township 9N, range 3E,

Thence Westerly to the N.W. corner of township 9N, range 2E,

Thence Northerly to the N.E. corner of township 10N, range 1E,

Thence Westerly along the Northerly line to township 10N, into

the Pacific Ocean.

AREA I: also includes that portion of Northern California included
within the following lines:

Commencing at the Northerly boundary of the State of California

at the S.W. corner of township 48N, range 7W, Mt. Diablo Baseline

and Meridian:

Thence Southerly to the S.W. corner of township 44N, range 7W,

Thence Easterly to the S.E. corner of township 44N, range 7W,

Thence Southerly to the S.W. corner of township 43N, range 6W,

Thence Easterly to the S.E. corner of township 43N, range 6W,

Thence Northerly to the N.E. corner of township 48N, range 5W,

on the Northerly boundary of the State of California,

Thence Westerly along the Northerly boundary of the State of

California to the point of beginning.

AREA II: All areas not included within AREA I as defined.

Unlisted classifications needed for work not included within the
scope of the classifications listed may be added after award
as provided in the labor standards contract clauses (29 CFR, 5.5
(a)(1)(ii))

CARPENTERS: AREA DESCRIPTIONS

Area 1: Statewide excluding Beaverhead and Silver Bow Counties

ELECTRICIANS:

Area 1: Beaverhead, Deer Lodge, Granite, Jefferson, Madison, Silver Bow and Powell Counties
 Area 2: Big Horn, Carbon, Carter, Dawson, Golden Valley, Musselshell, Powder River, Prairie, Rosebud, Stillwater, Treasure, Wibaux, and Yellowstone Counties
 Area 3: Blaine, Chouteau, Daniels, Fergus, Glacier, Hill, Judith-Basin, Liberty, McCone, Petroleum, Pondera, Phillips, Richland, Roosevelt, Sheridan, Teton, Toole, Valley, and Wheatland Counties
 Area 4: Broadwater, Lewis and Clark, and Meagher Counties
 Area 5: Cascade County
 Area 6: Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli, and Sanders Counties
 Area 7: Gallatin County
 Area 8: Park and Sweet Grass Counties

IRONWORKERS:

Area 1: Beaverhead County, Broadwater County, Deer Lodge County, Gallatin County, Granite County, Jefferson County, Lewis & Clark County (southern half including Wolf Creek), Madison County, Park County, Powell County, Ravalli County, and Silver Bow County
 Area 2: Flathead, Glacier, Lake, Lincoln, Mineral, Missoula, and Sanders Counties
 Area 3: Remaining Counties (including northern half of Lewis & Clark County)

PAINTERS:

Area 1: The entire Counties of Beaverhead, Gallatin, Park and Silver Bow. The Northern portion of Jefferson County from a line running East and West (5) miles south of the southern City limits of Boulder, Montana; the south part of Jefferson County from a line running due west from the south limits of Toston, Montana; the Southern portion of Lewis & Clark County from a line running east and west through the southern limits of Craig, Montana; the Southern portion of Powell County from a line running east and west through the Southern limits of Helena, Montana; the west part of Madison County from a line running north and south through the west limits of Harrison, Montana.
 Area 2: Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Golden Valley, Musselshell, Powder River, Prairie, Rosebud, Stillwater, Sweetgrass and Treasure Counties; Wheatland County (south of the City of Harlowton); Wilboux and Yellowstone Counties.
 Area 3: Deer Lodge County and the southern part of Granite County from a line east-west through the southern limits of Phillipsburg

AREA DESCRIPTIONS (Cont'd)

PAINTERS: (Cont'd)

Area 4: Cascade County; Chouteau County (south of a line running east and west through the southern limits of Big Sandy); Daniels and Fergus Counties; Glacier County (including Glacier National Park); Garfield and Judith-Basin Counties; Lewis & Clark County (northern portion from a line running east and west through the northern limits of Craig), McCone, Phillips, Pondera, Petroleum, Richland, Roosevelt, Sheridan, Teton, Toole, and Valley Counties; Wheatland County (northern area from a line running east and west through the southern limits of Harlowton)
 Area 5: Blaine, Hill, and Liberty Counties; Chouteau County (north of the southern limits of the City of Big Sandy)
 Area 6: Flathead County; Granite County (northern area north of City limits of Phillipsburg); Lake County (southern area including the City of Roman); Lincoln, Mineral, and Missoula Counties; Powell County (northern area through south limits of Helena); Ravalli and Sanders Counties
 Area 7: Statewide

PLUMBERS:

Area 1: Flathead, Lake, Lincoln, Mineral, Missoula, and Sanders Counties
 Area 2: Blaine, Cascade, Chouteau, Fergus, Glacier, Hill, Judith-Basin, Liberty, McCone, Meagher, Phillips, Pondera, Roosevelt, Teton, Toole, and Valley Counties
 Area 3: Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lewis & Clark, Madison, Park, Powell, Silver Bow, and Sweet Grass Counties
 Area 4: Big Horn, Carbon, Carter, Custer, Daniels, Dawson, Fallon, Garfield, Golden Valley, Musselshell, Petroleum, Powder River, Prairie, Richland, Rosebud, Sheridan, Stillwater, Treasure, Wheatland, Wibaux, and Yellowstone Counties

SHEET METAL WORKERS:

Statewide

SUPERSEDES DECISION

COUNTIES: Douglas, Cass, & Searcy
 DATE: Date of publication
 STATE: MISSOURI
 DECISION NO.: MS83-4085
 SUPERSEDES DECISION NO. MS 3-023 dated March 19, 1983 in 48 FR 11628.
 DESCRIPTION OF WORK: Building projects, including single family homes and apartments up to and including 4 stories.

CLASSIFICATIONS DESCRIPTIONS

LABORERS

Group 1: Axeman; Carpenter Tender; Car and Truck Loaders, Scissor-man; Chuck Tender and Ripper (above ground); Cosmoline applying and removing; Dumpman (Spotter); Fence Erector and Installer (includes the installation and erection of fences, gear rails, wooden rails, reference posts, right-of-way markers and guide posts); Form Stripper; General Laborer - Heavy Highway, Highway Bridge and Structure, Crusher and Batch Plant Laborers; Heater Tender (not covered by joint board decision - such as radiant type of butane pipe, without blowers or fans - General Laborers scale); Landscape Laborer; Riprap Tender; Stake Jumper for Equipment; Sandblaster Tail Hoseman, Pot Tender; Sod Cutter, hand operated (General Laborers); Tool Checker; Tool Houseman

Group 2: Burning Bar; Cement Mason Tender; Caisson Workers (free air); Cement Handlers; Choker Setters; Concrete Laborers (wet or dry); Bucketman and Signalman; Curb Machine; Dumpman (Grade Man); Form Setter; Hand Faller; Jackhammer, Pavement Breaker, Wagon Driller, Concrete Vibrator, Mechanical Tamper Vibrating Roller, hand steered and other power tools; Nozzleman - air, water; Gunite and Placo Machine; Concrete or Asphalt Saws; Pipelayer (all types); Laser equipment Operator; Pipewrapper; Posthole Digger (power auger); Power Saw (backing); Powderman Tender; Power driven wheelbarrow; Ripper; Riprappet; Spiker Driver, single or dual or hand; Switchman; Tar Pot Operator

Group 3: Asphalt Baker; Concrete Vibrator (5' and over); Drills, Air Track, self-propelled, Cat and Truck mounted air operated Drills; Drills, Air Track with dual masts; Drills, Air Track, self-propelled Mustang type and similar; Equipment Handler; High Scales; High Pressure Machine Nozzleman; Power Saw (falling); Sandblaster

Group 4: Core Drill Operator; Grade Setter; Powderman; Cutting Torch and Air Arc Operator

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii))

Hourly Rate	Grade	Benefit
\$16.68	3.06	
14.97	2.575	
12.63	3.30	
13.57	2.10	
13.705	2.10	
13.85	2.10	
13.25	2.45	
13.74	3.05+	
11.33	3-1/2	
15.30	4.55	
70NJR	4-2.69	
50NJR	4-2.69	
50NJR	1.45	
16.30	1.34	
11.89	1.34	
16.57	1.34	
15.84	1.34	
15.71	1.34	
16.31	1.34	
11.10	1.34	
12.83	1.34	
10.03	1.34	
9.31	2.70	
8.40	2.70	
10.69	2.70	
11.13	2.70	
12.17	2.70	
14.42	2.70	
12.82	2.70	
13.01	2.70	
11.145	2.07	
11.26	2.07	

Hourly Rate	Grade	Benefit
\$16.68	3.06	
14.97	2.575	
12.63	3.30	
13.57	2.10	
13.705	2.10	
13.85	2.10	
13.25	2.45	
13.74	3.05+	
11.33	3-1/2	
15.30	4.55	
70NJR	4-2.69	
50NJR	4-2.69	
50NJR	1.45	
16.30	1.34	
11.89	1.34	
16.57	1.34	
15.84	1.34	
15.71	1.34	
16.31	1.34	
11.10	1.34	
12.83	1.34	
10.03	1.34	
9.31	2.70	
8.40	2.70	
10.69	2.70	
11.13	2.70	
12.17	2.70	
14.42	2.70	
12.82	2.70	
13.01	2.70	
11.145	2.07	
11.26	2.07	

PAINTERS:
 Structural Steel
 Paperhangers
 Spray Swing Stage,
 hazardous & sandblast-
 ing
 PLASTERERS
 PLUMBERS
 ROOFERS:
 Composition
 Slate & Tile
 ROOFERS:
 Roofers helpers (hand-
 ling roofing materials,
 erecting & dismantling
 Scaffold for roofers,
 removing & cleaning up
 old roof (Gypsum/Cass
 and SIFFY Co.)
 SHEET METAL WORKERS
 SHEET METAL WORKERS:
 Residential
 STEAMFITTERS
 LINEMEN
 Cable Splicers
 Truck Driver
 Equipment Operators
 Groundman
 POWER EQUIPMENT OPERATORS:
 GROUP 1
 GROUP 2
 GROUP 3
 GROUP 4
 GROUP 5
 GROUP 6
 GROUP 7
 GROUP 8
 TRUCK DRIVERS:
 Single axle
 Tandem axle, LOWBOY,
 Trailers, Lumber
 Carriers

DECISION NO.: NESJ-4085

PAGE 2

WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1

Oiler, Greaser

GROUP 2

Oiler Driver

GROUP 3

Tractors under 35 HP, Air Compressors, Pumps and Welding Machines, Spray Machine, Form Trencher, Belt Machine

GROUP 4

Concrete Mixer, Fork Lift, Hydro-Hammer

GROUP 5

Spread Oiler

GROUP 6

Concrete Spreader, Concrete Finishing Machine, Concrete Pump, Bulldozer, Roller, Trax-cavator, One Drum Winch Truck, One Drum Hoist, Oil Distributor, Asphalt Roller

GROUP 7

Blade (Patrol), Scraper

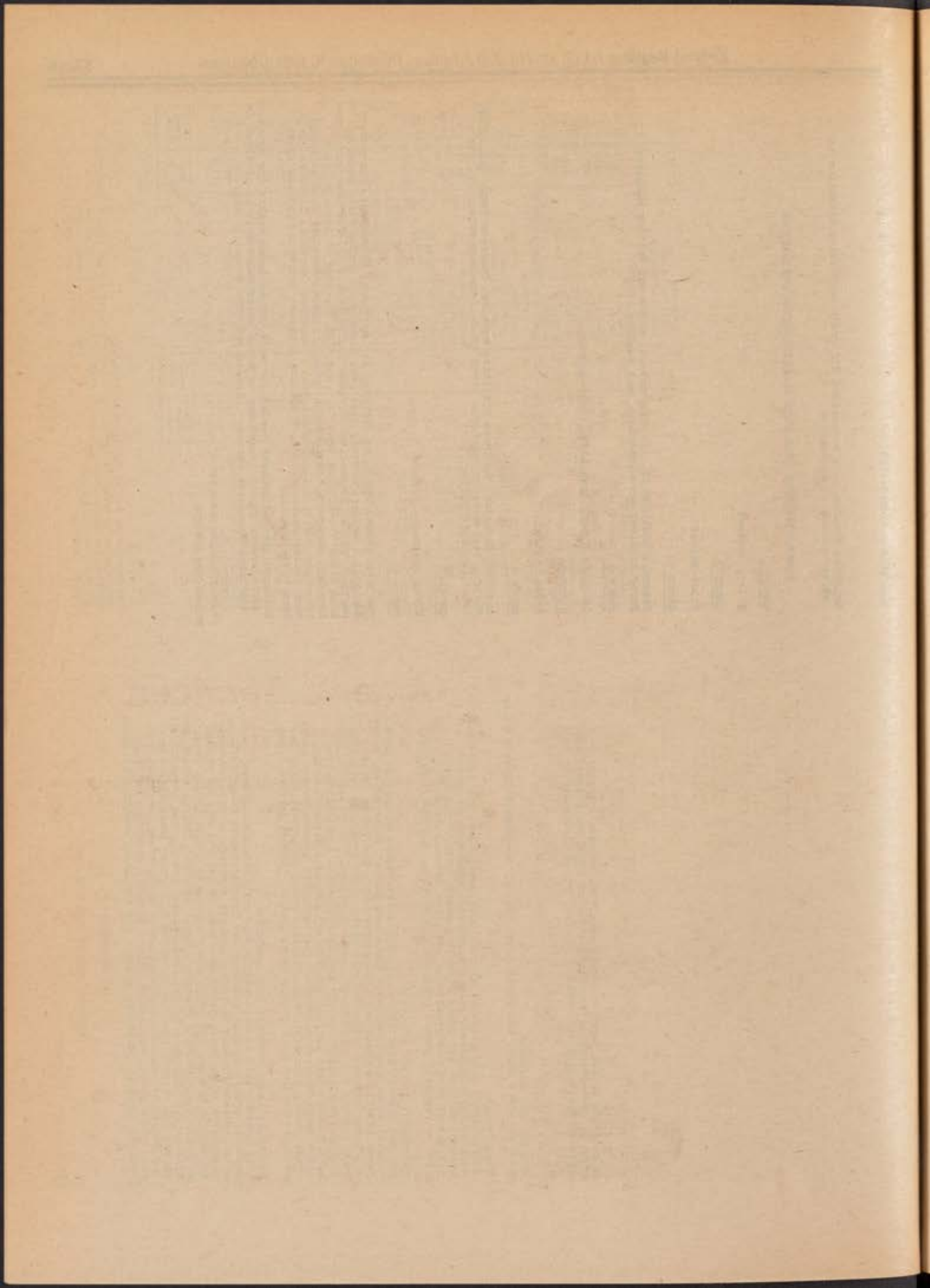
GROUP 8

Two Drum Hoist, Trenching Machine, Paving Mixer, Piledriver, Heavy-Duty Mechanic & Welder, Shovel, Dragline, Clamshell, Orange Pill, Backhoe, Derrick, Crane, Locomotive, Fireman (on Boilers), Lay-Down Machine, Two Drum Winch Truck, Side Boom Cat, Puc Mill Operator on Asphalt Plant, Leversman on Dredge, Engineer on Dredge, Tugboat Operator, Gravel Operator, Rotary Well Drilling Operator, Hydrocrane Operator, Cleveland-Type Back Filler Operator, Self-Propelled Spreader Vibrator Operator, Slip Form Paver Operator

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract classes (29 CFR, 5.5(a)(1)(ii)).

(FR Doc. 83 20820 Filed 12-8-83; 8:45 am)

BILLING CODE 4510-27-C



federal register

Friday
December 9, 1983

Part III

General Services Administration

**Federal Travel Regulations; High Rate
Geographical Areas**

**GENERAL SERVICES
ADMINISTRATION**

[GSA Bulletin FPMR A-40, Supp. 8]

**Federal Travel Regulations; High Rate
Geographical Areas**
AGENCY: Office of Federal Supply and
Services, GSA.

ACTION: Notice of changes to Federal
Travel Regulations.

SUMMARY: 1. GSA has issued GSA
Bulletin FPMR A-40, Supplement 8,
transmitting changed pages to amend
the Federal Travel Regulations (FTR),
FPMR 101-7, to revise the high rate
geographical area (HRGA) listing in
appendix 1-A.

 2. This change to the FTR is necessary
because GSA recently conducted an
investigation of travel costs in certain
high cost areas. Necessary adjustments
to the HRGA listing resulting from this
investigation are reflected in these
changes. The investigation is based
upon cost data from: (1) The
"Runzheimer Meals Lodging Cost Index"
(an index published by Runzheimer and
Company, Inc., a business consultant
firm) which contains subsistence cost
data for 100 U.S. cities, (2) a
supplementary cost index compiled for
GSA by Runzheimer under contract, and
(3) cost data furnished by individual
Federal agencies that requested
designation of certain cities as HRGA's.
As a result of the study, 18 new areas
qualify for HRGA designation. In
addition, maximum rates in certain
existing HRGA's are adequate and
require no changes; other areas require
rate increases or decreases, and some
areas require a redefinition of
boundaries.

EFFECTIVE DATE: December 18, 1983.

FOR FURTHER INFORMATION CONTACT:
Ms. Doris Jones, Travel Regulations
Branch (703) 557-1253.

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

 alternative approach involving the least
net cost to society.

Explanation of changes

 The HRGA listing published in
appendix 1-A is revised to designate
additional new HRGA's and to increase
or decrease the maximum actual
subsistence expense rate and/or
redefine the boundaries of certain
existing HRGA'S. Accordingly, the
Federal Travel Regulations, are
amended as follows:

Chapter 1. Travel Allowances
Part 1. Applicability and General Rules

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

 2. The HRGA listing published in
appendix 1-A is revised to read as
follows:

**Designated High Rate Geographical
Areas (HRGA's)**

 The areas listed below are designated
as HRGA's. The rate prescribed for each
area is the maximum amount of daily
reimbursement that may be allowed for
travel authorized on an actual
subsistence expense basis under the
provisions of 1-8.6. These prescribed
rates are not to be construed as per
diem rates. Allowable subsistence
expenses must be itemized.

Note.—(See end of listing for footnote
explanations.)

High rate geographical areas * * * *	Prescribed maximum daily rates (in dollars)
Alabama	
**Birmingham (all locations within Jefferson County)	72
**Huntsville (all locations within Madison County)	68
**Mobile (all locations within Mobile County)	63
Arizona	
**Page (all locations within Coconino County): (Effective 4/1 thru 10/31)	65
(Effective 11/1 thru 3/31)	P/D
**Phoenix/Scottsdale (all locations within Maricopa County)	75
**Tucson (all locations within Pima County, including Davis Monthan AFB)	72
**Yuma (all locations within Yuma County)	57
Arkansas	
**Little Rock (all locations within Pulaski County)	70
California	
**Fresno (all locations within Fresno County)	75
Los Angeles (all locations within the counties of Los Angeles, Kern, Orange, and Ven- tura, including Edwards AFB and Naval Weapons Center & Ordnance Test Station, China Lake)	75
Monterey (all locations within Monterey County)	75
**Palm Springs (all locations within Riverside County)	75
Sacramento (all locations within Sacramento County)	75
San Diego (all locations within San Diego County)	75

High rate geographical areas * * * *	Prescribed maximum daily rates (in dollars)
San Francisco/Oakland (all locations within the counties of San Francisco, Alameda, Contra Costa, and Marin)	75
San Jose (all locations within Santa Clara County)	75
**San Luis Obispo (all locations within San Luis Obispo County)	74
**San Mateo (all locations within San Mateo County)	73
Santa Barbara (all locations within Santa Bar- bara County)	75
**Santa Cruz (all locations within Santa Cruz County)	75
**Vallejo (all locations within Solano County)	58
*Victorville (all locations within San Bernardino County, including George AFB)	60
*West Sacramento (all locations within Yolo County)	67
COLORADO	
Aspen (all locations within Pitkin County)	75
**Boulder (all locations within Boulder County)	75
**Colorado Springs (all locations within El Paso County): (Effective the Friday immediately before Mem- orial Day thru Labor Day)	66
(Effective all other times)	P/D
Denver (all locations within the counties of Denver, Adams, Arapahoe, and Jefferson)	75
**Durango (all locations within La Plata County)	71
**Glenwood Springs (all locations within Gar- field County)	68
**Grand Junction (all locations within Mesa County)	65
Vail (all locations within Eagle County)	75
Connecticut	
Bridgeport (all locations within Fairfield County)	75
Hartford (all locations within the counties of Hartford and Middlesex)	75
New Haven (all locations within New Haven County)	75
**New London/Groton (all locations within New London County): (Effective 4/1 thru 10/31)	75
(Effective 11/1 thru 3/31)	64
Delaware	
*Lewes (all locations within Sussex County): (Effective 5/1 thru 9/30)	65
(Effective 10/1 thru 4/30)	P/D
Wilmington (all locations within New Castle County)	75
District of Columbia	
Washington, DC (all locations within the cor- porate limits of the District of Columbia; the cities of Alexandria, Falls Church, and Fair- fax, and the counties of Arlington, Lou- doun, and Fairfax in Virginia; and the coun- ties of Montgomery and Prince Georges in Maryland) (see also Maryland and Virginia)	75
Florida	
**Cocoa Beach (all locations within Brevard County)	68
**Spacecraft (lunch periods)	75
**Ft. Lauderdale (all locations within Broward County)	75
**Ft. Myers (all locations within Lee County)	60
**Ft. Walton Beach (all locations within Okla- hooche County): (Effective 5/1 thru 9/30)	75
(Effective 10/1 thru 4/30)	64
**Gainesville (all locations within Alachua County)	60
**Jacksonville (all locations within Duval County, including Naval Station Mayport) (see also Georgia)	71
Miami (all locations within the counties of Dade and Monroe)	75
**Orlando (all locations within Orange County)	75
**Panama City (all locations within Bay County): (Effective 5/1 thru 9/30)	75
(Effective 10/1 thru 4/30)	57
**Pensacola (all locations within Escambia County)	63
**Sarasota (all locations within Sarasota County)	62

High rate geographical areas ^{1,2,3,4}	Prescribed maximum daily rates (in dollars)	High rate geographical areas ^{1,2,3,4}	Prescribed maximum daily rates (in dollars)	High rate geographical areas ^{1,2,3,4}	Prescribed maximum daily rates (in dollars)
**St. Augustine (all locations within Saint Johns County)	61	Montgomery County (see also District of Columbia)	75	**Cape May (all locations within Cape May County)	
**Tallahassee (all locations within Leon County)	60	Prince Georges County (see also District of Columbia)	75	Effective 6/1 thru Labor Day	75
Tampa/St. Petersburg (all locations within the counties of Hillsborough and Pinellas)	75	Massachusetts		(Effective after Labor Day thru 5/31)	57
**West Palm Beach (all locations within Palm Beach County)		**Andover (all locations within Essex County)	75	Dover (all locations within Morris County, including Picatinny Arsenal)	75
(Effective 12/1 thru 4/30)	70	Boston (all locations within the counties of Middlesex, Norfolk, and Suffolk)	75	Ealontown (all locations within Monmouth County, including Ft. Monmouth)	75
(Effective 5/1 thru 11/30)	64	*Hyannis (all locations within Barnstable County)	75	Edison (all locations within Middlesex County)	75
Georgia		(Effective 6/1 thru Labor Day)	75	Newark (all locations within the counties of Bergen, Essex, Hudson, Passaic, and Union)	75
**Albany (all locations within Dougherty County)	60	(Effective after Labor Day thru 5/31)	63	Princeton/Trenton (all locations within Mercer County)	75
**Atlanta (all locations within the counties of Clayton, De Kalb, Fulton, and Cobb)	75	**Martha's Vineyard/Nantucket (all locations within the counties of Dukes and Nantucket)	75	**Tom's River (all locations within Ocean County)	75
**Savannah (all locations within Chatham County)	61	(Effective 5/1 thru Labor Day)	75		
*St. Marys (see also Jacksonville, FL)	71	(Effective after Labor Day thru 5/31)	69	New Mexico	
Idaho		**New Bedford (all locations within Bristol County)	70	**Albuquerque (all locations within Bernalillo County)	75
**Boise (all locations within Ada County)	68	**Pittsfield (all locations within Berkshire County)	71	*Los Alamos (all locations within Los Alamos County)	58
Illinois		**Springfield (all locations within Hampden County)	67	**Santa Fe (all locations within Santa Fe County)	75
Chicago (all locations within the counties of Du Page, Cook, and Lake)	75	**Worcester (all locations within Worcester County)	69		
**Rockford (all locations within Winnebago County)	62	Michigan		New York	
**Springfield (all locations within Sangamon County)	65	**Ann Arbor (all locations within Washtenaw County)	70	**Albany (all locations within Albany County)	75
Indiana		Detroit (all locations within Wayne County)	75	**Buffalo/Niagara Falls (all locations within the counties of Erie and Niagara)	75
**Indiana Army Ammunition Plant, Charlestown (see also Louisville, KY)	75	**Grand Rapids (all locations within Kent County)	68	**Lake Placid (all locations within Essex County)	75
**Fl. Wayne (all locations within Allen County)	70	**Kalamazoo (all locations within Kalamazoo County)	64	(Effective 6/1 thru Labor Day)	75
**Gary (all locations within Lake County)	67	*Marquette (all locations within Marquette County)	55	(Effective after Labor Day thru 5/31)	65
Indianapolis (all locations within Marion County, including Fort Benjamin Harrison)	75	Pontiac (all locations within Oakland County)	66	New York (all locations within the Boroughs of the Bronx, Brooklyn, Manhattan, Queens, and Staten Island, and the counties of Nassau and Suffolk)	75
**South Bend (all locations within St. Joseph County)	67	**Saginaw (all locations within Saginaw County)	66	Rochester (all locations within Monroe County)	75
Iowa		**Warren (all locations within Macomb County)	70	Syracuse (all locations within Onondaga County)	75
**Des Moines (all locations within Polk County)	65	Minnesota		**West Point (all locations within Orange County)	63
Kansas		**Duluth (all locations within St. Louis County)	66	**White Plains (all locations within Westchester County)	75
Kansas City (all locations within the counties of Johnson and Wyandotte) (see also Kansas City, MO)	75	Minneapolis/St. Paul (all locations within the counties of Anoka, Hennepin, and Ramsey, including the Fort Snelling Military Reservation and Navy Astronautics Group (Detachment BRAVO), Rosemount)	75		
**Wichita (all locations within Sedgewick County)	75	Mississippi		North Carolina	
Kentucky		**Gulfport (all locations within Harrison County)	64	**Asheville (all locations within Buncombe County)	66
**Covington (all locations within Kenton County)	65	(Effective 5/1 thru 9/30)	58	**Charlotte (all locations within Mecklenburg County)	72
**Lexington (all locations within Fayette County)	75	(Effective 10/1 thru 4/30)	67	**Durham (all locations within Durham County)	56
**Louisville (all locations within Jefferson County, and the Indiana Army Ammunition Plant, Charlestown, Indiana) (see also Indiana)	75	**Jackson (all locations within Hinds County)	67	**Raleigh (all locations within Wake County)	74
Louisiana		Missouri		North Dakota	
Baton Rouge (all locations within East Baton Rouge Parish)	75	Kansas City (all locations within the counties of Clay, Jackson, and Platte) (see also Kansas City, KS)	75	**Bismarck (all locations within Burleigh County)	64
**Lafayette (all locations within Lafayette Parish)	69	St. Louis (all locations within the counties of St. Charles and St. Louis)	75	Ohio	
**Lake Charles (all locations within Calcasieu Parish)	65	**Springfield (all locations within Greene County)	62	**Akron (all locations within Summit County)	65
New Orleans (all locations within parishes of Jefferson, Orleans, Plaquemines, and St. Bernard)	75	Montana		Cincinnati/Eventdale (all locations within the counties of Hamilton and Warren)	75
**Shreveport (all locations within Caddo Parish)	74	**Great Falls (all locations within Cascade County)	59	Cleveland (all locations within Cuyahoga County)	75
Maine		Nebraska		**Columbus (all locations within Franklin County)	75
**Bath (all locations within Sagadahoc County)	57	**Lincoln (all locations within Lancaster County)	58	**Dayton (all locations within Montgomery County, including Wright-Patterson AFB)	75
**Portland (all locations within Cumberland County)	75	**Omaha (all locations within Douglas County)	70	Toledo (all locations within Lucas County)	70
**Kittery (including the Portsmouth Naval Shipyard) (See also Portsmouth, NH)	65	Nevada		Oklahoma	
(Effective the Friday immediately before Memorial Day thru 10/31)	65	**Carson City (all locations within Carson City County)	56	**Oklahoma City (all locations within Oklahoma County)	72
(Effective all other times)	P/D	Las Vegas (all locations within Clark County, including Nellis AFB)	75	Tulsa (all locations within the counties of Tulsa and Osage)	75
Maryland		**Reno (all locations within Washoe County)	66	Oregon	
**Annapolis (all locations within Anne Arundel County)	70	New Hampshire		**Portland (all locations within Multnomah County)	75
Baltimore (all locations within Baltimore City and the counties of Baltimore and Harford)	75	**Manchester (all locations within Hillsborough County)	74	Pennsylvania	
**Ocean City (all locations within Worcester County)	75	**Portsmouth/Newington (all locations within Rockingham County including Pease AFT) (See also Kittery, ME)	65	**Chester (all locations within Delaware County)	65
(Effective 5/1 thru Labor Day)	75	(Effective the Friday immediately before Memorial Day thru 10/31)	65	Coatesville/Valley Forge (all locations within Chester County)	75
(Effective after Labor Day thru 4/30)	63	(Effective all other times)	PD	**Erie (all locations within Erie County)	70
**Salisbury (all locations within Wicomico County)	57	New Jersey		Harrisburg (all locations within Dauphin County)	75
		Atlantic City (all locations within Atlantic County)	75	King of Prussia/Ft. Washington (all locations within Montgomery County, except Bala Cynwyd) (see also Philadelphia, PA)	75
		**Camden (all locations within Camden County)	71	**Mechanicsburg (all locations within Cumberland County)	55

High rate geographical areas****	Prescribed maximum daily rates (in dollars)	High rate geographical areas****	Prescribed maximum daily rates (in dollars)	High rate geographical areas****	Prescribed maximum daily rates (in dollars)
Philadelphia/Bala Cynwyd (all locations within Philadelphia County and the city of Bala Cynwyd in Montgomery County)	75	Dallas/Ft. Worth (all locations within the counties of Dallas and Tarrant)	75	**Tacoma (all locations within Pierce County)	64
Pittsburgh/Monroeville (all locations within Allegheny County)	75	**El Paso (all locations within El Paso County)	74	West Virginia	
**Reading (all locations within Berks County)	63	**Galveston (all locations within Galveston County)	76	**Charleston (all locations within Kanawha County)	70
**Warmister (all locations within Bucks County including the Naval Air Development Center)	66	Houston (all locations within Harris County, including the L. B. Johnson Space Center and Ellington AFB)	75	Wisconsin	
**York (all locations within York County)	66	**Lubbock (all locations within Lubbock County)	60	**Madison (all locations within Dane County)	75
Rhode Island		*Midland/Cosco (all locations within the counties of Ector and Midland County)	67	Milwaukee (all locations within Milwaukee County)	75
**Newport (all locations within Newport County)	75	San Antonio (all locations within Bexar County)	75	Wyoming	
Providence (all locations within Providence County)	75	Utah		**Casper (all locations within Natrona County)	68
South Carolina		Salt Lake City (all locations within Salt Lake County, including Dugway Proving Ground and Tooele Army Depot)	75	**Cheyenne (all locations within Laramie County)	65
**Charleston (all locations within the counties of Charleston and Berkeley)	66	Vermont		*Evanston (all locations within Uinta County)	56
**Columbia (all locations within Richland County)	68	**Burlington (all locations within Chittenden County)	68	*Galette (all locations within Campbell County)	69
Hilton Head (all locations within Beaufort County)	75	Virginia		*Jackson (all locations within Teton County)	75
*Myrtle Beach (all locations within Horry County, including Myrtle Beach AFB): (Effective 3/1 thru 9/30) (Effective 10/1 thru 2/28-29)	P/D	Alexandria (see also District of Columbia)	75	**Rock Springs (all locations within Sweetwater County)	68
South Dakota		Fairfax (see also District of Columbia)	75		
**Rapid City (all locations within Pennington County): (Effective 6/1 thru 9/30) (Effective 10/1 thru 5/31)	P/D	Falls Church (see also District of Columbia)	75		
**Sioux Falls (all locations within Minnehaha County)	60	**Manassas (all locations within Prince William County)	63		
Tennessee		**Norfolk (all locations within the cities of Norfolk, Virginia Beach, Portsmouth, Hampton, Newport News, and Chesapeake, and the county of York, including the Naval Weapons Station, Yorktown)	75		
**Chattanooga (all locations within Hamilton County)	61	**Richmond (all locations within the city of Richmond and the counties of Chesterfield and Henrico, including the Defense General Supply Center)	71		
**Knoxville/Oak Ridge (all locations within Knox County and the city of Oak Ridge)	64	**Roanoke (all locations within Roanoke City and the County of Roanoke)	63		
**Memphis (all locations within Shelby County)	75	**Williamsburg: (Effective 4/1 thru 10/31) (Effective 11/1 thru 3/31)	75 70		
**Nashville (all locations within Davidson County)	71	Arlington County (see also District of Columbia)	75		
Texas		Fairfax County (see also District of Columbia)	75		
**Amarillo (all locations within Potter County)	65	Loudoun County (see also District of Columbia)	75		
Austin (all locations within Travis County)	75	Washington			
**Beaumont (all locations within Jefferson County)	60	Seattle (all locations within King County)	75		
**Brownsville (all locations within Cameron County)	62	**Spokane (all locations within Spokane County)	70		
Corpus Christi (all locations within Nueces County)	75				

*Unless otherwise specified, HRGA's are defined as "all locations within, or entirely surrounded by, the corporate limits of the key city, including independent entities located within those boundaries."

**HRGA's with county definitions shall include "all locations within, or entirely surrounded by, the corporate limits of the key city as well as the boundaries of the listed counties, including independent entities located within the boundaries of the key city and the listed counties."

*Military installations or Government-related facilities (whether or not specifically named in the HRGA definition) that are partially located within the HRGA boundary shall include "all locations that are geographically part of the military installation or Government-related facility, even though part(s) of such activities may be located in an area that is not specifically listed in the HRGA definition."

*The abbreviation "P/D" shown in the rate column means that per diem not to exceed the \$50 maximum rate in accordance with Part 7 of Chapter 1 is applicable during the period specified.

* Newly designated HRGA.
** Rate adjustment or redefined boundary for previously designated HRGA.

*** Subsistence costs increase during the period immediately preceding and following a spacecraft launch. The maximum \$75 rate applies during the period which begins at 12:01 a.m. 2 days prior to a scheduled launch and runs until midnight of the second day following the actual launch.

Dated: November 18, 1983.

Ray Kline,
Acting Administrator of General Services.

[FR Doc. 83-32783 Filed 12-6-83; 8:45 am]

BILLING CODE 6820-AM-M

federal register

Friday
December 9, 1983

Part IV

Environmental Protection Agency

**National Emission Standards for
Hazardous Pollutants; Revisions and
Additions; Final Rule**

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 61

(AD-FRL 2453-7)

National Emission Standards for Hazardous Air Pollutants; Revisions and Additions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Revisions to Methods 103 and 104 of Appendix B of 40 CFR Part 61 are being made to incorporate metric units in data collection and calculations, and to provide consistency with other methods in Part 61. Additions to § 61.18 are being made to incorporate by reference the quality specifications for the reagent water required by Method 104, and for the filter media required by Methods 103 and 104. This action promulgates the revisions and additions.

DATES: Effective December 9, 1983. Under Section 307(b)(1) of the Clean Air Act, judicial review of the revisions and amendment is available *only* by the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of today's publication of this rule. Under Section 307(b)(2) of the Clean Air Act, the requirements that are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

Incorporation by Reference. The incorporation by reference of certain publications in these standards is approved by the Director of the Federal Register as of December 9, 1983.

FOR FURTHER INFORMATION CONTACT: Roger Shigehara, Emission Measurement Branch, Emission Standards and Engineering Division (MD-19), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone (919) 541-2237.

SUPPLEMENTARY INFORMATION:

Revisions and Additions

This rulemaking does not impose any additional emission measurement requirements on any facilities. Rather, the rulemaking simply provides for the use of the metric system and simplified

instructions in test methods associated with emission measurement requirements that would apply irrespective of this rulemaking. Therefore, additional notice and comment are "unnecessary," and the Agency has "good cause," under 42 U.S.C. 7607(d)(1) and 5 U.S.C. 553(b), subparagraph (B), to promulgate these revisions and additions without further notice and comment.

Public Participation

Public comments were not sought because of the noncontroversial nature of the revisions and additions.

Miscellaneous

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a regulatory impact analysis. The regulation is not major because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs or prices; and there will be no significant adverse effects on completion, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

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

This rule does not contain any information collection requirements subject to OMB review under the Paperwork Reduction Act of 1980 U.S.C. 3501 *et seq.*

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the attached rule will not have any economic impact on a substantial number of small entities, because the revisions do not impose any additional test cost.

This rulemaking is issued under the authority of sections 112, 114, and 301(a) of the Clean Air Act, amended (42 U.S.C. 7412, 7414, and 7601(a)).

List of Subjects in 40 CFR Part 60:

Air pollution control, Aluminum, Ammonium sulfate plants, Asphalt, Cement industry, Coal, Copper, Electric power plants, Glass and glass products, Grains, Intergovernmental relations,

Iron, Lead, Metals, Metallic minerals, Motor vehicles, Nitric acid plants, Paper and paper products industry, Petroleum, Phosphate, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc, Tires, Incorporation by Reference, Can surface coating, Sulfuric acid plants, Industrial organic chemicals, Organic solvent cleaners, Fossil-Fuel-Fired Steam generators.

Dated: December 5, 1983.

William D. Ruckelshaus,
Administrator.

PART 61—[AMENDED]

40 CFR Part 61 is amended as follows:

1. In § 61.18, paragraph (a) is amended by revising paragraph (a)(2) and by adding a new paragraph (a)(3) as follows:

§ 61.18 Incorporations by reference.

- (a)
- (2) ASTM D 1193-77, Standard Specification for Reagent Water, IBR approved for Method 101, par. 6.1.1; Method 101A, par. 6.1.1; Method 104, par. 3.1.2.
- (3) ASTM D 2986-71 (Reapproved 1978), Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Diocetyl Phthalate) Smoke Test, IBR approved for Method 103, par. 2.1.3; Method 104, par. 3.1.1.

2. By revising Test Methods 103 and 104 of Appendix B to read as follows:

Appendix B—Test Methods

Method 103—Beryllium Screening Method

1. *Applicability and Principle.*
- 1.1 *Applicability.* This procedure details guidelines and requirements for methods acceptable for use in determining beryllium (Be) emissions in ducts or stacks at stationary sources as specified under the provisions of § 61.14 of the regulations.
- 1.2 *Principle.* Be emissions are isokinetically sampled from three points in a duct or stack. The collected sample is analyzed for Be using an appropriate technique.

2. *Apparatus.*
- 2.1 *Sampling Train.* A schematic of the required sampling train configuration is shown in Figure 103-1. The essential components of the train are the following:

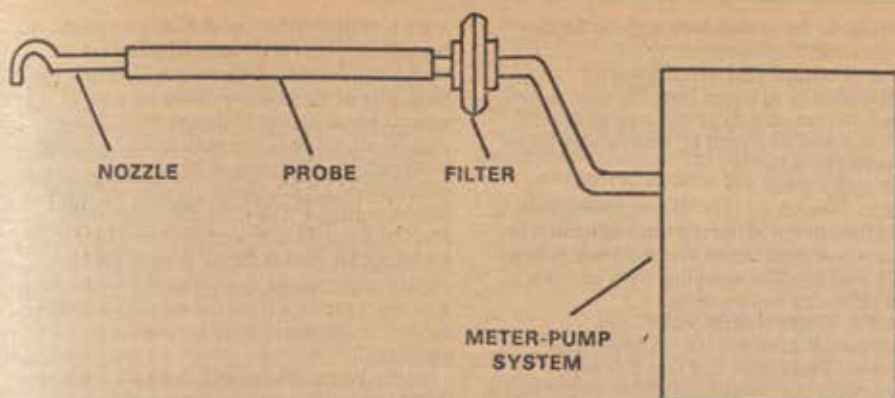


Figure 103-1. Beryllium screening method; sample train schematic.

2.1.1 Nozzle. Stainless steel, or equivalent, with sharp, tapered leading edge.

2.1.2 Probe. Sheathed borosilicate or quartz glass tubing.

2.1.3 Filter. Millipore AA (Note: Mention of trade names or specific products does not constitute endorsement by the Environmental Protection Agency), or equivalent, with appropriate filter holder that provides a positive seal against leakage from outside or around the filter. It is suggested that a Whatman 41, or equivalent, be placed immediately against the back side of the Millipore filter as a guard against breakage of the Millipore. Include the backup filter in the analysis. To be equivalent, other filters shall exhibit at least 99.95 percent efficiency (0.05 percent penetration) on 0.3 micron dioctyl phthalate smoke particles, and be amenable to the Be analysis procedure. The filter efficiency tests shall be conducted in accordance with American Society for Testing and Materials (ASTM) Standard Method D 2986-71 (reapproved 1978) (incorporated by reference—see § 61.18). Test data from the supplier's quality control program are sufficient for this purpose.

2.1.4 Meter-Pump System. Any system that will maintain isokinetic sampling rate, determine sample volume, and is capable of a sampling rate of greater than 14 l pm (0.5 cfm).

2.2 Measurement of Stack Conditions. The following equipment is used to measure stack conditions:

2.2.1 Pitot Tube. Type S, or equivalent, with a coefficient within 5 percent over the working range.

2.2.2 Inclined Manometer, or Equivalent. To measure velocity head to within 10 percent of the minimum value.

2.2.3 Temperature Measuring Device. To measure stack temperature to within 1.5 percent of the minimum absolute stack temperature.

2.2.4 Pressure Measuring Device. To measure stack pressure to within 2.5 mm Hg (0.1 in. Hg).

2.2.5 Barometer. To measure atmospheric pressure to within 2.5 mm Hg (0.1 in. Hg).

2.2.6 Wet and Dry Bulb Thermometers, Drying Tubes, Condensers, or Equivalent. To determine stack gas moisture content to within 1 percent.

2.3 Sample Recovery.

2.3.1 Probe Cleaning Equipment. Probe brush or cleaning rod at least as long as probe, or equivalent. Clean cotton balls, or equivalent, should be used with the rod.

2.3.2 Leakless Glass Sample Bottles. To contain sample.

2.4 Analysis. Use equipment necessary to perform an atomic absorption, spectrographic, fluorometric, chromatographic, or equivalent analysis.

3. Reagents.

3.1 Sample Recovery.

3.1.1 Water. Distilled water.

3.1.2 Acetone. Reagent grade.

3.1.3 Wash Acid, 50 Percent (V/V)

Hydrochloric Acid (HCl).

Mix equal volumes of concentrated HCl and water, being careful to add the acid slowly to the water.

3.2 Analysis. Reagents as necessary for the selected analytical procedure.

4. Procedure. Guidelines for source testing are detailed in the following sections. These guidelines are generally applicable; however, most sample sites differ to some degree and temporary alterations such as stack extensions or expansions often are required to insure the best possible sample site. Further, since Be is hazardous, care should be taken to minimize exposure. Finally, since the total quantity of Be to be collected is quite small, the test must be carefully conducted to prevent contamination or loss of sample.

4.1 Selection of a Sampling Site and Number of Sample Runs. Select a suitable sample site that is as close as practicable to the point of atmospheric emission. If possible, stacks smaller than 1 foot in diameter should not be sampled.

4.1.1 Ideal Sampling Site. The ideal sampling site is at least eight stack or duct diameters downstream and two diameters upstream from any flow disturbance such as a bend, expansion or contraction. For rectangular cross sections, use Equation 103-1 to determine an equivalent diameter, D_e .

Eq. 103-1

$$D_e = \frac{2LW}{L+W}$$

Where:

L = length

W = width

4.1.2 Alternate Sampling Site. Some sampling situations may render the above sampling site criteria impractical. In such cases, select an alternate site no less than two diameters downstream and one-half diameter upstream from any point of flow disturbance. Additional sample runs are recommended at any sample site not meeting the criteria of Section 4.1.1.

4.1.3 Number of Sample Runs Per Test. Three sample runs constitute a test. Conduct each run at one of three different points. Select three points that proportionately divide the diameter, or are located at 25, 50, and 75 percent of the diameter from the inside wall. For horizontal ducts, sample on a vertical line through the centroid. For rectangular ducts, sample on a line through the centroid and parallel to a side. If additional sample runs are performed per Section 4.1.2, proportionately divide the duct to accommodate the total number of runs.

4.2 Measurement of Stack Conditions. Using the equipment described in Section 2.2, measure the stack gas pressure, moisture, and temperature to determine the molecular weight of the stack gas. Sound engineering estimates may be made in lieu of direct measurements. Describe the basis for such estimates in the test report.

4.3 Preparation of Sampling Train. Assemble the sampling train as shown in Figure 103-1. It is recommended that all glassware be precleaned by soaking in wash acid for 2 hours.

Leak check the sampling train at the sampling site. The leakage rate should not be in excess of 1 percent of the desired sample rate.

4.4 Beryllium Train Operation. For each run, measure the velocity at the selected sampling point. Determine the isokinetic sampling rate. Record the velocity head and the required sampling rate. Place the nozzle at the sampling point with the tip pointing directly into the gas stream. Immediately start the pump and adjust the flow to isokinetic conditions. At the conclusion of the test, record the sampling rate. Again measure the velocity head at the sampling point. The required isokinetic rate at the end of the period should not have deviated more than 20 percent from that originally calculated. Describe the reason for any deviation beyond 20 percent in the test report.

Sample at a minimum rate of 14 l pm (0.5 cfm). Obtain samples over such a period or periods of time as are necessary to determine the maximum emissions which would occur in a 24-hour period. In the case of cyclic operations, perform sufficient sample runs so as to allow determination or calculation of the emissions that occur over the duration of the cycle. A minimum sampling time of 2 hours per run is recommended.

4.5 Sample Recovery. It is recommended that all glassware be precleaned as in Section 4.3. Sample recovery should also be performed in an area free of possible Be contamination. When the sampling train is moved, exercise care to prevent breakage and contamination. Set aside a portion of the acetone used in the sample recovery as a blank for analysis. The total amount of

acetone used should be measured for accurate blank correction. Blanks can be eliminated if prior analysis shows negligible amounts.

Remove the filter (and backup filter, if used) and any loose particulate matter from filter holder, and place in a container.

Clean the probe with acetone and a brush or long rod and cotton balls. Wash into the container with the filter. Wash out the filter holder with acetone, and add to the same container.

4.6 Analysis. Make the necessary preparation of samples and analyze for Be. Any currently acceptable method such as atomic absorption, spectrographic, fluorometric, chromatographic, or equivalent may be used.

5. Calibration and Standards.

5.1 Sampling Train. As a procedural check, compare the sampling rate regulation with a dry gas meter, spirometer, rotameter (calibrated for prevailing atmospheric conditions), or equivalent, attached to the nozzle inlet of the complete sampling train.

5.2 Analysis. Perform the analysis standardization as suggested by the manufacturer of the instrument, or the procedures for the analytical method in use.

6. Calculations.

Calculate the Be emission rate R in g/day for each stack using Equation 103-2. For cyclic operations, use only the time per day each stack is in operation. The total Be emission rate from a source is the summation of results from all stacks.

Eq. 103-2

$$R = \frac{W_{s,Be}(avg) A_s (86,400 \times 10^{-6})}{V_{total}}$$

Where:

$W_{s,Be}$ = Total weight of Be collected, μg .

$v_s(avg)$ = Average stack gas velocity, m/sec (ft/sec).

$A_s(avg)$ = Stack area, $\text{m}^2(\text{ft}^2)$.

86,400 = Conversion factor, sec/day.

10^{-6} = Conversion factor, g/ μg .

V_{total} = Total volume of gas sampled, $\text{m}^3(\text{ft}^3)$.

7. Test Report.

Prepare a test report that includes as a minimum: A detailed description of the sampling train used, results of the procedural check described in Section 5.1 with all data and calculations made, all pertinent data taken during the test, the basis for any estimates made, isokinetic sampling calculations, and emission results. Include a description of the test site, with a block diagram and brief description of the process, location of the sample points in the stack cross section, and stack dimensions and distances from any point of disturbance.

Method 104—Reference Method for Determination of Beryllium Emissions From Stationary Sources

1. Applicability and Principle.

1.1 Applicability. This method is applicable for the determination of beryllium (Be) emissions in ducts or stacks at stationary sources. Unless otherwise specified, this method is not intended to apply to gas streams other than those emitted

directly to the atmosphere without further processing.

1.2 Principle. Be emissions are isokinetically sampled from the source, and the collected sample is digested in an acid solution and analyzed by atomic absorption spectrophotometry.

2. Apparatus.

2.1 Sampling Train. The sampling train is identical to the Method 5 train as shown in Figure 5-1 (mention of Method 5 refers to 40 CFR Part 60). The sampling train consists of the following components:

2.1.1 Probe Nozzle, Pitot Tube, Differential Pressure Gauge, Metering System, Barometer, and Gas Density Determination Equipment. Same as Method 5, Sections 2.1.1, 2.1.3, 2.1.4, 2.1.8, 2.1.9, and 2.1.10, respectively.

2.1.2 Probe Liner. Borosilicate or quartz glass tubing. The tester may use a heating system capable of maintaining a gas temperature of $120 \pm 14^\circ\text{C}$ ($248 \pm 25^\circ\text{F}$) at the probe exit during sampling to prevent water condensation. *Note:* Do not use metal probe liners.

2.1.3 Filter Holder. Borosilicate glass, with a glass frit filter support and a silicone rubber gasket. Other materials of construction (e.g., stainless steel, Teflon, Viton) may be used, subject to the approval of the Administrator. (*Note:* Mention of trade names of specific products does not constitute endorsement by the Environmental Protection Agency.) The holder design shall provide a positive seal against leakage from the outside or around the filter. The holder shall be attached immediately at the outlet of the probe. A heating system capable of maintaining the filter at a minimum temperature in the range of the stack temperature may be used to prevent condensation from occurring.

2.1.4 Impingers. Four Greenburg-Smith impingers connected in series with leak-free ground glass fittings or any similar leak-free noncontaminating fittings. For the first, third, and fourth impingers, the tester may use impingers that are modified by replacing the tip with a 13-mm-ID (0.5-in.) glass tube extending to 13 mm (0.5 in.) from the bottom of the flask.

2.2 Sample Recovery. The following items are needed:

2.2.1 Probe Cleaning Rod. At least as long as probe.

2.2.2 Glass Sample Bottles. Leakless, with Teflon-lined caps, 500-ml.

2.2.3 Graduated Cylinder. 250-ml.

2.2.4 Funnel and Rubber Policeman. To aid in transfer of silica gel to container; not necessary if silica gel is weighed in the field.

2.2.5 Funnel. Glass, to aid in sample recovery.

2.2.6 Plastic Jar. Approximately 300-ml.

2.3 Analysis. The following equipment is needed:

2.3.1 Atomic Absorption Spectrophotometer. Perkin-Elmer 303, or equivalent, with nitrous oxide/acetylene burner.

2.3.2 Hot Plate.

2.3.3 Perchloric Acid Fume Hood.

3. Reagents.

Use ACS reagent-grade chemicals or equivalent, unless otherwise specified.

3.1 Sampling and Recovery. The reagents used in sampling and recovery are as follows:

3.1.1 Filter. Millipore AA, or equivalent. It is suggested that a Whatman 41 filter or equivalent be placed immediately against the back side of the Millipore filter as a guard against breaking the Millipore filter. To be equivalent, other filters shall exhibit at least 99.95 percent efficiency (0.05 percent penetration) on 0.3 micron dioctyl phthalate smoke particles. The filter efficiency tests shall be conducted in accordance with ASTM Standard Method D 2986-71 (reapproved 1978) (incorporated by reference—see § 61.18). Test data from the supplier's quality control program are sufficient for this purpose.

3.1.2 Water. Deionized distilled, meeting ASTM Specifications for Type 3 Reagent Water—ASTM Test Method D 1193-77 (incorporated by reference—see § 61.18). If high concentrations of organic matter are not expected to be present, the analyst may eliminate the KMnO_4 test for oxidizable organic matter.

3.1.3 Silica Gel. Indicating type, 6- to 16-mesh. If previously used, dry at 175°C (350°F) for 2 hours. The tester may use new silica gel as received.

3.1.4 Acetone.

3.1.5 Wash Acid, 50 Percent (V/V) Hydrochloric Acid (HCl).

Mix equal volumes of concentrated HCl and water, being careful to add the acid slowly to the water.

3.2 Sample Preparation and Analysis. The reagents needed are listed below:

3.2.1 Water. Same as Section 3.1.2.

3.2.2 Perchloric Acid (HClO_4). Concentrated (70 percent).

3.2.3 Nitric Acid (HNO_3). Concentrated.

3.2.4 Beryllium Powder. Minimum purity 98 percent.

3.2.5 Sulfuric Acid (H_2SO_4) Solution, 12 N. Dilute 33 ml of concentrated H_2SO_4 to 1 liter with water.

3.2.6 Hydrochloric Acid Solution, 25 percent HCl (V/V).

3.2.7 Standard Beryllium Solution, 1 μg Be/ml. Dissolve 10 mg of Be in 80 ml of 12N H_2SO_4 solution, and dilute to 1000 ml with water. Dilute a 10-ml aliquot to 100 ml with 25 percent HCl solution to give a concentration of 1 $\mu\text{g}/\text{ml}$. Prepare this dilute stock solution fresh daily. Equivalent strength Be stock solutions may be prepared from Be salts such as BeCl_2 and $\text{Be}(\text{NO}_3)_2$ (98 percent minimum purity).

4. Procedure.

4.1 Sampling. Because of the complexity of this method testers should be trained and experienced with the test procedures to assure reliable results. As Be is hazardous, testers should take precautions to minimize exposure. The amount of Be that is collected is generally small, therefore, it is necessary to exercise particular care to prevent contamination or loss of sample.

4.1.1 Pretest Preparation. Follow the general procedure given in Method 5, Section 4.1.1. Omit the directions of filters, except check them visually against light for irregularities and flaws such as pinholes.

4.1.2 Preliminary Determinations. Follow the general procedure given in Method 5, Section 4.1.2, except as follows: Select a nozzle size based on the range of velocity

heads to assure that it is not necessary to change the nozzle size in order to maintain isokinetic sampling rates below 28 liters/min (1.0 cfm).

Obtain samples over a period or periods of time that accurately determine the maximum emissions that occur in a 24-hour period. In the case of cyclic operations, perform sufficient sample runs for the accurate determination of the emissions that occur over the duration of the cycle. A minimum sample time of 2 hours per run is recommended.

4.1.3 Prior to assembly, clean all glassware (probe, impingers, and connectors) by first soaking in wash acid for 2 hours, followed by rinsing with water. Place 100 ml of water in each of the first two impingers, and leave the third impinger empty. Save a portion of the water for a blank analysis. Place approximately 200 g of preweighted silica gel in the fourth impinger. The tester may use more silica gel, but should be careful to ensure that it is not entrained and carried out from the impinger during sampling. Place the silica gel container in a clean place for later use in the sample recovery. As an alternative, determine and record the weight of the silica gel plus impinger to the nearest 0.5 g.

Install the selected nozzle using a Viton A O-ring when stack temperatures are less than 260°C (500°F). Use a fiberglass string gasket if temperatures are higher. See APTD-0576 (Citation 9 in Section 10 of Method 101) for details. Other connecting systems using either 316 stainless steel or Teflon ferrules may be used.

If condensation in the probe or filter is a problem, probe and filter heaters will be required. Adjust the heaters to provide a temperature at or above the stack temperature. However, membrane filters such as the Millipore AA are limited to about 225°F. If the stack gas is in excess of about 200°F, consideration should be given to an alternate procedure such as moving the filter holder downstream of the first impinger to insure that the filter does not exceed its temperature limit. Mark the probe with heat-resistant tape or by some other method to denote the proper distance into the stack or duct for each sampling point. Assemble the train as shown in Figure 5-1 of Method 5, using (if necessary) a very light coat of silicone grease on all ground glass joints. Grease only the outer portion (see APTD-0576) to avoid possibility of contamination by the silicon grease. Note: An empty impinger may be inserted between the third impinger and the silica gel to remove excess moisture from the sample stream.

After the sampling train has been assembled, turn on and set the probe, if applicable, at the desired operating temperature. Allow time for the temperatures to stabilize. Place crushed ice around the impingers.

4.1.4 Leak-Check Procedures. Follow the leak-check procedures outlined in Method 5, Sections 4.1.4.1 (Pretest Leak Check), 4.1.4.2 (Leak Checks During Sample Run), and 4.1.4.3 (Post-Test Leak Check).

4.1.5 Beryllium Train Operation. Follow the general procedure given in Method 5, Section 4.1.5. For each run, record the data

required on a data sheet such as the one shown in Figure 5-2 of Method 5.

4.1.6 Calculation of Percent Isokinetic. Same as Method 5, Section 4.1.6.

4.2 Sample Recovery. Begin proper cleanup procedure as soon as the probe is removed from the stack at the end of the sampling period.

Allow the probe to cool. When it can be safely handled, wipe off any external particulate matter near the tip of the probe nozzle, and place a cap over it. Do not cap off the probe tip tightly while the sampling train is cooling. Capping would create a vacuum and draw liquid out from the impingers.

Before moving the sampling train to the cleanup site, remove the probe from the train, wipe off the silicone grease, and cap the open outlet of the probe. Be careful not to lose any condensate that might be present. Wipe off the silicone grease from the impinger. Use either ground-glass stoppers, plastic caps, or serum caps to close these openings.

Transfer the probe and impinger assembly to a cleanup area that is clean, protected from the wind, and free of Be contamination.

Inspect the train before and during this assembly, and note any abnormal conditions. Treat the sample as follows:

Disconnect the probe from the impinger train. Remove the filter and any loose particulate matter from the filter holder, and place in a sample bottle. Place the contents (measured to ± 1 ml) of the first three impingers into another sample bottle. Rinse the probe and all glassware between it and the back half of the third impinger with water and acetone, and add this to the latter sample bottle. Clean the probe with a brush or a long slender rod and cotton balls. Use acetone while cleaning. Add these to the sample bottle. Retain a sample of the water and acetone as a blank. The total amount of water and acetone used should be measured for accurate blank correction. Place the silica gel in the plastic jar. Seal and secure all sample containers for shipment. If an additional test is desired, the glassware can be carefully double rinsed with water and reassembled. However, if the glassware is out of use more than 2 days, repeat the initial acid wash procedure.

4.3 Analysis.

4.3.1 Apparatus Preparation. Before use, clean all glassware according to the procedure of Section 4.1.3. Adjust the instrument settings according to the instrument manual, using an absorption wavelength of 234.8 nm.

4.3.2 Sample Preparation. The digestion of Be samples is accomplished in part in concentrated HClO₄. Caution: The analyst must insure that the sample is heated to light brown fumes after the initial HNO₃ addition; otherwise, dangerous perchlorates may result from the subsequent HClO₄ digestion. HClO₄ should be used only under a hood.

4.3.2.1 Filter Preparation. Transfer the filter and any loose particulate matter from the sample container to a 150-ml beaker. Add 35 ml concentrated HNO₃. Heat on a hotplate until light brown fumes are evident to destroy all organic matter. Cool to room temperature, and add 5 ml concentrated H₂SO₄ and 5 ml concentrated HClO₄. Then proceed with step 4.3.2.4.

4.3.2.2 Water Preparation. Place a portion of the water and acetone sample into a 150-ml beaker, and put on a hotplate. Add portions of the remainder as evaporation proceeds and evaporate to dryness. Cool the residue, and add 35 ml concentrated HNO₃. Heat on a hotplate until light brown fumes are evident to destroy any organic matter. Cool to room temperature, and add 5 ml concentrated H₂SO₄ and 5 ml concentrated HClO₄. Then proceed with step 4.3.2.4.

4.3.2.3 Silica Gel Preparation Analyses. Weigh the spent silica gel, and report to the nearest gram.

4.3.2.4 Final Sample Preparation. Samples from 4.3.2.1 and 4.3.2.2 may be combined here for ease of analysis. Replace on a hotplate, and evaporate to dryness in a HClO₄ hood. Cool and dissolve the residue in 10.0 ml of 25 percent V/V HCl. Samples are now ready for the atomic absorption unit. It is necessary for the Be concentration of the sample to be within the calibration range of the unit. If necessary, perform further dilution of sample with 25 percent V/V HCl to bring the sample within the calibration range.

4.3.3 Beryllium Determination. Analyze the samples prepared in 4.3.2 at 234.8 nm using a nitrous oxide/acetylene flame. Aluminum, silicon and other elements can interfere with this method if present in large quantities. Standard methods are available, however, that may be used to effectively eliminate these interferences (see Citation 2 in Section 8).

5. Calibration.

5.1 Sampling Train. Calibrate the sampling train components according to the procedures outlined in the following sections of Method 5: Section 5.1 (Probe Nozzle), Section 5.2 (Pitot Tube), Section 5.3 (Metering System), Section 5.4 (Probe Heater), Section 5.5 (Temperature Gauges), Section 5.7 (Barometer). Note that the leak check described in Section 5.6 of Method 5 applies to this method.

6. Calculations.

6.1 Dry Gas Volume. Using the data from each sample run, calculate the dry gas sample volume at standard conditions $V_{w(sat)}$ (corrected for leakage, if necessary) as outlined in Section 6.3 of Method 5.

6.2 Volume of Water Vapor in Sample and Moisture Content of Stack Gas. Using the data obtained from each sample run, calculate the volume of water vapor $V_{w(sat)}$ in the sample, and the moisture content B_{ws} of the stack gas. Use Equations 5-2 and 5-3 of Method 5.

6.3 Stack Gas Velocity. Using the data from each sample run and Equation 2-9 of Method 2, calculate the average stack gas velocity $V_{(avg)}$.

6.4 Beryllium Emission Rate. Calculate the Be emission rate R in g/day for each stack using Equation 104-1. For cyclic operations, use only the time per day each stack is in operation. The total Be emission rate from a source will be the summation of results from all stacks.

Eq. 104-1

$$R = K \frac{W_i V_{std} A_s (86,400 \times 10^{-9})}{[V_{std} + V_{std} T_s] (T_s / P_s)}$$

Where:

W_i = Total weight of Be collected, μg.A_s = Stack cross-sectional area, M² (ft²).

86,400 = Conversion factor, sec/day.

10⁻⁶ = Conversion factor, g/μg.T_s = Absolute average stack gas temperature, °K (°F).P_s = Absolute stack gas pressure, mm Hg (in. Hg).

K = 0.3858 °K/mm Hg for metric units.

= 17.64 °F/in. Hg for English units.

6.5 Isokinetic Variation and Acceptable Results. Same as Method 5, Sections 6.11 and 6.12, respectively.

7. *Determination of Compliance.* Each performance test consists of three sample runs of the applicable test method. For the purpose of determining compliance with an applicable national emission standard, use the average of the results of all sample runs.

8. *Bibliography.*

In addition to Citations 1-3 and 5-15 of Section 10 of Method 101, the following citations may be helpful:

1. Amos, M.D., and J. B. Willis. Use of High-Temperature Pre-Mixed Flames in Atomic Absorption Spectroscopy. *Spectrochim. Acta.* 22:1325, 1966.

2. Fleet, B., K. V. Liberty, and T. S. West. A Study of Some Matrix Effects in the Determination of Beryllium by Atomic Absorption Spectroscopy in the Nitrous Oxide-Acetylene Flame. *Talanta* 17:203, 1970.

[FR Doc. 83-32800 Filed 12-9-83; 8:45 a.m.]

BILLING CODE 6560-50-M

federal register

Friday
December 9, 1983

Part V

**Department of
Health and Human
Services**

Public Health Service

**Grants for Residency Training in
Preventive Medicine**

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service
42 CFR Part 57
Grants for Residency Training in Preventive Medicine

AGENCY: Public Health Service, HHS.
ACTION: Notice of proposed rulemaking.

SUMMARY: These proposed regulations set forth requirements that would govern the award of grants for residency training programs in preventive medicine under section 793 of the Public Health Service Act.

DATES: Comments must be received no later than February 7, 1984.

ADDRESS: Written comments may be addressed to Thomas D. Hatch, Director, Bureau of Health Professions, Health Resources and Services Administration, Room 8-05, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. All comments received will be available for public inspection and copying at the above address weekdays (Federal Holidays excepted) between the hours of 8:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Kenneth P. Moritsugu, M.D., M.P.H., Director, Division of Medicine, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, Room 4C25, 5600 Fishers Lane, Rockville, Maryland 20857 (301-443-6190).

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Health, Department of Health and Human Services, with the approval of the Secretary, proposes to add a new Subpart EE to Part 57 of Title 42 of the Code of Federal Regulations to implement section 793 of the Public Health Service Act (the Act). This section, added by the Omnibus Budget Reconciliation Act of 1981, Pub. L. 97-35, authorizes the Secretary to make grants to and enter into contracts with schools of medicine, osteopathy and public health to meet the costs of projects to plan and develop new residency training programs and to maintain or improve existing residency training programs in preventive medicine. This provision also authorizes financial assistance to trainees enrolled in preventive medicine residency training programs.

Section 793 of the Act requires applicants to demonstrate that they have or will have available full-time faculty members with training and experience in the fields of preventive medicine and support from other faculty members trained in public health and

the relevant specialties and disciplines. The regulations require that this condition be met by the end of one year of grant support. The one-year period is provided in order to allow reasonable time for applicants to recruit faculty necessary to meet this requirement.

The regulations define fields of preventive medicine to be the following group of basic components common to all preventive medicine specialties: biostatistics, epidemiology, administration of health and medical programs, environmental hazards to health, social, cultural and behavioral factors in medicine, and the application of prevention principles in clinical practice. This definition is based on the components of accredited preventive medicine residencies as determined by the Accreditation Council for Graduate Medical Education.

To assure that funding under this program is applied to programs that meet minimal standards, awards will only be made to applicants that have accredited preventive medicine residency training programs. Applicants that propose to start new programs must provide the Secretary with evidence of approval by the appropriate accrediting body before grant awards are made in each fiscal year.

According to statutory authorization, these regulations provide for financial assistance for preventive medicine residents. This assistance includes a stipend comparable to amounts paid to residents in other medical specialties. Stipend support is commonly provided to medical residents in various specialties to enable them to undertake this training. Financial assistance to trainees is limited by the regulations to two years of stipend support, excluding the clinical year of training. Clinical training is generally a prerequisite for most preventive medicine residency programs, and not a part of the residency training. In view of the limited number of preventive medicine residency programs which include the clinical year, support for this year is not provided.

These regulations would establish a funding preference for projects that propose to conduct residency training in the areas of general preventive medicine or public health, and for projects that plan to train at least three residents in the academic year and three residents in the field year. The funding preference for general preventive medicine and public health residency training programs is established to promote the training of individuals who are especially needed to implement the Secretary's initiative of health promotion and disease prevention. The

second funding preference is introduced to encourage applicants to enroll a minimum number of residents to insure the stimulating educational atmosphere that good peer group normally provides.

Interested persons are invited to submit written comments on these regulations to the Director of the Bureau of Health Professions at the address given above. All relevant materials received not later than February 7, 1984 will be considered in the development of final regulations.

Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by the Office of Management and Budget under control number 0915-0060.

Regulatory Impact Analysis

These regulations govern a financial assistance program in which participation is *voluntary*. The funding level for this program is \$1.0 million for Fiscal Year 1983. For these reasons, the Secretary has determined that this proposed rule is not a "major rule" under Executive Order 12291. Further, because the rule does not have a significant economic impact on a substantial number of small entities, a regulatory flexibility analysis under the Regulatory Flexibility Act of 1980 is not required.

List of Subjects in 42 CFR Part 57

Dental health, Education of the disadvantaged, Educational facilities, Educational study program, Emergency medical services, Grant programs-education, Grant programs-health, Health facilities, Health professions, Loan programs-health, Medical and dental schools, Scholarships and fellowships, Student aid.

It is therefore proposed to add a new Subpart EE to Part 57 of Title 42 of the Code of Federal Regulations, as set forth below.

(Catalog of Federal Domestic Assistance, No. 13.117, Grants for Residency Training in Preventive Medicine)

Dated: August 22, 1983.

Edward N. Brandt, Jr.,
 Assistant Secretary for Health.
 Margaret M. Heckler,
 Secretary.

PART 57—[AMENDED]
Subpart EE—Grants for Residency Training in Preventive Medicine

Sec.
 57.3001 To what programs do these regulations apply?
 57.3002 Definitions.

- Sec.
 57.3003 Who is eligible to apply for a grant?
 57.3004 Project requirements.
 57.3005 How will applications be evaluated?
 57.3006 How long does grant support last?
 57.3007 How is the amount of the grant award determined?
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 57.3009 What additional Department regulations apply to grantees?
 57.3010 What other audit and inspection requirements apply to grantees?
 57.3011 Additional conditions.

Authority: Section 793, Public Health Service Act, 95 Stat. 928.

Subpart EE—Grants for Residency Training in Preventive Medicine

§ 57.3001 To what programs do these regulations apply?

These regulations apply to the award of grants under section 793 of the Public Health Service Act (42 U.S.C. 295h-1c) to schools of medicine, osteopathy and public health to meet the costs of projects to (a) plan and develop new approved residency training programs and to maintain or improve existing approved residency training programs in preventive medicine and (b) provide financial assistance to residency trainees enrolled in such programs.

§ 57.3002 Definitions.

"Academic year" means course work sufficient to satisfy the requirements for the Master of Public Health degree or its equivalent which is required by all approved residency programs. In the usual situation, this course work is taken during a single year.

"Act" means the Public Health Service Act, as amended.

"Approved residency training program" means the entirety or that part of a residency training program in preventive medicine which is fully or provisionally accredited by the Accreditation Council for Graduate Medical Education or approved by the American Osteopathic Association.

"Clinical year" means postgraduate training which provides experience in direct patient care including ambulatory and inpatient experience. The one year of required training can be provided in an accredited program in one of the recognized clinical specialties or through clinical training sponsored by a preventive medicine residency training program. The clinical year is generally a prerequisite for the preventive medicine residency training program or the first year of such program.

"Field year" means specialized instruction and supervised experience in the resident's selected area of emphasis, and is usually one year in duration. The field year is usually the last year of the preventive medicine residency training

program and is generally conducted at a site remote from that of such program.

"Fields of Preventive Medicine" means the following group of basic components common to all preventive medicine specialties (a) biostatistics, (b) epidemiology, (c) administration of health and medical programs, (d) environmental hazards to health, (e) social, cultural and behavioral factors in medicine, and (f) the application of preventive principles in clinical practice. "Full-time faculty" means an individual or individuals who are employed as faculty of a school of medicine, osteopathy or public health on a full-time basis as defined by the general policies of the applicant institution.

"Nonprofit" as applied to any entity means an entity no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual.

"Preventive Medicine" is a specialized area of medical practice composed of distinct disciplines which use skills focusing on the health of defined populations in order to promote and maintain health and well-being and prevent disease, disability, and premature death. The specialties of preventive medicine are: general preventive medicine, public health, occupational health, and aerospace medicine.

"Program Director" means an individual appointed by the grantee institution to direct and supervise the residency training program who is certified or otherwise qualified as required by the Accreditation Council for Graduate Medical Education.

"Secretary" means the Secretary of Health and Human Services, and any other officer or employee of the Department of Health and Human Services to whom the authority involved has been delegated.

"State" means any one of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

§ 57.3003 Who is eligible to apply for a grant?

Accredited public or non-profit private schools of medicine, osteopathy or public health located in a State are eligible to apply for a grant by submitting an application at the time and in the form that the Secretary may prescribe. To be eligible for a grant, an applicant must demonstrate that it has, or will have by the end of one year of grant support, full-time faculty with

training and experience in the fields of preventive medicine and support from other faculty members trained in public health and other relevant specialties and disciplines.

§ 57.3004 Project requirements.

A project supported under this subpart must be conducted in accordance with the following requirements:

(a) Each project must have a project director who works at the grantee institution on an appointment consistent with other major departments, heads or will head the unit, and has relevant training and experience in preventive medicine.

(b) Each project must have an appropriate administrative and organizational plan and appropriate staff and facility resources for the achievement of stated objectives.

(c) Each project must systematically evaluate the educational program, including the performance and competence of trainees and faculty, the administration of the program, and the degree to which program and educational objectives are met.

(d) All field experiences must be supervised by a qualified faculty member.

§ 57.3005 How will applications be evaluated?

(a) After consulting with the National Advisory Council on Health Professions Education, established by section 702 of the Act, the Secretary will decide which applications to approve by considering, among other factors:

(1) The potential effectiveness of the proposed project in carrying out the training purposes of section 793 of the PHS Act;

(2) The extent of responsiveness to the project requirements described in § 57.3004;

(3) The administrative and management capability of the applicant to carry out the proposed project in a cost-effective manner;

(4) The degree to which the proposed training program emphasizes health promotion and disease prevention; and

(5) The degree to which the applicant demonstrates institutional commitment to the proposed program.

(b) In determining the priority for funding of applications approved under paragraph (a) of this section, the Secretary will consider: (1) The relative merit of the proposed project based upon the factors in paragraph (a) of this section, and (2) whether the proposed project will:

(i) Conduct residency training in the areas of general preventive medicine or public health; or

(ii) Train at least three residents in the academic year and three residents in the field year and provide evidence that the projected number can be realized from a current or projected applicant pool.

§ 57.3006 How long does grant support last?

(a) The notice of grant award specifies the length of time the Secretary intends to support the project without requiring the project to recompute for funds. This period, called the project period, will not exceed five years.

(b) Generally, the grant will initially be funded for one year, and subsequent continuation awards will also be for one year at a time. A grantee must submit a separate application to have the support continued for each subsequent year. Decisions regarding continuation awards and the funding levels of these awards will be made after consideration of such factors as the grantee's progress and management practices, existence of legislative authority, and the availability of funds. In all cases, continuation awards require a determination by the Secretary that continued funding is in the best interest of the Federal Government.

(c) Neither the approval of any application nor the award of any grant commits or obligates the Federal Government in any way to make any additional, supplemental, continuation or other award with respect to any approved application or portion of an approved application.

(d) Any balance of federally obligated grant funds remaining unobligated by the grantee at the end of a budget period may be carried forward to the next budget period, for use as prescribed by the Secretary, provided a continuation award is made. If at any time during a budget period it becomes apparent to

the Secretary that the amount of Federal funds awarded and available to the grantee for that period, including any unobligated balance carried forward from prior periods, exceeds the grantee's needs for the period, the Secretary may adjust the amounts awarded by withdrawing the excess. A budget period is an interval of time (usually 12 months) into which the project period is divided for funding and reporting purposes.

§ 57.3007 How is the amount of the grant award determined?

(a) The amount of any award will be limited to that portion of the annual program costs which the Secretary determines, on the basis of the documentation required in the application, cannot reasonably be paid from other available funds. Moreover, the amount of any stipend will be limited to that portion of the annual amount normally paid to other residents by the applicant which the Secretary determines, on the basis of the documentation required in the application, cannot reasonably be paid from other available funds.

(b) Stipend support may only be given to residents in the academic and field years of training, and support to each resident is limited to two years of training, excluding the clinical year.

§ 57.3008 For what purposes may grant funds be spent?

(a) A grantee shall only spend funds it receives under this subpart according to the approved application and budget, the authorizing legislation, terms and conditions of the grant award, applicable cost principles specified in Subpart Q of 45 CFR Part 74, and these regulations.

(b) Grantees may not spend grant funds for sectarian instruction or for any religious purpose.

§ 57.3009 What additional Department regulations apply to grantees?

Several other regulations apply to grants under this subpart. These include, but are not limited to:

- 42 CFR Part 50—PHS grant appeals process
- 45 CFR Part 16—Department grant appeals process
- 45 CFR Part 46—Protection of human subjects
- 45 CFR Part 74—Administration of grants
- 45 CFR Part 75—Informal grant appeals procedures (indirect cost rates and other cost allocations)
- 45 CFR Part 80—Nondiscrimination under programs receiving Federal assistance from the Department—Implements Title VI of the Civil Rights Act of 1964
- 45 CFR Part 81—Practice and procedure for hearings under Part 80
- 45 CFR Part 83—Nondiscrimination on the basis of handicap in the admission of individuals to training programs
- 45 CFR Part 84—Nondiscrimination on the basis of handicap in federally-assisted programs
- 45 CFR Part 86—Nondiscrimination on the basis of sex in federally-assisted education programs
- 45 CFR Part 91—Nondiscrimination on the basis of age in Department programs or activities receiving Federal financial assistance

§ 57.3010 What other audit and inspection requirements apply to grantees?

Each grantee must, in addition to the requirements of 45 CFR Part 74, meet the requirements of section 705 of the Act, concerning audit and inspection.

§ 57.3011 Additional conditions.

The Secretary may impose additional conditions in the grant award before or at the time of the award if he or she determines that these conditions are necessary to assure or protect the advancement of the approved activity, the interest of the public health, or the conservation of grant funds.

[FR Doc. 83-32998 Filed 12-8-83; 8:45 am]
BILLING CODE 4160-16-M

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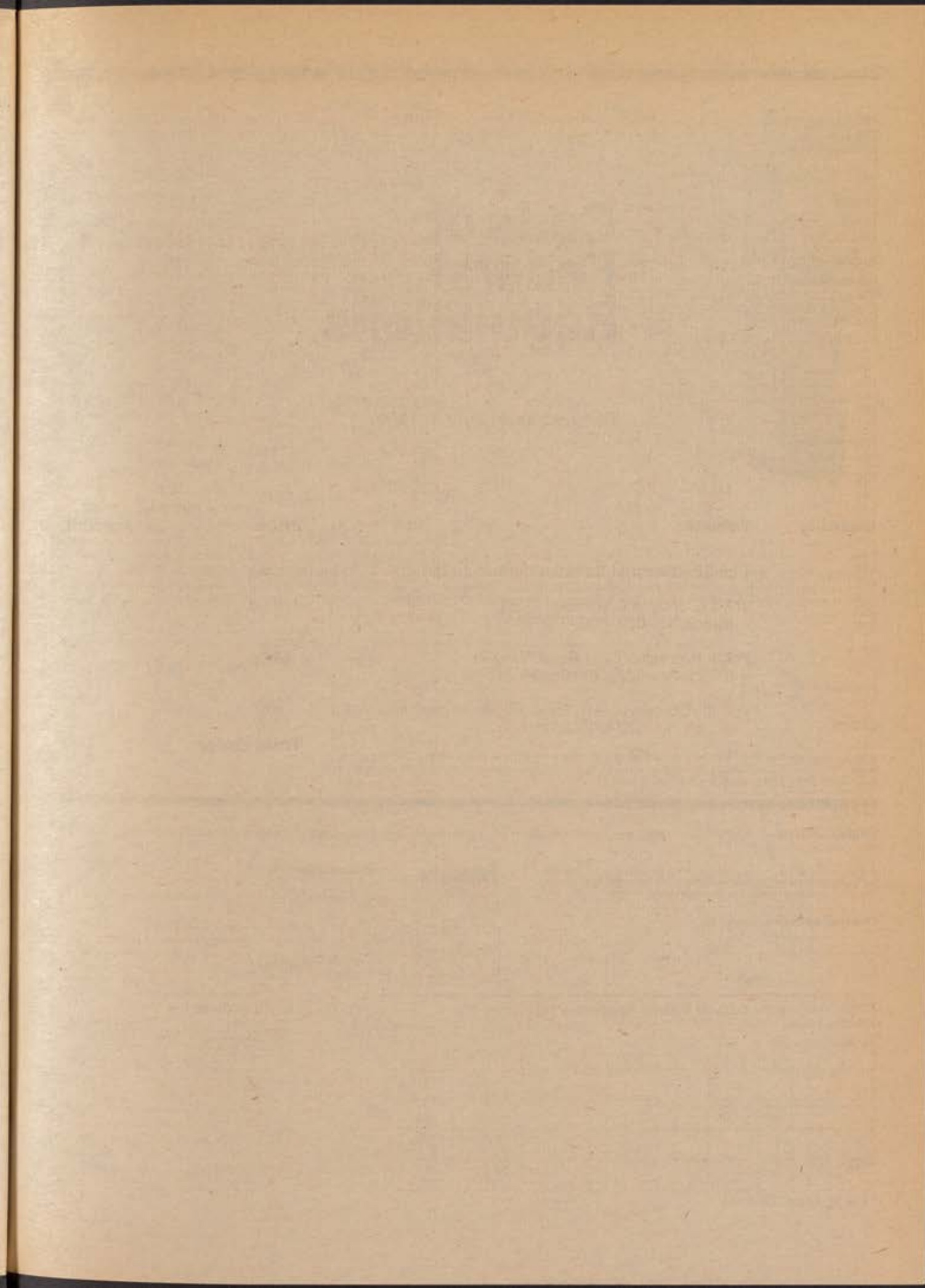
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S. 974/Pub. L. 98-209

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