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Title 3—

Memorandum of August 1, 1986

The President

Determination Under Section 301 of the Trade Act of 1974

Memorandum for the United States Trade Representative

Under Section 301 of the Trade Act of 1974, as amended (19 U.S.C. 2411), I have determined that use of a duty paying system to calculate customs duties by the authorities on Taiwan violates a trade agreement and is unjustifiable and unreasonable and a burden or restriction on U.S. commerce. Under Section 301 of the Trade Act, I have determined to retaliate commensurately against Taiwan so long as it fails to meet its obligations in this regard and am directing the United States Trade Representative to propose an appropriate method for such retaliation.

Reasons for Determination

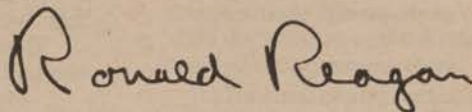
In 1979 the United States and many trading partners concluded a trade agreement, the Customs Valuation Code, specifying the way in which imports are valued for purposes of calculating customs duties. That agreement allows developing countries to delay their implementation of it for a specified time period.

Through a bilateral exchange of letters, Taiwan agreed in 1979 to observe obligations "substantially the same" under this agreement as those applicable to developing countries. This means it should have implemented those obligations effective January 1, 1986.

It did not. In February it agreed to meet this obligation by July 1, 1986. Instead, it enacted a law effective July 1 under which its customs authorities calculate duties upon the basis of a duty paying system (under which values of import items are determined administratively), rather than upon "transaction value" (ordinarily the invoice price). This practice is inconsistent with Taiwan's agreement to apply "substantially the same" obligations as set forth for developing countries in the Customs Valuation Code.

I have made these determinations and directed the United States Trade Representative to propose appropriate retaliation to enforce U.S. trade rights and to respond to the Taiwan practices in question. I would strongly prefer that Taiwan adhere to its agreement to apply the Customs Valuation Code.

This determination shall be published in the **Federal Register**.



THE WHITE HOUSE,
Washington, August 1, 1986.

Rules and Regulations of the Federal Reserve Board

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Rules and Regulations

Federal Register

Vol. 51, No. 151

Wednesday, August 6, 1986

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 week.

FEDERAL HOME LOAN BANK BOARD

12 CFR Parts 501, 522, and 523

[No. 86-773]

Responsibility of Bank Directors

Dated: July 30, 1986.

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

SUMMARY: By this action the Federal Home Loan Bank Board ("Board") adopts a new regulation (§ 552.62) that defines the scope of responsibility of members of the boards of directors of the Federal Home Loan Banks ("Banks"). It clarifies that directors of the Banks have no responsibility for actions taken by employees of the Banks on behalf of the Board or the Federal Savings and Loan Insurance Corporation ("FSLIC"), and exempts the directors from liability for such actions. Section 501.11 is amended into paragraphs, and in paragraph (b) it specifies that Bank Presidents are Board agents for the purpose of examining member institutions. Finally, § 523.2 is deleted and a new § 501.10(d) is added to reflect the practice that supervisory agents make recommendations on applications for Bank membership.

EFFECTIVE DATE: August 6, 1986.

FOR FURTHER INFORMATION CONTACT: Randy W. Thomas, (202) 377-6550, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street NW., Washington, DC 20552.

SUPPLEMENTARY INFORMATION: The Board and the FSLIC have assigned important regulatory functions to designated Bank officers and employees to be performed on behalf of the Board and the FSLIC. The most visible functions so assigned are review and approval of applications and other matters pursuant to delegated authority

and examination and supervision of member institutions to enforce regulations and implement solutions for troubled institutions.

While Bank directors have substantial duties and responsibilities, no statutory or regulatory authority exists which authorizes or requires them to supervise or be responsible for the activities of Bank employees who perform supervisory or examination functions on behalf of the Board and the FSLIC. Both the Act and the Board's regulations make clear that it is the responsibility of the Board and not the Banks to administer and enforce the federal laws pertaining to savings and loan associations. The General Counsel of the Board has recognized the lack of supervisory authority on the part of Bank directors in a number of opinions (see Opinions of the Office of the General Counsel of the Bank Board dated September 27, 1985, May 26, 1972, and April 6, 1970).

Upon consideration of a staff memorandum and Bank Task Force recommendation, the Board has determined that the following regulatory changes are an appropriate means of defining responsibility for various actions performed by Bank officers and employees on behalf of the Board.

Pursuant to 12 CFR 508.11 and 508.14, the Board finds that notice and public procedure and the 30-day delayed effective date are unnecessary because this amendment relates solely to Board organization, procedure, and practice in that it affects the internal operations of the Federal Home Loan Bank System.

List of Subjects in 12 CFR Parts 501, 522, and 523

Claims, Conflict of interests, Federal home loan banks, Flood insurance, Mortgages, Reporting and recordkeeping requirements.

Accordingly, the Board hereby amends Part 501, Subchapter A, and Parts 522 and 523, Subchapter B, Chapter V, Title 12, *Code of Federal Regulations*, as set forth below.

SUBCHAPTER A—GENERAL

PART 501—OPERATIONS

1. The authority citation for Part 501 continues to read as follows:

Authority: Sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); secs. 402, 403, 48 Stat. 1256, 1257, as amended (12 U.S.C. 1725, 1726);

Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071; Reorg. Plan No. 6 of 1961, reprinted in 12 U.S.C.A. 1437 App. (West Supp. 1986).

2. Section 501.10 is amended by adding a new paragraph (d) to read as follows:

§ 501.10 Officers as agents.

(d) Such agents shall consider applications for membership in the Bank and obtain any additional information they deem appropriate. Such agents shall forward completed applications with their recommendations to the Board for final action.

3. Section 501.11 is revised to read as follows:

§ 501.11 President as agent.

(a) For the following purposes, the President of each Federal Home Loan Bank also shall be the agent of the Board and the Federal Savings and Loan Insurance Corporation and counsel to the Bank shall render to said agent legal services as may be necessary to enable him properly to carry out such duties: Provided, however, that when designated by the Board, some officer or employee of the Bank other than, or in addition to, the President, may act as agent of the Board and the Federal Savings and Loan Insurance Corporation.

(b) Said agent shall represent the Board and the Federal Savings and Loan Insurance Corporation in supervising and examining Federal savings and loan associations and other institutions in the Bank's district which are insured by the Federal Savings and Loan Insurance Corporation. When, in his opinion, such action should be taken, he shall advise and endeavor to assist Federal savings and loan associations and other insured institutions in his Bank district to conduct their operations in conformity with the statutes and the rules and regulations governing them.

(c) He shall confer and negotiate, pursuant to instructions from the Board and the Federal Savings and Loan Insurance Corporation, with applicants and with officers, directors, members, or creditors of applicant institutions, individually or in group meetings, and otherwise as the Board and the Federal Savings and Loan Insurance Corporation may request in writing.

(d) He shall see that all Federal savings and loan associations and other insured institutions in his Bank district submit to him his consideration such matters as applications for Board approval of amendments to charters or by-laws, petitions for Board permission to establish branch offices, applications for Board approval of the purchase of assets or of consolidations, dissolutions, or mergers, and such other similar matters as are required to be approved by the Board or the Federal Savings and Loan Insurance Corporation under the statutes and rules and regulations. When these matters come to the attention of said agent he shall, after giving them due consideration, submit them, together with such supplemental information as may be available to him, to the Board with his recommendations thereon.

(e) After issuance by the Board of a charter for a Federal savings and loan association, said agent shall follow up the corporate actions taken by the association in the completion of its organization, and require the association to comply with the laws, the rules and regulations made thereunder, and such other requirements as may be applicable thereto.

(f) Upon receiving from the District Director-Examinations two copies of a report of a supervisory examination of a Federal savings and loan association or other insured institution, together with the District Director's analysis thereof, said agent shall make a careful study of such report and analysis, and transmit to the institution examined its copy of the report and, if necessary, a supervisory letter on stationery provided by the Board and the Federal Savings and Loan Insurance Corporation for such purposes.

(g) Said agent shall forward promptly to the Board copies of all transmittal and other supervisory letters, and reports of supervisory conferences or meetings with officers or directors of Federal savings and loan associations and other insured institutions. The Board will consider the documents so forwarded and advise the said agent concerning such matters as may appear to be appropriate.

(h) Any instructions or recommendations from the Board to the said agent with respect to his duties as agent of the Board and the Federal Savings and Loan Insurance Corporation shall be acted upon promptly.

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

PART 522—ORGANIZATION OF THE BANKS

4. The authority citation for Part 522 continues to read as follows:

Authority: Sec. 5 B, 47 Stat. 727, as added by sec. 4, 80 Stat. 824, as amended (12 U.S.C. 1425b); secs. 6-7, 47 Stat. 727, 730, as amended (12 U.S.C. 1426-1427); sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); secs. 402-403, 407, 48 Stat. 1256-1257, 1260, as amended (12 U.S.C. 1725-1726, 1730); sec. 207, 62 Stat. 692, as added by sec. 1a, 76 Stat. 1123, as amended (18 U.S.C. 207); sec. 602, 92 Stat. 2115, as amended (42 U.S.C. 8101 *et seq.*); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071; Reorg. Plan No. 6 of 1961, reprinted in 12 U.S.C.A. 1437 App. (West Supp. 1986).

5. A new § 522.62 is added under the heading "Compensation and Duties of Directors" to read as follows:

§ 522.62 Responsibility of bank directors.

Except when otherwise designated by the Board in specific instances, and notwithstanding anything to the contrary contained in this chapter V, a director of a Bank shall have no responsibility for the activities of any person acting on behalf of the Board or Federal Savings and Loan Insurance Corporation in an agency capacity (pursuant to § 501.10 or § 501.11 of this part or otherwise), and a director of a Bank shall have no liability directly or indirectly to any person (including without limitation any member, employee of the Bank, officer or director of the Bank, or contractor with or supplier to the Bank) arising out of any act or omission by any person acting in such capacity. In specific circumstances the Board may, by order or otherwise, determine whether an activity is conducted on behalf of the Board or the Federal Savings and Loan Insurance Corporation.

PART 523—MEMBERS OF BANKS

6. The authority citation for Part 523 continues to read as follows:

Authority: Sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071, unless otherwise noted.

§ 523.2 [Removed]

7. Section 523.2 is removed.

By the Federal Home Loan Bank Board.

John F. Ghizzoni,
Assistant Secretary.

[FR Doc. 86-17635 Filed 8-5-86; 8:45 am]

BILLING CODE 6720-01-M

FEDERAL TRADE COMMISSION

16 CFR Part 423

Regulatory Flexibility Act Review of the Trade Regulation Rule for Care Labeling of Textile Wearing Apparel and Certain Piece Goods as Amended

AGENCY: Federal Trade Commission.

ACTION: Summary of comments.

SUMMARY: In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) Federal Trade Commission on January 7, 1986 solicited comments on whether the Trade Regulation Rule for Care Labeling of Textile Wearing Apparel and Certain Piece Goods has had a significant economic impact on a substantial number of small entities and, if it has, whether the rule should be amended to minimize such impact. (51 FR 614). This notice summarizes the comments received in response to the January notice and sets out the Commission's actions in response to them.

FOR FURTHER INFORMATION CONTACT: Earl Johnson, Federal Trade Commission, Washington, DC 20580. Tel: (202) 376-2891.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (RFA) requires that the Federal Trade Commission conduct a periodic review of rules which have or will have a significant economic impact upon a substantial number of small entities.

The Care Labeling Rule was published in December 1971. The rule requires manufacturers and importers of textile wearing apparel and piece goods sold for the purpose of making textile wearing apparel to attach labels that disclose information for cleaning and care of each product.

The rule is intended to assist consumers in making informed purchase decisions concerning the care characteristics of competing products and to enable consumers and cleaners to avoid product damage caused by the use of improper cleaning procedures.

The rule was amended on May 20, 1983 (48 FR 22733). The amendment requires a more complete statement of the care procedures and establishes a standard for the accuracy of each care procedure on a label. The amendment also provides a glossary of standardized care terminology that can be used.

The Federal Trade Commission, in accordance with the RFA, solicited comments and data on whether the care labeling rule has had a significant economic impact on a substantial

number of small entities and if it has, whether the rule should be amended to minimize any significant economic impact on small entities. (51 FR 614).

Questions were posed on (1) the continued need for the rule, (2) the burdens, if any, compliance with the rule places on small entities, (3) changes which should be made to minimize any economic impact the rule has had on small business, (4) the extent the rule overlaps, duplicates, or conflicts with other rules, and (5) any changed conditions that may have occurred which affect the rule.

Four organizations submitted comments. Based on the comments received, the Commission has no basis to conclude that the rule has had a significant economic impact on a substantial number of small entities.

The comments indicate that there is a continued need for the rule, that it is accomplishing the objectives contemplated by the Commission by serving the interests of both consumers and industry, and that any burdens imposed by the rule are outweighed by the benefits to consumers and industry.

One change to the rule was suggested for the purpose of minimizing the impact on small entities. The International Fabricare Institute (IFI) suggested that a warning be required on garments labeled with a washing instruction if the garment could not be safely drycleaned. IFI states such an amendment could minimize the economic impact now felt by small drycleaners because of the absence of such a requirement in the rule. No data was submitted to support the existence of an economic impact under the present rule.

When the care labeling rule was amended in 1983, the Commission considered including a requirement for alternative labeling, i.e., including instructions or warnings about washing and drycleaning a garment. (See 48 FR 22733, 22742 (1983)). The Commission decided not to include such a requirement because (1) an alternative care requirement was unnecessary to meet the basic goal of the care labeling rule, (2) market forces will prompt manufacturers to include alternative care procedures when appropriate, and (3) the record did not show that benefits of an alternative care labeling requirement would exceed its costs. In expansion of the third reason, the Commission stated that an alternative care labeling requirement would impose significant testing and substantiation costs on manufacturers. For example, it would require them to give drycleaning instructions, and to have a reasonable basis for those instructions, for all items they already label as washable. The

Commission also stated that the benefits of the requirement are speculative. For example, the record does not show how many washable garments are labeled "Dryclean," what percentage of consumers owning such garments actually follow these instructions, or what percentage of such consumers would choose to wash rather than dryclean if told they could do so. Thus, the Commission concluded that the requirement for alternative care labeling was not warranted. IFI has not presented evidence that would warrant further reexamination of this issue.

According to the comments received for the current solicitation, there is no conflict between this rule and other federal rules or with state and local governmental rules. Neither have conditions changed since the promulgation of the amended rule to warrant repeal or amendment of the rule.

After carefully considering the comments received, the Commission believes that they do not present any basis to conclude that the Care Labeling Rule has had a significant impact upon a substantial number of small entities. Accordingly, the Commission has concluded that the care labeling rule should remain in its present form.

List of Subjects in 16 CFR Part 423

Clothing, Labeling, Textiles, Trade practices.

Dated: July 30, 1986.

By direction of the Commission.

Emily H. Rock,

Acting Secretary.

[FR Doc. 86-17628 Filed 8-5-86; 8:45 am]

BILLING CODE 6750-01-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Parts 193 and 561

[FAP 3H5399/R838; FRL-3060-6]

Pirimiphos-Methyl

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes food and feed additive regulations to permit the combined residues of the insecticide pirimiphos-methyl and its metabolites in or on certain food and feed items. This regulation to establish maximum permissible levels for the combined residues of the insecticide in or on the commodities was requested in a petition submitted by the ICI Americas, Inc.

EFFECTIVE DATE: Effective on August 6, 1986.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT:

By mail: Lawrence J. Schnaubelt, Acting Product Manager (PM) 12, Registration Division (TS-767C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

Office location and telephone number: Rm. 202, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-2386).

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the Federal Register of June 22, 1983 (45 FR 28548), which announced that ICI Americas, Inc., Wilmington, DE 19897, had submitted a food/feed additive petition (FAP 3H5399, which was incorrectly designated as FAP 3H5398 and later corrected at 49 FR 30791; August 1, 1984) to EPA proposing to establish food/feed additive regulations for the combined residues of the insecticide pirimiphos-methyl *O*,-[2-diethylamino-6-methylpyrimidinyl] *O*,*O*-dimethylphosphorothioate and its metabolite *O*-(2-ethylamino-6-methylpyrimidin-4-yl) *O*,*O*-dimethyl phosphorothioate, and, in free and conjugated forms, the metabolites 2-diethylamino-6-methylpyrimidin-4-ol, 2-ethylamino-6-methylpyrimidin-4-ol, and 2-amino-6-methylpyrimidin-4-ol in or on rice milling fractions at 50.0 parts per million (ppm), wheat milling fractions (except flour) at 50.0 ppm, sorghum milling fractions (except flour) at 50.0 ppm, and corn oil at 90.0 ppm.

In the Federal Register of August 1, 1984 (49 FR 30791), EPA gave notice that ICI Americas, Inc., had amended the petition by increasing the proposed tolerance levels on milling fractions (except flour) of rice to 60 ppm, adding the milling fractions of corn (except flour) at 50 ppm and increasing the commodity corn oil from 90 ppm to 110 ppm.

No comments were received in response to the notices of filing.

ICI Americas, Inc. subsequently amended this petition by reducing the proposed tolerance for milling fractions for corn (except flour) and sorghum (except flour) to 40.0 ppm, and corn oil to 88.0 ppm; and by withdrawing the proposals for tolerances in wheat and rice milling fractions.

The data submitted in the petitions and other relevant material have been evaluated and discussed in a related

document [PP 3F2897/R837], appearing elsewhere in this issue of the **Federal Register**, which establishes tolerances for the combined residues of the above insecticide for various raw agricultural commodities.

The nature of the residue is adequately understood. Adequate analytical methods, gas chromatography/flame photometry (parent compound plus its phosphorous containing metabolite) and gas chromatography/mass spectrometry (hydroxypyrimidine metabolites), are available for enforcement purposes. Because of the long lead time from establishing this tolerance to publication of the enforcement methodology in the Pesticide Analytical Manual II, an interim analytical methods package is being made available to the state pesticides enforcement chemists when requested from: Information Service Section (TS-757C), Program Management Support Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20480. Office location and telephone number: Rm. 236, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-3262).

The pesticide is considered useful for the purpose for which the food and feed additive regulations are sought, and it is concluded that the insecticide may be safely used when such uses are in accordance with the label and labeling registered pursuant to FIFRA as amended (86 Stat. 973, 89 Stat. 751, 7 U.S.C. 135(a) et seq.). Therefore, the food and feed additive regulations are established as set forth below.

Any person adversely affected by these regulations may, within 30 days, after publication of this document in the **Federal Register**, file written objections with the Hearing Clerk at the address given above. Such objections should be submitted in quintuplicate and specify the provisions of the regulations deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164 (5 U.S.C. 601-612)), the Administrator has determined that regulations establishing new food and feed additive levels, or conditions for safe use of additives, or raising such

food and feed additive levels do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24945).

List of Subjects in 21 CFR Part 561 and Part 193

Animal feeds, Pesticides and pests.

Dated: July 29, 1986.

Douglas D. Camp, Jr.

Director, Office of Pesticide Programs.

PART 193—[AMENDED]

Therefore, 21 CFR Chapter I is amended as follows:

1. In Part 193:

a. The authority citation continues to read as follows:

Authority: 21 U.S.C. 348.

b. In § 193.468, paragraph (c) is added, to read as follows:

§ 193.468 Pirimiphos-methyl.

* * * * *

(c) Tolerances are established for the combined residues of the insecticide pirimiphos-methyl *O*,-[2-diethylamino-6-methyl-4-pyrimidinyl] *O*,*O*-dimethylphosphorothioate and its metabolite *O*,-[2-ethylamino-6-methylpyrimidin-4-yl] *O*,*O*-dimethyl phosphorothioate and, in free and conjugated forms, the metabolites 2-diethylamino-6-methyl-pyrimidin-4-ol, 2-ethylamino-6-methyl-pyrimidin-4-ol, and 2-amino-6-methyl-pyrimidin-4-ol in or on the following processed foods when present therein as a result of application to stored grains:

Foods	Parts per million
Corn milling fractions (except flour).....	40
Corn oil.....	88
Sorghum milling fractions (except flour).....	40

PART 561—[AMENDED]

2. In Part 561:

a. The authority citation for Part 561 continues to read as follows:

Authority: 21 U.S.C. 348.

b. In § 561.432, paragraph (c) is added, to read as follows:

§ 561.432 Pirimiphos-methyl.

* * * * *

(c) Tolerances are established for the combined residues of the insecticide pirimiphos-methyl *O*,-[2-diethylamino-6-methyl-pyrimidinyl] *O*,*O*-dimethyl phosphorothioate, the metabolite *O*,-[2-ethylamino-6-methylpyrimidin-4-yl] *O*,*O*-dimethyl phosphorothioate and, in

free and conjugated form, the metabolites 2-diethylamino-6-methyl-pyrimidin-4-ol, 2-ethylamino-6-methylpyrimidin-4-ol and 2-amino-6-methyl-pyrimidin-4-ol in or on the following processed feeds when present therein as a result of application to stored grains:

Foods	Parts per million
Corn milling fractions (except flour).....	40
Sorghum milling fractions (except flour).....	40

[FR Doc. 86-17658 Filed 8-5-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 65

[A-3-FRL-3059-2]

Approval of a Delayed Compliance Order Issued by the Pennsylvania Department of Environmental Resources to Zapata Industries

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Administrator of the Environmental Protection Agency hereby approves a Delayed Compliance Order issued by the Pennsylvania Department of Environmental Resources to Zapata Industries. The Order requires the company to bring air emissions from its miscellaneous metal parts and products surface coating facility in Schuylkill County, Pennsylvania into compliance with certain regulations contained in the federally approved Pennsylvania State Implementation Plan (SIP) by April 21, 1987. Because of the Administrator's approval, compliance with the Order by April 21, 1987 will preclude suits under the enforcement provisions of Section 113 of the Act or the citizen suit provisions of the Clean Air Act for violations of the SIP regulations covered by the Order during the period the Order is in effect.

DATES: This rule will take effect on August 6, 1986.

FOR FURTHER INFORMATION CONTACT: Rosemarie P. Nino, Environmental Protection Specialist, Enforcement Policy and State Coordination Section (3AM21), Air Management Division, U.S. EPA, Region III, 841 Chestnut Building, Philadelphia, PA 19107, (215) 597-9839.

ADDRESSES: A copy of the Delayed Compliance Order, and supporting material, are available for public inspection and copying (for appropriate charges) during normal business hours at the above address.

SUPPLEMENTARY INFORMATION: On February 6, 1986 the Regional Administrator of the Environmental Protection Agency's Region III Office published in the *Federal Register*, Vol. 51, No. 25, a notice proposing approval of a Delayed Compliance Order (DCO) issued by the Pennsylvania Department of Environmental Resources to Zapata Industries. The bases for EPA's conclusion supporting the issuance of the DCO are set forth in that notice. The notice asked for public comments by March 10, 1986 on the EPA proposal.

No public comments were received in response to the Notice. The Delayed Compliance Order issued to Zapata Industries is approved by the Administrator of EPA pursuant to the authority of section 113(d)(2) of the Clean Air Act, 42 U.S.C. 7413(d)(2).

The Order places Zapata Industries on a schedule to bring its miscellaneous metal parts and products surface coating facility in Schuylkill County into compliance as expeditiously as practicable with Title 25 Pennsylvania Code, § 129.52, Clear Coatings, a part of the federally approved Pennsylvania State Implementation Plan. The order also imposes interim requirements which meet section 113(d)(1)(C) and 113(d)(7) of the Act, and emission monitoring and reporting requirements. If the conditions of the Order are met, it will permit Zapata Industries to delay compliance with SIP regulations covered by the Order until April 21, 1987. EPA has determined that its approval of the Order shall be effective (the date of publication of this notice) because of the need to immediately place Zapata Industries on a federally enforceable schedule under the Clean Air Act for compliance with the applicable requirements of the Implementation Plan.

List of Subjects in 40 CFR Part 65

Air pollution control.

Dated: July 28, 1986.

Lee M. Thomas,
Administrator.

In consideration of the foregoing, Chapter I of Title 40 the Code of Federal Regulations is amended as follows:

PART 65—DELAYED COMPLIANCE ORDER

The authority citation for Part 65 continues to read as follows:

Authority: 42 U.S.C. 7413, 7601.

2. Section 65.431 is amended by adding the following entry to the table to read as follows:

Source	Location	Order No.	Date of FR proposal	SIP regulation involved	Final compliance date
Zapata Industries	West Mahoney Twp. Schuylkill County, Pennsylvania.		Feb. 6, 1986	§ 129.52 of Title 25	Apr. 21, 1987.

[FR Doc. 86-17557 Filed 8-5-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP 3F2958/R849; FRL-3059-9]

Pesticide Tolerances for Metolachlor

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for combined residues of the herbicide metolachlor and its metabolites in or on certain raw agricultural commodities. This regulation to establish the maximum permissible level for residues of the herbicide in or on the commodities was requested by Ciba-Geigy Corp.

EFFECTIVE DATE: August 6, 1986.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Richard F. Mountfort, Product Manager (PM) 23, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 237, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-1830).

SUPPLEMENTARY INFORMATION: Notice was published in the *Federal Register* of September 30, 1983 (48 FR 44903), that Ciba-Geigy Corp., P.O. Box 11422, Greensboro, NC 27409, had filed pesticide petition 3F2958 with EPA proposing that 40 CFR 180.368(a) be amended by establishing tolerances for combined residues of the herbicide metolachlor (2-chloro-N-(2-ethyl-6-methylphenyl-N-(2-methoxy-1-methylethyl)acetamide) and its metabolites, determined as the derivatives 2-((2-ethyl-6-methylphenyl)amino)-1-propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone, each expressed

§ 65.431 EPA approval of State Delayed Compliance Orders issued to major stationary sources.

as the parent compound in or on the raw agricultural commodities almond hulls at 0.3 part per million (ppm); almond shells at 0.1 ppm; and nutmeats at 0.1 ppm.

Notice was published in the *Federal Register* of December 12, 1984 (49 FR 48376), that Ciba-Geigy amended the petition by increasing the tolerance level for almond hulls from 0.3 ppm to 0.5 ppm, deleting almond shells, and changing the commodity expression "nutmeats" to "tree nuts" at 0.1 ppm. Ciba-Geigy subsequently withdrew, without prejudice to future filings, the amendment to increase the tolerance for almond hulls. No comments were received in response to these notices of filing.

The data submitted in these petitions and other relevant material have been evaluated. The data considered in support of these proposals include the following: a 90-day dog feeding study with a no-observed-effect level (NOEL) of 500 ppm (12.5 milligrams (mg)/kilogram (kg)); a 6-month dog feeding study with a NOEL of 100 ppm (2.5 mg/kg); a rat teratology study with no evidence of teratogenicity or any other developmental toxicity at the highest dose tested of 360 mg/kg; a rabbit teratology study with a maternal NOEL of 120 mg/kg and no evidence of teratogenicity or any other developmental toxicity at the highest dose tested of 360 mg/kg; a 2-generation rat reproduction study with a reproductive NOEL of 300 ppm (15 mg/kg) and a lowest effect level (LEL) of 1,000 ppm (50 mg/kg); a mouse dominant-lethal study negative for mutagenic effects; an AMES mutagenicity assay negative for mutagenic effects; a 2-year mouse oncogenicity study with no observed oncogenic potential at 30, 1,000, and 3,000 ppm (429 mg/kg) (highest dose tested); a repeated 2-year mouse oncogenicity study with no observed oncogenic potential at the same dose levels as the original study; a 2-year

chronic feeding/oncogenicity study in the rat (IBT validated, core supplementary) at dietary doses of 0, 30, 300, and 3,000 ppm with a statistically significant increase in primary liver neoplasms in females of the high-dose group (3,000 ppm); and repeated 2-year chronic feeding/oncogenicity study in the rat conducted at the same dietary doses as the original study with a systemic NOEL of 30 ppm (1.5 mg/kg), a systemic LEL of 300 ppm (testicular atrophy), and a statistically significant increased incidence of neoplastic liver nodules, and proliferative hepatic lesions in females of the high-dose group (3,000 ppm).

Data considered desirable but lacking are additional animal metabolism studies conducted according to current guidelines. An *in vivo* cytogenetics study and two *in vitro* DNA repair studies were submitted by the petitioner and are currently under Agency review.

The Agency has evaluated dietary exposure to metolachlor residues based on the rate studies. Assuming 100 percent of the crops are treated, the "worst case" dietary risk for the proposed tolerances is calculated to be 5 incidences in 1 trillion (5.0×10^{-9}). Previously established tolerances provide a dietary oncogenic risk of 3 incidences in 1 million (3×10^{-6}). The incremental increase in risk for the proposed tolerance in the diet is 0.22 percent of the theoretical maximum residue contribution (TMRC). The total dietary "worst case" risk from established and proposed tolerance is calculated to remain as 3 incidences in 1 million (3×10^{-6}).

Tolerances have previously been established for residues of metolachlor ranging from 0.02 ppm in meat, milk, poultry, and eggs to 30.0 in peanut forage and hay. Based on the rat chronic feeding study with a NOEL of 30 (1.5 mg/kg/day) for nononcogenic effects and using a 100-fold safety factor, the acceptable daily intake (ADI) is 0.015 mg/kg/day. The maximum permitted intake (MPI) for a 60-kg human is calculated to be 0.9 mg/day. The TRMC from existing tolerances for a 1.5-kg diet is calculated to be 0.0699 mg/day. The proposals described above will increase the TMRC by 0.00015 mg/day (0.22 percent). Proposed and established tolerances utilize 8.38 percent of the ADI.

The pesticide is considered useful for the purpose for which the tolerances are sought. There are no regulatory actions pending against the continued registration of the pesticide. The metabolism of metolachlor in plants for the proposed tolerances is adequately understood, and an analytical method,

gas chromatography, is available in the Pesticide Analytical Manual, Vol. II (metolachlor method I) for enforcement purposes. The tolerances previously established under 40 CFR 180.368(a) are adequate to cover residues that would result in meat, milk, and poultry.

Based on the information cited above, the Agency has determined that the establishment of the tolerances for residues of the pesticide in or on the commodities will protect the public health. Therefore, the tolerances are established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: July 26, 1986.

Douglas D. Campt,

Director, Office of Pesticide Programs.

Therefore, 40 CFR Part 180 is amended as follows:

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a.

2. Section 180.368(a) is amended by adding and alphabetically inserting entries for almond hulls and tree nuts group to read as follows:

§ 180.368 Metolachlor; tolerances for residues.

(a) * * *

Commodities	Parts-per million
Almond hulls.....	0.3
Tree nuts group.....	0.1

[FR Doc. 86-17559 Filed 8-5-86; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PP 4F3130 and 4F3131/R848; FRL-3057-4]

Pesticide Tolerances for Permethrin

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for the combined residues of the insecticide permethrin and its metabolites in or on the commodities filberts and walnuts. This regulation to establish maximum permissible levels for the combined residues of permethrin was requested pursuant to petitions by FMC Corp.

EFFECTIVE DATE: August 6, 1986.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: George T. LaRocca, Product Manager (PM) 15, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 200 CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703) 557-2400.

SUPPLEMENTARY INFORMATION: EPA issued a notice in the Federal Register of October 24, 1984 (49 FR 42787) which announced that FMC Corp., Inc., Agricultural Chemical Group, 2000 Market St., Philadelphia, PA 19103, had submitted pesticide petitions PP 4F3130 and 4F3131 proposing to establish tolerances in or on the raw agricultural commodities filberts and walnuts, respectively, for the combined residues of the insecticide permethrin ([3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate) and its metabolites (\pm)-*cis*, *trans*-3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylic acid (DCVA) and 3-phenoxyphenyl methanol (3-PBA).

No comments were received in response to the notice of filings.

The data submitted and other relevant material have been evaluated. The toxicological data considered in support

of the tolerances have been discussed in detail in a final rule document on permethrin published in the **Federal Register** of October 13, 1982 (47 FR 450008).

Granting these tolerances will increase their theoretical maximum residue contributions from 0.9907 to 1.3559 milligrams per day. This increase is slight, and thus the discussion of the toxicological concerns applies without revision to the newly listed commodities. The percentages of the acceptable daily intake used will increase from 45.195 to 45.196 for filberts and 45.196 to 45.20 for walnuts.

The metabolism of permethrin is adequately understood, and an adequate analytical method, gas-liquid chromatography with an electron capture detector or a mass spectrometer detector, is available for enforcement purposes. No actions are pending against continued registration of permethrin, nor are any other considerations involved in establishing the tolerances.

The tolerances established by amending 40 CFR 180.378 will be adequate to cover residues in filberts and walnuts. There are no feed items associated with filberts and walnuts, and label restrictions preclude the grazing of livestock in treated orchards or the feeding of cover crops from treated orchards to livestock. There is no reasonable expectation of secondary residues in meat, milk, poultry, and eggs as a result of these uses.

The pesticide is considered useful for the purpose for which the tolerances are sought. It is concluded that the tolerances will protect the public health, and they are established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this notice in the **Federal Register**, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial

number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

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

Dated: July 22, 1986.

Douglas D. Camp,
Director, Office of Pesticide Programs.

Therefore, 40 CFR Part 180 is amended as set forth below.

PART 180—[AMENDED]

1. The authority citation for Part 180 continues to read as follows:

Authority: 21 U.S.C. 346a.

2. Section 180.378(b) is amended by adding and alphabetically inserting the following commodities to read as follows:

§ 180.378 Permethrin; tolerances for residues.

* * * * *
(b) * * *

Commodities	Parts per million
Filberts.....	0.05
Walnuts.....	0.05

[FR Doc. 86-17217 Filed 8-5-86; 8:45 am]
BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 2F2720, 3F2916, 3F2957/R796; FRL-3050-2]

Pesticide Tolerances for Metolachlor

Correction

In FR Doc. 86-15984, beginning on page 25696 in the issue of Wednesday, July 16, 1986, make the following corrections:

1. On page 25696, in the middle column, in the second line, "methylphenyl" was misspelled.
2. Also on page 25696 in the middle column, in the eighth from last line, "oncogenicity" was misspelled.
3. On page 25697, in the middle column, in the second line of amendatory instruction 2, "in" should be deleted.

§ 180.368 [Corrected]

4. Also on page 25697 in the middle column, the following corrections should be made to the table in § 180.368:

- a. A closing parenthesis should appear at the end of the entry for "Cattle, mbyb (except kidney and liver".
- b. Under "Parts per million", the entry for "Peanuts" should read "0.5".
- c. Also under "Parts per million" the entry for "Seed and pod vegetables (except soybeans)" should read "0.3".

BILLING CODE 1505-01-M

40 CFR Part 180

[PP 3F2897/R837; FRL-3060-5]

Pirimiphos-Methyl

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for the combined residues of the insecticide pirimiphos-methyl and its metabolites in or on certain stored grains and animal commodities. This regulation to establish maximum permissible levels for residues of pirimiphos-methyl in or on the commodities was requested in a petition submitted by ICI Americas, Inc.

EFFECTIVE DATE: Effective on August 6, 1986.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: By mail: Lawrence J. Schnaubelt, Acting Product Manager (PM) 12, Registration Division (TS-767C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

Office location and telephone number: Rm. 202, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-2386).

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the **Federal Register** of June 22, 1983 (48 FR 28548), which announced that ICI Americas, Inc., Agric. Chemicals Div., Wilmington, DE 19897, had submitted pesticide petition 3F2897 to EPA proposing to establish tolerances for the combined residues of the insecticide pirimiphos-methyl, *O*-[2-diethyl-amino]-6-methyl-4-pyrimidinyl)-*O*,*O*-dimethyl phosphorothioate, the metabolite, *O*-[2-ethylamino-6-methyl-pyrimidin-4-yl)-*O*,*O*-dimethyl phosphorothioate, and, in free and conjugated form, the metabolites 2-diethylamino-6-methyl-

pyrimidin-4-ol, 2-ethylamino-6-methylpyrimidin-4-ol, and 2-amino-6-methylpyrimidin-4-ol in or on the commodities corn, grain sorghum, and wheat at 10.0 parts per million (ppm) and rice at 15.0 ppm.

In the Federal Register of March 27, 1986 (48 FR 10570), EPA gave notice that ICI Americas, Inc. had amended the petition by adding the meat and meat byproducts of poultry and the kidney and liver of cattle, goats, hogs, horses, and sheep at 2.0 ppm; eggs at 0.5 ppm; meat, fat, and meat byproducts of cattle, goats hogs horses, and sheep (except liver and kidney) and poultry fat at 0.2 ppm; and milk/milk fat at 3 ppm to reflect a tolerance for whole milk at 0.1 ppm.

There were no comments received in response to the notices of filing.

ICI Americas, Inc. subsequently amended the petition by proposing a lower tolerance of 8.0 ppm for corn and sorghum; and by withdrawing the proposals for tolerances in wheat and rice.

Elsewhere in this issue of the Federal Register (FAP 3H5399/R838), EPA is issuing a related document establishing food and feed additive regulations (21 CFR Parts 193 and 561) for residues of this insecticide and its cholinesterase-inhibiting metabolites in the processed commodities corn milling fractions (except flour), sorghum milling fractions (except flour), and corn oil.

Since pirimiphos-methyl is a cholinesterase inhibitor, this chemical is being added to the list under 40 CFR 180.3(e)(5).

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerances include a 28-day and a 56-day human study showing essentially a cholinesterase (ChE) no-observed effect level (NOEL) of 0.25 milligram (mg)/kilogram (kg) body weight (bw)/day, but with a few individuals showing some depressed ChE values; a 2-year rat feeding/oncogenicity study with a (ChE) no-observed-effect level (NOEL) of 0.5 mg/kg/bw/day and negative for oncogenic effects under the conditions of the study up to and including the highest dose tested (15 mg/kg/day); a 2-year dog feeding study showing borderline ChE inhibition at 0.5 mg/kg bw/day, the lowest dose tested, and a NOEL of 2.0 mg/kg bw/day for systemic effects; an 18 month mouse oncogenicity study that was negative for oncogenic effects under the conditions of the study up to and including the highest dose tested (70 mg/kg bw/day); a 3-generation rat reproduction study with a NOEL for reproductive effects at the

highest dose tested (5.0 mg/kg bw/day); a rabbit teratology study that was negative for teratogenic effects at the highest dose tested (16 mg/kg/day); a rat teratology study that was negative for teratogenic effects at doses up to and including 15 mg/kg/day; and a 90-day delayed neurotoxicity study in the hen that was negative at doses up and including 10 mg/kg/day (HDT). An Ames study, a structural chromosomal aberration study, and other mutagenicity studies demonstrated no genotoxic effects.

The acceptable daily intake (ADI), based on the human studies (ChE NOEL of 0.25 mg/kg bw/day) and using a 25-fold safety factor, is calculated to be 0.010 mg/kg bw/day. The 25-fold safety factor was used to account for the occasional and minimal ChE inhibition observed in these human studies. The maximum permissible intake (MPI) for a 60-kg human is calculated to be 0.60 mg/day. The theoretical maximum residue contribution (TMRC) from the tolerances established by this rule, including the associated food additive regulation (3H5399), is calculated to be 0.5329 mg/day (1.5 kg). The existing kiwi fruit tolerance occupies 0.375 percent of the MPI, and addition of these tolerances will result in 88.82 percent of the ADI being utilized.

The nature of the residue is adequately understood. Adequate analytical methods, gas chromatography/flame photometry (parent compound plus its phosphorous containing metabolite) and gas chromatography/mass spectrometry (hydroxypyrimidine metabolites), are available for enforcement purposes. Because of the long lead time from establishing this tolerance to publication of the enforcement methodology in the Pesticide Analytical Manual II, an interim analytical methods package is being made available to the State pesticides enforcement chemists when requested from: By mail: Information Service Section (TS-757C), Program Management Support Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20480. Office location and telephone number: Rm. 236, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-567-3262).

Based on the above information considered by the Agency, it is concluded that the pesticide is considered useful for the purpose for which the tolerances are sought, and it is concluded that the establishment of the tolerances will protect the public health. Therefore, the tolerances are established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the Federal Register, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing tolerances or exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Administrative practice and procedure, Agricultural commodities, Pesticides and pests.

Dated: July 29, 1986.

Douglas D. Camp, Jr.

Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR Part 180 is amended as follows:

1. The authority citation continues to read as follows:

Authority: 21 U.S.C. 346a.

2. In § 180.3, by amending paragraph (e)(5) by adding and alphabetically inserting an entry for the insecticide, to read as follows:

§ 180.3 Tolerances for related pesticide chemicals.

* * * * *
(e) * * *
(5) * * *

Pirimiphos-methyl *O*-[2-diethylamino-6-methyl-pyrimidinyl] *O,O*-dimethyl phosphorothioate

* * * * *

3. By revising § 180.409, to read as follows:

§ 180.409 Pirimiphos-methyl; tolerances for residues.

Tolerances are established for the combined residues of the insecticide pirimiphos-methyl, *O*-[2-diethylamino-6-methyl-pyrimidinyl] *O,O*-dimethyl phosphorothioate, the metabolite *O*-[2-ethylamino-6-methyl-pyrimidin-4-yl]

O,O-dimethyl phosphorothioate and, in free and conjugated form, the metabolites 2-diethylamino-6-methylpyrimidin-4-ol, 2-ethylamino-6-methylpyrimidin-4-ol, and 2-amino-6-methylpyrimidin-4-ol in or on the following raw agricultural commodities:

Commodity	Parts per million
Corn	8.0
Cattle fat	0.2
Cattle, kidney and liver	2.0
Cattle, mbyop	0.2
Cattle, meat	0.2
Eggs	0.5
Goats, fat	0.2
Goats, kidney and liver	2.0
Goats, mbyop	0.2
Goats, meat	0.2
Hogs, fat	0.2
Hogs, kidney and liver	2.0
Hogs, mbyop	0.2
Hogs, meat	0.2
Horses, fat	0.2
Horses, kidney and liver	2.0
Horses, mbyop	0.2
Horses, meat	0.2
Kiwi fruit	5.0
Milk, fat (0.1 ppm (N) in whole milk)	3.0
Poultry, fat	0.2
Poultry, mbyop	2.0
Poultry, meat	2.0
Sheep, fat	0.2
Sheep, kidney and liver	2.0
Sheep, mbyop	0.2
Sheep, meat	0.2
Sorghum, grain	8.0

[FR Doc. 86-17659 Filed 8-5-86; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 6620

[ES-15502]

Wisconsin-Minnesota; Withdrawal of Public Lands for Lower St. Croix National Scenic Riverway

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws 82.83 acres for 50 years and transfers the administration of twenty-two (22) islands located in the upper of the segment of the Lower St. Croix River, in Wisconsin and Minnesota, from the Bureau of Land Management to the National Park Service. The islands will be administered as part of the National Park System. This transfer completes the designation and protection of the Lower St. Croix National Scenic Riverway. This action will close the public lands from settlement, sale, location and entry under the general land laws, but will not be subject the United States mining laws pursuant to 30 U.S.C. 48 (1982). The lands have been and will remain open to mineral leasing.

EFFECTIVE DATE: August 6, 1986.

FOR FURTHER INFORMATION CONTACT: Joyce Troy, Bureau of Land Management, Eastern States Office, 350 South Pickett St., Alexandria, Virginia 22304, 703-274-0122.

SUPPLEMENTARY INFORMATION: By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Subject to valid existing rights, the following described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, but are not subject to the United States mining laws pursuant to 30 U.S.C. 48 (1982) and have been and will remain open to mineral leasing and are hereby transferred from the Bureau of Land Management to the National Park Service, and henceforth shall be administered as part of the National Park System.

Fourth Principal Meridian

- T. 30 N., R. 19 W. (Wisconsin),
Sec. 6, Unsurveyed island in W $\frac{1}{2}$ W $\frac{1}{2}$.
- T. 30 N., R. 20 W. (Wisconsin),
Sec. 1, lots 17 and 18;
Sec. 11, lots 6 and 7;
Sec. 12, lot 6;
Sec. 14, lot 10.
- T. 30 N., R. 20 W. (Minnesota),
Sec. 1, Lots 7, 8 and 16;
Sec. 11, lots 5 and 8;
Sec. 12, lots 7, 9, and 10;
Sec. 14, lots 8 and 9.
- T. 31 N., R. 19 W. (Minnesota),
Sec. 6, unsurveyed island in E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 7, unsurveyed island in W $\frac{1}{2}$.
- T. 32 N., R. 19 W. (Minnesota),
Sec. 5, unsurveyed island in NE $\frac{1}{4}$ NW $\frac{1}{4}$ (National Park Service Tract 05-101);
Unsurveyed island in NW $\frac{1}{4}$ NW $\frac{1}{4}$ (National Park Service Tract 05-102);
Sec. 31, unsurveyed island in NE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 33 N., R. 19 W. (Minnesota),
Sec. 27, unsurveyed island in NW $\frac{1}{4}$ (National Park Service Tract 04-101);
Sec. 28, unsurveyed island in S $\frac{1}{2}$ (National Park Service Tract 04-105).
- T. 34 N., R. 19 W. (Minnesota),
Sec. 36, unsurveyed island in N $\frac{1}{2}$ N $\frac{1}{2}$ (National Park Service Tract 01-101);
Unsurveyed island in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (National Park Service Tract 01-102).
The area described aggregates approximately 82.83 acres.

2. The above described lands shall be administered by the Secretary of the Interior, through the National Park Service, in accordance with the Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq., and the regulations relating thereto, and also in keeping with the laws and regulations relating to the administration of the National Park

System, that are applicable to the said lands.

3. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources.

4. This withdrawal will expire 50 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1417(f), the Secretary determines that the withdrawal shall be extended.

J. Steven Griles,

Assistant Secretary of the Interior.

July 21, 1986.

[FR Doc. 86-17615 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 6622

[NM-54961-OK]

Oklahoma; Withdrawal of Public Lands for the Eufaula Lake Project

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws 79.60 acres of public land from surface entry for 20 years to protect water quality for storage, easement, wildlife and recreation values. This action will facilitate transfer of jurisdiction from the Bureau of Land Management to the Corps of Engineers. The lands are not subject to the United States mining laws, and have been and will remain open to mineral leasing.

EFFECTIVE DATE: August 6, 1986.

FOR FURTHER INFORMATION CONTACT: Kay Thomas, BLM, New Mexico State Office, P.O. Box 1449, Santa Fe, NM 87504-1449, (505) 988-6589.

SUPPLEMENTARY INFORMATION: By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714; it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from settlement, sale, location, and entry under the general land laws, but not from leasing under the mineral leasing laws; and reserved for the Corp of Engineers, Department of the Army, for water storage, wildlife/fisheries, and recreation. The land is not

subject to the United States mining laws (30 U.S.C. Ch. 2).

Indian Meridian

T. 5 N., R. 16 E.,

Sec. 2, lot 3, SE¼NW¼.

The area described contains 79.60 acres in Pittsburg County.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources. However, leases, licenses, or permits will be issued only if the Department of the Army, Corps of Engineers, Tulsa District, finds that the proposed use of the lands will not interfere with the proper operation of its water storage facility on the lands.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f), the Secretary determines that the withdrawal shall be extended.

J. Steven Griles,

Assistant Secretary of the Interior.

July 25, 1986.

[FR Doc. 86-17617 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6723]

Suspension of Community Eligibility; Connecticut et al.

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If FEMA receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this

rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The third date ("Susp.") listed in the third column.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 646-2717, Federal Center Plaza, 500 C Street, Southwest, Room 416, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022), prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128) unless an appropriate public body shall have adopted adequate floodplain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR Part 59 et. seq.). Accordingly, the communities are suspended on the effective date in the third column, as of that date, flood insurance is no longer available in the community. However, those communities which, prior to the suspension date, adopt and submit documentation of legally enforceable floodplain management measures required by the program, will continue their eligibility for the sale of insurance. Where adequate documentation is received by FEMA, a notice withdrawing the suspension will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal

Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas. (section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Deputy Administrator finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified. Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Pursuant to the provision of 5 U.S.C. 605(b), the Deputy Administrator, Federal Insurance Administration, FEMA, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. As stated in section 2 of the Flood Disaster Protection Act of 1973, the establishment of local floodplain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate floodplain management, thus placing itself in noncompliance of the Federal standards required for community participation. In each entry, a complete chronology of effective dates appears for each listed community.

List of Subjects in 44 CFR Part 64

Flood insurance—floodplains.

PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et. seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

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

§ 64.6 List of eligible communities.

[Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension]

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified	Date ¹
Region I				
Connecticut:				
Fairfield, town of, Fairfield County	090007B	Apr. 7, 1972, Emerg.; Aug. 15, 1978, Reg.; Aug. 19, 1986, Susp	Aug. 2, 1974, Aug. 15, 1978 and Aug. 19, 1986.	Aug. 19, 1986.
Guilford, town of, New Haven County	090077B	Oct. 20, 1972, Emerg.; May 1, 1978, Reg.; Aug. 19, 1986, Susp	Aug. 2, 1974, May 1, 1978 and Aug. 19, 1986.	Do.
Norwalk, city of, Fairfield County	090012C	Mar. 10, 1972, Emerg.; Apr. 3, 1978, Reg.; Aug. 19, 1986, Susp	Oct. 25, 1974, Apr. 3, 1978 and Aug. 19, 1986.	Do.
Greenwich, town of, Fairfield County	090008B	Feb. 4, 1972, Emerg.; Sept. 30, 1977, Reg.; Aug. 19, 1986, Susp	Oct. 18, 1974, Sept. 30, 1977 and Aug. 19, 1986.	Do.
New Hampshire: Lisbon, town of, Grafton County	330063B	Apr. 18, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Feb. 21, 1975, Oct. 22, 1976 and Aug. 19, 1986.	Do.
Vermont:				
Manchester, village of, Bennington County	500179B	Sept. 10, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Oct. 13, 1974, Oct. 1, 1986 Aug. 19, 1986.	Do.
Bristol, village of, Addison County	500165B	July 24, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Dec. 13, 1974, Sept. 17, 1976 and Aug. 19, 1986.	Do.
Lincoln, town of, Addison County	500007B	Aug. 5, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Aug. 2, 1974, Oct. 1, 1976 and Aug. 19, 1986.	Do.
Region II				
New Jersey: Lincoln Park, Borough of, Morris County	345300B	Oct. 23, 1970, Emerg.; Sept. 10, 1971, Reg.; Aug. 19, 1986, Susp	Sept. 15, 1971, July 1, 1974 and Aug. 6, 1976.	Do.
New York:				
Putnam, town of, Washington County	361236A	May 7, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Jan. 17, 1975 and Aug. 19, 1986	Do.
Thurman, town of, Warren County	360881A	May 24, 1979, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Aug. 20, 1978 and Aug. 19, 1986	Do.
Region V				
Indiana:				
Miami County, unincorporated areas	180409B	Mar. 11, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Feb. 3, 1978 and Aug. 19, 1986	Do.
North Manchester, town of, Wabash County	180269C	Mar. 24, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Dec. 21, 1973, Sept. 19, 1975 and Aug. 19, 1986.	Do.
Minnesota:				
Tintah, city of, Traverse County	270482B	June 18, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Aug. 9, 1974, July 16, 1976, and Aug. 19, 1986.	Do.
Wisconsin:				
Detroit Lakes, city of, Becker County	270564A	July 3, 1974, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Jan. 31, 1975 and Aug. 19, 1986	Do.
Brookfield, city of, Waukesha County	550478	Feb. 23, 1972, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Nov. 9, 1973, July 1, 1977 and Aug. 19, 1986.	Do.
Region VI				
Arkansas: Fort Smith, city of, Sebastian County	055013C	Dec. 18, 1970, Emerg.; Aug. 27, 1971, Reg.; Aug. 19, 1986, Susp	Aug. 28, 1971, May 29, 1981, July 1, 1984 and Aug. 19, 1986.	Do.
Texas:				
Brazoria County, unincorporated areas	485458E	June 19, 1970, Emerg.; Dec. 15, 1983, Reg.; Aug. 19, 1986, Susp	May 8, 1971, July 1, 1974, June 10, 1977, Oct. 27, 1978, Oct. 1, 1983 and Aug. 19, 1986.	Do.
Clarendon, city of, Donley County	481584A	Apr. 8, 1983, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Aug. 19, 1986	Aug. 19, 1987.
Edgecliff Village, town of, Tarrant County	480592B	June 5, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Dec. 28, 1973, Feb. 4, 1977 and Aug. 19, 1986.	Aug. 19, 1986.
Hearne, city of, Robertson County	480542B	June 12, 1974, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Mar. 29, 1974, Feb. 20, 1976 and Aug. 19, 1986.	Do.
Region IX				
California: Seaside, city of, Monterey County	060203C	Feb. 13, 1975, Emerg.; July 2, 1981, Reg.; Aug. 19, 1986, Susp	June 7, 1974, Dec. 19, 1975, July 2, 1981 and Aug. 19, 1986.	Do.
Region III: Minimal Conversions				
Pennsylvania:				
Black Lick, township of, Indiana County	421213A	Mar. 1, 1977, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Nov. 15, 1974 and Aug. 19, 1986	Do.
Brush Valley, township of, Indiana County	421710A	Mar. 23, 1977, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Jan. 3, 1975 and Aug. 19, 1986	Do.
Sykesville, borough of, Jefferson County	420515B	Sept. 19, 1974, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Apr. 12, 1974, Oct. 10, 1975 and Aug. 19, 1986.	Do.
Region IV				
Alabama:				
Headland, city of, Clark County	010097B	May 9, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	June 28, 1974, Jan. 2, 1976 and Aug. 19, 1986.	Do.
Riverside, town of, St. Clair County	010288A	June 6, 1977, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Apr. 4, 1975 and Aug. 19, 1986	Do.
Kentucky:				
Clay, city of, Webster County	210222B	Jan. 29, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Feb. 1, 1974, Feb. 27, 1976 and Aug. 19, 1986.	Do.
Dawson Springs, city of, Hopkins County	210113B	July 1, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Feb. 1, 1974, Feb. 20, 1976 and Aug. 19, 1986.	Do.
Gratz, city of, Owen County	210321	June 18, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	July 22, 1977 and Aug. 19, 1986	Do.
Hodgenville, city of, Larue County	210133B	Aug. 6, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	May 17, 1974, July 16, 1976 and Aug. 19, 1986.	Do.
Princeton, city of, Caldwell County	210031B	June 30, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	May 23, 1974, Feb. 13, 1976 and Aug. 19, 1986.	Do.
Sebree, city of, Webster County	210224B	July 7, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	May 17, 1974 Mar. 5, 1976 and Aug. 19, 1986.	Do.
Sparta, city of, Gallatin County	210079B	Feb. 3, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Feb. 1, 1974, Mar. 5, 1976 and Aug. 19, 1986.	Do.
Wickliffe, city of, Ballard County	210006B	Jan. 21, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	May 24, 1974, Jan. 30, 1976 and Aug. 19, 1986.	Do.
North Carolina: Tryon, town of, Polk County	370271A	Mar. 5, 1974, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Apr. 16, 1976 and Aug. 19, 1986	Do.
South Carolina: Ridgeland, town of, Jasper County	450114B	June 27, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp	Mar. 3, 1976, May 9, 1980 and Aug. 19, 1986.	Do.

[Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension]

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified	Date ¹
Tennessee: Dowelltown, city of, DeKalb County.	470043B	May 22, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	June 28, 1974, Oct. 3, 1975 and Aug. 19, 1986.	Do.
Region V				
Indiana: Hamilton, town of, Steuben County.	180036C	Nov. 20, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Sept. 6, 1974, Aug. 27, 1976, Apr. 15, 77 and Aug. 19, 1986.	Do.
Michigan:				
Croswell, city of, Sanilac County.....	260515A	Oct. 13, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Apr. 11, 1975 and Aug. 19, 1986.....	Do.
Eckford, township of, Calhoun County...	260653B	Dec. 16, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	July 22, 1977 and Aug. 19, 1986.....	Do.
Rutland, township of, Barry County.....	260656B	Feb. 13, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Nov. 4, 1977 and Aug. 19, 1986.....	Do.
Constantine, village of, St. Joseph County.	260512A	Sept. 23, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	July 25, 1975 and Aug. 19, 1986.....	Do.
Ohio: Grover Hill, village of, Paulding County.	390436B	Aug. 5, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	June 24, 1977 and Aug. 19, 1986.....	Do.
Wisconsin: Bloomington, village of, Grant County.	550146C	Aug. 1, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	June 28, 1974, May 28, 1976, July 7, 1978 and Aug. 19, 1986.	Do.
Region VII				
Iowa:				
Defiance, city of, Shelby County.....	190246A	Oct. 27, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Dec. 20, 1974, Dec. 20, 1974 and Aug. 19, 1986.	Do.
Fairbank, city of, Buchanan and Fayette Counties.	190329A	Sept. 21, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	July 25, 1975, July 25, 1975 and Aug. 19, 1986.	Do.
Galva, city of, Ida County.....	190424A	June 28, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Sept. 19, 1975 and Aug. 19, 1986.....	Do.
Protivin, city of, Howard County.....	190419A	July 8, 1980, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Sept. 12, 1975 and Aug. 19, 1986.....	Do.
Vail, city of, Crawford County.....	190101A	June 30, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Feb. 7, 1975, and Aug. 19, 1986.....	Do.
Kansas: Walnut, city of, Crawford County.....	200373A	Sept. 7, 1976, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Aug. 22, 1975, and Aug. 19, 1986.....	Do.
Missouri:				
Ellisnore, city of, Carter County.....	290468B	June 2, 1977, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Oct. 18, 1974, Nov. 14, 1975 and Aug. 19, 1986.	Do.
Gainsville, city of, Ozark County.....	290273B	Aug. 20, 1975, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.....	Dec. 28, 1973, Feb. 20, 1976 and Aug. 19, 1986.	Do.

¹ Certain Federal assistance no longer available in special flood hazard areas.

Issued: July 30, 1986.

Francis V. Reilly,

Deputy Administrator, Federal Insurance Administration.

[FR Doc. 86-17637 Filed 8-5-86; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6724]

List of Communities Eligible for the Sale of Flood Insurance; South Carolina et al.**AGENCY:** Federal Emergency Management Agency.**ACTION:** Final rule.

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

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

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program

(NFIP) at: P.O. Box 457, Lanham, Maryland 20706, Phone: (800) 638-7418.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 646-2717, Federal Center Plaza, 500 C Street, Southwest, Room 416, Washington, DC 20472.

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

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

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

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance."

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

List of Subjects in 44 CFR Part 64

Flood insurance-floodplains.

PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows:
Authority: 42 U.S.C. 4001 et. seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

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

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
South Carolina: Greenwood and Abbeville.	Ware Shoals, town of	450248	May 5, 1986, Emerg	Sept. 1, 1978.
Texas: Fort Bend	Fort Bend County Municipal Utility District No. 81 ¹	481600, new	do	
Michigan: Leelanau	Leland, township of	260760, new	do	
Texas: Montgomery	Stagecoach, town of ²	481296A	May 1, 1986, Emerg.; May 1, 1986, Reg.	Sept. 5, 1984.
New Hampshire: Coos	Jefferson, town of	330033C	June 3, 1977, Emerg.; Apr. 15, 1986, Reg.; Apr. 15, 1986, Susp.; May 1, 1986, Rein.	Feb. 21, 1975, Sept. 10, 1976, July 19, 1977, and Apr. 15, 1986.
Grafton	Thornton, town of	330075B	July 18, 1975, Emerg.; April 2, 1986, Reg.; Apr. 2, 1986, Susp.; May 7, 1986, Rein.	June 28, 1974, Mar. 25, 1976, and Apr. 2, 1986.
South Dakota: Kingsbury	Unincorporated areas	460275	May 8, 1986, Emerg	
Michigan: Charlevoix	South Arm, township of	260761, new	May 14, 1986 Emerg	
Montana: Glacier	Unincorporated areas	300151A	do	Dec. 27, 1977.
South Dakota: Davison	do	460020A	do	May 20, 1977.
Pennsylvania: Columbia	Roaring Creek, township of	421557	Apr. 30, 1979, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.; May 9, 1986, Rein.	Dec. 13, 1974, Sept. 3, 1976, Apr. 30, 1986.
Florida: Madison	Lee, town of	120151	Sept. 26, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.; May 14, 1986, Rein.	Sept. 6, 1974, Jan. 30, 1976, and Apr. 30, 1986.
Georgia: Carroll	Mount Zion, city of	130286	May 16, 1986, Emerg	July 1, 1977.
Montana: Lake	Ronan, city of	300122	do	Apr. 25, 1979.
South Dakota: Clay	Unincorporated areas	460259	do	Oct. 18, 1977.
Michigan: Delta	Cornell, township of	260762, new	May 19, 1986, Emerg	
Wisconsin: Waushara	Unincorporated areas	550540	do	June 17, 1977.
Wyoming: Hot Springs	East Thermopolis, town of	560025A	May 23, 1986, Emerg	Feb. 6, 1976, and Nov. 8, 1974.
Missouri: Ray	Orrick, city of	290309B	July 18, 1974, Emerg.; Jan. 19, 1983, Reg.; Jan. 19, 1983, Susp.; May 21, 1986, Rein.	June 21, 1977, Apr. 5, 1974, and Jan. 19, 1983.
Illinois: Lee	Ashton, village of	170415B	May 2, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.; May 23, 1986, Rein.	May 3, 1974, June 11, 1976, and Apr. 30, 1986.
Michigan:				
Delta	Escanaba, township of	260387A	May 28, 1986, Emerg	Mar. 25, 1977.
Do	Garden, township of	260763, new	do	
Mackinac	Mackinac Island, city of	260764, new	do	
Tennessee: Dyer	Trimble, city of	470389, new	May 30, 1986, Emerg	
Indiana: La Porte	Unincorporated areas	180144	Jan. 15, 1976, Emerg.; Sept. 30, 1983, Susp.; June 6, 1986, Rein.	June 23, 1978.
North Carolina: Brunswick	Calabash, town of	370395	June 9, 1986, Emerg	June 10, 1977
Texas: Fort Bend ¹	Fort Bend County Municipal Utility District No. 30.	481601, new	do	
New Hampshire: Grafton	Easton, town of	330051A	Aug. 8, 1975, Emerg.; Apr. 2, 1986, Reg.; Apr. 2, 1986, Susp.; June 9, 1986, Rein.	Nov. 8, 1974, and Apr. 2, 1986.
Do	Hebron, town of	330058A	Mar. 22, 1976, Emerg.; Apr. 2, 1986, Reg.; Apr. 2, 1986, Susp.; June 9, 1986, Rein.	Jan. 3, 1975, and Apr. 2, 1986.
Missouri: Nodaway	Hopkins, city of	290489B	Feb. 18, 1975, Emerg.; Apr. 1, 1982, Reg.; Apr. 1, 1982, Susp.; June 11, 1986, Rein.	Mar. 15, 1974, and Apr. 1, 1982.
Oklahoma: Washington	Ramona, town of	400222A	Apr. 16, 1976, Emerg.; June 2, 1986, Withdrawn	Dec. 5, 1975.
Georgia: Wilkinson	Toombsboro, city of	130422	June 16, 1986, Emerg	Apr. 4, 1975.
Michigan:				
Leelanau	Empire, township of	260765, new	do	
Mackinac	Garfield, township of	260766, new	do	
Tuscola	Tuscola, township of	260527A	do	Mar. 4, 1977.
Mackinac	Moran, township of	260443	do	
Tennessee: McNairy	Unincorporated areas	470127B	do	Mar. 31, 1977, Oct. 21, 1977, and July 5, 1978.
Michigan: Genesee	Linden, village of	260398A	June 16, 1986, Emerg.; June 16, 1986, Reg	Sept. 26, 1975, and Nov. 19, 1980.
Kentucky: Spencer	Unincorporated areas	210211B	Aug. 8, 1975, Emerg.; June 3, 1986, Reg.; June 3, 1986, Susp.; June 16, 1986, Rein.	Oct. 21, 1977, and June 3, 1986.
Tennessee: Loudon	Philadelphia, city of	470276B	Feb. 18, 1975, Emerg.; June 3, 1986, Reg.; June 3, 1986, Susp.; June 16, 1986, Rein.	Mar. 8, 1974, Sept. 17, 1976, and June 3, 1986.
Alabama: Cherokee	Unincorporated areas	010234A	June 24, 1986, Emerg	Feb. 16, 1979.
Illinois: Macon	Forsyth, village of	171017	do	
Oklahoma: Garfield	Unincorporated areas	400473	do	
Georgia: Meriwether	do	130473	do	
Utah: Washington	Enterprise, city of	490169A	June 25, 1986, Emerg	July 14, 1978.
South Dakota: Hutchinson	Unincorporated areas	480041A	June 27, 1986, Emerg	Aug. 16, 1974.
New York:				
Steuben	Hornby,* town of	361211A	Feb. 18, 1976, Emerg.; Apr. 15, 1986, Reg.; Apr. 15, 1986, Susp.; June 24, 1986, Rein.	Feb. 21, 1975, and Apr. 15, 1986.
Otsego	Richfield,* town of	361279B	May 10, 1977, Emerg.; Apr. 15, 1986, Reg.; Apr. 15, 1986, Susp.; June 24, 1986, Rein.	Oct. 18, 1974, Jan. 2, 1976, and Apr. 15, 1986.
Do	Morris,* village of	361353B	Apr. 25, 1977, Emerg.; Dec. 4, 1985, Reg.; Dec. 4, 1985, Susp.; June 27, 1986, Rein.	Nov. 15, 1974, May 28, 1976, and Dec. 4, 1985.
Franklin	Waverly,* town of	361126B	Jan. 22, 1976, Emerg.; Dec. 4, 1985, Reg.; Dec. 4, 1986, Susp.; June 27, 1986, Rein.	Oct. 25, 1974, July 23, 1976, and Dec. 4, 1985.
Otsego	Morris,* town of	361273C	Apr. 12, 1976, Emerg.; Jan. 3, 1986, Reg.; Jan. 3, 1986, Susp.; June 27, 1986, Rein.	Nov. 15, 1974, July 9, 1976, July 1, 1977, and June 27, 1986.
Do	Richfield Springs,* village of	361360A	Sept. 11, 1975, Emerg.; Jan. 3, 1986, Reg.; Jan. 3, 1986, Susp.; June 27, 1986, Rein.	Nov. 15, 1974, and Jan. 3, 1986.
Iowa: Cass	Anita, city of	190048B	Apr. 11, 1975, Emerg.; June 17, 1986, Reg.; June 17, 1986, Susp.; June 20, 1986, Rein.	May 3, 1974, Oct. 31, 1975, and June 17, 1986.
Florida: Santa Rosa	Jay, town of	120339A	Jan. 13, 1976, Emerg.; May 15, 1986, Reg.; June 17, 1986, Susp.; June 30, 1986, Rein.	Oct. 10, 1975, and May 15, 1986.
Tennessee: Hamilton	Lookout Mountain, town of	470075	May 6, 1977, Emerg.; June 20, 1986, Withdrawn	May 14, 1976.
California: Lassen	Unincorporated areas	060092A	June 26, 1986, Emerg	Feb. 28, 1978.

¹ Fort Bend County Municipal Utility District No. 81 and No. 30 have adopted Fort Bend County's flood insurance study with a flood insurance rate map (FIRM) which is scheduled to take effect August 5, 1986. Fort Bend County Municipal Utility Districts No. 81 and No. 30 will be converted to the regular program on that date (8-5-86). In the interim, the communities will be entered into the emergency program and use the county's FIRM for insurance and floodplain management purposes.

² The Town of Stagecoach was formerly the Village Stagecoach Farms.

* Minimal conversions.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension; Rein.—Reinstatement.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
Region I			
Maine: Boothbay, town of, Lincoln County	230212B	June 3, 1986, suspension withdrawn	Feb. 7, 1975, Mar. 7, 1980, and June 3, 1986.
Massachusetts:			
Nantucket, town of, Nantucket County	250230C	do	Sept. 13, 1974, Dec. 3, 1976, Oct. 1, 1983, and June 3, 1986.
Medford, city of, Middlesex County	250205B	do	July 26, 1974, Sept. 24, 1976, and June 3, 1986.
Everett, city of, Middlesex County	250192B	do	June 7, 1974, July 30, 1976, and June 3, 1986.
Hingham, town of, Plymouth County	250268B	do	September 8, 1974, October 15, 1976, June 3, 1986.
New Hampshire: North Hampton, town of, Rockingham County	330232B	do	Jan. 27, 1979, and June 3, 1986.
Region IV			
New Jersey: Fairfield, Township of, Essex County	340168C	do	June 15, 1973, July 1, 1974, July 16, 1976, Mar. 1, 1984, and June 3, 1986.
Region III			
Pennsylvania: Washington, township of, Franklin County	421858C	do	Sept. 6, 1974, July 2, 1976, Feb. 11, 1977, and June 3, 1986.
Region V			
Illinois:			
Galatia, village of, Saline County	170597B	do	Mar. 1, 1974, Jan. 30, 1976, and June 3, 1986.
Randolph County, unincorporated areas	170575B	do	Dec. 20, 1974, July 15, 1977, and June 3, 1986.
Ohio: Chillicothe, city of, Ross County	390482D	do	June 28, 1974, Mar. 28, 1976, Aug. 31, 1979, Mar. 17, 1984, and June 3, 1986.
Region VI			
Texas:			
Corinth, town of, Denton County	481143B	do	July 30, 1976, May 15, 1979, and June 3, 1986.
Westworth Village, village of, Tarrant County	480616B	do	Mar. 6, 1974, June 25, 1976, and June 3, 1986.
Kansas: Sedgwick County, unincorporated areas	200321A	do	Aug. 2, 1974, and June 3, 1986.
Region VIII			
Montana: Red Lodge, city of, Carbon County	300007	do	May 19, 1981, and June 3, 1986.
Arizona: Paradise Valley, town of, Maricopa County	040049C	do	Dec. 7, 1973, May 21, 1976, May 1, 1980, and June 3, 1986.
California:			
Point Arena, city of, Mendocino County	060185C	do	Oct. 18, 1974, Dec. 28, 1975, Aug. 3, 1984, and June 3, 1986.
Mendocino County, unincorporated areas	060183C	do	Jan. 3, 1974, Apr. 25, 1978, June 1, 1983, and June 3, 1986.
Capitola, city of, Santa Cruz County	060354C	do	May 17, 1974, Mar. 19, 1976, August 15, 1984, and June 3, 1986.
Half Moon Bay, city of, San Mateo County	060319A	do	June 3, 1986.
Region X			
Oregon: Oakridge, city of, Lane County	410126B	do	Nov. 12, 1976, May 10, 1974, and June 3, 1986.
Region I			
Connecticut: Avon, town of, Hartford County	090021B	June 17, 1986 Suspension Withdrawn	January 23, 1974, May 16, 1977, and June 17, 1986.
Maine:			
Howland, town of, Penobscot County	230391A	do	August 13, 1976, and June 17, 1983.
Boothbay Harbor, town of, Lincoln County	230213B	do	February 14, 1975, August 16, 1977, and June 17, 1986.
Massachusetts:			
Yarmouth, town of, Barnstable County	250015C	do	October 18, 1974, April 2, 1977, October 1, 1983, and June 17, 1986.
Lincoln, town of, Middlesex County	250199C	do	December 13, 1984, October 15, 1976, June 1, 1978, and June 17, 1986.
New Hampshire:			
Seabrook, town of, Rockingham County	330143B	do	August 2, 1974, November 26, 1976, and June 17, 1986.
Rye, town of, Rockingham County	330141B	do	June 28, 1974, September 3, 1976, and June 17, 1986.
Rhode Island: Charlestown, town of, Washington County	445395C	do	July 13, 1972, July 1, 1974, August 20, 1976, October 1, 1983, and June 17, 1986.
Vermont: Bennington, town of, Bennington County	5000013C	do	September 13, 1974, February 18, 1977, November 1, 1977, and June 17, 1986.
Region III			
Pennsylvania:			
Bentleyville, borough of, Washington County	420846B	do	February 1, 1974, June 4, 1976, and June 17, 1986.
Waynesburg, borough of, Greene County	420480B	do	June 28, 1974, July 16, 1976, and June 17, 1986.
Freepport, borough of, Armstrong County	420095B	do	May 31, 1974, October 8, 1976, and June 17, 1986.
Southampton, township of, Franklin County	421657	do	May 31, 1974, October 8, 1976, May 15, 1986.
Region V			
Minnesota:			
Big Stone County, unincorporated areas	270652B	do	June 5, 1981, and June 17, 1986.
Browns Valley, city of, Traverse County	270480B	do	May 10, 1974, June 4, 1976, and June 17, 1986.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
Chippewa County, unincorporated areas	270066B	.....do	Apr. 20, 1979, and June 17, 1986.
Region VI			
Texas: Kendall County, unincorporated areas	480417B	.....do	Dec. 27, 1974, May 24, 1977, and June 17, 1986.
Region IX			
California:			
Santa Cruz, city of, Santa Cruz County	060355C	.....do	Mar. 8, 1974, Feb. 15, 1985, Apr. 23, 1976, and June 17, 1986.
Vista, city of, San Diego County	060297C	.....do	June 14, 1974, Apr. 1, 1977, Aug. 15, 1983, and June 17, 1986.
Eureka, city of, Humboldt County	060062C	.....do	May 24, 1974, Nov. 14, 1975, June 1, 1982, and June 17, 1986.
Escondido, city of, San Diego County	060290C	.....do	Apr. 5, 1978, Sept. 15, 1983, and June 17, 1986.
Region VIII—Minimal Conversions			
Montana:			
Chester, town of, Liberty County	3000041	June 1, 1986, suspension withdrawn	May 10, 1974, Dec. 5, 1975, and June 1, 1986.
Conrad, city of, Pondera County	3000057	.....do	June 7, 1974, Dec. 5, 1975, and June 1, 1986.
Vermont:			
Fairfield, town of, Franklin County	500053B	June 3, 1986, suspension withdrawn	Jan. 10, 1975, Oct. 1, 1976, and Sept. 27, 1985.
Orwell, town of, Addison County	500168B	.....do	Nov. 15, 1974, Sept. 3, 1975, and Sept. 18, 1985.
Connecticut:			
Colebrook, town of, Litchfield County	090180B	.....do	Mar. 20, 1979, and June 3, 1986.
Vermont:			
Guilford, town of, Windham County	500130B	.....do	July 19, 1974, Dec. 10, 1976, and June 3, 1986.
Region II			
New York: Wells, town of, Hamilton County	361112A	.....do	Nov. 29, 1974, and June 3, 1986.
Region III			
Maryland: Church Hill, town of, Queen Annes County	240057B	.....do	Aug. 16, 1974, Dec. 19, 1975, and June 3, 1986.
Region IV			
Alabama: Morris, town of, Jefferson County	010264B	.....do	Nov. 8, 1976, Dec. 29, 1978, and June 3, 1986.
Florida:			
Monticello, city of, Jefferson County	120365A	.....do	July 23, 1976, and June 3, 1986.
Worthington Springs, town of, Union County	120594B	.....do	Nov. 13, 1978, and June 3, 1986.
North Carolina:			
Lake Waccamaw, town of, Columbus County	370069B	.....do	Dec. 28, 1973, May 14, 1976, and June 3, 1986.
Walnut Cove, town of, Stokes County	370224B	.....do	Feb. 8, 1974, May 21, 1976, and June 3, 1986.
South Carolina:			
Mullins, city of, Marion County	450143B	.....do	June 28, 1974, Apr. 2, 1976, and June 3, 1986.
Summerton, town of, Clarendon County	450054B	.....do	May 24, 1974, July 25, 1975, and June 3, 1986.
Ulmer, town of, Allendale County	450012B	.....do	Aug. 16, 1974, June 11, 1976, Mar. 25, 1980, and June 3, 1986.
Tennessee: Decatur, town of, Meigs County	470134E	.....do	June 14, 1974, Mar. 11, 1977, Jan. 13, 1978, June 30, 1978.
Region V			
Michigan: Niles, township of, Berrien County	260041B	.....do	June 21, 1974, June 18, 1976, and June 3, 1986.
Minnesota:			
Clarissa, city of, Todd County	270476B	.....do	May 3, 1974, July 30, 1976, and June 3, 1986.
Nobles County, unincorporated areas	270688B	.....do	May 25, 1979, and June 3, 1986.
Wisconsin: Chetek, city of, Barron County	550012B	.....do	Dec. 7, 1973, May 14, 1976, and June 3, 1986.
Region VII			
Kansas: Lyndon, city of, Osage County	200251B	.....do	Mar. 1, 1974, Nov. 14, 1975, and June 3, 1986.
Nebraska:			
Bristow, village of, Boyd County	310012B	.....do	Jan. 3, 1975, Nov. 21, 1975, and June 3, 1986.
Valparaiso, village of, Saunders County	310203B	.....do	Nov. 8, 1974, Mar. 19, 1976, and June 3, 1986.
Region X			
Idaho: Butte County, unincorporated areas	160033A	.....do	June 3, 1986.
Region II—Minimal Conversions			
New York: Massena, town of, St. Lawrence County	361182B	June 17, 1986, suspension withdrawn	Oct. 25, 1974, July 30, 1976, and June 17, 1986.
Region IV			
Kentucky:			
Albany, city of, Clinton County	210059B	.....do	May 10, 1974, Feb. 27, 1976, and June 17, 1986.
Brandenburg, city of, Meade County	210170B	.....do	May 17, 1974, Oct. 31, 1975, and June 17, 1986.
Livingston, city of, Rockcastle County	210202B	.....do	Aug. 2, 1974, Feb. 20, 1976, and June 17, 1986.
South Carolina:			
Fountain Inn, town of, Greenville, Laurens Counties	450209B	.....do	July 23, 1976, June 3, 1977, and June 17, 1986.
Iva, town of, Anderson County	450017B	.....do	May 31, 1974, Mar. 26, 1976, and June 17, 1986.
Waihalla, town of, Oconee County	450159B	.....do	June 28, 1974, June 4, 1976, and June 17, 1986.
Tennessee:			
Dandridge, town of, Jefferson County	470299A	.....do	June 11, 1976, and June 17, 1986.
Mason, city of, Tipton County	470191A	.....do	Oct. 1, 1976, and May 15, 1986.
Region V			
Michigan:			
Saranac, village of, Ionia County	260421B	.....do	July 11, 1975, Apr. 11, 1977, and June 17, 1986.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
Minnesota:			
Elgin, city of, Wabasha County.....	270484C	do	May 17, 1974, June 9, 1976, and Feb. 16, 1979.
Ohio:			
Liberty Center, village of, Henry County.....	360619B	do	Oct. 18, 1974, May 21, 1976, and June 17, 1986.
Wisconsin:			
Embarrass, village of, Waupaca County.....	550495B	do	Dec. 7, 1973, May 21, 1976, and June 17, 1986.
Union Grove, village of, Racine County.....	550586	do	Mar. 15, 1979, and June 17, 1986.
Region VII			
Iowa:			
Carroll County, unincorporated areas.....	190039B	do	June 17, 1977, and June 17, 1986.
Region VIII			
Montana:			
Dodson, town of, Phillips County.....	300053B	do	Dec. 27, 1974, and June 17, 1986.

Issued: July 30, 1986.

Francis V. Reilly,

Deputy Administrator, Federal Insurance Administration.

[FR Doc. 86-17636 Filed 8-5-86; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 22

[CC Docket No. 85-347]

Amendment of the Rules Concerning Cellular Construction Period

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has determined the rules governing construction of cellular systems should be modified. Specifically, the Commission will require that cellular permittees construct and begin initial operation within 18 months of station authorization. The initial phase may consist of one or more cells. This action is taken in response to comments received as a result of our Notice of Proposed Rulemaking, 50 FR 50181 (1985).

EFFECTIVE DATE: September 5, 1986.

FOR FURTHER INFORMATION CONTACT: Cynthia McClain-Hill, Mobile Services Division, Common Carrier Bureau (202) 632-6450.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, CC Docket 85-347, adopted May 15, 1986, and released May 29, 1986.

The complete text of Commission decisions are available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, Northwest, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor,

International Transcription Service, (202) 857-3800, 2100 M Street, Northwest, Suite 140, Washington, DC 20037.

Summary of Report and Order

1. On November 14, 1985, the Commission adopted a Notice of Proposed Rulemaking (Notice) which solicited comments concerning a proposed change in the rules to require cellular permittees to begin initial operation within 12 months of the station authorization. The Commission carefully considered the comments and adopted a rule which requires that permittees begin initial service within 18 months of station authorization. Accordingly, all holders of cellular construction permits for cellular systems beyond the top-90 markets will be required to file a Form 489 notifying the Commission that construction of the initial portion of the system has been completed and operation commenced within 18 months of the grant of their construction permits. The initial phase may consist of one or more cells and the permittee continues to have 3 years to construct and put into operation base stations providing 39 dBu coverage of 75% of the applicants authorized CGSA. If a permittee fails to comply with the 18 month initial service requirement and a timely request for extension of the deadline has not been filed, its construction permit will expire and a grant will be made to another applicant.

2. *Final Regulatory Flexibility Analysis.* Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. section 605(b) it is certified that the final rule will not have a significant impact on a substantial number of small entities. This action is expected to promote efficient and expedient authorization of cellular licenses and lower the administrative costs associated with the process of granting cellular licenses.

3. Authority for this rulemaking is contained in Sections 1, 4 (i) and (j), 301,

303 and 309 of the Communications Act of 1934, as amended, and section 553 of the Administrative Procedure Act.

List of Subjects in 47 CFR Part 22

Communications common carriers, Communications equipment, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Rules Changes

PART 22—[AMENDED]

Part 22 of Title 47 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 22 continues to read as follows:

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

2. Section 22.43 is amended by revising paragraph (c) to read as follows:

§ 22.43 Period of construction.

* * * * *

(c) *Cellular base stations.* Cellular base stations, which will provide coverage over 75% of the cellular geographic service area, as defined in § 22.903 of these rules, shall be completed and the station ready for operation within 36 months from the date the radio station authorization is granted. For systems beyond the top-90 markets, construction of an initial phase of the system, which may consist of one or more cells, must be completed, and a notification or Form 489 that the system is ready to commence service to the public must be filed, within 18 months from the date the radio station authorization is granted. Failure to begin service in a timely manner in

accordance with this rule will result in the termination of the authorization.

[FR Doc. 86-17643 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 68

[CC Docket No. 81-216; RM-2845 et al.]

Registration of Loop-Powered Repertory Dialers

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has amended § 68.312(k) of the rules to provide that the off-hook limitations of that section will not preclude registration of loop-powered repertory dialers. The intended effect of this change is to permit registration of loop-powered repertory dialers. The rationale of this amendment is that connection of such devices to the telephone network will not cause network harm and should therefore be registrable.

EFFECTIVE DATE: This rule change is effective September 5, 1986.

FOR FURTHER INFORMATION CONTACT: Patrick Donovan, Domestic Facilities Division, Common Carrier Bureau, (202) 634-1832.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's memorandum opinion and order adopted June 1986, and released June 1986, CC Docket 81-216, granting a petition for reconsideration filed by AT&T-IS of *Third Report and Order*, 51 FR 929, January 9, 1986.

The full text of Commission decisions are available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, Northwest, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, Northwest, Suite 140, Washington, DC 20037.

Summary of Commission Decision

Part 68 of the Commission's rules 47 CFR Part 68, provides the technical and procedural standards under which customer-provided telephone equipment, systems, and protective apparatus may be directly connected to the nationwide telephone network. Compliance with those standards assures equipment manufacturers and consumers that their equipment is connectible to the network, and assures telephone companies that

connection will not cause harm to the network. In *Third Report and Order* the Commission adopted § 68.312(k) of the rules which, *inter alia*, prohibits registration of terminal equipment which by design leaves the on-hook state except for the purpose of making or receiving call. In a petition for reconsideration AT&T-IS contended that this provision is too restrictive in that it would prevent registration of loop-powered automatic dialers which require that the user place the device in the off-hook state in order to program into the device telephone numbers for automatic dialing. AT&T-IS claimed that § 68.312(k) was intended to prevent registration of devices which could go off-hook for extended periods of time in contrast to programming of loop-powered dialers which are off-hook for very short periods of time and do not create any risk of network harm. Several telephone companies opposed the AT&T-IS request of the ground that the rule adopted by the Commission was properly intended to prevent registration of any terminal equipment which was designed to go off-hook except for the purpose of making or receiving a call.

In its Memorandum Opinion and Order the Commission granted the AT&T-IS petition for reconsideration and modified § 68.312(k) to permit registration of loop-powered automatic dialers. The rationale of this decision was that these devices will be off-hook only infrequently and for short durations during the programming operation and do not entail any substantial harm to the telephone network. The Commission noted that the majority of telephone company central offices already contain automated equipment which protects the network for spurious off-hook conditions caused by consumer telephone equipment. The Commission found that the telephone companies had not demonstrated that any network harm would be caused by registration of loop-powered automatic dialers.

Ordering Clauses

13. Accordingly, it is ordered, That the petition for reconsideration filed by AT&T Information Systems, Inc. is granted.

14. It is further ordered, That the petition for temporary waiver filed by AT&T Information Systems, Inc. is dismissed as moot.

15. It is further ordered, pursuant to 47 U.S.C. 151, 154(i), 154(j), 201-205, 218, 220, 313, 403, 412, and 5 U.S.C. 553, That Part 68 of the Commission's rules is amended as shown at the end of this document.

Federal Communications Commission.
William J. Tricarico,
Secretary.

List of Subjects in 47 CFR Part 68

Communication equipment, telephone.

PART 68—[AMENDED]

47 CFR Part 68 is amended as follows:

1. The authority citation for Part 68 continues to read as follows:

Authority: Secs. 4, 201, 202, 203, 204, 205, 208, 215, 218, 313, 314, 403, 404, 410, 602, 48 Stat. as amended, 1066, 1070, 1071, 1072, 1073, 1976, 1077, 1087, 1094, 1098, 1102; 47 U.S.C. 154, 201, 202, 203, 204, 205, 208, 215, 218, 313, 314, 403, 404, 410, 602.

2. Section 68.312 is amended to revise paragraph (k) to read as follows:

§ 68.312 On-hook Impedance Limitations.

(k) Registered terminal equipment and registered protective circuitry shall not by design leave the on-hook state by operations performed on tip and ring leads for any other purpose than to request service or answer an incoming call, except that terminal equipment which the user places in the off-hook state for the purpose of manually placing telephone numbers in internal memory for subsequent automatic or repertory dialing shall be registrable. Make-busy indications shall be transmitted by the use of make-busy leads only as defined in §§ 68.3 and 68.200(j).

[FR Doc. 86-17647 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

Clarification of FM Application Processing Procedures

Correction

In FR Doc. 86-16155, beginning on page 26009 in the issue of Friday, July 18, 1986, make the following correction: On page 26009 in the third column, above the heading "Further Clarification of FM . . .", insert "July 24, 1984".

BILLING CODE 1505-01-M

47 CFR Part 97

[PR Docket No. 85-22]

In the Matter of Frequency Coordination of Repeaters in the Amateur Radio Service; Order

AGENCY: Federal Communications Commission.

ACTION: Dismissal of petitions for reconsideration.

SUMMARY: This Order dismisses petitions for reconsideration filed by Mark A. Kolber and Karl Victor Pagel. This action is being taken because these petitions were not timely filed.

ADDRESS: Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: John J. Borkowski, Private Radio Bureau, Washington, DC 20554, (202) 632-4964.

SUPPLEMENTARY INFORMATION:

Adopted: July 21, 1986.

Released: July 25, 1986.

By the Chief, Private Radio Bureau.

1. On May 2, 1986, the Commission released a *Report and Order* in this proceeding amending its rules to clarify the relationship between coordinated and non-coordinated repeater and auxiliary amateur operation. A summary of this *Report and Order* was printed in the *Federal Register* on May 12, 1986 (51 FR 17342).

2. Petitions for reconsideration of this *Report and Order* had to be filed on or before June 12, 1986. However, we have received two petitions of reconsideration filed after this date: from Mark A. Kolber (filed June 13, 1986) and from Karl Victor Pagel (filed July 8, 1986). Neither of these petitions is timely filed.

3. Accordingly, pursuant to §§ 0.131, 0.331, 1.4(b) and 1.429(d) of the Commission's rules (47 CFR 0.131, 0.331, 1.4(b) and 1.429(d)), and pursuant to section 303(r) of the Communications Act of 1934, as amended (47 U.S.C. 303(r)), it is ordered that the petition for reconsideration of Mark A. Kolber filed June 13, 1986, is dismissed. It is further ordered that the petition for reconsideration of Karl Victor Pagel filed July 8, 1986, is dismissed.

Federal Communications Commission.

Robert S. Foosaner,

Chief, Private Radio Bureau.

[FR Doc. 86-17648 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

**DEPARTMENT OF TRANSPORTATION
National Highway Traffic Safety
Administration**

49 CFR Part 571

[Docket No. 85-10; Notice 2]

**Federal Motor Vehicle Safety
Standards; Lamps, Reflective Devices,
and Associated Equipment**

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

ACTION: Final rule.

SUMMARY: This notice makes nonsubstantive amendments to Federal Motor Vehicle Safety Standard No. 108 to remove original equipment requirements that are no longer in effect and to clarify that most of those requirements may still be met by equipment manufactured to replace such original equipment, to adopt a common typographical manner in referring to materials incorporated by reference, and to correct errors appearing in the Code of Federal Regulations.

DATE: The amendments are effective August 6, 1986.

FOR FURTHER INFORMATION CONTACT: Taylor Vinson, (202) 366-5263, Room 5219, 400 Seventh St. SW., National Highway Traffic Safety Administration, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: The agency has recently reviewed 49 CFR 571.108 Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment* as published in the Code of Federal Regulations, revised as of October 1, 1985. In so doing, it noted three subject areas where nonsubstantive amendments could be made to clarify and simplify the standard, to remove inconsistencies in titles of SAE and other materials incorporated by reference, and to correct minor errors.

Clarification of Current Coverage

Standard No. 108 contains certain requirements that applied to vehicles manufactured between certain dates in the past. For example, Paragraph S4.1.1.6 permitted stop lamps on vehicles manufactured between January 1, 1973, and September 1, 1978, to be designed to conform to SAE Standard J586b *Stop Lamps*, as an exception to the requirement for SAE J586c stop lamps in Table III. Although stop lamps meeting J586b may no longer be used as original equipment on passenger cars, their manufacture as replacements for original equipment J586b stop lamps remains permissible. Therefore, the agency is revising S4.1.1.6 in part, from "Each stop lamp on any motor vehicle manufactured between January 1, 1973, and September 1, 1978, may be designed to conform to SAE Standard J586. . . ." to "Each stop lamp manufactured to replace a stop lamp designed to conform to SAE Standard J586b *Stop Lamps*, June 1966, may also be designed to conform to SAE Standard J586b. . . ." Similar changes are made to paragraphs S4.1.1.7, S4.1.1.28, S4.1.1.29, and S4.1.1.35. Paragraphs S4.1.1.19 and 20 apply to lamps manufactured on or after

January 1, 1974; there appears to be no need to retain the effective date of this requirement, nor for the effective date of the lens marking requirement in paragraph S4.1.1.21, and the second paragraph of its subsection (f). Paragraph S4.1.1.2(a) applies to plastic materials manufactured before January 1, 1976, and may be deleted. Succeeding subparagraphs are redesignated, and references to J576b are deleted.

Consistency in SAE, OSHA, and ASTM References

Titles of SAE, OSHA, and ASTM materials incorporated by reference appear at some place in the standard in quotation marks, and at other places in italics. The agency has concluded that the style of reference should be consistent, and that italics are preferable to quotation marks because the presence of incorporated materials will be more readily apparent to the reader. Changes from quotation marks to italics are made in the following paragraphs: S4.1.1.1, S4.1.1.4, S4.1.1.8, S4.1.1.13(a), (b), and (c), S4.1.1.19, S4.1.1.20, S4.1.1.22, S4.1.1.25, S4.1.1.36(b)(1) and (3), S4.1.2 (ASTM reference), S4.1.4(a) and (b), S4.2.1, S4.3.1.5, S4.3.1.7, S4.5.1, S4.5.6, S6.4(b)(1) (OSHA reference), S6.5 (ASTM reference), S6.6 (ASTM reference), and S6.7.2(b)(2) and (c)(2) (Title of Figure 7).

Typographical Errors

Typographical errors appear in the following sections and will be corrected: S4.1.1.43(c)(2), and S4.4.1 (this designation is unnecessary as there is no longer a paragraph S4.4.2, and an appropriate correction is made).

NHTSA has considered this rule and has determined that it is not major within the meaning of Executive Order 12291 "Federal Regulation" or significant under Department of Transportation regulatory policies and procedures, and that no regulatory impact analysis or regulatory evaluation is required.

NHTSA has analyzed this rule for purposes of the National Environmental Policy Act. There will be no effect upon the human environment because the rule makes no substantive changes.

The agency has also considered the impacts of this rule in relation to the Regulatory Flexibility Act. I certify that this rule will not have a significant impact upon a substantial number of small entities. Accordingly no regulatory flexibility analysis has been prepared. Manufacturers of motor vehicles and motor vehicle lighting equipment, those affected by the rule, are generally not small businesses within the meaning of

the Regulatory Flexibility Act. Finally, small organizations and governmental jurisdictions will not be significantly affected since there is no effect upon costs.

The lawyer responsible for this rule is Taylor Vinson.

List of Subjects in 49 CFR Part 571

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

PART 571—[AMENDED]

In consideration of the foregoing 49 CFR Part 571 and 571.108 Motor Vehicle Safety Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment* is amended as follows:

1. The authority citation for Part 571 continues to read as follows:

Authority: 15 U.S.C. 1392, 1401, 1403, 1407; delegation of authority at 49 CFR 1.50.

2. In paragraph S4.1.1.1, paragraph S4.3.1.7, and paragraph S4.5.6, the words "Turn Signal Lamps" are changed to read "Turn Signal Lamps".

3. In paragraph S4.1.1.4 the words "Sheeting and Tape, Reflective Non-exposed Lens, Adhesive Backing" are revised to read "Sheeting and Tape, Reflective Non-exposed Lens, Adhesive Backing", and the words "Reflex Reflectors" are changed to read "Reflex Reflectors".

4. In paragraph S4.1.1.6 the following changes are made:

(a) The first sentence is revised to read "Each stop lamp manufactured to replace a stop lamp that was designed to conform to SAE Standard J586b *Stop Lamps*, June 1966, may also be designed to conform to J586b."

(b) The third sentence is amended by inserting the words "manufactured for use" between the words "Each such lamp" and "on a passenger car".

5. In paragraph S4.1.1.7 the following changes are made:

(a) The first sentence is revised to read "Each turn signal lamp manufactured to replace a turn signal lamp that was designed to conform to SAE Standard J588d, *Turn Signal Lamps*, June 1966, may also be designed to conform to J588d, and shall meet the photometric minimum candlepower requirements for Class A turn signal lamps specified in SAE Standard J575d, *Tests, for Motor Vehicle Lighting Devices and Components*, August 1967.

(b) The second sentence is amended by inserting the words "manufactured for use" between the words "Each such lamp" and "on a passenger car".

(c) The last sentence is amended by inserting the words "manufactured for use" between the words "Each such lamp" and "on a multipurpose passenger vehicle".

6. In paragraph S4.1.1.8 the words "Clearance, Side Marker, and Identification Lamps" are changed to "Clearance, Side Marker, and Identification Lamps".

7. In paragraph S4.1.1.13(a) the words "Dimensional Specifications for Sealed Beam Headlamp Units" are changed to "Dimensional Specifications for Sealed Beam Headlamp Units for Motor Vehicles".

8. In paragraph S4.1.1.13(b), the words "Sealed Beam Headlamp Units for Motor Vehicles" are changed to "Sealed Beam Headlamp Units for Motor Vehicles".

9. In paragraph S4.1.1.13(c) and paragraph S4.1.1.36(b)(3), the words "Sealed Beam Headlamp Assembly" are changed to "Sealed Beam Headlamp Assembly".

10. In paragraph S4.1.1.19 the words "manufactured on or after January 1, 1974, and" are deleted.

11. In paragraph S4.1.1.20, the words "manufactured on or after January 1, 1974" are deleted.

12. In paragraphs S4.1.1.19 and S4.1.1.20, the words "Lamp Bulbs and Sealed Units" are changed to "Lamp Bulbs and Sealed Units".

13. In paragraph S4.1.1.21 introductory text, the words "manufactured on or after July 1, 1979," are deleted.

14. The second paragraph of S4.1.1.21(f) is deleted.

15. In paragraph S4.1.1.22, the words "Backup Lamps" are changed to "Backup Lamps, February 1968".

16. Paragraph S4.1.1.25 is amended as follows:

(a) The words "Dimensional Specifications for Sealed Beam Headlamp Units" are changed to "Dimensional Specifications for Sealed Beam Headlamp Units".

(b) The words "142 mm x 200 mm Sealed Beam Headlamp Unit" are changed to "142 mm x 200 mm Sealed Beam Headlamp Unit".

17. Paragraph S4.1.1.28 is revised to read:

S4.1.1.28 Each taillamp manufactured to replace a taillamp designed to conform to SAE Standard J585d *Tail Lamps*, August 1970, may also be designed to conform to J585d.

18. Paragraph S4.1.1.29 is revised to read:

S4.1.1.29 Each turn signal lamp manufactured to replace a turn signal lamp (on a motorcycle) that was designed to conform to SAE Standard J588d, *Turn Signal Lamps*, June 1966, may also be designed to conform to J588d.

19. Paragraph S4.1.1.35 is revised to read:

S4.1.1.35 Each headlamp manufactured to replace a headlamp designed to conform to SAE Standard J580a, *Sealed Beam Headlamp*, June 1966, may also be designed to conform to J580a.

20. Paragraph S4.1.1.36(b)(1) is revised to read:

(1) Section 4.6—Photometry of SAE J575 JUN80 *Tests for Motor Vehicle Lighting Devices and Components*.

21. The following changes are made to paragraph S4.1.1.43:

(a) In subparagraph (c)(2), the word "amiable" is changed to "aimable".

(b) In subparagraph (e), the words "August 1979" are changed to AUG79".

(c) In subparagraph (e)(5), the words "October 1980" are changed to "OCT80 *Headlamp Aiming Device for Mechanically Aimable Sealed Beam Headlamp Units*".

22. In Paragraph S4.1.1.44 subparagraph "(1)" is changed to "(a)".

23. The following changes are made to paragraph S4.1.2:

(a) Subparagraph (a) deleted, and subparagraphs (b), (c), and (d) are redesignated "(a)", "(b)", and "(c)" respectively.

(b) Redesignated subparagraph (a) is revised to read:

(a) Plastic lenses used for inner lenses or those covered by another material and not exposed directly to sunlight shall meet the requirements of paragraphs 3.4 and 4.2 of SAE J576c when covered by the outer lens or other material;

(c) In redesignated subparagraph (b) the words "Haze and Luminous Transmittance of Transparent Plastic" are changed to "Haze and Luminous Transmittance of Transparent Plastic".

(d) Redesignated subparagraph (c) is revised to read:

(c) After the outdoor exposure test, plastic materials used for reflex reflectors shall meet the appearance requirements of paragraph 4.2.2 of SAE J576c.

24. In paragraph S4.1.4 (a) and (b), and in paragraph S4.2.1, the words "School Bus Red Signal Lamps" are changed to "School Bus Red Signal Lamps".

25. Paragraph S4.1.5 is revised to read:
S4.1.5 The color in all lamps, reflective devices, and associated equipment to which this standard applies shall comply with SAE Standard J578c, *Color Specification for Electric Signal Lighting Devices*, February 1977.

26. Paragraph S4.4 *Equipment combinations* is amended by removing the designation "S4.4.1".

27. The following changes are made to paragraph S4.5.1:

(a) The words "Headlamp Beam Switching" are changed to "Headlamp Beam Switching".

(b) The words "Semi-Automatic Headlamp Beam Switching Devices" are changed to "Semi-Automatic Headlamp Beam Switching Devices".

28. In paragraph S6.3 the words "Tests for Motor Vehicle Lighting Devices and Components" are changed to read "Tests for Motor Vehicle Lighting Devices and Components".

29. In paragraph S6.4(b)(1) the words "Handling Storage and Use of Flammable Combustible Liquids" are changed to "Handling Storage and Use of Flammable Combustible Liquids".

30. S6.5(a) the words "August 1979" are revised to read "AUG79 Sealed Beam Headlamp Assembly".

31. In paragraph S6.5(b) the words "Method of Salt Spray (FOG) Testing" are changed to "Method of Salt Spray (FOG) Testing".

32. In paragraph S6.6 the words "specification for Portland Cement" are changed to "Specification for Portland Cement".

33. In paragraph S6.7.2 (a)(2), (b)(2), and (c)(2) the words "Dirt-Ambient Test Setup" are revised to read "Dirt/Ambient Test Setup".

34. In paragraph S6.7.2(c)(3) the tolerances on relative humidity of "30+10%" are changed to "30±10%".

35. In paragraph S6.8 the tolerances on temperature of "73±7-0 °F (20±4-0 °C)" are changed to "73+7-0 °F (20+4-0 °C)".

36. In S4.1.1.36(b)(3) the words "SAE J580 Sealed Beam Headlamp Assembly August 1979" are revised to read "SAE J580 AUG79 Sealed Beam Headlamp Assembly".

Because the amendments clarify and correct existing requirements and impose no additional burdens, it is hereby found that an effective date earlier than 180 days after issuance is in the public interest.

Issued on July 31, 1986.

Diane K. Steed,
Administrator.

[FR Doc. 86-17578 Filed 8-5-86; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[Docket No. 50239-5115]

Atlantic Tuna Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of inseason adjustment.

SUMMARY: NOAA issues this notice to increase the quota for the Harpoon Boat permit category of giant Atlantic bluefin tuna from 60 short tons (st) to 75 st and to decrease the inseason adjustment amount from 104 st to 89 st accordingly. Regulations provide for adjustments. The increase is necessary to prevent an early closure of this segment of the fishery.

EFFECTIVE DATE: 0001 hours Eastern Daylight Time (EDT) July 31, 1986, through December 31, 1986.

FOR FURTHER INFORMATION CONTACT: William C. Jerome, Jr., 617-281-3600, extension 262; or David S. Crestin, 617-281-3600, extension 253. The address for both individuals is National Marine Fisheries Service, Northeast Region, Management Division, State Fish Pier, Gloucester, MA 01930-3097.

SUPPLEMENTARY INFORMATION: Final regulations governing the Atlantic bluefin tuna fishery were published on October 25, 1985 (50 FR 43396). Section 285.22(g) provides that the Regional Director may allocate during the fishing season any portion (from zero to 100 percent) of the inseason adjustment amount (104 st) to any segment of the fishery. The Regional Director is required to publish a notice of allocation in the *Federal Register* before such allocation becomes effective. Consistent with § 285.22(g), the Regional Director has considered the following factors:

(1) The usefulness of information obtained from catches of the particular gear segment of the fishery for biological sampling and monitoring the status of the stock;

(2) The catches of the particular gear segment to date and the likelihood of closure of that segment of the fishery if no allocation is made;

(3) The projected ability of the particular gear segment to harvest the additional amount of Atlantic bluefin tuna before the anticipated end of the fishing season; and

(4) The estimated amounts by which quotas established for other gear segments of the fishery might be exceeded.

The Regional Director has determined that a 15-st allocation to the Harpoon Boat permit category is appropriate based on these factors.

Current landing reports indicate that the Harpoon Boat quota of 60 short tons of giant Atlantic bluefin tuna will be taken by July 31, 1986. Without an allocation from the inseason adjustment amount, fishing for giant Atlantic bluefin tuna by vessels permitted in the Harpoon Boat category will cease for the remainder of 1986. A significant increase in the number of vessels permitted in the Harpoon Boat category has occurred from 1980 to the present (30 to 245). This increase in the number of vessels actively engaged in this fishery has occurred at the same time as a substantial reduction in the Harpoon Boat quota of giant Atlantic bluefin tuna (150 st to 60 st). There is little doubt that, with the increased number of vessels permitted in the Harpoon Boat category and landings to date, a 15-st increase in the quota could be taken prior to the end of the 1986 fishing season.

An allocation of 15 st from the Inseason Adjustment Amount would leave 89 st available for potential allocation to other gear categories later in the fishing season. Based on current landings data for all gear categories in the Atlantic bluefin tuna fishery, the 89 st remaining in the Inseason Adjustment Amount should be more than sufficient to provide for potential shortages in other gear segments.

The Regional Director, therefore, increases the Harpoon Boat quota in § 285.22(b) from 60 st to 75 st and decreases the Inseason Adjustment Amount in § 285.22(g) from 104 st to 89 st. When the adjusted Harpoon Boat quota is reached, the further taking and retention of Atlantic bluefin tuna by vessels permitted in this category will be prohibited for the remainder of 1986.

Notice of this action has been mailed to all Atlantic bluefin tuna dealers and vessel owners holding a valid vessel permit for this fishery.

Other Matters

This action is taken under the authority of 50 CFR 285.22, and is taken in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 285

Fisheries, Penalties, Reporting and recordkeeping requirements, Treaties.
(18 U.S.C. 971 *et seq.*)

Dated: July 31, 1986.

James E. Douglas, Jr.,
Acting Deputy Assistant Administrator for
Fisheries, National Marine Fisheries Service.
[FR Doc. 86-17663 Filed 8-1-86; 3:23 pm]
BILLING CODE 3510-22-M

50 CFR Part 285

[Docket No. 50329-5115]

Atlantic Tuna Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule; technical amendment.

SUMMARY: NOAA issues this technical amendment amending a final rule implementing the Fishery Management Plan for the Atlantic Tuna Fisheries that modified buy-boat operating procedures. The intended effect is to eliminate any possible misinterpretation of the implementing rule.

EFFECTIVE DATE: November 25, 1985.

FOR FURTHER INFORMATION CONTACT: William C. Jerome, Jr., 617-281-3600, ext. 325.

SUPPLEMENTARY INFORMATION: NOAA published a final rule on October 25, 1985 (50 FR 43396), amending existing rules and addressing interpretations of the rules. The final rule at § 285.29(d) states that any person issued a dealer permit under § 285.28 "must retain in his/her possession a copy of each weekly report for a period of two years from the date on which it was submitted to the Regional Director." The rule did not mention retention of copies of a daily report on a reporting card provided by NMFS which is addressed in § 285.29(a). Therefore, NOAA amends the rule by making this addition to § 285.29(d).

List of Subjects in 50 CFR Part 285

Fisheries, Reporting and recordkeeping requirements.

Dated: August 1, 1986.

James E. Douglas, Jr.,
Acting Deputy Assistant Administrator for
Fisheries, National Marine Fisheries Service.

PART 285—[AMENDED]

For the reason set forth in the preamble, 50 CFR Part 285 is amended as follows:

1. The authority citation for Part 285 continues to read as follows:

Authority: 16 U.S.C. 971 et seq.

2. Section 285.29(d) is revised to read as follows:

§ 285.29 Dealer recordkeeping and reporting.

(d) Must retain in his/her possession a copy of each daily and weekly report for a period of two years from the date on which it was submitted to the Regional Director.

[FR Doc. 86-17560 Filed 8-5-86; 8:45 am]
BILLING CODE 3510-22-M

50 CFR Part 655

[Docket No. 60107-6045]

Atlantic Mackerel, Squid, and Butterfish Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of squid specification increase.

SUMMARY: NOAA issues this notice to increase the Initial Optimum Yield (IOY) specification for *Loligo* squid as required by regulations governing the squid fisheries. This increase is assigned to the domestic annual harvest (DAH) and makes 500 metric tons (mt) available for joint venture processing (JVP). This action is intended to foster the goal of the Fishery Management Plan for Atlantic Mackerel, Squid, and Butterfish Fisheries (FMP) by creating benefits for the United States fishing industry.

DATES: This notice is effective August 5, 1986. Comments are invited until August 21, 1986.

ADDRESSES: Send comments to Salvatore A. Testaverde, Northeast Regional Office, NMFS, 2 State Fish Pier, Gloucester, MA 01930-3097. Mark on the outside of the envelope, "Comments on Squid Specifications 1986."

FOR FURTHER INFORMATION CONTACT: Salvatore A. Testaverde, 617-281-3600 ext. 273.

SUPPLEMENTARY INFORMATION: Under § 655.22, final initial annual specifications for squid were published on May 9, 1986 (51 FR 17189) for the fishing year April 1, 1986, to March 31, 1987. Amendment 2 to the FMP (51 FR 10457, March 27, 1986) changed the fishing year for squid to begin on January 1. On July 9, 1986, proposed adjustments to the final initial annual specifications were published (51 FR 24880) for the transitional squid fishing year April 20, 1986, through December 31, 1986. The regulations at § 655.21(b)(1)(v) further provide that these final initial annual specifications may be adjusted by the Director, Northeast Region, NMFS (Regional

Director) after consultation with the Mid-Atlantic Fishery Management Council.

A joint venture application involving Unionpesca, an Italian fishing industry group, and International Seafood and Trading Company, a U.S. company, was submitted by the Italian government and presented to the Mid-Atlantic and New England Fishery Management Councils (Councils) for their recommendations. The application requested a joint venture permit to authorize Italian vessels to purchase "over-the-side" 1,500 mt of *Loligo* squid harvested by vessels of the United States. A permit was approved; however, the entire amount of *Loligo* squid requested was not released for the joint venture operation to allow the Regional Director flexibility in reallocating squid should the joint venture fail for lack of squid abundance. At a recent joint Council meeting, a second proposal was approved by both Councils which would allow this joint venture to receive additional JVP, depending on performance.

The Italian joint venture operation has been monitored and discrete amounts of squid have been released as the squid were harvested and processed by the Italian vessels. To date, this joint venture operation has been limited to 825 mt of *Loligo* Squid.

The joint venture is expected to continue to process U.S.-harvested squid, given the relatively good abundance of *Loligo* squid. Recent consultations with the Councils confirm that their original recommendations to grant the entire amount of *Loligo* squid requested by the Italian government on behalf of Unionpesca remains unchanged. Any additional releases of *Loligo* squid require adjustments to the annual specifications. After a review of the squid abundance, prevailing market conditions, and the circumstances of the joint venture, the Regional Director has determined that an increase in the IOY for *Loligo* squid to allow additional amounts to be released for this joint venture will produce maximum net benefits to the United States.

In accordance with § 655.22(f) notice is hereby given that the IOY for *Loligo* squid of 23,057 mt is increased by 500 mt to total 23,557 mt. (In the July 9, 1986, notice, the proposed IOY for the transitional year was published in error. The IOY figure of 23,155 mt should have been 23,057 mt.) This release of 500 mt allows the DAH to be increased from 22,950 mt to 23,450 mt, which will provide for the increase in the JVP amount from 825 mt to 1,325 mt. The proposed IOY, DAH, and JVP

specifications for the transitional fishing year mentioned above are hereby adjusted by adding 500 mt of *Loligo* squid to each specification.

A prior opportunity for public comment before making this adjustment has not been provided by notice since this joint venture proposal has been widely debated before both Councils. Delaying the release of this additional 500 mt of *Loligo* squid would cause this joint venture operation to cease and disadvantage U.S. harvesters in this operation. Public comments are invited, however, for 15 days after the effective date of this adjustment as to whether this adjustment should be continued, modified, or rescinded. Timely and relevant comments on the adjustment will be considered and the results published in the *Federal Register* as soon as practicable.

Other Matters

This action is taken under 50 CFR Part 655 and is in compliance with Executive Order 12291.

In view of the need to avoid disruption of domestic and foreign fisheries, NOAA has determined that delaying the effective date of this notice is impractical, unnecessary, and contrary to the public interest.

List of Subjects in 50 CFR Part 655

Fisheries, Reporting and recordkeeping requirements.

(16 U.S.C. 1801 et seq.)

Dated: August 1, 1986.

James E. Douglas, Jr.,

Acting Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 86-17662 Filed 8-5-86; 8:45 am]

BILLING CODE 3510-22-M

50 CFR Part 671

[Docket No. 50950-5182]

Tanner Crab off Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of season extension.

SUMMARY: The Director, Alaska Region, NMFS, (Regional Director), has determined that additional fishing time is warranted for Tanner crab (*Chionoecetes opilio*) in a portion of the Northern Subdistrict of the Bering Sea District in Registration Area J, west of 175° W. longitude and north of 58°39' N. latitude. The Secretary of Commerce (Secretary), therefore, issues this notice extending the fishing season for *C. opilio* in the above described area from August 1, 1986, until August 24, 1986.

The intended effect is to allow the fishery to harvest previously unexploited stocks of *C. opilio* from an area that is mostly outside of the survey area from which optimum yield (OY) determinations have been made.

DATES: This notice is effective 12:00 noon, Alaska Daylight Savings Time (ADT), August 1, 1986. Public comments on this notice of season extension are invited until August 18, 1986.

ADDRESSES: Comments should be sent to Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802. During the 15-day comment period, the data on which this notice is based will be available for public inspection during business hours (8:00 a.m. to 4:30 p.m. weekdays) at the NMFS Alaska Regional Office, Federal Building, Room 453, 709 West Ninth Street, Juneau, Alaska.

FOR FURTHER INFORMATION CONTACT: Raymond E. Baglin (Fishery Management Biologist), 907-586-7230.

SUPPLEMENTARY INFORMATION

Background

The Fishery Management Plan for the Commercial Tanner Crab Fishery off the Coast of Alaska (FMP), which governs this fishery in the fishery conservation zone under the Magnuson Fishery Conservation and Management Act (Magnuson Act), provides for inseason adjustments of season and area openings and closures. Implementing regulations at § 671.27(b) specify that notices of these adjustments will be issued by the Secretary of Commerce under criteria set out in that section.

Section 671.26(f)(1) establishes six districts within Registration Area J. One of these districts is the Bering Sea District with an OY range of 20-130 million pounds for *C. opilio*. The Bering Sea District is further subdivided into three subdistricts for the purposes of managing smaller units of crab stocks. One of these is the Northern Subdistrict for which a desired harvest level of 17 to 24 million pounds for *C. opilio* was estimated on the basis of the 1985 NMFS trawl survey.

As of July 20, 1986, approximately 50 vessels have delivered about 20.4 million pounds of *C. opilio* Tanner crab from the Northern Subdistrict. Several vessels have recently encountered large concentrations of larger Tanner crab with catch per unit of effort (CPUE) reported to be in excess of 250 crabs per pot. These apparent larger populations of *C. opilio* are occurring in a portion of the subdistrict not surveyed by NMFS and, as such, are not accounted for in the determination of optimum yield or

annual harvest guideline levels. The size and extent of this population is not known, but CPUE and size suggest that continued exploitation of this stock may continue without risk of overfishing.

The ending date of the fishing season for *C. opilio* for the entire Bering Sea, including the Northern Subdistrict, specified in Table 1 of § 671.21(a), is August 1, 1986. However, individual crab fishermen, the North Pacific Fishing Vessel Owners Association, and crab processors have all requested extension of the season to continue to harvest that portion of the stock which previously has not been exploited. The Secretary has reviewed the status of the *C. opilio* fishery and has concluded that the high CPUE and large size of the Tanner crabs being harvested warrant continued exploitation by the fishery in the described area until August 24, 1986. At that time, some data may be available from the 1986 NMFS trawl surveys to assess overall stock strength in portions of the Bering Sea Subdistrict.

Therefore, the Secretary extends the current fishing season for *C. opilio* in the Northern Subdistrict west of 175° W. longitude and north of 58°39' N. latitude until noon (ADT), August 24, 1986.

In light of this information, the Regional Director, in accordance with § 671.27(b), has determined that

1. Actual conditions of Tanner crab stocks in the Northern Subdistrict are substantially different from conditions anticipated at the beginning of the fishing year, because a large concentration of Tanner crabs unknown to NMFS appears to exist in the most westward portion of the Northern Subdistrict; and

2. The presence of unexpected large concentrations of Tanner crabs from this previously unexploited and mostly unsurveyed area reasonably supports the need to extend the Tanner crab fishery to allow for a wise use of the resource. There are no biological reasons which would necessitate a closure of the described area within the Northern Subdistrict. Therefore, this area will remain open to fishing for *C. opilio* until noon (ADT), August 24, 1986.

This extension will become effective after this notice is filed for public inspection with the Office of the Federal Register and the extension is publicized for 48 hours through procedures of the Alaska Department of Fish and Game. Public comments on this notice of extension may be submitted to the Regional Director at the address stated above. If comments are received, the necessity of this extension will be reconsidered and a subsequent notice will be published in the *Federal*

Register, either confirming this field order's continued effect, modifying it, or rescinding it.

Other Matters

Tanner crab stocks in a portion of the Northern Subdistrict of the Bering Sea District will be subject to underharvest unless this extension takes effect promptly, with great resulting cost to the affected members of the fishing industry. The Agency, therefore, finds for good cause that advance opportunity for public comment on this order is contrary to the public interest and that no delay should occur in its effective date.

This action is taken under the authority of 50 CFR Part 671 and complies with Executive Order 12291.

List of Subjects in 50 CFR Part 671

Fisheries, Reporting and Recordkeeping requirements.

Authority: 19 U.S.C. 1801 et seq.

Dated: August 1, 1986.

Joseph W. Angelovic,

Deputy Assistant Administrator For Science and Technology, National Marine Fisheries Service.

[FR Doc. 86-17680 Filed 8-1-86; 4:43 pm]

BILLING CODE 3510-22-M

50 CFR Part 674

[Docket No. 60736-6136]

High Seas Salmon Fishery off Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: The Secretary of Commerce (Secretary) announces the commercial salmon fishing periods in the fishery conservation zone (FCZ) off southeast (S.E.) Alaska for 1986. The Secretary notes that the Pacific Salmon Commission (Commission) has established a base harvest limit of 254,000 chinook salmon for all commercial and recreational fisheries in S.E. Alaska in 1986. This action is necessary to bring the FCZ commercial troll fishing periods for 1986 into conformance with the Pacific Salmon Treaty (Treaty) and is intended to conserve chinook salmon stocks that contribute to the Alaska, British Columbia, Oregon, Washington, and Idaho chinook salmon fisheries.

EFFECTIVE DATE: August 1, 1986.

FOR FURTHER INFORMATION CONTACT: Aven M. Andersen (Fishery Management Biologist, NMFS), 907-586-7228.

SUPPLEMENTARY INFORMATION: Section 7(a) of Pub. L. 99-5, the Pacific Salmon Treaty Act of 1985, 16 U.S.C. 3631 *et seq.*, requires the Secretary to issue conforming amendatory regulations applicable to the U.S. exclusive economic zone (coterminous with the FCZ) to fulfill U.S. treaty obligations to Canada. This action amends the regulations at 50 CFR Part 674 to adopt fishing seasons and catch limitations for 1986 that, in conjunction with similar measures adopted by the State of Alaska for its waters, will ensure that the high-seas salmon fishery is conducted in a manner that fulfills our international obligations under the Pacific Salmon Treaty.

The fishing periods and guidelines on the harvest of chinook salmon announced here were the subject of a meeting the Alaska Board of Fisheries (Board) held in Petersburg, Alaska, during December 1985. The North Pacific Fishery Management Council (Council) met in Anchorage during the week of January 12, 1986, and voted unanimously to concur with the 1986 commercial troll fishing seasons set by the Board in December. Tentative fishing periods were selected by the commercial salmon fishermen before they were adopted by the Board and the Council. The guideline on the chinook harvest by commercial salmon trollers is based on a provision in Annex IV of the Treaty. During the Council meeting, the Director, Alaska Region, NMFS (Regional Director), acting on behalf of the Secretary, consulted with the Commissioner of the Alaska Department of Fish and Game (ADF&G). The Secretary of Interior and the U.S. Coast Guard have also been consulted.

The all-salmon-species fishery will open later than last year. Since the coho fishery has usually extended beyond the chinook fishery, the delay is intended to shorten the period between closures of the two fisheries and reduce the hooking mortality of chinook incidentally caught and released during the coho-only fishery.

Under the Chinook Annex of the Treaty (Annex IV, Chapter 3), each nation is to exchange its annual fishery management plans prior to each fishing season. During the week of February 16, 1986, at a meeting of the Commission in Vancouver, B.C., the ADF&G presented its plan for managing the salmon troll fisheries. The Commission met again in Vancouver during the week of March 2. At this second meeting, the Commission established the base level of 254,000 chinook salmon for harvest by all commercial and recreational fisheries in S.E. Alaska. It also approved Alaska's proposal to go above that base provided

Alaska could demonstrate to the Commission that any excess was the contribution of Alaska's new enhancement activities and that such a harvest would not extend the rebuilding schedule for chinook stocks beyond 1998.

ADF&G estimates that about 23,000 chinook can be shown to be from its new enhancement activities, bringing the total S.E. Alaska quota to 277,000 chinook salmon. Alaska will monitor the fisheries throughout the fishing season to determine the actual number of this "add-on."

Fishing Periods

The fishing periods (Alaska Daylight Time) for the commercial troll fishery in the FCZ off S.E. Alaska are as follows, unless later modified:

All salmon species

From 0001 hours on June 20, 1986, until the chinook quota is reached (probably about the end of July).

All salmon species but chinook

From the time the troll fishery harvests its base quota of 212,000 chinook until 2400 hours on September 20, 1986. After the fishing season begins, NOAA may issue notices to modify the fishing seasons given above on the basis of the following or other contingencies:

(a) The fishery for all species but chinook may be closed for up to 10 days about mid-August unless an evaluation of the S.E. Alaska coho salmon runs shows them to be well above average in number of coho and that there is good inshore movement. This closure, if necessary, is designed (1) to stabilize or reduce the proportion of the coho runs harvested in the offshore and coastal fisheries, (2) to allow adequate harvests by the inside (internal waters) fisheries, and (3) to allow adequate numbers of coho to escape the fisheries and reach the spawning grounds.

(b) The fishery for chinook salmon may be allowed to resume for a short time after it has been closed if statistics on the harvest reveal that the fishery had been closed before the quota established by the Treaty had been reached and that there were enough chinook remaining for the fishery to be reopened for more than 12 hours. Any such reopening in the FCZ would be concurrent with a reopening of the fishery in Alaskan waters.

(c) If management actions need to be taken to extend the chinook fishery past the end of July, by allowing only an incidental catch of chinook during the directed coho fishery, any closures of

fishing areas will be for specific locations rather than region wide.

Chinook Harvest Guidelines

The guideline on the harvest of chinook by the summer troll fishery is 187,000 legal-sized chinook salmon. The Board derived this number from the harvest limit established by the Commission of 254,000 chinook salmon for all commercial and recreational fisheries in S.E. Alaska. The Board set the chinook harvest guideline for all the net fisheries at 20,000 chinook, for the sport fishery at 22,000 chinook, and for the troll fisheries at 212,000 chinook, of which 25,000 were allocated to the winter troll fishery and 187,000 to the summer troll fishery. The chinook harvest guideline for the commercial troll fishery applies to all areas of S.E. Alaska and the FCZ; there is no separate subquota for the troll fishery in the FCZ.

Other Matters

Under section 7(a) of the Pacific Salmon Treaty Act, this action is exempt from sections 4 through 8 of the Administrative Procedure Act (5 U.S.C. 553-557) (and thus also from the Regulatory Flexibility Act), and the National Environmental Policy Act. It is exempt from Executive Order 12291 because it involves a foreign affairs function. It contains no requirement for collecting information for purposes of the Paperwork Reduction Act.

List of Subjects in 50 CFR Part 674

Fisheries, Fishing, International organizations.

Dated: August 1, 1986.

Joseph W. Angelovic,

Deputy Assistant Administrator for Science and Technology, National Marine Fisheries Service.

For the reasons set forth in the preamble, 50 CFR Part 674 is amended as follows:

PART 674—[AMENDED]

1. The authority citation for 50 CFR Part 674 continues to read as follows:

Authority: (16 U.S.C. 3631 *et seq.*; 16 U.S.C. 1801 *et seq.*)

2. In § 674.21, paragraph (a)(2) is revised to read as follows:

§ 674.21 Time and area limitations.

(a) * * *

(2) East area. Fishing periods in 1986 (Alaska Daylight Time) are as follows:

(i) All salmon species—0001 hours on June 20 until the troll fleet harvests 212,000 chinook salmon.

(ii) All salmon species but chinook— from the time the troll fleet harvests 212,000 chinook salmon until 2400 hours on September 20.

* * * * *

[FR Doc. 86-17679 Filed 8-1-86; 4:43 pm]

BILLING CODE 3520-22-M

Proposed Rules

Federal Register

Vol. 51, No. 151

Wednesday, August 6, 1986

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.

FEDERAL RESERVE SYSTEM

12 CFR Part 226

[Reg. Z; Docket No. R-0577]

Truth in Lending; Right of Rescission

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Proposed rule.

SUMMARY: The Board is proposing to revise Regulation Z (Truth in Lending) regarding the right of rescission in closed-end credit transactions. A consumer has the right to rescind an extension of credit in most transactions in which a consumer's principal dwelling serves as security for a credit obligation, with the exception of purchase money residential mortgage loans, certain refinancings by the same creditor, and other narrowly defined transactions. The proposed amendment to Regulation Z would create a new limited exemption under which the right of rescission would not apply to an extension of credit by a new creditor that replaces a transaction secured by the consumer's principal dwelling where (1) no new advances of money are made to the consumer, (2) the annual percentage rate on the new obligation is not subject to increase after consummation and is the same as or lower than the annual percentage rate on the obligation being replaced, and (3) the new transaction does not have a balloon payment feature.

DATE: Comments must be received on or before September 10, 1986.

ADDRESS: Comments should be mailed to William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, DC 20551, or delivered to the 20th Street courtyard entrance, 20th Street, between C Street and Constitution Avenue, NW., Washington, DC, between 8:45 a.m. and 5:15 p.m. weekdays. Comments should include a reference to Docket No. R-0577. Comments may be inspected in

Room B-1122 between 8:45 a.m. and 5:15 p.m. weekdays.

FOR FURTHER INFORMATION CONTACT: Adrienne Hurt or Leonard Chanin, Staff Attorneys, (202) 452-3867 or (202) 452-3667, Division of Consumer and Community Affairs, or Earnestine Hill or Dorothea Thompson, Telecommunications Device for the Deaf at (202) 452-3544, Board of Governors of the Federal Reserve System, Washington, DC 20551.

SUPPLEMENTARY INFORMATION:

Background

Section 125 of the Truth in Lending Act (TILA) provides that consumers have the right to rescind certain credit transactions in which a security interest is taken in the consumer's principal dwelling. The right of rescission was established to provide consumers an opportunity to reexamine their credit contracts and cost disclosures in order to reconsider their decision to place an important asset—the home—at risk by offering it as security for the credit extension. The rescission period runs for three business days ending on midnight of the third business day following consummation, delivery of material Truth in Lending disclosures, or delivery to the consumer of the notice of the right to rescind, whichever occurs last. Under § 226.23 of Regulation Z, which implements the act's rescission provision, a creditor is prohibited from performing services or disbursing funds, other than in escrow, during the rescission period. A consumer may waive the right to rescind where the consumer has a bona fide personal financial emergency.

With the substantial increase recently in consumer applications to refinance mortgages, primarily to take advantage of declining interest rates, the Board has received several inquiries and complaints about the effect of the TILA rescission provisions on refinancings.¹ Some consumers have complained of the inconvenience of not being allowed to receive the proceeds of a loan before the rescission period expires. The major complaint raised by consumers is that of having to pay "double interest." This

¹ Although the term "refinancing" in § 226.23 of Regulation Z refers only to new transactions by the same creditor that had made the original extension of credit, the term in this discussion refers to a transaction by any creditor that satisfies and replaces an existing obligation.

situation occurs when finance charges on the new loan accrue prior to disbursement of the funds (a permissible practice is allowed under state law), while finance charges continue to accrue on the existing obligation until it is paid. In other cases the inability to obtain the loan proceeds to pay off an existing Federal Housing Administration (FHA) loan by an impending due date may result in the payment of extra charges by the consumer on the existing FHA loan for an additional month. (FHA permits lenders to charge interest to the end of the month where an obligation is not paid in full by the installation due date.) This situation may occur when the loan closing on the refinancing occurs near the payment due date of the existing FHA loan.

Most of the questions from creditors relate to compliance with the TILA rescission provisions. There also have been inquiries whether the Board could revise the rules for waiving the right of rescission where a consumer is refinancing a residential mortgage loan. Others have asked the Board to consider providing special rules for refinancings or exempting refinancings from all or portions of the rescission rules.

Proposed Amendments

In response to the inquiries and complaints, the Board has considered whether the refinancings now covered by the rescission rules are the type of transactions in which the consumer needs the right of rescission. Both the act and the regulation exempt from the right of rescission purchase money residential mortgage transactions, certain refinancings by the same creditor of obligations already secured by the consumer's principal dwelling, and other narrowly defined transactions. The Board now proposes to expand the category of transactions that would be exempt. Under the proposal the right to rescind would not apply to an extension of credit by a new creditor that replaces a transaction secured by the consumer's principal dwelling, provided that no new advances of money are made to the consumer and the annual percentage rate (APR) for the new obligation is the same as or lower than the APR for the obligation being replaced.

The proposed exemption for refinancings by a new creditor would be limited in two additional ways to help

ensure that the consumer receives the right of rescission when the consumer's home is at greater risk. First, it would not apply to any refinancing with a variable rate feature. Thus, a consumer would retain the right to rescind an extension of credit secured by the home where the APR may increase after consummation. Second, a refinancing with a balloon payment feature would not be exempt from the right of rescission, even if the transaction had the same or a lower APR than the existing extension of credit.

The Board believes the exemption it proposes to add to the regulation is consistent with the purpose of the act because consumers are not taking on a higher level of debt in these refinancings than in their existing obligations, and because the likelihood of default on their new obligations is not increased. First, the exemption would apply only to extensions of credit in which the consumer does not receive additional funds that would increase the consumer's security risk, and would cover only those refinancings in which the consumer obtains the same or a lower annual percentage rate. Second, the exemption would not apply to any refinancing with a variable rate or balloon payment feature. Although these features are not necessarily disadvantageous to consumers, they may, in some cases, increase consumers' chances of defaulting on their loans and losing their homes. The Board believes that these restrictions on the new exemption appropriately limit it to refinancings in which the right of rescission is not necessary.

There may be other situations in which a refinancing satisfies the criteria for exemption in the proposal but where the protections of the act should be retained because a consumer would be placing the home at greater risk—for example, when the new loan is payable on demand. On the other hand, it is arguable that the criteria that limit the exemption to refinancings that have the same or lower APRs are unnecessary. For example, a consumer may refinance an existing loan at a higher APR to extend the term, thereby reducing the amount of the monthly payment obligations. In such cases the new loan does not necessarily place the consumer's house at greater risk even though the APR is higher on the refinancing. In addition to the issue of whether all the criteria are needed, the Board recognizes that the criteria might be defined differently to exempt more types of refinancings from the right of rescission. For example, the definition of

a balloon payment feature could be modified.

The Board is therefore soliciting comment on whether the conditions included in the proposal are necessary, whether they should be revised, and whether other criteria should be added to the proposal. The Board particularly requests comment on whether the proposed exemption should be limited to refinancings that meet all of the following conditions:

- The annual percentage rate for the new transaction is the same as or lower than the annual percentage rate for the existing transaction
- The annual percentage rate for the new transaction is not subject to increase after consummation
- The new extension of credit has a balloon payment feature.

Definition of New Money in a Refinancing

Section 226.23(f)(2) of Regulation Z exempts refinancings by the same creditor from the right of rescission where no "new money" is advanced to the consumer. (See also commentary provision 226.23(f)(2)-4.) The regulation treats as new money the difference between the new "amount financed" and the unpaid principal balance plus any earned unpaid finance charges on the obligation being refinanced. Sometimes a consumer who is not receiving additional advances may finance costs associated with the closing of a refinancing, such as attorney's fees, title examination fees and insurance premiums, instead of paying them in cash or check prior to or at consummation. These charges, which are not finance charges under § 226.4, are added to the old debt to arrive at the new amount financed. Under the present rule in § 226.23(f)(2), the new transaction is rescindable to the extent of these charges. The proposed amendment to Regulation Z, new § 226.23(f)(3), also has a provision that would exempt from the right of rescission extensions of credit by new creditors in which no new money is advanced to the customer. The Board is requesting comment on whether, as provided in the proposed regulatory language, the definition of new money should be revised to provide that the right of rescission would not apply even if the creditor finances the costs associated with the closing of the new transaction. For example, if the old debt (the outstanding principal balance plus the earned finance charge) is \$75,000 and the new amount financed is \$75,500, with the \$500 being attributable to title examination fees and insurance premiums, the right of rescission would not apply under the proposed revisions.

On the other hand if the new amount financed in \$80,500, with the additional \$5,000 to be provided to the consumer for home repairs, the consumer would have the right to rescind. If the refinancing is with the same creditor and the consumer rescinds, rescission would be effective as to \$5,000. If the new extension of credit is with a different creditor and the consumer rescinds, rescission would be effective as to the entire \$80,500.

The Board solicits comment on three specific questions relating to its definition of new money, which would apply to the current exemption in § 226.23(f)(2) as well as the proposed exemption, new § 226.23(f)(3):

- Do creditors ordinarily finance costs such as attorney's fees, title examination fees, insurance premiums and similar closing charges (which are not finance charges), or are such costs normally paid in cash or check by the consumer prior to or at consummation?
- What is the average cost of these charges?
- Do consumers need the right of rescission in refinancings in which these charges are financed by the creditor?

Comments Requested

Interested persons are invited to submit written comments on the proposed amendments. Because prompt resolution of these matters is essential and in the public interest, the comment period is for 30 days. The comment period ends on September 10.

Regulatory analysis

The proposed revisions to the rescission provisions in Regulation Z would reduce the number of transactions for which creditors would need to provide consumers with a notice of their rescission rights and an opportunity to rescind. Therefore, it appears that creditors, including small entities, would not incur any additional costs as a result of the proposed changes.

List of Subjects in 12 CFR Part 226

Advertising; Banks; Banking; Consumer protection; Credit; Federal Reserve System; Finance; Penalties; Truth in lending.

Text of Proposed Revisions

Certain conventions have been used to highlight the proposed revisions. New language is shown inside bold-faced arrows, while language that would be deleted is set off with brackets. Pursuant to authority granted in section 105(a) of the Truth in Lending Act, 15 U.S.C. 1604(a) the Board proposes to amend

Regulation Z (12 CFR Part 226) as follows:

PART 226—[AMENDED]

1. The authority citation for Part 226 continues to read as follows:

Authority: Sec. 105, Truth in Lending Act, as amended by sec. 605, Pub. L. 96-221, 94 Stat. 170 (15 U.S.C. 1604 et seq.).

3. Section 226.23 is proposed to be amended by revising (f)(2), adding new (f)(3) and republishing the introductory text of (f) to read as follows:

§ 226.23 Right of rescission.

(f) *Exempt transactions.* The right to rescind does not apply to the following:

(2) A refinancing or consolidation by the same creditor of an extension of credit already secured by the consumer's principal dwelling. If the new amount financed exceeds the unpaid principal balance, ◀ [plus] any earned unpaid finance charge on the existing debt, ▶ and amounts attributed solely to the costs of the refinancing or consolidation, ◀ this exemption applies only to the existing debt and its security interest.

▶ (3) An extension of credit (other than one made by the same creditor) that replaces an existing transaction already secured by the consumer's principal dwelling if

(i) The new amount financed does not exceed the unpaid principal balance, any earned unpaid finance charges on the existing transaction, and amounts attributed solely to the costs of the new extension of credit.

(ii) The annual percentage rate for the new extension of credit is not subject to increase after consummation and is the same as or lower than the annual percentage rate for the existing transaction, and

(iii) The final payment in the new extension of credit is not more than three times greater than any other payment in that transaction. ◀

2. § 226.23, paragraphs (f)(3)—(5) would be redesignated as § 226.23(f)(4)—(6), respectively.

By order of the Board of Governors of the Federal Reserve System August 1, 1986.

William W. Wiles,

Secretary of the Board.

[FR Doc. 86-17894 Filed 8-5-86; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 203

[Docket No. R-86-1297; FR-2214]

Mortgage and Loan Insurance Programs; Nonentitlement to Distributive Shares in the Event of Foreclosure

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

ACTION: Proposed rule.

SUMMARY: This proposed rule would revise 24 CFR Part 203 to describe circumstances under which a mortgagor would not be entitled to receive a share of the participating reserve account (§ 203.423). If the mortgage is foreclosed and title to the property is conveyed to a person or an entity other than the Federal Housing Commissioner, no distributive share will be payable.

Comment due date: October 6, 1986.

FOR FURTHER INFORMATION CONTACT: Fred W. Pfaender, Director, Single Family Servicing Division, Room 9176, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-8000. Telephone (202) 755-6672. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: At present, 24 CFR 203.423 states that a mortgagor is permitted to receive a share of the participating reserve account if the contract of insurance is terminated by conveyance to a person or entity other than the Commissioner, by prepayment of the mortgage, or by voluntary agreement between the mortgagor and the mortgagee with approval of the Commissioner.

The Department believes that under some circumstances the above-referenced regulation unfairly allows a mortgagor who has defaulted on his or her mortgage obligation to receive a share of the participating reserve account, when the mortgage is foreclosed, simply because title is not conveyed to the Commissioner and a mortgage insurance claim is not filed. The Department believes that mutuality benefits should be linked to successful completion of the mortgagor's obligations as a debtor—not merely to whether an insurance claim is filed. Under this proposed rule, a mortgagor default leading to foreclosure would end the mortgagor's entitlement to a distributive share.

The Department's proposal to deny a mortgagor a distributive share of the participating reserve is consistent with section 205(d) of the National Housing Act which states that no mortgagor or mortgagee of any mortgage insured under section 203 shall have any vested right in a credit balance in any such account.

The restrictions contained in this rule would only be applied to mortgage insurance contracts for which conditional commitments have been issued on or after the effective date of the rule. (In the case of the Single Family Direct Endorsement program, the rule would only be applied to applications for mortgage insurance endorsement where the property appraisal report is signed by the mortgagee's approved underwriter on or after the effective date of the rule.)

On January 10, 1985, HUD published a proposed rule (50 FR 1233) (FR-1927) which would revise Part 203 by allowing mortgagees to submit claims for the payment of mortgage insurance benefits on foreclosed single family properties without conveying title to the foreclosed properties to the Secretary. Today's proposed rule (FR-2214), when published as final, will incorporate these revisions if the final version of FR-1927 is published in the *Federal Register* first.

This proposed rule does not constitute a "major rule" as that term is defined in section 1(b) of the Executive Order on Federal Regulation issued by the President on February 17, 1981. Analysis of the proposed rule indicates that it does not (1) have an annual effect on the economy of \$100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection and copying during regular business hours in the Office of the Rules Docket Clerk, Room 10276, 451 Seventh Street SW., Washington, DC 20410.

Under 5 U.S.C. 605(b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule would not have a significant economic impact on a

substantial number of small entities. This rule denies a defaulting mortgagor a share of the participating reserve, thus appropriately distributing the costs of providing mortgage insurance.

This rule was not listed in the Department's Semiannual Agenda of Regulations published on April 21, 1986 under Executive Order 12291 and the Regulatory Flexibility Act.

List of Subjects in 24 CFR Part 203

Home improvement, Loan programs: Housing and community development, Mortgage insurance, Solar energy.

PART 203—[AMENDED]

Accordingly, the Department proposes to amend 24 CFR Part 203 as follows:

1. The authority citation for Part 203 would continue to read as follows:

Authority: Secs. 203 and 211 of the National Housing Act (12 U.S.C. 1709, 1517b; sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)). In addition, Subpart C also issued under sec. 230, National Housing Act (12 U.S.C. 1715u).

2. Section 203.423(a) would be revised to read as follows:

§ 203.423 Distribution of distributive shares.

(a) The Commissioner may provide for the distribution to the mortgagor of a share of the participating reserve account if the contract of insurance covering the mortgage is terminated

(1) By conveyance to a person or an entity other than the Commissioner (§ 203.315),

(2) By prepayment of the mortgage (§ 203.316), or

(3) By voluntary agreement with approval of the Commissioner (§ 203.317);

provided, however, paragraph (a)(1) of this section shall not apply to mortgages insured pursuant to a conditional commitment issued on or after [insert effective date] or, as appropriate, an application for mortgage insurance endorsement under the Single Family Direct Endorsement program as provided in § 203.255, where the property appraisal report is signed by the mortgagee's approved underwriter on or after [insert effective date].

Dated: July 31, 1986.

Silvio J. DeBartolomeis,
General Deputy Assistant Secretary for
Housing-Deputy Federal Housing
Commissioner.

[FR Doc. 86-17685 Filed 8-5-86; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

33 CFR Part 334

Danger Zones and Restricted Area Regulations; Cooper River, SC

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Corps of Engineers proposes to amend the regulations which establish a naval restricted area in the Cooper River in the vicinity of the Charleston Naval Shipyard, Charleston County, South Carolina. The amendment will, if approved, enlarge the existing restricted area to make it compatible with the Navy's present use of the area, and provide additional security for the Naval base.

DATES: Comments must be submitted on or before September 5, 1986.

ADDRESS: Send comments to: HQDA, DAEN-CWO-N, Washington, DC 20314-1000.

FOR FURTHER INFORMATION: Mr. Ralph Eppard or Mr. Sam Collinson at (202) 272-1783.

SUPPLEMENTARY INFORMATION: The Commander, Naval Base, Charleston, South Carolina has requested the Department of the Army amend the regulation in 33 CFR 334.460 (formerly § 207.164b). These regulations, which establish a restricted area in the Cooper River in the vicinity of the Charleston Naval Shipyard, were approved on 6 May 1960 and last amended 2 September 1978. The existing restrictions on anchoring, fishing, loitering and photographing remain unchanged and would apply to the enlarged restricted area. The title of the enforcing agency in paragraph (b)(4) is changed to reflect a change in Navy organization. No other changes are proposed.

Charts marked to show the configuration of the existing restricted area and proposed enlargement are available from the Charleston District Engineer's Office or by calling the number listed under the "FOR FURTHER INFORMATION CONTACT".

Notes

1. The U.S. Army Corps of Engineers has determined that this rule is not a major rule within the meaning of Executive Order 12291 and is exempt from the general requirements of Executive Order 12291 in accordance with the exemption provided military functions.

2. I hereby certify 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.

List of Subjects in 33 CFR Part 334

Navigation, Waterways, Transportation.

For the reasons set out in the preamble, Title 33, Chapter II, Part 334 is proposed to be amended as follows:

PART 334—DANGER ZONES AND RESTRICTED AREA REGULATIONS

1. The authority citation for Part 334 continues to read as follows:

Authority: (40 Stat. 266; 33 U.S.C. 1) and (40 Stat. 892; 33 U.S.C. 3).

2. Section 334.460 is amended by revising paragraphs (a)(3) *The Areas* and (b) (4) and (5) *The regulations*, as follows:

§ 334.460 Cooper River and tributaries at Charleston, S.C.; restricted areas.

(a) *The areas.* * * *

(3) That portion of the Cooper River beginning on the west channel edge at latitude 32°52'06", longitude 79°57'54"; thence to the easterly shore to latitude 32°52'13", longitude 79°57'30"; thence proceeding along the easterly shore to latitude 32°51'30", longitude 79°56'15.5"; thence along the Cooper River to latitude 32°51'01", longitude 79°55'50"; thence to latitude 32°50'52", longitude 79°56'03.5"; thence to latitude 32°51'01", longitude 79°56'07"; thence to latitude 32°51'19", longitude 79°57'05"; thence to latitude 32°51'33", longitude 79°57'27"; thence to latitude 32°51'48.5", longitude 79°57'41.5"; thence to latitude 32°52'06", longitude 79°57'54".

* * * * *

(b) *The regulations.* * * *

(4) The regulations in paragraph (b) (1) and (2) of this section shall be enforced by Commander, Naval Base, Charleston, South Carolina, and such agencies as he/she may designate.

(5) The regulations in paragraph (b)(3) of this section shall be enforced by the Commanding Officer, Naval Ammunition Depot, Charleston, South Carolina, and such agencies as he/she may designate.

Dated: July 28, 1986.

Dennis J. York,

Colonel, Corps of Engineers, Executive
Director of Civil Works.

[FR Doc. 86-17631 Filed 8-5-86; 8:45 am]

BILLING CODE 3710-08-M

**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 180**

[PP 6F3309/P398; FRL-3048.2]

Pesticide Tolerance for Tralomethrin*Correction*

In FR Doc. 86-15677 beginning on page 25721 in the issue of Wednesday, July 16, 1986, make the following corrections:

On page 25721, in the third column, under Supplementary Information, in the fifteenth line, at the end of the line, change the hyphen to a comma and insert "2-".

On page 25722, in the first column, in the eighteenth line, "0.7" should read "0.75".

BILLING CODE 1505-01-M

**FEDERAL COMMUNICATIONS
COMMISSION****47 CFR Part 2**

[Gen. Docket No. 85-172]

**Further Sharing of the UHF Television
Band by Private Land Mobile Radio
Services; Order Extending Time for
Reply Comments**

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of reply comment period.

SUMMARY: This Order extends the time period in which to file reply comments in response to the Notice of Proposed Rulemaking in General Docket No. 85-172 (6/20/85, 50 FR 25587) concerning further sharing of the UHF television band by private land mobile radio services. It is necessary to extend the reply comment period due to the large volume of comments filed.

DATE: Reply comments may now be filed on or before August 29, 1986.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Rodney Small, Spectrum Engineering Division, Office of Engineering and Technology, Federal Communications Commission, Washington, DC 20554, (202) 653-8116.

Adopted: July 23, 1986.

Released: July 28, 1986.

By the Office of Engineering and Technology.

1. On June 5, 1986, the Chief Engineer extended the time for filing comments in the above captioned proceeding to July 11, 1986. The time for filing reply

comments was extended to July 28, 1986. This action was taken to allow sufficient time for comment on two studies which had recently been placed in the docket file. Comments on these two studies and other matters have now been received; however, due to the large volume of comments, a Request for Extension of Time for filing reply comments until August 29, 1986 has been filed by the Association of Maximum Service Telecasters (MST) and the National Association of Broadcasters (NAB).

2. As MST and NAB state, the number of pages of comments filed totals more than 800. Due to the technical nature of these comments, the Commission believes that it is unreasonable to expect reply comments to be filed by July 28, 1986. The suggested date of August 29, 1986 would seem to afford a sufficient amount of time to analyze all comments and file replies. Accordingly, we will grant MST and NAB's request.

3. This action is taken pursuant to authority found in sections 4(i), 302 and 303 of the Communications Act of 1934, as amended, 47 U.S.C. sections 154(i), 302 and 303, and pursuant to §§ 0.31 and 0.241 of the Commission's Rules.

Federal Communications Commission.

Thomas P. Stanley,

Chief Engineer.

[FR Doc. 86-17646 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

**INTERSTATE COMMERCE
COMMISSION****49 CFR Part 1058**

[Ex Parte No. MC-41]

**Identification of Motor Vehicles;
Luxury-type Limousine Passenger
Service**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is proposing to eliminate the vehicle identification requirements for equipment with a capacity of six or fewer passengers when engaged in luxury-type limousine passenger service. Carriers offering and passengers using this type of specialized service have found that the identification of vehicles, as required by Part 1058 of Title 49 Code of Federal Regulations, detracts materially from the exclusive luxury nature of the service. The privacy and luxury image of the service is nullified by the use of the required identification of vehicles, which restricts the carrier's marketability of the service. The

Commission is also proposing to eliminate an unnecessary prohibition against the use of identification plates formerly issued by the Interstate Commerce Commission.

DATE: Comments must be submitted by September 3, 1986.

ADDRESS: An original and 15 copies of comments should be sent to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Roy M Wilkins, (202) 275-7639.

SUPPLEMENTARY INFORMATION: The current regulations, 49 CFR Part 1058, were established by orders of the Commission dated May 7, 1937, with amendments effective September 30, 1943, September 1, 1947, and January 3, 1955. The requirements are applicable to vehicles used in both property and passenger transportation performed under authority granted by the Commission.

In recent years a market has developed for a specialized type of passenger service which differs from the normal charter, special, or regular route transportation. The service utilizes limousine type vehicles with a limited passenger capacity as opposed to the service performed with buses, vans, mini-buses or even so called "stretched-limos" used for service to and from airports.

The specialized type of service being requested and offered is identified as being of a luxury nature. Privacy for the passenger or smaller passenger groups is a prime characteristic. Also, amenities not available on the usual passenger surface vehicles are made available. The service might be compared to that offered by the executive or corporate jet aircraft when compared with commercial airline travel.

Carriers offering and passengers using this type of specialized service have found that the identification of vehicles, as required by Part 1058 of Title 49 Code of Federal Regulations, detracts materially from the exclusive luxury nature of the service. The privacy and luxury image of the service is nullified by the use of the required identification of vehicles, which restrict the carrier's marketability of the service.

When limousines are engaged for this type of service, arrangements are usually made well in advance of the need. The details of the personalized service required, as well as time and place itineraries, eliminate any need for the person or persons using the service to be able to identify the vehicle by visible markings. The licensing requirements of

the jurisdiction in which the vehicles operate, or are domiciled, is viewed as sufficient identification.

For these reasons, the Commission is proposing to eliminate the vehicle identification requirements for limousine type vehicles of six or less passenger capacity, when used in a luxury type transportation service for passengers.

The Commission also proposes to remove the regulation found at 49 CFR § 1058.6; Use of Identification Plates Prohibited. Identification plates were required by Commission order of May 7, 1937 (amended September 30, 1943). After the current vehicle identification regulations became effective on September 1, 1947, the display of these I.C.C. identification plates was prohibited. Thus the use of these plates has been banned for 38 years. No new I.C.C. identification plates have been issued during that period or are contemplated in the future. It is therefore being recommended that this obsolete regulation be eliminated from 49 CFR Part 1058.

Energy and Environmental Considerations

This section will not have an adverse effect on either the quality of the human environment or conservation of energy resources.

Regulatory Flexibility Analysis

The Commission certifies that these rules will not have a significant economic impact on a substantial number of small entities. The proposed rule revisions will meet the needs of passengers as required under the National Transportation Policy at 49 USC § 10101(2)(A), and will eliminate unnecessary regulations.

List of Subjects in 49 CFR Part 1058

Motor carriers.

Summary

We propose to adopt the rules set forth in Appendix A, redesignating the existing regulation at § 1058.5 as § 1058.5(a), adding a new § 1058.5(b) and removing § 1058.6.

Decided: July 25, 1986.

By the Commission, Chairman Gradison, Vice Chairman Simmons, Commissioners Sterrett, Andre, and Lamboley.
Noreta R. McGee,
Secretary.

Appendix A

Title 49, Code of Federal Regulations Part 1058, is proposed to be amended as follows:

PART 1058—IDENTIFICATION OF VEHICLES

1. The authority citation for 49 CFR Part 1058 would be revised to read as follows:

Authority: 49 U.S.C. 10922 and 10530; 5 U.S.C. 553.

2. Section 1058.5 would be amended by designating the existing text as paragraph (a) and by adding a new paragraph (b) to read as follows:

§ 1058.5 Passenger vehicles.

(b) Sections 1058.1 through 1058.4 shall not apply to limousine-type vehicles with a capacity not to exceed six passengers when engaged in a nonscheduled, charter, luxury-type transportation service for passengers and their baggage.

§ 1058.6 [Removed]

3. Section 1058.6 would be removed.

[FR Doc. 86-17605 Filed 8-5-86; 8:45 am]

BILLING CODE 7035-01-M

Notices

Federal Register

Vol. 51, No. 151

Wednesday, August 6, 1986

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

DEPARTMENT OF AGRICULTURE

Forms Under Review by Office of Management and Budget

August 31, 1986.

The Department of Agriculture has submitted to OMB for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) since the last list was published. This list is grouped into new proposals, revisions, extensions, or reinstatements. Each entry contains the following information:

(1) Agency proposing the information collection; (2) Title of the information collection; (3) Form number(s), if applicable; (4) How often the information is requested; (5) Who will be required or asked to report; (6) An estimate of the number of responses; (7) An estimate of the total number of hours needed to provide the information; (8) An indication of whether section 3504(h) of Pub. L. 96-511 applies; (9) Name and telephone number of the agency contact person.

Questions about the items in the listing should be directed to the agency person named at the end of each entry. Copies of the proposed forms and supporting documents may be obtained from: Department Clearance Officer, USDA, OIRM, Room 404-W Admin. Bldg., Washington, DC 20250 (202) 447-2118.

Comments on any of the items listed should be submitted directly to: Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503. Attn: Desk Officer for USDA.

If you anticipate commenting on a submission but find that preparation time will prevent you from doing so promptly, you should advise the OMB Desk Officer of your intent as early as possible.

Extension

• Agricultural Marketing Service
Cotton Research and Promotion Act
Recordkeeping; Monthly; Annually

Farms; Businesses or other for-profit; 19,930 responses; 4,673 hours; not applicable under 3504(h).

Namoi Hacker (202) 447-2259

• Animal and Plant Health Inspection
Service

7 CFR 319.76 Exotic Bee Diseases and
Parasites

PPQ Form 368

On occasion

Farms; Businesses or other for-profit; Federal agencies or employees; Non-profit institutions; Small businesses or organizations; 210 responses; 21 hours; not applicable under 3504(h).

Philip Lima (301) 436-8393

• Farmers Home Administration
Borrower Election Statement

One time

Individuals or households; State or local governments; Farms; Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 4,680 responses; 374 hours; not applicable under 3504(h).

Jack Holston (202) 382-9736

New

• Farmers Home Administration
7 CFR 1942-C, Fire and Rescue Loans
FmHA 1942-52, -53, -54

On occasion

State or local governments; non-profit institutions; 3,450 responses; 6,952 hours; not applicable under 3504(h).

Jack Holston (202) 382-9735

Revision

• Agricultural Marketing Service
Marketing Order 982—Filberts Grown in
Washington and Oregon
Board forms

Recordkeeping; On occasions;
Weekly; Monthly; Semi-annually;
Annually Businesses or other for-profit;
449 responses; 642 hours; not applicable
under 3504(h).

Ronald L. Cioffi (202) 447-5697

• Farmers Home Administration
7 CFR 1944-A, Section 502 Rural
Housing Loan Policies, Procedures
and Authorizations

FmHA 431-3, 440-34, 1944-4, -6, -A6, 12,
-36, FH-13

On occasion

Individuals or households; Businesses or other for-profit; Small businesses or organizations; 718,600 responses; 357,640 hours; not applicable under 3504(h).

Jack Holston (202) 382-9736

• Farmers Home Administration
7 CFR 1924-A, Planning and Performing
Construction and Other Development
FmHA 1924-1, -2, -3, -5, -6, -7, -9, -10, -
11, -12, -13, -18, 424-19, CC-257

Recordkeeping; On occasion

Individuals or households; Farms, Businesses or other for-profit; Non-profit institutions; Small businesses or organizations; 759,078 responses; 262,629 hours; not applicable under 3504(h).

Jack Holston (202) 382-9736

Jane A. Benoit,

Departmental Clearance Officer.

[FR Doc. 86-17676 Filed 8-5-86; 8:45 am]

BILLING CODE 3410-01-M

Soil Conservation Service

Centauri High School Critical Area Treatment RC&D Measure, Colorado; Finding of No Significant Impact

AGENCY: Soil Conservation Service,
USDA.

ACTION: Notice of a finding of no
significant impact.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an Environmental Impact Statement is not being prepared for the Centauri High School Critical Area Treatment RC&D Measure, Conejos County, Colorado.

FOR FURTHER INFORMATION CONTACT:
Mr. Sheldon G. Boone, State
Conservationist, Soil Conservation
Service, 2490 West 26th Avenue,
Denver, Colorado 80211, telephone (303)
964-0292.

SUPPLEMENTARY INFORMATION: The Environmental Assessment of this federally assisted action indicates that the measure will not cause significant local, regional or national impacts on the environment. As a result of these findings, Mr. Sheldon G. Boone, State Conservationist, has determined that the preparation and review of an

Environmental Impact Statement are not needed for this measure.

This land treatment measure concerns a plan to prevent wind erosion on school grounds that is damaging buildings and facilities. The planned works of improvement include establishing vegetative cover of grasses, trees, and shrubs.

The Notice of Finding of No Significant Impact (FONSI) has been forwarded to the Environmental Protection Agency and to various federal, state and local agencies and interested parties. A limited number of copies of the FONSI are available at the above address to fill single-copy requests. Basic data developed during the environmental evaluation are on file and may be reviewed by contacting Mr. Sheldon G. Boone. No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(This activity is listed in the Catalog of Federal Domestic Assistance under No. 10.901, Resource Conservation and Development, and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with state and local officials)

Dated: July 29, 1986

Sheldon G. Boone,
State Conservationist.

[FR Doc. 86-17614 Filed 8-5-86; 8:45 am]

BILLING CODE 3410-16-M

Highland Creek Watershed, Kentucky

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a finding of no significant impact.

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Highland Creek Watershed, Henderson, Union, and Webster Counties, Kentucky.

FOR FURTHER INFORMATION CONTACT: Allan Heard, Assistant State Conservationist, Soil Conservation Service, 333 Waller Avenue, Lexington, KY 40504, telephone: 606-233-2747.

SUPPLEMENTARY INFORMATION: The environmental assessment of this Federally assisted action indicates that the project will not cause significant local, regional, or national impacts on

the environment. As a result of these findings, Randall W. Geissler, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns a plan for watershed protection. The planned action is to install conservation practices on approximately 23,140 acres of excessively eroding cropland that will remain in cultivation and 230 acres of excessively eroding cropland that will be converted to permanent vegetative cover. This planned action will reduce upland erosion and downstream sedimentation and pollution.

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

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the **Federal Register**.

(This activity is listed in the Catalog of Federal Domestic Assistance under No. 10.904—Watershed Protection and Flood Prevention—and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials)

Dated: July 25, 1986.

Randall W. Geissler,
State Conservationist.

[FR Doc. 86-17655 Filed 8-5-86; 8:45 am]

BILLING CODE 3410-16-M

Willow Creek-Cravens Creek Watershed, Missouri

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is being prepared for the Willow Creek-Cravens Creek

Watershed, Ray and Lafayette Counties, Missouri.

FOR FURTHER INFORMATION CONTACT: Paul F. Larson, State Conservationist, Soil Conservation Service, 555 Vandiver Drive, Columbia, Missouri 65202, telephone 314/875-5214.

SUPPLEMENTARY INFORMATION: The environmental assessment of this federally assisted action indicates that the project may cause significant local, regional, or national impacts on the environment. As a result of these findings, Paul F. Larson, State Conservationist, has determined that the preparation and review of an environmental impact statement is needed for this project.

The project concerns a plan for watershed protection and flood prevention. Alternatives under consideration to reach these objectives include systems of conservation land treatment, nonstructural measures, earth dams, dikes, pumping plants, and multiple-purpose channels.

A draft environmental impact statement will be prepared and is expected to be ready for circulation and review by agencies and the public by October 1987. The Soil Conservation Service invites participation and consultation of agencies and individuals that have special expertise, legal jurisdiction, or interest in the preparation of the draft environmental impact statement. Future meetings will be held to coordinate planning activities. A mailing list of landowners and local, State, and Federal agencies has been assembled to announce future meetings and provide plan status. Persons or agencies desiring to be included on the mailing list should contact the Missouri SCS State Conservationist. Further information on the proposed action, may be obtained from Paul F. Larson, State Conservationist, at the above address or telephone 314/875-5214.

(This activity is listed in the Catalog of Federal Domestic Assistance under No. 10.904—Watershed Protection and Flood Prevention—and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials)

Dated: July 28, 1986.

Paul F. Larson,
State Conservationist.

[FR Doc. 86-17656 Filed 8-5-86; 8:45 am]

BILLING CODE 3410-16-M

DEPARTMENT OF COMMERCE

[Docket Number 3643-07]

Felix-Constantine S. Popovitch; Order Amending Temporary Denial of Export Privileges

By Order of April 5, 1983, 48 FR 15935 (April 13, 1983), Respondent Felix-Constantine S. Popovitch and six other named individuals and companies were temporarily denied all privileges of participating in any manner or capacity in the export or reexport of U.S.-origin commodities or technical data. This Order of April 5, 1983 was issued under the authority of § 388.19 of the Export Administration Regulations (currently codified at 15 CFR Parts 368-399 (1986)).

Respondent requested relief from this Order. Departmental Counsel filed submissions for the record opposing Respondent's request, and Respondent filed submissions in support. A June 25, 1986 Order, based on a review of both parties' submissions, concluded that the record lacked grounds for retaining Respondent in the April 3, 1983 Order. The June 25, 1986 Order, however, stayed implementation of this conclusion for the period during which Departmental Counsel could appeal it. That period has now expired without the filing of such an appeal.

Accordingly, it is hereby Ordered that, effective immediately, the Order of April 5, 1983 is amended by deleting Felix-Constantine S. Popovitch, 138 Allee de la Pointe Genete, 91190 Gif-Sur Yvette, France, from the individuals and companies named therein who are temporarily denied all U.S. export privileges.

A copy of this Amendment of the Order of April 5, 1983 shall be delivered to Respondents and shall be published in the Federal Register.

Dated: July 31, 1986.

Thomas W. Hoya,
Administrative Law Judge.

[FR Doc. 86-17660 Filed 8-5-86; 8:45 am]

BILLING CODE 3510-DT-M

International Trade Administration

[A-588-504]

Erasable Programmable Read Only Memory Semiconductors From Japan; Suspension of Investigation

AGENCY: International Trade Administration, Import Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce has decided to suspend the

antidumping investigation involving erasable programmable read only memory semiconductors from Japan. The basis for the suspension is an agreement by the Japanese producers/exporters which account for substantially all of the known imports of these products from Japan, to revise their prices to eliminate sales of this merchandise to the United States at less than fair value.

EFFECTIVE DATE: August 1, 1986.

FOR FURTHER INFORMATION CONTACT: David Mueller, Office of Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 377-2923.

SUPPLEMENTARY INFORMATION:**Case History**

On September 30, 1985, we received a petition from Intel Corporation, Advanced Micro Devices, Inc., and National Semiconductor Corporation on behalf of the domestic manufacturers of EPROMs. In compliance with the filing requirements of § 353.36 of the Commerce Regulations (19 CFR 353.36), the petition alleged that imports of EPROMs from Japan are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that these imports are materially injuring, or are threatening material injury to, a United States industry. The petition also alleged that sales of the subject merchandise were being made at less than the cost of production. After reviewing the petition, we determined that it contained sufficient grounds upon which to initiate an antidumping duty investigation. We notified the ITC of our action and initiated such an investigation on October 21, 1985 (50 FR 43603, October 28, 1985). On November 14, 1985, the ITC determined that there is reasonable indication that imports of EPROMs from Japan are materially injuring, or are threatening material injury to, a U.S. industry (50 FR 47852, November 20, 1985).

On December 2, 1985, we presented antidumping duty questionnaires to Hitachi Ltd. (Hitachi), Fujitsu Limited (Fujitsu), Toshiba Corporation (Toshiba), and NEC Corporation (NEC). Respondents were requested to answer the questionnaire in 30 days. However, at the requests of Hitachi, Fujitsu, Toshiba, and the Japanese Ministry of International Trade and Industry (MITI), we granted an extension to January 17, 1986. On January 17, 1986, we received incomplete responses from Hitachi, Fujitsu, and Toshiba, and a letter from

NEC stating that it would not respond to our questionnaire. In letters dated February 3, 1986, the Department requested supplemental information from Hitachi, Fujitsu, and Toshiba. Additional information was submitted by these respondents on February 18, 1986.

On March 17, 1986, we published a preliminary determination that EPROMs from Japan were being sold at less than fair value in the United States (51 FR 9087).

After the preliminary determination, Hitachi, Fujitsu, and Toshiba requested an extension of the final determination date. These respondents were qualified to make such a request since they accounted for more than 90 percent of exports of the merchandise to the United States. If exporters who account for a significant proportion of exports of the merchandise under investigation properly request an extension after an affirmative preliminary determination, we are required, absent compelling reasons to the contrary, to grant the request. Accordingly, we granted the requests and postponed our final determination until July 30, 1986 (51 FR 15519, April 24, 1986).

Between March 10 and April 18, and between June 10 and June 12, 1986, we conducted our verification procedures of the information provided by these respondents at their facilities in Japan and the United States. On May 27, 1986, we held a hearing to provide all interested parties with an opportunity to comment on the investigation.

Products Under Investigation

The products covered by this investigation are erasable programmable read only memories (EPROMs), which are a type of memory integrated circuit that is manufactured using variations of Metal Oxide-Semiconductor (MOS) process technology, including both Complementary (CMOS) and N-Channel (NMOS). The products include processed wafers, dice and assembled EPROMS produced in Japan and imported into the United States from Japan.

Finished EPROMs are currently provided for in the Tariff Schedules of the United States Annotated (TSUSA) under item 687.7445. Unassembled EPROMs, including unmounted chips, wafers, and dice, are provided for under TSUSA item 687.7405.

In the notice of initiation in this case, we tentatively included in the scope of this investigation processed wafers and dice produced in Japan and assembled into finished EPROMs in another

country prior to importation into the United States from the other country. Although none of the respondents reported sales of EPROMS assembled in third countries from Japanese manufactured dice during the period of investigation, we now have information from the United States Customs Service that imports of such merchandise are occurring. Based on the information available to us we are determining that EPROMS assembled in third countries using wafers or dice processed in Japan are included within the scope of the investigation. We have also determined that a variant of EPROMS, OTPs (One-Time-Programmable read only memories) are included in the scope of the investigation. For both third country assembled EPROMS and OTPs, we have been guided by the fact that the processed dice contains all the essential electronic properties which distinguish EPROMS as a separate class of good from other semiconductors.

Suspension of the Investigation

The Department consulted with the parties to the proceeding and has considered the comments submitted with respect to the proposed suspension agreement. We have determined that the agreement will eliminate sales of this merchandise to the United States at less than fair value, that the agreement can be monitored effectively, and that the agreement is in the public interest. We find, therefore, that the criteria for suspension of an investigation pursuant to section 734 of the Act have been met. The terms and conditions of the agreement, signed July 30, 1986, are set forth in Annex 1 to this notice.

Pursuant to section 734(f)(2)(A) of the Act, the suspension of liquidation of all entries, entered or withdrawn from warehouse, for consumption of EPROMS from Japan effective March 19, 1986, as directed in our notice of "Antidumping Preliminary Determination of Sales at Less than Fair Value, Erasable Programmable Read Only Memory Semiconductors from Japan" is hereby terminated. Any cash deposits on entries of EPROMS from Japan pursuant to that suspension of liquidation shall be refunded and any bonds shall be released.

The Department intends to conduct an administrative review within twelve months of the anniversary date of the publication of this suspension agreement as provided in section 751 of the Act.

Notwithstanding the suspension agreement, the Department will continue the investigation if we receive such a request in accordance with section 734(g) of the Act within 20 days after the

date of publication of this notice. This notice is published pursuant to section 734(f)(1)(A) of the Act.

Gilbert B. Kaplan,
Deputy Assistant Secretary for Import Administration.

Annex 1: Suspension Agreement—Erasable Programmable Read Only Memory Semiconductors From Japan

Under section 734 of the Tariff Act of 1930, as amended (19 U.S.C. 1673c) ("the Act"), and Part 353 of title 19 U.S. Code of Federal Regulations (19 CFR Part 353.42) ("the regulations"), the U.S. Department of Commerce ("the Department"), and the signatory producers/exporters of erasable programmable read only memory semiconductors from Japan enter into this suspension agreement ("the Agreement"). On the basis of this suspension agreement, the Department shall suspend its antidumping investigation initiated on October 28, 1985, (50 FR 43603) with respect to erasable programmable read only memory semiconductors from Japan, subject to the terms and provisions set out below.

A. *Product Coverage.* The merchandise subject to this Agreement is the following merchandise of Japanese origin:

(1) Erasable programmable read only memory semiconductors ("EPROMs"), whether in the form of processed wafers, unmounted die, mounted die, or assembled devices however packaged (ceramic, plastic, or other), and other merchandise of the same class or kind ("merchandise subject to this Agreement").

(2) Processed wafers and dice produced in Japan and assembled into finished EPROMs, or other merchandise of the same class or kind, in another country prior to importation into the United States.

Finished EPROMs are currently classifiable under item 687.7445 of the Tariff Schedules of the United States Annotated. Unassembled EPROMs, including processed wafers and mounted and unmounted die, are currently classifiable under item 687.7405 of the Tariff Schedules of the United States Annotated.

B. *U.S. Import Coverage.* The signatory producers/exporters collectively are the producers and exporters in Japan which, during the antidumping investigation on the merchandise subject to this Agreement, accounted for substantially all (not less than 85 percent) of the merchandise imported into the United States, as provided in the regulations. The Department may at any time during the

period of this Agreement require additional producers/exporters in Japan to sign this Agreement in order to ensure that not less than substantially all imports into the United States are covered by this Agreement.

In reviewing the operation of this Agreement for the purpose of determining whether this Agreement has been violated or is no longer in the public interest, the Department will consider imports into the United States from all sources of the merchandise described in Section A of this Agreement. For this purpose, the Department will consider factors including, but not limited to, the following: volume of trade, pattern of trade, whether or not the reseller is an original equipment manufacturer, and the reseller's purchase price.

C. *Basis of the Agreement.* On and after the effective date of this Agreement, each signatory producer/exporter individually agrees to make any necessary price revisions to eliminate completely any amount by which the foreign market value of its merchandise exceeds the United States price of its merchandise subject to this Agreement. For this purpose, the Department will determine the foreign market values in accordance with section 773(e) of the Act, and the U.S. prices in accordance with section 772 of the Act. In calculating foreign market value, the Department may also consider, to the extent it deems appropriate, information submitted by producers/exporters regarding projected differences in production costs within the quarter in which the information is submitted, resulting from factors such as anticipated changes in production yield, changes in production process (e.g. die and/or wafer size), changes in production quantities or changes in production facilities.

(1) For all sales occurring between the effective date of this Agreement and October 15, 1986, each signatory producer/exporter agrees not to sell its merchandise subject to this Agreement to unrelated purchasers in the United States at prices that are less than its foreign market value, as determined by the Department on the basis of information obtained during the course of the antidumping investigation and provided to parties not later than July 20, 1986.

(2) For all sales occurring between October 16, 1986 and December 31, 1986, each signatory producer/exporter agrees not to sell its merchandise subject to this Agreement to any unrelated purchaser in the United States at prices that are less than its foreign market

value of the merchandise, as determined by the Department of the basis of information submitted to the Department not later than August 20, 1986 and provided to parties not later than October 11, 1986.

(3) For all sales occurring after December 31, 1986, each signatory producer/exporter agrees not to sell its merchandise subject to this Agreement to any unrelated purchaser in the United States at prices that are less than its foreign market value of the merchandise, as determined by the Department of the basis of information submitted to the Department not later than the dates specified in section D of this Agreement and provided to parties not later than December 20, March 20, June 20, and September 20 of each year. This foreign market value shall apply to sales occurring during the calendar quarter beginning on the first day of the month following the date the Department provides the foreign market value, as stated in this paragraph.

D. Monitoring. Each signatory producer/exporter will supply to the Department all information that the Department decides is necessary to ensure that the producer/exporter is in full compliance with the terms of this Agreement. As explained below, the Department will provide each signatory producer/exporter a detailed request for information and prescribe a required format and method of data compilation, not later than the beginning of each reporting period.

(1) **Sales Information.** The Department will require each producer/exporter to report, on computer tape in the prescribed format and using the prescribed method of data compilation, each sale of the merchandise subject to this Agreement, either directly or indirectly to unrelated purchasers in the United States, including each adjustment applicable to each sale, as specified by the Department.

The first report on sales data shall be submitted to the Department, on computer tape in the prescribed format and using the prescribed method of data compilation, not later than October 31, 1986 and shall contain the specified sales information covering the period July 1 to September 30, 1986. Subsequent reports of sales data shall be submitted to the Department not later than January 31, April 30, July 31, and October 31 of each year and each report shall contain the specified sales information for the quarter ending one month prior to the due date, except that if the Department receives information that a possible

violation of the Agreement may have occurred, the Department may request sales data on a monthly, rather than quarterly basis.

(2) **Cost Information.** The Department will require Fujitsu, Hitachi and Toshiba (the respondents in the original investigation) to report their actual cost of production and profit data on a quarterly basis, in the prescribed format and using the prescribed method of data compilation. Each such producer/exporter also must report anticipated increases in production costs and may report anticipated decreases in production costs in the quarter in which the information is submitted resulting from factors such as anticipated changes in production yield, changes in production process (e.g., die and/or wafer size), changes in production quantities or changes in production facilities. Each report shall be submitted to the Department not later than January 31, April 30, July 31, and October 31 of each year and each report shall contain specified information for the quarter ending one month prior to the due date.

(3) **Special Adjustment of Foreign Market Value.** If the Department determines that the foreign market value it determined for a previous quarter was erroneous because the reported costs for that period were inaccurate or incomplete, or for any other reason, the Department may adjust foreign market value in a subsequent period or periods, unless the Department determines that Section G of this Agreement applies.

(4) **Verification.** Each producer/exporter agrees to permit full verification of all cost and sales information semi-annually, or more frequently, as the Department deems necessary.

(5) **Rejection of Submissions.** The Department may reject any information submitted after the deadlines set forth in this section or any information which it is unable to verify to its satisfaction. If information is not submitted in a complete and timely fashion or is not fully verifiable, the Department may calculate foreign market value and/or U.S. price based on best information available, as it determines appropriate, unless the Department determines that section G applies.

E. Disclosure and Comment. (1) The Department may make available to representatives of each domestic party to the proceeding, under appropriately drawn administrative protective orders, business proprietary information submitted to the Department during each quarter as well as the results of its

calculations of foreign market value.

(2) Not later than September 20, 1986, and March 1, June 1, September 1, and December 1 of each year, the Department will disclose to each producer/exporter the results and the methodology of the Department's calculations of its foreign market value. At that time, the Department may also make available such information to the domestic parties to the proceeding, in accordance with paragraph E(1).

(3) Not later than seven days after the date of disclosure under paragraph E(2), the parties to the proceeding may submit written comments to the Department, not to exceed 10 pages. After reviewing these submissions, the Department will provide to each producer/exporter its foreign market value as provided in paragraph C(3). In addition, the Department may provide such information to domestic interested parties as specified in paragraph E(1).

(4) Once during each year of this Agreement, the Department shall provide an opportunity for each party to the proceeding to request a hearing on issues raised during the proceeding. If such a hearing is requested, it will be conducted in accordance with section 751 of the Act (19 U.S.C. section 1675), and applicable regulations.

F. Signatories. To the extent administratively feasible, the Department will calculate foreign market values based on cost data that may be submitted by any signatory producer/exporter not required to submit such data under paragraph D(2). To the extent such calculations are not administratively feasible, such producers/exporters may be assigned a foreign market value for each applicable product which is the weighted-average foreign market value of those companies for which specific foreign market values have been calculated.

G. Violations of the Agreement. If the Department determines that this Agreement is being or has been violated or no longer meets the requirements of section 734 (b) or (d) of the Act, the Department shall take action it determines appropriate under section 734(i) of the Act and the regulations.

H. Other Provisions. In entering into this Agreement, the signatory producers/exporters do not admit that any sales of the merchandise subject to this Agreement have been made at less than fair value.

I. Termination. Absent likelihood of dumping, the Department of Commerce expects to terminate this suspended investigation in August, 1991.

J. *Definitions.* For purposes of this Agreement, the following definitions apply:

1. **U.S. Price**—means the price at which merchandise is sold by the producer or exporter to the first unrelated party in the United States, including the amount of any discounts, rebates, price protection or ship and debit adjustments, and other adjustments affecting the net amount paid or to be paid by the unrelated purchaser, as determined by the Department under section 772 of the Act.

2. **Foreign Market Value**—means the constructed value of the merchandise, as determined by the Department under section 773(e) of the Act. In calculating foreign market value, the Department may also consider, to the extent it deems appropriate, information submitted by producers/exporters regarding projected differences in production costs in the quarter in which the information is submitted resulting from factors such as anticipated changes in production yield, changes in production process (e.g. die and/or wafer size), changes in production quantities or changes in production facilities.

3. **Producer/Exporter**—means (1) the foreign manufacturer or producer, (2) the foreign producer or reseller which also exports, and (3) the related person by whom or for whose account the merchandise is imported into the United States, as defined in section 771(13), of the Act.

4. **Date of Sale**—(A) For contracts entered into prior to June 3, 1986 the date of sale is the date on which the essential terms of the contract, including price, quantity, and other terms of sale are agreed and determined, normally the date of confirmation of sale. All such contracts will be reviewed by the Department to determine if these criteria are met.

(B) For contracts entered into during the period June 30, 1986 through July 30, 1986, the date of sale is the date of shipment.

(C) For contracts entered into subsequent to July 30, 1986, the date of sale is the date on which the essential terms of the contract, including price, are agreed and determinable, normally the date of confirmation of sale.

The effective date of this Agreement is the July 30, 1986.

Signed on this 30th day of July, 1986.

For Japanese producers/exporters.

Mark W. Herlach,
NEC Corporation.
Carl W. Schwarz (See letter dated 7/30/86),
Hitachi, Ltd.
Warren E. Connelly/L. Daniel O'Neil,
Fujitsu, Ltd.
Thomas P. Ondeck,
Mitsubishi Electric Corp.
David P. Houlihan,
Toshiba Corp.
John D. Greenwald (See letter of 7/30/86),
Oki Electric Industry Co., Ltd.
Thomas F. Cullen Jr.,
Texas Instruments, Japan.

For U.S. Department of Commerce.
Gilbert B. Kaplan,
Deputy Assistant Secretary For Import Administration.
[FR Doc. 86-17665 Filed 8-5-86; 8:45 am]
BILLING CODE 3510-DS-M

National Oceanic and Atmospheric Administration

Caribbean Fishery Management Council; Amended Meeting Notice

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The date for the public meeting of the Caribbean Fishery Management Council's Administrative Subcommittee as published in the *Federal Register* (August 1, 1986, page 27575) has been changed from August 13, 1986 to August 6, 1986, to allow the Subcommittee to comply with the deadline for response to the National Oceanic and Atmospheric Administration's Blue Ribbon Panel Report. All other information remains unchanged.

For further information contact the Caribbean Fishery Management Council, Banco de Ponce Building, Suite 1108, Hato Rey, Puerto Rico 00918; telephone: (809) 753-4926.

Dated: July 31, 1986.
Richard B. Roe,
Director, Office of Fisheries Management, National Marine Fisheries Service.
[FR Doc. 86-17681 Filed 8-5-86; 8:45 am]
BILLING CODE 3510-22-M

North Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The North Pacific Fishery Management Council's Plan Team for the Gulf of Alaska Groundfish Fishery Management Plan will convene a public meeting, August 25, 1986, at 9 a.m. at the National Marine Fisheries Service Northwest and Alaska Fisheries Center,

7600 Sand Point Way, Building 4, Room 2079, Seattle, WA, to evaluate the condition of the Gulf groundfish resources and to begin final drafting of Amendment 15. The public meeting may extend through August 29 if necessary.

For further information contact Steve Davis, North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510; telephone: (907) 274-4563.

Dated: August 1, 1986.
Richard B. Roe,
Director, Office of Fisheries Management, National Marine Fisheries Service.
[FR Doc. 86-17682 Filed 8-5-86; 8:45 am]
BILLING CODE 3510-22-M

DEPARTMENT OF DEFENSE

Department of the Army

Army Science Board; Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Committee Meeting:

Name of the Committee: Army Science Board (ASB)

Dates of Meeting: Thursday, 21 August 1986

Times of Meeting: 0800-2100

Place: Pentagon (2E687A), Washington, DC

Agenda: The Army Science Board 1986 Summer Study Panel on C³I Requirements for AirLand Battle will meet to finalize the C³I Summer Study Report. This meeting will be closed to the public in accordance with section 552b(c) of Title 5, U.S.C., specifically subparagraph (1) thereof, and Title 5, U.S.C., Appendix 1, subsection 10(d). The classified and nonclassified matters to be discussed are so inextricably intertwined so as to preclude opening any portion of the meeting. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (202) 695-3039 or 695-7046.

Sally A. Warner,
Administrative Officer, Army Science Board.
[FR Doc. 86-17667 Filed 8-5-86; 8:45 am]
BILLING CODE 3710-DE-M

Army Science Board; Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Committee Meeting:

Name of the Committee: Army Science Board (ASB)

Dates of Meeting: Friday, 22 Aug. 1986
 Times of Meeting: 0830-1630 hours
 Place: Pentagon (Room 2A474),
 Washington, DC

Agenda: The Army Science Board Ad Hoc Subgroup on Chemical/Biological Warfare Intelligence will meet to discuss CBW intelligence issues, and treaty verification issues and means. This meeting will be closed to the public in accordance with section 552b(c) of Title 5, U.S.C., specifically subparagraph (1) thereof, and Title 5, U.S.C., Appendix 1, subsection 10(d). The classified and nonclassified matters to be discussed are so inextricably intertwined so as to preclude opening any portion of the meeting. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (202) 695-3039 or 695-7046.

Sally A. Warner,

Administrative Officer, Army Science Board.

[FR Doc. 86-17688 Filed 8-5-86; 9:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF EDUCATION

Agency Information Collection Activities Under OMB Review

AGENCY: Department of Education.

ACTION: Notice of proposed information collection requests.

SUMMARY: The Deputy Under Secretary for Management invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

DATE: Interested persons are invited to submit comments on or before September 5, 1986.

ADDRESSES: Written comments should be addressed to the office of Information and Regulatory Affairs, Attention: Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., Room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Margaret B. Webster, Department of Education, 400 Maryland Avenue, SW., Room 4074, Switzer Building, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Margaret B. Webster (202) 426-7304.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public

consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations.

The Director, Information Resources Management Service publishes this notice containing proposed information collection requests prior to the submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Agency form number (if any); (4) frequency of the collection; (5) the Affective public; (6) Reporting burden; and/or (7) Recordkeeping burden; and (8) Abstract. OMB invites public comment at the address specific above. Copies of the requests are available from Margaret Webster at the address specified above.

Dated July 31, 1986.

George P. Sotos,

Director, Information Resources Management Service.

Office Postsecondary Education

Type of Review: Revision
 Title: Special Condition Application for Federal Student Aid
 Agency Form Number: ED 255-2
 Frequency: Annually
 Affected Public: individuals or households
 Reporting Burden: Responses: 236,000;
 Burden Hours: 259,600
 Recordkeeping Burden: Recordkeepers: 0; Burden Hours: 0

Abstract: This form collects data necessary to determine student eligibility for Federal Student aid when a student's family financial situation changes from the usual base year.

Office of Special Education and Rehabilitative Services

Type of Review: Reinstatement
 Title: Report of Handicapped Children and Youth Receiving Special Education and Related Services Under Part B of the Education of the Handicapped Act, as amended.
 Agency Form Number: ED 869-5 and 869-8
 Frequency: Annually
 Affected Public: State or local governments
 Reporting Burden: Responses: 58; Burden Hours: 13,978
 Recordkeeping Burden: Recordkeepers: 0; Burden Hours: 0

Abstract: States use this form to report the number of handicapped children and youth receiving special

education and related services. The report serves as the basis for distributing Federal assistance, monitoring, implementing, and updating information.

Office of Special Education and Rehabilitative Services

Type of Review: Reinstatement
 Title: Report of Eligible Handicapped Children in Schools Operated or Supported by State Agencies, Chapter 1 of ECIA (SOP)
 Agency Form Number: B20-16P
 Frequency: Annually
 Affected Public: State or local governments
 Reporting Burden Responses: 58; Burden Hours: 5,858
 Recordkeeping Burden: Recordkeepers: 0; Burden Hours: 0
 Abstract: This report provides instructions and forms necessary for States to report the number of handicapped children and youth receiving services as a basis for distributing Federal assistance, monitoring, implementing, and reporting information.

Office of Special Education and Rehabilitative Services

Type of Review: Revision
 Title: Implementation of Least Restrictive Environment Requirements
 Agency Form Number: ED 869-4
 Frequency: Annually
 Affected Public: State or local governments
 Reporting Burden Responses: 58; Burden Hours: 232,580
 Recordkeeping Burden: Recordkeepers: 0 Burden Hours: 0
 Abstract: This report provides instructions and a form necessary for States to report the settings in which handicapped children receive services.

Office of Special Education and Rehabilitative Services

Type of Review: Revision
 Title: Report of: (A) Handicapped Children and Youth Exiting the Educational System (During the 1986-87 School Year); (B) Exiting Handicapped Children and Youth Who Will Not Need Services (for the 1987-88 School Year); and (C) Anticipated Services Needed by Handicapped Children and Youth (for the 1987-88 School Year).
 Agency Form Number: ED 869-3
 Frequency: Annually
 Affected Public: State or local governments
 Reporting Burden Responses: 58; Burden Hours: 13,978

Recordkeeping Burden: Recordkeepers: 0; Burden Hours: 0

Abstract: This report provides instructions and forms necessary for States to report the number of handicapped youth exiting the school system and the services needed by these youths in the following year.

Office of Special Education and Rehabilitative Services

Type of Review: Revision

Title: Report of Federal, State, and Local Funds Expended for Special Education and Related Services

Agency Form Number: ED 869-1

Frequency: Annually

Affected Public: State or local governments

Reporting Burden: Responses: 58; Burden Hours: 58,174

Recordkeeping Burden: Recordkeepers: 0; Burden Hours: 0

Abstract: This report provides instructions and forms necessary for States to report the amount of funds expended for special education and related services. The form satisfies mandated reporting requirements, and the data are used by the Office of Special Education Programs for monitoring and congressional reporting purposes.

Office of Special Education and Rehabilitative Services

Type of Review: Revision

Title: Number of Personnel Employed to Provide Special Education and Related Services to Handicapped Children and Youth

Agency Form Number: ED 869-6

Frequency: Annually

Affected Public: State or local governments

Reporting Burden: Responses: 58; Burden Hours: 13,978

Recordkeeping Burden: Recordkeepers: 0; Burden Hours: 0

Abstract: This report provides instructions and a form for States to report the number of personnel that are employed to provide special education services to monitor the implementation of Federal legislation and as part of Congressionally mandated reporting information.

Office of Special Education and Rehabilitative Services

Type of Review: Revision

Title: Number of Additional Personnel Needed to Provide Special Education and Related Services to Handicapped Children and Youth

Agency Form Number: ED 869-7

Frequency: Annually

Affected Public: State or local governments

Reporting Burden: Responses: 58; Burden Hours: 7,018

Recordkeeping Burden: Recordkeepers: 0; Burden Hours: 0

Abstract: This report provides instructions and a form necessary for States to report the number of additional personnel needed to provide special education services to handicapped children and youth. This information is used to monitor the implementation of Federal programs and is a part of the Congressionally mandated reporting requirements.

[FR Doc. 86-17689 Filed 8-5-86; 8:45 am]

BILLING CODE 4000-01-M

[CFDA No. 84.091]

Notice Inviting Applications for New Awards Under the Strengthening Research Library Resources Program for Fiscal Year 1987

Purpose: Provides grants to the nation's major research libraries to maintain and strengthen their collections and to make their holdings available to other libraries whose users have need for research materials.

Deadline for Transmittal of Applications: November 7, 1986, except for institutions having previously established significance as a major research library who may submit applications until December 9, 1986.

Deadline for Intergovernmental Review Comments: February 9, 1987.

Applications Available: September 5, 1986, *Available Funds:* The Administration's budget request for fiscal year 1987 does not include funds for this program. However, applications are being invited to allow sufficient time to evaluate applications and complete the grant process before the end of the fiscal year, should the Congress appropriate funds for this program.

Estimated Range of Awards: \$35,000-\$350,000.

Estimated Average Size of Awards: \$150,000.

Estimated Number of Awards: 26.

Project Period: 15 months.

Applicable Regulations: (a) The Strengthening Research Library Resources Program Regulations, 34 CFR Part 778, and (b) The Education Department General Administrative Regulations, 34 CFR Parts 74, 75, 77, 78, and 79.

For Applications or Information Contact: Frank A. Stevens, Director, Library Development Staff, Library Programs, U.S. Department of Education, 555 New Jersey Avenue NW., Room 402M, Washington, DC 20208-1430. Telephone: (202) 357-6315.

Program Authority: 20 U.S.C. 1021 et seq.

Dated: August 1, 1986.

Chester E. Finn, Jr.,

Assistant Secretary for Educational Research and Improvement.

[FR Doc. 86-17693 Filed 8-5-86; 8:45 am]

BILLING CODE 4000-01-M

Office of Special Education and Rehabilitative Services

Deaf-Blind Children and Youth Program for Fiscal Year 1987; Grants

AGENCY: Department of Education.

ACTION: Application Notice for New Awards under the Services for Deaf-Blind Children and Youth program for Fiscal Year 1987.

Programmatic information: The purpose of this notice is to announce the availability of funds to support services to deaf-blind children and youth, technical assistance to their service providers, and dissemination of information concerning effective approaches for educating deaf-blind children and youth.

The Services for Deaf-Blind Children and Youth program was established under Pub. L. 90-247 on January 2, 1968 and is currently authorized by section 622 of Part C of the Education of the Handicapped Act (20 U.S.C. 1422). It is designed to ensure provision of direct services to children and youth for whom States are not obligated to make available a free appropriate education under Part B of the Education of the Handicapped Act and to whom the States are not providing those services under some other authority, and to enhance the effectiveness of State agencies is providing services to deaf-blind children and youth.

Public or nonprofit private agencies, institutions, or organizations may apply for an award under this program.

The Secretary will issue awards for fiscal year 1987 for new projects which address the following areas:

(a) State and multi-State projects (34 CFR 307.11);

(b) Technical assistance to State and multi-State projects (34 CFR 307.12);

(c) Technical assistance to State agencies to facilitate provision of transition services to deaf-blind youth upon their attaining the age of 22 years (34 CFR 307.13); and

(d) Dissemination of information concerning effective approaches for educating deaf-blind children and youth (34 CFR 307.15).

CFDA 84.025.—SERVICES FOR DEAF-BLIND CHILDREN AND YOUTH
[Fiscal Year 1987 Funding Competitions]

CFDA No.; section of 34 CFR 307	Area	Available funds	Estimated range of awards	Estimated average award	Estimated No. of awards	Application closing date
84.025A (§ 307.11)	Services to deaf-blind children and youth—State and multi-State projects	5,870,000	16,300-1,248,000	187,740	29	Oct. 15, 1986.
84.025C (§ 307.12)	Technical assistance to State and multi-State projects	940,000	940,000	940,000	1	Dec. 8, 1987.
84.025E (§ 307.13)	Technical assistance for transitional services.....	600,000	600,000	600,000	1	Dec. 8, 1987.
84.025G (§ 307.15)	Dissemination of information—services for deaf-blind children and youth.....	150,000	150,000	150,000	1	Dec. 8, 1987.

The anticipated project period for each of these awards is up to 24 months. Estimates for these awards do not bind the U.S. Department of Education to a specific number of grants or to the amount of any grant, unless that amount is otherwise specified by statute or regulations.

Closing date for transmittal of applications: Applications for new awards must be mailed or hand delivered on or before the date indicated on the previous chart.

Applications sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: CFDA 84.025, 400 Maryland Avenue, SW., Washington, DC 20202.

Each late applicant will be notified that its application will not be considered.

Applications that are hand delivered must be taken to the U.S. Department of Education, Application Control Center, Room 3633, Regional Office Building #3, 7th and D Streets, SW., Washington, DC.

The Application Control Center will accept hand-delivered applications between 8:00 a.m. and 4:30 p.m. (Washington, DC, time) daily, except Saturdays, Sundays, and Federal Holidays.

Applicable regulations:

Regulations applicable to this program include the following:

(a) The regulations governing the Services for Deaf-Blind Children and Youth program (34 CFR Part 307) published at 46 FR 28360 on July 11, 1984.

(b) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 74, 75, 77, 78 and 79.

Intergovernmental Review:

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of Executive Order 12372 is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

Immediately upon receipt of this notice, applicants must contact the appropriate State single point of contact to find out about, and to comply with, the State's process under the Executive Order. Applicants proposing to perform activities in more than one State should contact, immediately upon receipt of this notice, the single point of contact for each State and follow the procedures established in those States under the Executive Order. A list containing the single point of contact for each State is included in the application package for this program.

In States that have not established a process or chosen this program for review, State, areawide, regional, and local entities may submit comments directly to the Department.

All comments from State single points of contact and all comments from State, areawide, regional, and local entities must be mailed or hand delivered by the closing date indicated for the appropriate program area to the following address:

The Secretary, U.S. Department of Education, Room 4181, CFDA 84.025, 400 Maryland Avenue, SW., Washington, DC 20202.

Please note that the above address is not the same address as the one to which the applicant submits its completed application. Do not send applications to the above address.

Application forms:

Application forms and program information packages are expected to be available by August 14, 1986. These may be obtained by writing to Severely Handicapped Branch, Office of Special Education Programs, U.S. Department of Education, 400 Maryland Avenue, SW., (Room 4614 Switzer Building), Washington, DC 20202.

Further information:

For further information contact Charles Freeman, Severely Handicapped Branch, Office of Special Education Program, U.S. Department of Education, 400 Maryland Avenue, SW., (Room 3511 Switzer Building), Washington, DC 20202. Telephone (202) 732-1165.

Program authority: 20 U.S.C. 1422.

(Catalog of Federal Domestic Assistance No. 84.025: Services for Deaf-Blind Children and Youth.)

Dated: August 1, 1986.

William J. Bennett,
Secretary of Education.

[FR Doc. 86-17692 Filed 8-5-86; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Bonneville Power Administration

[BPA File No. APR-86-2]

Residential Exchange Subsidy Agreements; Request for Comments

AGENCY: Bonneville Power Administration (BPA), DOE.

ACTION: Notice; Request for Comments. *BPA File No:* APR-86-2. BPA requests that all comments submitted contain the file number APR-86-2.

SUMMARY: On June 24, 1986, the United States Court of Appeals for the Ninth Circuit issued a remand order to BPA in *California Energy Resources Conservation and Development Commission v. Johnson*, No. 81-7809. *California Energy Commission* involved, among other things, review of BPA's decision to adopt section 4 of the Residential Purchase and Sale Agreements. These agreements were executed to implement the residential exchange subsidy program by which BPA provides rate relief to the residential and small farm customers of Northwest public and investor-owned utilities. See 16 U.S.C. 839c(c).

Section 4(a) of the Residential Purchase and Sale Agreements provides that in lieu of purchasing power from an exchanging utility under section 5(c) of the Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act), BPA may acquire an equivalent amount of power from other sources if the cost of such acquisition is less than the cost of the purchase from the exchanging utility. BPA is required by section 4(a) to give the utility not less than 7 years' prior written notice of BPA's intent to use

such acquisition in lieu of the purchase from the utility. The notice is required to state the amount, duration, source, estimated cost, and estimated scheduling provisions of the intended acquisition. The Court's order in *California Energy Commission* concluded that "a limited remand is appropriate to allow respondent [Bonneville Power Administration] to clarify the record as to the basis for adoption of residential exchange contract general provision 4." Pursuant to this order, BPA is requesting comments on specific issues related to the residential exchange program and section 4 of the Residential Purchase and Sale Agreements.

Responsible Official: John Cameron, Assistant General Counsel, is the official responsible for this proceeding.

DATES: Comments should be received by BPA no later than 5 p.m., September 2, 1986. Reply comments will be received through September 22, 1986.

ADDRESS: Written comments should be submitted to Donna L. Geiger, Public Involvement Manager, Bonneville Power Administration, P.O. Box 12999, Portland, Oregon 97212. BPA File No. APR-86-2 should be referenced.

FOR FURTHER INFORMATION CONTACT: Kathleen S. Johnson, Public Involvement office, at the address listed above, 509-230-3478. Oregon callers outside Portland may use 800-452-8429; callers in California, Idaho, Montana, Nevada, Utah, Wyoming, and Washington may use 800-547-6048. Information may also be obtained from:

Mr. Terence G. Esvelt, Puget Sound Area Manager, Room 250, 415 First Avenue North, Seattle, Washington 98109. 206-442-4130.

Mr. George E. Gwinnutt, Lower Columbia Area Manager, Suite 288, 1500 Plaza Building, 1500 NE Irving Street, Portland, Oregon 97208, 503-230-4551.

Mr. Ladd Sutton, Eugene District Manager, Room 206, 211 East Seventh Avenue, Eugene, Oregon 97401, 503-687-6952.

Mr. Wayne R. Lee, Upper Columbia Area Manager, Room 561, West 920 Riverside Avenue, Spokane, Washington 99201, 509-456-2518.

Mr. Ronald K. Rodewald, Wenatchee District Manager, P.O. Box 741, Wenatchee, Washington 98801, 509-662-4377, extension 379.

Mr. George E. Eskridge, Montana District Manager, 800 Kensington, Missoula, Montana 59801, 406-329-3060.

Mr. Thomas V. Wagenhoffer, Snake River Area Manager, West 101 Poplar, Walla Walla, Washington 99362, 509-522-6226, extension 701.

Mr. Robert N. Laffel, Idaho Falls District Manager, 531 Lomax Street, Idaho Falls, Idaho 83401, 208-523-2706.

Mr. Frederic D. Rettenmund, Boise District Manager, Federal Building, 550 West Fort Street, Room 376, Boise, Idaho 83724, 208-334-9137.

SUPPLEMENTARY INFORMATION

I. Background

The Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act), 16 U.S.C. 839-839h, established a number of programs benefiting various elements of BPA's customer classes: Northwest publicly-owned "preference" utilities, Northwest investor-owned utilities (IOUs) the "Direct Service Industries" (DSIs), and utilities outside the Northwest—primarily located in California. However, programs benefiting one group of customers necessarily cause higher rates for BPA's other customers. BPA is a self-financing power marketing agency, operated according to "sound business principles." 16 U.S.C. 839e(a). Rates for the sale of electric power and transmission services are BPA's only sources of revenue. *California Energy Commission*, like virtually every challenge to a BPA action, involves a claim that BPA struck an improper balance between the interests of program beneficiaries and the interests of its ratepayers.

Northwest Power Act section 5(c) established the residential exchange program through which BPA provides rate relief to the residential and small farm customers of Northwest public and investor-owned utilities. In this paper exchange, a utility swaps its power, at the "average system cost" determined by the BPA Administrator, for BPA power, at the rate established for preference customers. The difference is equal to the subsidy given each qualifying utility. The utility, in turn, is required by section 5(c)(3) to credit the subsidy against the power bills of residential and small farm customers. During fiscal year 1986, BPA expects to provide over \$191 million in subsidies to 36 utilities.

Congress apparently intended the program to reduce the rate disparity between IOUs and publicly-owned utilities with preference rights to Federal power. However, legislative history does not explain the difference between this intention and the statute. Section 5(c) allows all Northwest utilities to apply for a subsidy. Some 32 publicly-owned utilities receive both preference power and residential exchange subsidies—compared to only four IOU recipients during fiscal year 1986.

The qualifying criterion does not relate to preference; instead, it is simply a function of cost. The higher a utility's costs in relation to BPA's own rates, the higher its subsidy. Subject to the regulatory constraints described below, a qualifying utility may ask BPA to reimburse any cost remotely related to providing power or transmission services to its residential and small farm customers.

The statute and its legislative history have been subject to litigation in many actions before the Ninth Circuit, Federal district court and the Federal Energy Regulatory Commission (FERC). Even prior to this litigation, however, BPA and its ratepayers had been concerned about the potentially open-ended nature of the subsidy. Although state rate regulation screens out most costs ineligible for subsidization, there have been serious abuses of the program by utilities and their regulators.

For example, an IOU attempted to pass \$73 million in residential exchange subsidies to its shareholders. Traditional rate regulation proved inadequate to protect BPA and its ratepayers from this direct violation of Northwest Power Act section 5(c)(7)(C), because the illegal pass-through was secretly arranged during *ex parte* contacts between the IOU and its state regulatory commission. The arrangement was uncovered only through extraordinary procedures that included a state freedom of information act request, contentious proceedings before BPA and before FERC, and separate state court litigation.

In another example, a publicly-owned utility attempted to attribute a prior shortfall exclusively to its residential customers and then pass the shortfall on to BPA through a retroactive subsidy application. *Central Electric Cooperative v Johnson*, Ninth Cir. No. 85-7242. Publicly-owned utilities in the Northwest are unregulated, so BPA provides the only external scrutiny of costs included in subsidy applications.

Congress provided BPA with two statutory mechanisms to ensure that the residential exchange program served only its intended purpose of rate relief to residential and small farm customers. Each mechanism has been the object of protracted litigation involving BPA, subsidy recipients, and ratepayers.

First, Northwest Power Act section 5(c)(7) provides that the Administrator is to determine a generic methodology for determining each utility's "average system cost of resources" eligible for subsidization. Numerous issues about interpretation and application of the Administrator's methodology are now

awaiting judicial and FERC review. In addition, BPA's fundamental authority to formulate and to amend the Administrator's average system cost methodology is subject to challenge in *Pacificorp v. Johnson*, Ninth Cir. Nos. 84-7569, 84-7862 and 85-7103 (argued and submitted September 10, 1985).

Second, Northwest Power Act section 5(c)(5) permits BPA to substitute lower cost resources for an exchanging utility's residential exchange resources. This is the statutory provision at issue in *California Energy Commission*. BPA's vehicle for implementing section 5(c)(5) is residential exchange contract section 4, which provides:

(a) In lieu of purchasing all or a portion of the electric power referred to in section 2 above, Bonneville may acquire an equivalent amount of electric power from other sources if the cost of such acquisition is less than the cost of purchasing the electric power referred to in section 2. For the purpose of determining the cost of any such in lieu purchase, transmission and production costs, and transmission losses, as determined by Bonneville, shall be included. Bonneville shall give the Utility not less than seven years prior written notice of Bonneville's intent to use such acquisition in lieu of purchasing all or a portion of the electric power referred to in section 2 above. This notice shall state the amount, duration, source, estimated cost and estimated scheduling provisions of the intended acquisition. Any intended acquisition shall be at least five years in duration.

(b) The Utility shall elect upon receipt of such notice: (1) to reduce, in a manner determined by Bonneville pursuant to prudent utility practice, the amount of power purchased by Bonneville pursuant to section 2 above by the amount of the intended acquisition or (2) to reduce to the cost of the intended acquisition the ASC applicable to a portion of the power purchased by Bonneville pursuant to section 2 above equal to the amount of the intended acquisition. A Utility shall have 60 working days from the receipt of the notice in subsection (a) above to elect (1) or (2). [R. A1626.]

II. The Court of Appeals' Remand Order

On November 5, 1981, the California Energy Commission, acting on behalf of BPA's California utility customers, filed a petition for review in the United States Court of Appeals for the Ninth Circuit alleging that section 4 of the standard residential exchange contract violates sections 6(b)(1) and 6(b)(3) of the Northwest Power Act, by committing BPA to acquire noneconomic resources. *California Energy Commission*, No. 81-7809, slip op. at 2-3 (February 24, 1986).

After briefing and argument by the petitioner, BPA, the DSIs and IOU intervenors, the Court of Appeals issued an opinion holding that section 4 reflected a reasonable interpretation of

the Northwest Power Act. A rehearing application followed.

On March 7, 1986, the DIS intervenors filed a petition for rehearing of the Court's order with a suggestion for rehearing en banc. The DISs claimed that section 4 imposed such obstacles on BPA as to prohibit any future use of section 5(c)(5) of the Northwest Power Act. The DSIs then alleged that there was no basis in the administrative record to justify BPA in permanently foregoing the use of statutory authority designed to protect the DSIs and other BPA customers who pay the costs of the residential exchange program. The DSIs alleged that the Court failed to reach the question of whether a BPA commitment to forego any use of Northwest Power Act section 5(c)(5) was a reasonable exercise of discretion. The DSIs requested, at a minimum, the Court remand the disputed contract provision to BPA for development of a record sufficient to permit review of the reasonableness of the limitations BPA chooses to place on its section 5(c)(5) authority.

By order dated April 10, 1986, the Court directed all parties in the case to respond to the DSI petition for rehearing. Responses were filed by the California Energy Commission, Washington Water Power Company, Pacific Power & Light Company, Idaho Power Company, Puget Sound Power & Light Company, Utah Power & Light Company, and BPA. The Pacific Northwest Generating Company, representing publicly-owned utilities that receive residential exchange subsidies, filed a letter with the Court on May 7, 1986, indicating an interest in participating in any rehearing proceeding.

On June 24, 1986, the Court ordered a limited remand "to allow respondent to clarify the record as to the basis for adoption of residential exchange contract general provision 4." The Court stated that "[t]he procedure for supplementing the record is left to the discretion of the Administrator." The Court requested that BPA submit its clarification of the record within 120 days of the Court's order. In response to the Court's order, BPA intends to clarify the record as discussed below.

III. Request for Comments

The Court's remand order in *California Energy Commission* is "to allow respondent to clarify the record as to the basis for adoption of residential exchange contract general provision 4." Although the order is not specific, we believe that the Court has asked BPA to supplement the record on the issues raised by the DSIs on rehearing. The

issues that seem to have troubled the Court concern (1) differentiation of the regulatory purposes of Northwest Power Act section 5(c)(7) from the purposes of section 5(c)(5); (2) the basis for adopting contract general provision 4 as a means of implementing section 5(c)(5); and (3) if, as the DSIs and California Energy Commission allege, section 4 is too impractical to be a workable provision, whether BPA was arbitrary or capricious in adopting a provision that effectively forestalled implementation of Northwest Power Act section 5(c)(5).

The Court must have been aware that this exercise would necessarily involve post hoc explanation of the contract provision. BPA reviewed the record prior to briefing this issue and discovered virtually nothing relating to contract section 4. BPA informed the Court that justification for the provision could only be based on inference drawn from comparison of several contract drafts:

Section 4 of the residential exchange subsidy contract was inserted at the insistence of utilities that were to participate in the exchange. Utility negotiators refused to execute contracts that did not commit BPA to continue the subsidy for a period of years after a section 5(c)(5) resource became available. The utilities wished to avoid fluctuations in the level of their subsidies that would result if BPA were to implement Northwest Power Act section 5(c)(5), causing the utility in question to make any of the statutory elections discussed. . . . It would be difficult for utilities to explain any fluctuations to their ratepayers.

Utility demands for advance notice ranged from five years (R. A1465) to as many as ten years (R. A1487-88). Seven years is a rule-of-thumb notification period used in actual power sale agreements, and it was suggested that seven-year notice was appropriate for residential exchange paper transactions as well (R. A1456). Because there appeared to be no serious objection from other parties to the contract negotiations, BPA acceded to the utility demands to add the seven-year notice and other reporting requirements or section 4.

Comments should include answers to the following questions. Commenters will be given the opportunity to file rebuttal comments.

1. *How Does the Purposes of Northwest Power Act Section 5(c)(7) Differ from the Purposes of Section 5(c)(5)?* BPA requests comments that address Congressional intent in enacting sections 5(c)(5) and 5(c)(7) of the Northwest Power Act, 16 U.S.C. 839c(c)(5) and (7). Specifically, what statutory objectives should be served by a provision implementing section 5(c)(5)? How, if at all, should the Administrator's discretionary authority differ between implementation of section 5(c)(5) and section 5(c)(7)?

2. *What Does the Record Reflect About the Reasons for Adopting Residential Exchange Contract Section 4?* Commenters are invited to rebut BPA's explanation of the genesis and purpose of the provision, if the record will support their rebuttal. BPA requests that comments include citations to any documents on which the commenter relies.

3. *How Would Residential Exchange Contract Section 4 Be Implemented?* The DSIs allege that residential exchange contract section 4 is unworkable. Their rehearing application states:

Competing suppliers are unlikely to make five-year commitments seven years in advance. Thus, as a practical matter it seems that BPA knowingly agreed never to use its Section 5(c)(5) authority during the life of the exchange contracts. [DSI rehearing application at 14.]

This criticism deserves attention. Comments should analyze section 4 to explain whether the provision is workable means of making an "in-lieu" transaction under Northwest Power Act section 5(c)(5). Specific attention should be focused on the requirements of 7 years advance notice and 5-year minimum transactions. Lack of specificity in the comments might lead to an inference that there are serious unanswered questions about section 4.

4. *Is There Rebuttal to BPA's Statement That It May Use Its Own Surplus Power to Effect an In-Lieu Transaction?* A purpose of the residential exchange program was to aid the residential and small farm customers of utilities that ceased to receive a Federally underwritten power supply when that supply ran short. If BPA has surplus power available to renew that Federal power supply, using that surplus power to effect in-lieu transactions would seem to fit perfectly with statutory objectives. If there is surplus Federal power, is it necessary for BPA to wait 7 years before making that power available to an exchanging utility?

5. *Is Section 4 Duplicative of Another Provision of the Residential Exchange Contracts?* After residential exchange contract section 4 was included in a draft of the contract, section 10, the so-called "deemer" clause, was added. Under the deemer clause, each utility participating in the residential exchange has a unilateral right to "deem" its average system cost equal to the BPA preference rate whenever the former might be lower than the latter. Section 10 ensures that an exchanging utility will never face the risk of owning money to BPA—that is, the subsidy can never be reciprocal. Does the record contain

information on section 10 that might explain any discrete purpose for section 4?

6. *Are There Circumstances That Might Warrant a BPA Request for a More Expansive Record Order?* If comments uncover record support for section 4, BPA will report this information to the Court in its evaluation of the supplemented record. However, if the provision remains unsubstantiated, the Court might well grant the relief requested by California Energy Commission and the DSIs. Assuming that there is no record support for section 4, should BPA request the Court for leave to conduct further administrative proceedings on an appropriate means for implementing Northwest Power Act section 5(c)(5)?

Alternatively, are there lessons for this case in the recent voluntary dismissals of 25 Ninth Circuit proceedings to review BPA decisions in its 1982 and 1983 rate cases? Every interest group represented in those two rate cases dropped nearly every petition in return for identical undertakings by other petitioners and intervenors. No refunds were provided by BPA.

Subsidy recipients and BPA ratepayers maintain over 20 actions before the Federal Energy Regulatory Commission and the U.S. Court of Appeals for the Ninth Circuit to review BPA actions under the Northwest Power Act's residential exchange provisions. Ratepayers tend to appear as respondent-intervenors in actions brought by subsidy recipients, as vice versa. Such actions include *California Energy Commission, Pacificorp v. Johnson, Pacific Power & Light Co. v. BPA*, Ninth Cir. No. 84-4072 and a host of cases involving actions on individual subsidy applications. If commenters are interested in some type of "clean sweep," like that accomplished in the BPA rate cases, they are encouraged to pursue such a resolution during, or concurrent with, this remand proceeding.

Initial comments on the preceding issues are due September 2, 1986. Parties wishing to be served with copies of the initial comments of other parties should so indicate in their initial comments. Reply comments are due September 22, 1986. All comments should be filed in duplicate. Parties with similar interests are encouraged to file joint comments. On October 22, 1986, BPA plans to file with the Court the supplemented record and BPA's evaluation of that record.

Issued in Portland, Oregon, on July 25, 1986.

James J. Jura,

Administrator.

[FR Doc. 86-17695 Filed 8-5-86; 8:45 am]

BILLING CODE 6540-01-M

Federal Energy Regulatory Commission

[Docket No. RP86-144-000, 001]

Sea Robin Pipeline Co.; Proposed Changes in FERC Gas Tariff

August 1, 1986.

Take notice that on July 30, 1986, as supplemented on July 31, 1986, Sea Robin Pipeline Company ("Sea Robin"), 600 Travis, P.O. Box 1478, Houston, Texas 77251-1478, tendered for filing proposed changes in its FERC Gas Tariff. These changes include additions to the General Terms and Conditions in Sea Robin's FERC Gas Tariff, Original Volume No. 1, by the inclusion of Substitute Original Tariff Sheet Nos. 23 and 24.

Sea Robin states that these tariff sheets set out terms and conditions for the nondiscriminatory purchase, receipt, and transportation of natural gas for Sea Robin's system supply pursuant to the Natural Gas Act ("NGA") and 18 CFR Part 154. According to Sea Robin, this tariff filing is necessitated by (1) an emergency which, in the absence of Commission action, impairs Sea Robin from purchasing, receiving and transporting gas on a nondiscriminatory basis as required by the NGA and (2) a chronic and worsening condition of excess deliverability on Sea Robin's system. Sea Robin states that both factors require immediate adoption of reasonable and nondiscriminatory operating conditions with respect to Sea Robin's purchase, receipt, and transportation of gas.

The program contained in the additional General Terms and Conditions provides for allocation of Sea Robin's purchase capacity in accordance with the following order of priorities:

1. Sea Robin shall first take, on a pro rata basis, gas under existing contracts whose production is required to prevent damage to reservoirs.

2. Sea Robin shall next take, on a pro rata basis, casinghead gas under existing contracts produced in association with oil.

3. Sea Robin shall next take, on a pro rata basis, gas under existing contracts whose production is required to prevent damage to reservoirs.

4. Sea Robin shall next take, on a pro rata basis, all remaining gas under existing contracts not included in the categories listed above.

5. Sea Robin shall next take, on a pro rata basis, gas under expired gas purchase contracts where approval to abandon the sale has not been issued.

Sea Robin asserts that good cause exists pursuant to 18 CFR 154.51 for waiver of the thirty-day notice period provided in 18 CFR 154.22, so that the tariff sheets may become effective on August 1, 1986. Sea Robin states that the tariff sheets submitted for filing herewith are in compliance with the NGA's mandate that Sea Robin's practices, including purchasing practices, are not unduly discriminatory. Sea Robin states further that the proposed operating conditions must go into effect as soon as possible to avert a situation in which Sea Robin might be compelled (a) to take gas in excess of its purchase capacity, and/or (b) to allocate its purchase capacity preferentially to a few producers rather than to all producers on a nondiscriminatory basis.

Copies of this filing have been mailed to Sea Robin's producers and jurisdictional customers, and to interested state regulatory agencies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure [18 CFR 385.211,

385.214]. All such motions or protests should be filed on or before August 8, 1986. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-17638 Filed 8-5-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. G-6067-000 et al.]

Mobile Exploration and Producing, North America Inc. (Successor in Interest to The Superior Oil Company); Application

August 1, 1986.

Take notice that on July 17, 1986, Mobile Exploration and Producing North America Inc. (MEPNA), of Nine Greenway Plaza, Suite 2700, Houston, Texas 77046, filed an application pursuant to Section 7(c) of the Natural Gas Act, 15 U.S.C. 717f, and § 157.23 of the Commission's Regulations under the Natural Gas Act, to continue the service previously authorized to The Superior Oil Company (Superior). Applicant requests that the certificates currently held by Superior be amended to show Mobil Exploration and Producing North America Inc. as certificate-holder, that Mobil Exploration and Producing North

America Inc. be substituted for Superior in any pending proceeding and that the rate schedules of The Superior Oil Company be redesignated as those of Mobil Exploration and Producing North America Inc., all as more fully shown in the attached Exhibit "A". The application is on file with the Commission and open to public inspection.

By Plan of Reorganization and Merger (Plan) dated April 1, 1986, The Superior Oil Company was merged into MEPNA to be effective on the date that the plan was filed in the Office of the Secretary of State of Nevada, being April 24, 1986.

Any person desiring to be heard or to make any protest with reference to said application should, on or before August 18, 1986, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of practice and procedure (18 CFR 385.211, .214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding herein must file a petition to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,
Secretary.

EXHIBIT "A"

Docket No.	Rate schedule No.	Buyer	Field	State
G-8149	3	Trunkline Gas. Co.	Pecan Lake, et al.	LA
G-8087	7	ANR Pipeline Co.	Deep Lake, et al.	LA
G-6170	11	Southern Natural Gas.	Gwinville	MS
G-6174	13	Texas Gas Transmission	Bosco	LA
G-8169	15	United Gas Pipe Line	Baxterville	MS
G-6178	25	Colorado Interstate	Greenwood-Sparks	KS
G-6182	29	Colorado Interstate	Koyes	OK
G-8187	37	Lone Star Gas Co.	Katie	OK
G-6159	39	Lone Star Gas Co.	Garvin Co.	OK
G-6156	43	Panhandle Eastern	Light	OK
G-8812	45	Tennessee Gas	Bayou Penchant/Four Isle	LA
G-5906	46	Northwest Central	Driftwood/Hardtner	KS
G-6175	48	Lone Star Gas Co.	Katie	OK
G-6176	49	Lone Star Gas Co.	Katie	OK
G-6177	50	Lone Star Gas Co.	Katie	OK
G-6181	51	Lone Star Gas Co.	Katie	OK
G-6188	52	Lone Star Gas Co.	Katie	OK
G-6153	55	Lone Star Gas Co.	Katie	OK
G-6164	56	Lone Star Gas Co.	Katie	OK
G-6165	57	Lone Star Gas Co.	Katie	OK
G-6166	58	Lone Star Gas Co.	Katie	OK
G-6167	59	Lone Star Gas Co.	Katie	OK
G-6158	60	Lone Star Gas Co.	Katie	OK
G-6157	62	Lone Star Gas Co.	Katie	OK
G-9873	64	Natural Gas Pipeline	Light	OK
G-9803	65	Transcontinental Gas	Live Oak	LA
G-11559	69	Texas Gas Transmission	E. Lake Palourde	LA
G-12121	71	United Gas Pipe Line	Bayou Rambio	LA
G-14674	76	Colorado Interstate	Mocane	OK
G-15431	77	El Paso Natural Gas	Aneth Area	UT
G-16380	78	Transcontinental Gas	Eugens Island 100	OCS LA
G-16754	79	United Gas Pipe Line	Theall	LA

EXHIBIT "A"—Continued

Docket No.	Rate schedule No.	Buyer	Field	State
G-18878	80	ANR Pipeline Co	Mocane-Laverne	OK
G-17412	81	United Gas Pipe Line	Sunrise	LA
G-16388	89	United Gas Pipe Line	Bayou Pendant, et al	LA
G-19600	91	Mountain Fuel Resources	Trail	WY
C160-328	92	Ei Paso Natural gas	Mocane-Laverne	OK
C161-87	95	Mountain Fuel Resources	Kinney	WY
C161-168	96	Tennessee Gas	Clovelly	LA
C161-167	97	Tennessee Gas	Cut Off	LA
C161-1436	102	United Gas Pipe Line	N. Turtle Bayou	LA
C161-537	103	Tennessee Gas	Lac Blanc	LA
C160-681	104	Tennessee Gas	W. Cameron 68	OCS LA
C161-1608	105	Northwest Central	N.E. Waynoka	OK
C163-377	108	United Gas Pipe Line	Bayou Rambio	LA
C164-273	110	Panhandle Eastern	Midwell	OK
C164-836	111	KN Energy Inc	Bradshaw	KS
C164-982	112	Florida Gas Transmission	Fausse Point	LA
C165-1048	114	Panhandle Eastern	N.E. Putnam	OK
C166-481	117	Arkansas Louisiana	Arkoma Area	OK
C166-777	118	KN Energy Inc	Flat Top	WY
C167-804	120	Mountain Fuel Resources	West Side Canal	WY
C167-1209	121	Trunkline Gas Co	S.W. Lake Arthur	LA
C167-1779	123	United Gas Pipe Line	N. Sunrise	LA
C167-1360	124	United Gas Pipe Line	Kent Bayou	LA
C168-173	125	ANR Pipeline Co	S.E. Gueydon	LA
C168-290	126	Panhandle Eastern	N. Waynoka	OK
C168-1091	129	Trunkline Gas Co	Twin Island	LA
C168-1101	130	ANR Pipeline Co	Creole	LA
C168-1409	133	Transcontinental Gas	S. Crowley	LA
C168-1410	134	Lone Star Gas Co	Garvin Co	OK
C168-1202	136	Texas Gas Transmission	N. Maurice	LA
C171-55	141	Southern California Gas	Dos Cuadros	OCS CA
C171-498	143	Tennessee Gas	Grand Isle 72	OCS LA
C171-723	145	United Gas Pipe Line	Bayou Rambio	LA
C171-822	147	ANR Pipeline Co	W. Cameron 71/149	OCS LA
C171-679	148	Trunkline Gas Co	Ship Shoal 293	OCS LA
C172-164	151	Panhandle Eastern	Light	OK
C172-165	152	Texas Gas Transmission	S. Bosco	LA
C172-276	154	ANR Pipeline Co	W. Cameron 71	OCS LA
C172-350	155	Florida Gas Transmission	Bayou Mallet	LA
C172-171	156	ANR Pipeline Co	Eugene Island 296	OCS LA
C172-554	157	ANR Pipeline Co	Deep Lake	LA
C173-137	158	MGPC Inc	Bear Creek	WY
C173-334	161	ANR Pipeline Co	Eugene Island 306	OCS LA
C174-376	165	ANR Pipeline Co	W. Cameron 71	OCS LA
C174-273	166	Mountain Fuel Resources	West Side Canal	WY
C174-683	167	Natural Gas Pipeline	Bayou Latenache	LA
C174-734	168	ANR Pipeline Co	Vermilion 182	OCS LA
C175-293	170	Transcontinental Gas	S. Crowley	LA
C175-481	171	Transcontinental Gas	Crowley	LA
C175-482	172	Transcontinental Gas	Crowley	LA
C175-759	173	ANR Pipeline Co	Lewisburg	LA
C176-329	181	ANR Pipeline Co	W. Cameron 71	OCS LA
C175-712	182	ANR Pipeline Co	W. Cameron 71	OCS LA
C177-200	183	ANR Pipeline Co	W. Cameron 71	OCS LA
C177-326	184	ANR Pipeline Co	Eugene Island 296	OCS LA
C177-488	186	ANR Pipeline Co	S. Marsh Island 243	OCS LA
C177-543	187	Lone Star Gas Co	Garvin Co	OK
C177-196	188	ANR Pipeline Co	Deep Lake	LA
C178-37	198	ANR Pipeline Co	S. Marsh Island 243	OCS LA
C178-789	201	ANR Pipeline Co	W. Cameron 71	OCS LA
C178-794	202	ANR Pipeline Co	W. Cameron 71	OCS LA
C178-830	203	Sea Robin Pipeline	S. Marsh Island 235	OCS LA
C178-976	205	ANR Pipeline Co	Deep Lake	LA
C178-1072	206	United Gas Pipe Line	Kent Bayou	LA
C178-1160	208	ANR Pipeline Co	W. Cameron 71	OCS LA
C178-1219	209	ANR Pipeline Co	W. Cameron 71	OCS LA
G-10338	214	Transcontinental Gas	Maxie	LA
G-17563	215	Transcontinental Gas	Sorrento	LA
G-13177	217	Columbia Gas Transmission	S. Thornwell	LA
G-14164	218	Transcontinental Gas	Lake Arthur	LA
G-14242	219	Transcontinental Gas	Willow Woods	LA
G-15819	220	Trunkline Gas Co	N. Freshwater Bayou	LA
C163-342	222	Trunkline Gas Co	Lakeside	LA
G-10022	225	Columbia Gas Transmission	Thornwell	LA
C166-8	227	Arkansas Louisiana Gas	N.W. Colquitt	LA
C168-234	228	Trunkline Gas Co	S.W. Lake Arthur	LA
C167-1651	232	Trunkline Gas Co	S. Lake Arthur	LA
C180-159	237	ANR Pipeline Co	W. Cameron 71	OCS LA
C180-277	241	Natural Gas Pipeline	W. Cameron 264	OCS LA
C181-80	245	ANR Pipeline Co	W. Cameron 71	OCS LA
C172-295	250	ANR Pipeline Co	Eugene Island 296	OCS LA
C173-476	252	ANR Pipeline Co	Eugene Island 306	OCS LA
C177-564	253	ANR Pipeline Co	S. Marsh Island 243	OCS LA
C178-517	257	ANR Pipeline Co	S. Marsh Island 243	OCS LA
C178-1258	259	Sea Robin Pipeline	S. Marsh Island 235	OCS LA
C177-420	260	ANR Pipeline Co	Eugene Island 296	OCS LA
C180-398	262	ANR Pipeline Co	S. Marsh Island 244	OCS LA
C182-201	265	ANR Pipeline Co	W. Cameron 71	OCS LA
C177-851	267	ANR Pipeline Co	S. Marsh Island 243	OCS LA
C178-290	270	ANR Pipeline Co	S. Marsh Island 243	OCS LA
C180-397	274	ANR Pipeline Co	S. Marsh Island 244	OCS LA

EXHIBIT "A"—Continued

Docket No.	Rate schedule No.	Buyer	Field	State
CI78-1259	275	Sea Robin Pipeline	S. Marsh Island 235	OCS LA
CI83-36	280	Texas Eastern Transmission	W. Cameron 71/149	OCS LA
CI83-254	281	Texas Gas Transmission	S. Thornwell	LA
CI84-131	282	Texas Eastern Transmission	S. Marsh Island 243	OCS LA
CI84-358	283	Columbia Gas Transmission	Vermilion 35	OCS LA
CI84-397	284	El Paso Natural Gas	Anech Area	UT
CI80-259	285	El Paso Natural Gas	White Mesa	UT
CI84-486	286	Natural Gas Pipeline	W. Cameron 71/149	OCS LA
CI84-599	287	ANR Pipeline Co.	W. Cameron 71	OCS LA
CI85-32	297	Columbia Gas Transmission	Vermilion Bay	LA
CI85-137	298	Columbia Gas Transmission	Deep Lake	LA
CI85-178	299	ANR Pipeline Co.	W. Cameron 71	OCS LA

¹ Withdrawal pending.

[FR Doc. 86-17674 Filed 8-5-86; 8:45 am]

BILLING CODE 6717-01-M

[Project Nos. 6872-002, 9902-000, 8578-001, and 2695-002]

City of Ithaca et al; Availability of Environmental Assessment and Finding of No Significant Impact

August 4, 1986.

In accordance with the National

Environmental Policy Act of 1969, the Office of Hydropower Licensing, Federal Energy Regulatory Commission (Commission), has reviewed the applications for major and minor licenses (or exemptions) listed below and has assessed the environmental impacts of the proposed developments.

It is stated that on September 20, 1985, the Commission issued a certificate of public convenience and necessity authorizing ANR to transport for one year up to 10,000 Mcf per day of natural gas for Amoco Production Company (Amoco) from Amoco's Production Platform in Eugene Island Block 85, offshore Louisiana to onshore delivery points located in St. Mary, St. Landry, Acadia and Cameron Parishes, Louisiana; and to construct and operate a pipeline and related facilities to effectuate such transportation. ANR in this petition requests authority to continue the service through the contracted-for term, which ANR indicates would expire on November 19, 1990.

ANR indicates that there are no other changes in the authorized service.

Comment date: August 20, 1986, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

2. ANR Pipeline Company

[Docket No. CP86-620-000]

Take notice that on July 15, 1986, ANR Pipeline Company, 500 Renaissance Center, Detroit, Michigan, 48243 (Applicant), filed in Docket No. CP86-620-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to provide transportation services for ANR Gathering Company (ANR Gathering) on behalf of Coastal Refining and Marketing, Inc. (Coastal Refining) for the account of Coastal Eagle Point Oil Company (CEPOC), all as more fully set forth in the application on file with the Commission in the subject docket and open for public inspection.

The application indicates that the

Project No.	Project Name	State	Water body	Nearest town or county	Applicant
Exemptions					
6872-002	Sixty Foot Dam	NY	Ithaca Reservoir	Ithaca	City of Ithaca
9902-000	Squires Dam	CA	Domestic Water Supply Conduit	Carlsbad	Costa Real Municipal Water District
Licenses					
8578-001	Erie Canal Lock No. 27	NY	Erie Canal	Lyons	Timothy R. Fallon
Amendments					
2695-002	Dexter	NY	Black River	Dexter	Hydro Development Group, Inc.

Environmental assessments (EA's) were prepared for the above proposed projects. Based on independent analyses of the above actions as set forth in the EA's, the Commission's staff concludes that these projects would not have significant effects on the quality of the human environment. Therefore, environmental impact statements for these projects will not be prepared. Copies of the EA's are available for review in the Commission's Division of Public Information, Room 1000, 825 North Capitol Street NE., Washington, DC 20426.

Kenneth F. Plumb,
Secretary.

[FR Doc. 86-17673 Filed 8-5-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP85-715-002 et al.]

ANR Pipeline Company et al.; Natural Gas Certificate Filings

July 30, 1986.

Take notice that the following filings have been made with the Commission:

1. ANR Pipeline Company

[Docket No. CP85-715-002]

Take notice that on July 23, 1986, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP85-715-002 a petition pursuant to section 7(c) of the Natural Gas Act, as amended, to modify the Commission's order issued on September 20, 1985, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

terms and conditions of the transportation service between Applicant and ANR Gathering are set forth in the Transportation Agreement dated July 3, 1986 (Agreement). Applicant states that the Agreement provides that it will receive, transport, and deliver daily on an interruptible basis up to 50,000 dekatherms (dth) of natural gas which ANR Gathering will tender to Applicant at various points of interconnection in onshore and offshore Louisiana. Applicant will deliver the gas, less fuel use and lost and unaccounted for gas, to Transcontinental Gas Pipe Line Corporation (Transco) at the existing point of interconnection near Eunice, Louisiana. Transco will provide further transportation service for the benefit of Coastal Refining and CEPOC and deliver the gas for utilization at the Eagle Point Refinery in Eagle Point, Gloucester County, New Jersey.

As consideration for providing the transportation service, Applicant will charge Gathering rates consistent with its FERC Gas Tariff, Original Volume No. 1-A. The application further indicates that the term of the Transportation Agreement will commence on the date of initial deliveries, and continue for five years and thereafter from year to year until cancelled by either party.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

3. National Fuel Gas Supply Corporation

[Docket No. CP86-628-000]

Take notice that on July 18, 1986, National Fuel Gas Supply Corporation (National Fuel), 10 Lafayette Square, Buffalo, New York 14203, filed in Docket No. CP86-628-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of up to 6,000 Mcf of natural gas per day for National Fuel Gas Distribution Corporation (Distribution) for use as general system supply for a term of ten years and year to year thereafter, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

National Fuel states that the gas to be transported would be purchased by Distribution from various local producers in Chautauqua County, New York and transported by Tennessee Gas Pipeline Company (Tennessee) to the facilities of National Fuel at Tennessee's Pekin Sales Meter Station in Niagara County, New York. National Fuel asserts that it would then redeliver equivalent volumes, less shrinkage, to

Distribution at National Fuel's adjacent station RM1X.

National Fuel explains that a certificate of public convenience and necessity would permit the resumption of a transportation service that had been performed by Tennessee and National Fuel under section 311 of the Natural Gas Policy Act, at Docket No. ST83-758, since December 21, 1982. National Fuel states that, due to the uncertainty surrounding the consequences of continuing its service for Distribution beyond October 31, 1985, it suspended transportation service on that date. On January 21, 1986, the Commission clarified that National Fuel's involvement in this arrangement does not qualify for transitional treatment under § 284.105 of the Commission's Regulations. It is stated that as a result, the transportation service for Distribution remains suspended.

National Fuel states that it would perform the proposed transportation service under the terms and conditions of its Rate Schedule T-1, which currently provides for a rate of 26.82 cents per Mcf and two percent shrinkage.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

4. National Fuel Gas Supply Corporation

[Docket No. CP86-629-000]

Take notice that on July 18, 1986, National Fuel Gas Supply Corporation (National Fuel), Ten Lafayette Square, Buffalo, New York 14203, filed in Docket No. CP86-629-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities to replace and/or enlarge existing facilities. National Fuel also requests, pursuant to section 7(b) of the Natural Gas Act, permission and approval to abandon the deteriorated facilities which would be replaced. National Fuel's proposals are more fully set forth in the application which is on file with the Commission and open to public inspection.

National Fuel proposes to replace 4.5 miles of 12-inch bare steel pipeline, designated as Line M, located in Mineral and Victory Townships, Venango County, Pennsylvania, with an equivalent length of 16-inch coated steel pipeline. National Fuel states that Line M was originally installed in 1944 and is a main line in National Fuel's system which carries gas from various interstate sources in Pennsylvania to local markets. It is asserted that the replacement of Line M is required due to the age of the bare pipeline and, further, to increase delivery capacity of the line.

It is stated that the new replacement pipeline would be located approximately 15 feet north of the existing pipeline, which would be salvaged.

National Fuel also proposes to replace 3.3 miles of 8-inch storage transmission pipeline, designated as Line G-24(S), located in Rose and Oliver Townships, Jefferson County, Pennsylvania, with an equivalent length of a combination of 8-inch and 12-inch pipelines. National Fuel states that Line G-24(S) was originally installed in 1943 and is the main storage transmission line to and from National Fuel's storage field. It is asserted that the replacement of Line G-24(S) is required to help eliminate pressure losses. It is stated that the new replacement pipeline would be located approximately 10 feet west of the existing pipeline which would be salvaged.

National Fuel estimates the cost of the Line M replacement to be \$1,009,000 and the cost of the Line G-24(S) replacement to be \$689,625, both of which would be financed with internally generated funds and/or interim short-term bank loans.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

5. Natural Gas Pipeline Company of America

[Docket No. CP86-621-000]

Take notice that on July 16, 1986, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois, 60148, filed in Docket No. CP86-621-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Natural to transport natural gas for National Steel Corporation (National Steel), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Natural proposes to transport up to 13.3 billion Btu per day on an interruptible basis for National Steel for a period of two years from the date of first delivery and month to month thereafter. It is stated that Natural would receive natural gas for the account of National Steel at existing interconnections in Custer County, Oklahoma, Polk County, Texas and Cameron Parish, Louisiana, and that equivalent quantities of gas would be delivered to Northern Indiana Public Service Company for National Steel's account at an existing interconnection on the border of Cook County, Illinois and Lake County, Indiana for ultimate delivery to National Steel's plant in Portage, Indiana.

Natural also requests flexible authority to add and delete delivery

points in the event that they would be necessary to support the proposed transportation service.

It is asserted that Natural would charge National Steel a transportation rate consistent with Natural's Rate Schedule T-1, effective January 1, 1986, for each million Btu of gas received by Natural for transportation as proposed. It is further stated that Natural would collect the current Gas Research Institute surcharge for each million Btu of gas redelivered to National Steel.

Natural states that the proposed transportation service would be subject to interruption at those times during which the transportation of gas would cause detriment or disadvantage to Natural or any other sales, transportation or exchange customers.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

6. Natural Gas Pipeline Company of America

[Docket No. CP86-632-000]

Take notice that on July 21, 1986 Natural Gas Pipeline Company of America (Applicant), 701 East 22nd Street, Lombard, Illinois, 60148, filed in Docket No. CP86-632-000 an application pursuant to section 7 of the Natural Gas Act for authorization to transport up to a maximum of 6.430 billion Btu equivalent per day of natural gas on an interruptible basis for Union Carbide Corporation (Union Carbide), as more fully set forth in the application which is on file with the Commission and open for public inspection.

Applicant requests authority to provide an interruptible transportation service for Union Carbide for a period of two years from the date of first delivery and month to month thereafter. Applicant will provide such service pursuant to the terms and conditions contained in a Gas Transportation Agreement between Applicant and Union Carbide dated June 11, 1986.

Applicant proposes to transport natural gas for the account of Union Carbide, an industrial end-user. The proposed end use of the gas is for use in gas turbines in order to generate compression for the production of the end products, oxygen and nitrogen, in Union Carbide's East Chicago and Lakeside, Indiana plants.

Applicant proposes to receive natural gas for the account of Union Carbide at the existing interconnection between the facilities of Applicant and: (1) ONG Transmission Company (ONG), an Oklahoma intrastate pipeline,¹ located

in Woodward County, Oklahoma; (2) Kaiser Francis Oil Company (KF), a producer, located in Woodward County, Oklahoma; (3) Delhi Gas Pipeline Corporation (Delhi), a Texas intrastate pipeline,¹ located in Custer County, Oklahoma; (4) ONG located in Custer County, Oklahoma; (5) Delhi located in Beckham County, Oklahoma.

Applicant proposes to transport on a fully interruptible basis and will redeliver volumes of gas for the account of Union Carbide to: (1) The existing point of interconnection between the measurement facilities of Applicant and the pipeline facilities of Northern Indiana Public Service Company (NIPSCO) at Applicant's Lansing No. 3 Sales Point located at the border of Cook County, Illinois and Lake County, Indiana (Lansing); (2) the existing point of interconnection between the measurement facilities of Applicant and the pipeline facilities of NIPSCO at the Gas Sales Point located on the border of Cook County, Illinois and Lake County, Indiana (Hegewisch); (3) the existing point of interconnection between the measurement facilities of Applicant and the pipeline facilities of NIPSCO at Gas Sales Point located on the border of Kankakee² County, Illinois and Lake County, Indiana (North Hayden); for redelivery by NIPSCO to Union Carbide at its East Chicago and Lakeside, Indiana plants.

Applicant proposes to charge Union Carbide the following transportation rates:

Point of receipt	Point of Delivery	Transportation rate (billion Btu equivalent)
ONG-Woodward Co., OK.	Lansing, Hegewisch and North Hayden.	\$303.20
KF-Woodward Co., OK.	.....do.....	303.20
ONG-Custer Co., OK.....	.....do.....	303.20
Delhi-Custer Co., OK.....	.....do.....	303.20
Delhi-Beckham Co., OK.	.....do.....	303.20

In addition, Applicant proposes to redeliver gas to Union Carbide less certain percentage reductions for fuel consumed and lost and unaccounted for gas or will charge Union Carbide for fuel consumed and lost and unaccounted for gas as provided for under the Agreement.

Applicant also proposes to charge Union Carbide the currently effective GRI surcharge as set forth on Tariff

and Delhi will be providing new section 311(a)(2) service under the Commission's Regulations issued under Order No. 436 and Order No. 436A.

² Incorrectly stated in the Agreement as Will County, Illinois.

Sheet No. 5A of Applicant's Volume 1 Tariff.

No new facilities will be required for this service. Applicant requests authorization to add or delete additional receipt points in the future that may be necessary to support this service.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

7. Northwest Central Pipeline Corporation

[Docket No. CP86-631-000]

Take notice that on July 18, 1986, Northwest Central Pipeline Corporation (Applicant), P.O. Box 3288, Tulsa, Oklahoma 74101, filed at Docket No. CP86-631-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing (1) partial requirements sales service under a new Rate Schedule PR in conjunction with service under new transportation rate schedules, modification of its requirements service obligations under existing Rate Schedules F, C and I to provide service in conjunction with service under Section 1(a) of Rate Schedule PR, standby sales service under existing Rate Schedules F, C, I, P, IRG and VM in conjunction with firm transportation service under certain conditions, a new, experimental interruptible deferred delivery service under Rate Schedule IDDS, and blanket authorization, with pre-granted abandonment, for Shippers under Rate Schedules FTS and ITS to utilize such service, and for all existing sales customers from time to time to convert to partial requirements service under Rate Schedule PR and to reduce the contract demand for service thereunder; and (2) blanket certificate authorization for the transportation of gas on behalf of others, with pre-granted abandonment authorization, pursuant to section 7 of the NGA and Order No. 436 issued in Docket No. RM85-1-000.

Applicant states that the requested authorizations are predicated upon the provisions of a simultaneously filed Stipulation and Agreement in Docket Nos. RP86-32, *et al.*, and, in particular, upon its proposed revised tariff sheets, as effective from time to time. Applicant states that it will provide blanket transportation for others in compliance with the conditions in § 284.221(c) of the Commission's Regulations on the basis of its Order No. 436 transportation proposal and in the Docket No. RP86-32 Stipulation. Applicant further states that it will provide firm and interruptible, transportation under proposed Rate Schedules FTS and ITS as set forth in

¹ Applicant has been informed that upon receipt of requisite Commission authorization herein. ONG

the proposed tariff sheets of the Docket No. RP86-32 Stipulation and that the rates for such service will be in full compliance with the provisions of § 284.7 of the Commission's Regulations.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

8. Southern Natural Gas Company

Docket Nos. CP86-609-000 and CP86-611-000

Take notice that on July 9, 1986, Southern Natural Gas Company

(Southern), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket Nos. CP86-609-000 and CP86-611-000 applications pursuant to section 7(c) of the Natural Gas Act for limited-term certificates of public convenience and necessity authorizing for one year the transportation of natural gas for two existing distribution customers, all as more fully set forth in the applications which are on file with the Commissions and open to public inspection.

TRANSPORTATION DETAILS

Docket No.	Customer	Contract date	Billion Btu/day	Redelivery point
CP86-609-000	United Cities Company	June 6, 1986	60	Columbus Area Delivery Point (Columbus, Georgia).
CP86-611-000	Chattanooga Gas Company	June 30, 1986	50	Chattanooga Meter Station, Chattanooga, Tenn.

Southern requests limited-term certificates of public convenience and necessity authorizing it to transport gas on behalf of the customers listed above in accordance with the terms and conditions of transportation agreements signed on the dates listed above. It is said that subject to the receipt of all necessary governmental authorizations, Southern has agreed to transport on an interruptible basis various thermal equivalent quantities of gas per day purchased by the customers from SNG Trading Inc. Southern requests that the Commission issue limited-term certificates for a term expiring one year from the date of the Commission's order issuing the requested authorizations.

The agreements, it is said, provide that the customers would cause gas to be delivered to Southern for transportation at the various existing points of delivery on Southern's continuous pipeline system specified in the applications. Southern states that it would redeliver to the customers at the specified redelivery points, an equivalent quantity of gas less 3.25 percent of such amount which would be deemed to have been used as compressor fuel and company-use gas (including system unaccounted-for losses); less any and all shrinkage, fuel or loss resulting from or consumed in the processing of gas; and less the customers' pro-rata share of any gas delivered for the customers' accounts which is lost or vented for any reason.

Southern states that the customers have agreed to pay Southern each month, for performing the transportation service, the following transportation rates:

(a) Where the aggregate of the volumes transported and redelivered by Southern on any day to the customers under any and all transportation agreements with Southern, when added to the volumes of gas delivered under Southern's OCD rate schedule on such day to the customers do not exceed the daily contract demand of the customers, the transportation rate shall be 48.2 cents per million Btu equivalent in Docket No. CP86-611-000 and 39.9 cents per million Btu equivalent in docket No. CP86-609-000.

(b) Where the aggregate of the volumes transported and redelivered by Southern on any day to the agents and/or customers under any and all transportation agreements with Southern, when added to the volumes of gas delivered under Southern's OCD rate schedule on such day to the customers exceed the daily contract demand of the agents and/or customers, the transportation rate for the excess volumes shall be 77.6 cents per million Btu in Docket No. CP86-611-000 and 64.9 cents per million Btu in Docket No. CP86-609-000.

Southern states further that it would collect from the customers the GRI surcharge of 1.35 cents per Mcf or any such other GRI funding unit or surcharge as hereafter prescribed.

Southern also requests flexible authority to provide transportation from additional delivery points in the event the customers obtain alternative sources of supply of natural gas. The additional transportation service, it is said, would be to the same redelivery points, the same recipients, and within the maximum daily transportation volumes of gas as stated in the applications.

Southern indicates that it would file reports providing certain information with regard to the addition of any delivery points.

Southern states that the transportation arrangements would enable the customers to diversify their natural gas supply sources and to obtain gas at competitive prices. It is said that the customers have the installed capability to utilize fuel oil and have advised Southern that unless it is able to obtain the transportation services requested by Southern, they would switch to fuel oil to the maximum extent possible causing a corresponding loss of throughput on Southern's system. Thus it is alleged that to the extent the transportation service proposed would enable the customers to obtain access to competitively priced natural gas, the entire Southern system would benefit by retaining the customers on the system.

It is stated that Southern would receive take-or-pay credit on the gas that the customers may obtain from their suppliers. It is further stated that the gas purchased by the customers would be released by Southern and would be subject to the pricing provisions of NGPA sections 102(c), 103 and 107, as well as other sections subject to receipt of the appropriate producer abandonment authorization.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

9. Southern Natural Gas Company, South Georgia Natural Gas Company

[Docket No. CP86-610-000]

Take notice that on July 9, 1986, Southern Natural Gas Company (Southern), P.O. Box 2563, Birmingham, Alabama 35202, and South Georgia Natural Gas Company (South Georgia), 1217 Old Albany Road, Thomasville, Georgia 31792, filed in Docket No. CP86-610-000 a joint application pursuant to section 7(c) of the Natural Gas Act for a limited-term certificate of public convenience and necessity authorizing for one year the transportation of natural gas for Occidental Chemical Corporation (Occidental), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Southern and South Georgia propose to transport up to 16.3 billion Btu equivalent of gas per day on an interruptible basis on behalf of Occidental, which has acquired additional gas supplies from SNG Trading Inc. and Cities Service Oil and Gas Corporation (Sellers). It is stated that Occidental and South Georgia have entered into a transportation agreement

dated July 7, 1986, and that South Georgia as agent for Occidental, has entered into a transportation agreement with Southern, also dated July 7, 1986.

It is explained that Southern would receive the volumes for transportation at various existing points on its system and would redeliver an equivalent quantity less 3.25 percent of the volume transported for fuel use at an existing interconnection with South Georgia in Lee County, Alabama. It is further explained that South Georgia would receive the gas at Lee County and would redeliver an equivalent quantity less 0.5 percent of the volume transported for fuel use at four of Occidental's meter stations on South Georgia's system in Hamilton County, Florida.

Southern states that South Georgia has agreed to pay Southern each month, for performing the transportation service, the following transportation rates:

(a) Where the aggregate of the volumes transported and redelivered by Southern on any day to South Georgia under any and all transportation agreements with Southern, when added to the volumes of gas delivered under Southern's OCD rate schedule on such day to South Georgia do not exceed the daily contract demand of South Georgia, the transportation rate shall be 39.9 cents per million Btu; and

(b) Where the aggregate of the volumes transported and redelivered by Southern on any day to South Georgia under any and all transportation agreements with Southern, when added to the volumes of gas delivered under Southern's OCD rate schedule on such day to South Georgia exceed the daily contract demand of South Georgia, the transportation rate for the excess volumes shall be 64.9 cents per million Btu.

It is further stated that Occidental has agreed to pay South Georgia each month a transportation rate of 49.88 cents per million Btu. Southern states further that it would collect from South Georgia the GRI surcharge of 1.35 cents per Mcf or any such other GRI funding unit or surcharge as hereafter prescribed. The agreement between South Georgia and Occidental states that Occidental will reimburse South Georgia for all transportation and fuel costs South Georgia pays Southern pursuant to the agreement between South Georgia and Southern. It is further explained that Occidental will pay South Georgia the GRI surcharge of 1.35 cents per Mcf if the GRI surcharge has not otherwise been charged and collected.

Southern and South Georgia also request flexible authority to provide transportation from additional delivery

points in the event Occidental obtains alternative sources of supply of natural gas. The additional transportation service, it is said, would be to the same redelivery points, the same recipients, and within the maximum daily transportation volumes of gas as stated in the application. Southern and South Georgia indicate that they would file reports providing certain information with regard to the addition of any delivery points.

Southern and South Georgia state that the transportation arrangements would enable Occidental to diversify its natural gas supply sources and to obtain gas at competitive prices. It is said that Occidental has the installed capability to utilize fuel oil and has advised Southern that it has switched to fuel oil and propane for substantially all of its energy requirements and that unless it is able to obtain the transportation services requested by Southern, and South Georgia it would continue to use fuel oil to the maximum extent possible causing a corresponding loss of throughput on Southern's system. Thus it is alleged that to the extent the transportation service proposed would enable Occidental to obtain access to competitively priced natural gas, the

entire Southern system would benefit by retaining the customers on the system.

It is stated that Southern would receive take-or-pay credit on the gas that Occidental may obtain from its suppliers. It is further stated that the gas purchased by Occidental would be released by Southern and would be subject to the pricing provisions of NGPA section 102(c), 103 and 107, as well as other sections subject to receipt of the appropriate producer abandonment authorization.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

10. Southern Natural Gas Company

[Docket No. CP86-614-000]

Take notice that on July 11, 1986, Southern Natural Gas Company (Southern), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP86-614-000 an application pursuant to section 7(c) of the Natural Gas Act for limited-term certificate of public convenience and necessity authorizing for one year the transportation of natural gas for two agents acting on behalf of three customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

TRANSPORTATION DETAILS

Agent	Customer	Contract date	Billion Btu/day	Redelivery point
Atlanta Gas Light Company (Atlanta)	Florida Title Division of Sikes Corp.	June 13, 1986	1.4	Rome, Georgia
	Burlington Industries, Inc. (Burlington)	June 13, 1986	.550	
Alabama Gas Corporation (Alagasco)	Tape-Craft	June 12, 1986	.630	Anniston, Alabama

Southern requests a limited-term certificate of public convenience and necessity authorizing it to transport gas on behalf of the two agents and three customers listed above in accordance with the terms and conditions of transportation agreements signed on the dates specified above. It is said that subject to the receipt of all necessary governmental authorizations, Southern has agreed to transport on an interruptible basis various thermal equivalent quantities of gas per day purchased by the customers from Consolidated Fuel Supply, Inc. Southern requests that the Commission issue a limited-term certificate for a term expiring one year from the date an order is issued.

The agreements, it is said, provide that the agents would cause gas to be delivered to Southern for transportation at the various existing points of delivery on Southern's continuous pipeline

system specified in the applications. Southern states that it would redeliver to the agents at various stations, an equivalent quantity of gas less 3.25 percent of such amount which would be deemed to have been used as compressor fuel and company-use gas (including system unaccounted-for losses); less any and all shrinkage, fuel or loss resulting from or consumed in the processing of gas; and less the customers' pro-rata share of any gas delivered for the three customers' accounts which is lost or vented for any reason.

Southern states that Atlanta and Alagasco have agreed to pay Southern each month, for performing the transportation service, the following transportation rates:

(a) Where the aggregate of the volumes transported and redelivered by Southern on any day to the agents under any and all transportation agreements

with Southern,¹ when added to the volumes of gas delivered under Southern's OCD rate schedule on such day to the agents does not exceed the daily contract demand of the agents, the transportation rate shall be 48.2 cents per million Btu for Atlanta and 39.9 cents per million Btu for Alagasco.

(b) Where the aggregate of the volumes transported and redelivered by Southern on any day to the agents under any and all transportation agreements with Southern,² when added to the volumes of gas delivered under Southern's OCD rate schedule on such day to the agents exceeds the daily contract demand of the agents and/or customers, the transportation rate for the excess volumes shall be 77.6 cents per million Btu for Atlanta and 64.9 cents per million Btu for Alagasco. Southern states further that it would collect from the agents and/or customers the GRI surcharge of 1.35 cents per Mcf or any such other GRI funding unit or surcharge as hereafter prescribed.

Southern also requests flexible authority to provide transportation from additional delivery points in the event the customers obtain alternative sources of supply of natural gas. The additional transportation service, it is said, would be to the same redelivery points, the same recipients, and within the maximum daily transportation volumes of gas as stated in the applications. Southern indicates that it would file reports providing certain information with regard to the addition of any delivery points.

Southern states that the transportation arrangements would enable the customers to diversify their natural gas supply sources and to obtain gas at competitive prices. It is said that Burlington has the installed capability to utilize fuel oil and has advised Atlanta that unless it is able to obtain the transportation services requested by Southern, it would switch to fuel oil to the maximum extent possible causing a corresponding loss of throughput on Southern's system. Thus it is alleged that to the extent the transportation service proposed would enable the customers to obtain access to competitively priced natural gas, the entire Southern system would benefit by retaining the customers on the system.

It is stated that Southern would receive take-or-pay credit on the gas that the customers may obtain from their suppliers. It is further stated that

the gas purchased by the customers would be released by Southern and would be subject to the pricing provisions of NGPA section 102(c), 103 and 107, as well as other sections subject to receipt of the appropriate producer abandonment authorization.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

11. Transcontinental Gas Pipe Line Corporation

[Docket No. CP86-599-000]

Take notice that on July 2, 1986, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396 Houston, Texas 77251, filed in Docket No. CP86-599-000 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas on behalf of Bridgeline Gas Distribution Company (Bridgeline), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport up to the dekatherm equivalent of 12,000 Mcf per day on behalf of Bridgeline, on an interruptible basis. It is explained that such natural gas would be purchased by Bridgeline for its system supply from Texaco Producing, Inc. (Texaco) in the High Island Area, Blocks 111 and A-582"C", Offshore Texas and transported by Applicant pursuant to a transportation agreement with Bridgeline dated April 1, 1986.

It is further explained, that Applicant would receive up to the dekatherm equivalent of 2,000 Mcf per day produced in High Island Block 111 at an existing point of interconnection with Texaco in such block and redeliver equivalent quantities at an existing point of interconnection between the facilities of Applicant and Riverway Gas Pipeline Company at the Paradis Gas Processing Plant (Paradis Plant) in St. Charles Parish, Louisiana. In addition, Applicant would also receive up to the dekatherm equivalent of 10,000 Mcf per day produced in High Island Block A-582"C" at an existing point of interconnection with Texaco in such block and redeliver equivalent quantities at an existing point of interconnection between the facilities of Applicant and ANR Pipeline Company (ANR) in High Island Block A-563"B".

Applicant states that it would charge Bridgeline initially 32.10 cents per dekatherm for natural gas transported from High Island Block A-563 "B". Applicant further states that it would initially retain 2.4 percent of the

quantities received at High Island Block 111 to the Paradis Plant and 6.90 cents per dekatherm for natural gas transported from High Island Block A-582"C" to ANR at High Island Block 111 and none of the gas received at High Island Block A-582"C" to provide for compressor fuel and line loss make-up.

In addition to the transportation of natural gas, the proposed agreement also would provide for the transportation of liquid and liquefiable hydrocarbons. The primary term of the agreement is for two years from the date of initial deliveries, and year to year thereafter, it is stated.

Applicant states that the proposed transportation service would be rendered through use of its available existing system capacity and that no additional facilities are proposed.

Applicant submits that by filing the subject application, it is not electing "non-discriminatory access" as such term is described and defined in §§ 284.8(b) and 284.9(b) of the Commission's Regulations (promulgated in Order No. 436).

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

12. Transcontinental Gas Pipe Line Corporation

[Docket No. CP86-623-000]

Take notice that on July 16, 1986, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP86-623-000 an application pursuant to section 7 of the Natural Gas Act, as amended, and the Rules and Regulations of the Federal Energy Regulatory Commission (Commission) for a certificate of public convenience and necessity authorizing Applicant to transport natural gas on behalf of Coastal Eagle Point Oil Company (Coastal), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it is requesting authorization in the subject application to transport on behalf of Coastal, on an interruptible basis, up to the dekatherm equivalent of 50,000 Mcf per day pursuant to a transportation agreement between Applicant and Coastal dated April 15, 1986. Applicant states that Coastal will purchase such gas from ANR Gathering Company (ANR Gathering), Transco Energy Marketing Company (TEMCO) and Coastal Oil and Gas Corporation (Coastal Oil and Gas). Pursuant to the transportation agreement, Applicant will receive such gas at the following points of receipt:

¹ Excluding a long-term transportation agreement among Southern, Alagasco and Alabama Interstate Supply dated October 1, 1984.

² Ibid.

Sources	Points of receipt
ANR Gathering.....	Existing interconnection between Transco and ANR Pipeline Company at Eunice, Acadia Parish, Louisiana.
TEMCO.....	Existing interconnections between Transco and the TEMCO producer sellers.
Coastal Oil and Gas (Jeffress Field Hidalgo County, Texas).	Existing interconnections between Transco and Valero Transmission Company (Valero) (1) in LaSalle County, Texas, and (2) near Transco's Station 30, Wharton County, Texas.

Applicant states that it will redeliver equivalent quantities (less compressor fuel and line loss make-up) to Coastal at the existing point of interconnection between Applicant and Coastal's Eagle Point Plant, Gloucester County, New Jersey.

For this transportation service, Applicant submits that it will retain a percentage of the gas quantities it receives for compressor fuel and line loss make-up and will charge Coastal a transportation rate based on Applicant's currently applicable Rate Schedule T-II rate, and as the same may be legally amended or superseded from time to time.

It is stated that the transportation agreement will remain in force for a primary term of five years from the date of initial deliveries, and year to year thereafter unless and until terminated by either party giving proper notice.

Applicant also states that Coastal is considering alternative sources of supply of natural gas. Such alternatives may involve different suppliers of changes in receipt points, or both, but would not involve any increase in peak day volumes to be transported by Applicant or any change in delivery points. Consequently, Applicant also requests "flexible authority" whereby it would undertake certain filing requirements to advise the Commission in the event Coastal obtains different sources of supply or if additions or deletions of receipt points are required in furtherance of the transportation authority requested herein.

Applicant also submits that by filing the subject application, it is not electing "non-discriminatory access" as such term is described and defined in §§ 284.8(b) and 284.9(b) of the Commission's Regulation (promulgated in Order No. 436.)

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

13. Tri-Energy Pipeline Company

[Docket No. CP86-627-000]

Take notice that on July 16, 1986, Tri-Energy Pipeline Company (Tri-Energy), 25 Hillcrest, Keokuk, Iowa 52632, filed in Docket No. CP86-627-000 an

application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the lease of certain pipeline facilities from Great River Gas Company (Great River), the construction of certain interconnecting pipeline facilities, and the operation of such facilities to transport natural gas for Great River, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Tri-Energy proposes to lease and operate certain mainline facilities owned by Great River and construct and operate pipeline facilities necessary to interconnect the two isolated distribution systems owned by Great River in Iowa and Missouri.

Specifically, Tri-Energy and Great River have entered into a certain lease agreement dated June 9, 1986 providing for the lease to Tri-Energy of the mainline portion of Great River's distribution facilities in Missouri and Iowa. The mainline facilities to be leased in Missouri extend from panhandle's Taylor M&R tap located in Liberty Township, T58N, R5W, section 28 in Marion County, Missouri, at the southern terminus of such facilities (where Great River's facilities interconnect with Panhandle's pipeline facilities) to the Gregory Landing tap located in Clay Township, T63N, R6W, section 4 in Clark County, Missouri, near the northern terminus of Great River's Missouri facilities. Great River's mainline facilities to be leased in Iowa, extend from the South Fort Madison-Keokuk tap located in Jefferson Township, T67N, R5W, section 21 in Lee County, Iowa, at the northern terminus of such facilities (where Great River's Iowa facilities interconnect with ANR's pipeline facilities) to the Wirtz Land metering and regulating station located in Jackson Township, T65N, R5W, Section 10 in Lee County, Iowa. The facilities proposed to be leased in Missouri consist of 28.76 miles of 10.750-inch pipe and 9.66 miles of 6.625-inch pipe. The facilities proposed to be leased in Iowa consist of 10.54 miles of 6.625-inch pipe and 10.91 miles of 4.500-inch pipe. Tri-Energy will pay a rental fee to Great River of \$110,200 per year.

Tri-Energy proposes constructing 13.67 miles of 6.625-inch pipe at a cost of \$3.2 million extending from the Gregory Landing tap, at the northern terminus of Great River's mainline facilities to be leased in Missouri, to the Carbide Lane regulating station interconnect with Great River's distribution facilities located in Jackson Township, T65N, R5W, section 22 in Lee County, Iowa, and 1.58 miles of 4.50-inch pipe extending from Carbide Lane to the

Wirtz Lane regulating station at the southern terminus of Great River's mainline facilities to be leased in Iowa. By means of these constructed facilities, Tri-Energy proposes to interconnect Great River's two physically isolated distribution systems. Tri-Energy would then be able to transport natural gas from the Missouri service area to the Iowa service area and vice-versa.

Pursuant to a gas transportation agreement between Tri-Energy and Great River dated June 9, 1986, Tri-Energy proposes to transport up to 26,382 Mcf of natural gas per day in interstate commerce for Great River from receipt points in Iowa to delivery points in Missouri and Iowa, and from receipt points in Missouri to delivery points in Iowa and Missouri. Tri-Energy proposes to charge Great River transportation rates designed on a modified fixed-variable basis consisting of a monthly D-1 charge of \$2.021 per Mcf, a monthly D-2 charge of 5.412 cents per Mcf. The volumes proposed to be transported by Tri-Energy are Great River's total annual retail gas sales requirements as well as gas volumes to be transported further by Great River to its customers served off the facilities proposed to be leased by Tri-Energy.

Comment date: August 20, 1986, in accordance with Standard Paragraph F at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing

if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-17675 Filed 8-5-86; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[PP 6G3306/T527; FRL-3057-5]

Triclopyr; Establishment of Temporary Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has established temporary tolerances for the combined residues of the herbicide triclopyr and its metabolites in or on certain raw agricultural commodities. These temporary tolerances were requested by Dow Chemical Co.

DATE: These temporary tolerances expire June 24, 1988.

FOR FURTHER INFORMATION CONTACT:

By mail: Robert Taylor, Product Manager (PM) 25, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

Office location and telephone number: Rm. 245, CM#2, 1921 Jefferson Davis Highway, Arlington, VA (703-557-1800).

SUPPLEMENTARY INFORMATION: Dow Chemical Co., Agricultural Products Dept., P.O. Box 1706, Midland, MI 48640, requested in pesticide petition PP 6G3306 the establishment of temporary tolerances for the combined residues of the herbicide triclopyr ([3,5,6-trichloro-2-pyridinyl]oxy acetic acid), and its metabolites 3,5,6-trichloro-2-pyridinol and 2-methoxy 3,5,6-trichloropyridine in or on the raw agricultural commodities fish at 0.2 part per million (PPM) and shellfish at 0.2 ppm. An allowable residue level of 0.5 ppm in potable water is established in compliance with the Safe Drinking Water Act (SDWA).

These temporary tolerances will permit the marketing of the above raw agricultural commodities when treated in accordance with the provisions of the experimental use permit 464-EUP-87, which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (Pub. L. 95-396, 92 Stat. 819; 7 U.S.C. 136).

The scientific data reported and other relevant material were evaluated, and it was determined that establishment of the temporary tolerances will protect the public health. Therefore, the temporary tolerances have been established on the condition that the pesticide be used in accordance with the experimental use permit and with the following provisions:

1. The total amount of the active herbicide to be used must not exceed the quantity authorized by the experimental use permit.
2. Dow Chemical Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

These tolerances expire June 24, 1988. Residues not in excess of these amounts remaining in or on the raw agricultural commodities after this expiration will not be considered actionable if the pesticide is legally applied during the term of, and in accordance with, the provisions of the experimental use permit and temporary tolerances. These tolerances may be revoked if the experimental use permit is revoked or if any experience with or scientific data on this pesticide indicate that such revocation is necessary to protect the public health.

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

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 610-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

Authority: 21 U.S.C. 346a(j).

Dated: July 23, 1986.

James W. Akerman,
Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 86-17216 Filed 8-5-86; 8:45 am]

BILLING CODE 6560-56-M

[OPP-50660; FRL-3059-7]

Issuance of Experimental Use Permits; Abbott Laboratories, et al.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

FOR FURTHER INFORMATION CONTACT:

By mail, the product manager cited in each experimental use permit at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

In person or by telephone: Contact the product manager at the following address at the office location or telephone number cited in each experimental use permit: 1921 Jefferson Davis Highway, Arlington, VA.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

275-EUP-55. Issuance. Abbott Laboratories, 14th and Sheridan Road, North Chicago, IL 60064. This experimental use permit allows the use of 6.04 pounds of the plant growth regulator 6-benzyladenine on conifers including pines and firs to evaluate lateral bud set and branch development. A total of 68.5 acres are involved; the program is authorized only in the States of Alabama, Arkansas, Georgia, Louisiana, Michigan, Mississippi, New Mexico, North Carolina, Ohio, Oregon, South Carolina, Texas, Vermont, Virginia, and Washington. The experimental use permit is effective from June 23, 1986 to June 23, 1987. (Robert Taylor, PM 25, Rm. 245, CM#2 (703-557-1800)).

239-EUP-111. Extension. Chevron Chemical Company, 940 Hensley St., Richmond, CA 94804-0036. This experimental use permit allows the use of 80 pounds of the insecticide alpha-cyano-3-phenoxybenzyl-2,2,3-

tetramethylcyclopropane-carboxylate on grapes to evaluate the control of various insect pests and mites on grapes. A total of 100 acres are involved; the program is authorized only in the States of California and New York. The experimental use permit is effective from May 10, 1986 to May 10, 1987. A temporary tolerance for residues of the active ingredient in or on grapes has been established. (George LaRocca, PM 15, Rm. 204, CM#2 (703-577-2400)).

464-EUP-87. Issuance. Dow Chemical Company, P.O. Box 1706, Midland, MI 48640. This experimental use permit allows the use of 3,000 pounds (over 2 years) of the herbicide triclopyr on ditch banks to evaluate the control of aquatic weeds. A total of 300 acres are involved; the program is authorized only in the States of Alabama, California, Florida, Georgia, New Mexico, and Texas. The experimental use permit is effective from June 24, 1986 to June 24, 1988. Temporary tolerances for residues of the active ingredient in or on fish and shellfish have been established. (Robert Taylor, PM 25, Rm. 245, CM#2 (703-557-1800)).

352-EUP-122. Amendment. E.I. duPont de Nemours and Company, Wilmington, DE 19898. In the Federal Register of August 7, 1985 (50 FR 31917), EPA issued an experimental use permit pertaining to the extension of 352-EUP-122 to E.I. duPont de Nemours and Company. At the request of the company, the permit has been amended to add additional States and increase the amount of the active ingredient and acreage. The experimental use permit now allows the use of 91.6 pounds of the acaricide *trans*-5-(4-chlorophenyl)-*N*-cyclohexyl-4-methyl-2-oxothiazolidine-3-carboxamide on fresh market apples to evaluate the control of the European red, two-spotted spider, and McDaniel spider. A total of 487 acres are involved; the program is authorized in the States of California, Colorado, Georgia, Illinois, Indiana, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Vermont, Virginia, Washington, West Virginia, and Wisconsin. The experimental use permit is effective from May 31, 1986 to May 31, 1987. A temporary tolerance for residues of the active ingredient in or on fresh market apples has been established. (George LaRocca, PM 15, Rm. 204, CM#2 (703-557-2400)).

3125-EUP-196. Issuance. Mobay Chemical Corporation, P.O. Box 4913, Hawthorn Road, Kansas City, MO 64120. This experimental use permit allows the use of 978.75 pounds of the insecticide cyano(4-fluoro-3-phenoxyphenyl)methyl-

3-(2,2-dichloro-ethenyl)-2,2-dimethylcyclopropanecarboxylate on apples and pears to evaluate the control of various insects and mites. A total of 1,725 acres are involved; the program is authorized only in the States of California, Colorado, Georgia, Idaho, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Utah, Vermont, Virginia, Washington, and West Virginia. The experimental use permit is effective from June 6, 1986 to June 6, 1987. A temporary tolerance for residues of the active ingredient in or on apples and pears has been established. (George LaRocca, PM 15, Rm. 204, CM#2 (703-557-2400)).

34704-EUP-3. Issuance. Platte Chemical Company, P.O. Box 667, Greeley, CO 80632. This experimental use permit allows the use of 1,566 pounds of the insecticide malathion on pastures and rangeland to evaluate the control of grasshoppers. A total of 2,700 acres are involved; the program is authorized only in the States of Colorado, Idaho, New Mexico, North Dakota, South Dakota, and Wyoming. The experimental use permit is effective from June 20, 1986 to September 30, 1987. A permanent tolerance for residues of the active ingredient in or on grass and grass hay has been established (40 CFR 180.111). (William Miller, PM 16, Rm. 211, CM#2 (703-557-2600)).

Persons wishing to review these experimental use permit are referred to the designated managers. Inquiries concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

Authority: 7 U.S.C. 136c.

Dated: July 28, 1986.

James W. Akerman,
Acting Director, Registration Division, Office
of Pesticide Programs.

[FR Doc. 86-17450 Filed 8-5-86; 8:45 am]

BILLING CODE 6560-50-M

[OPP-240070; FRL-3049-2]

State Registration of Pesticides

Correction

In FR Doc. 86-15992, beginning on page 25743 in the issue of Wednesday, July 16, 1986, make the following corrections:

1. On page 25744, in the first column, in the last line of the last paragraph

under the heading "Arkansas", "week" should read "weed".

2. On page 25745, in the middle column, in the third line of the first paragraph under the heading "Mississippi", "Thiodibarb" should read "Thiodicarb".

3. Also on page 25745, in the third column, in the third line of the fourth complete paragraph, "80-VP" should read "80-WP".

4. On page 25746, in the third column, in the first line under the heading "Wisconsin", "WA" should read "WI".

5. Also on page 25746, in the third column, in the first line under the heading "Wyoming", "WA" should read "WY".

BILLING CODE 1505-01-M

[OPTS-51633; FRL-3056-9]

Certain Chemicals Premanufacture Notices

Correction

In FR Doc. 86-16969 beginning on page 27085 in the issue of Tuesday, July 29, 1986, make the following corrections:

1. On page 27085, in the middle column, in the 15th line of the DATES section, the last two numbers should read "86-1296, and 86-1297".

2. In the same column, in the 17th line of the DATES section, "86-1299m" should read "86-1299".

3. On page 27087, in the first column, in the 11th line under the caption "P 86-1315", "1hrs/da", should read "1hr/da".

BILLING CODE 1505-01-M

FEDERAL COMMUNICATIONS COMMISSION

Applications for Consolidated Hearing; Barry and Claudia Cummings et al.

1. The Commission has before it the following mutually exclusive applications for a new AM station:

Applicant	City/State	File No.	MM Docket No.
A. Barry and Claudia Cummings.	Farragut, TN.....	BP-850703AE	86-320
B. Farragut AM Ltd.	.....do.....	BP-851202AD	.....

2. Pursuant to section 309(e) of the Communications Act of 1934, as amended, the above applications have been designated for hearing in a consolidated proceeding upon the issues whose headings are set forth below. The text of each of these issues has been

standardized and is set forth in its entirety under the corresponding headings at 51 FR 19347 May 29, 1986. The letter shown before each applicant's name, above, is used below to signify whether the issue in question applies to that particular applicant.

Issue heading	Applicants(S)
Comparative	All applicants.
Ultimate	All applicants.

3. If there is any non-standardized issue(s) in this proceeding, the full text of the issue and the applicant(s) to which it applies are set forth in an Appendix to this Notice. A copy of the complete HDO in this proceeding is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text may also be purchased from the Commission's duplicating contractor, International Transcription Services, Inc., 2100 M Street, NW., Washington, DC 20037 (Telephone No. (202) 857-3800).

Larry D. Eads,

Chief, Audio Services Division, Mass Media Bureau.

[FR Doc. 86-17642 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

Memorandum Opinion and Order; Contemporary Communications Corp. et al.

In re applications of CC Docket No. 86-316:
File No.

Contemporary Communications Corporation.	5594-CM-P-80
Kravetz Media Corporation.	10190-CM-P-80

For construction permits in the multipoint distribution service for a new station on channel 2A at Fresno, California.

Adopted: July 21, 1986.

Released: July 28, 1986.

By the Common Carrier Bureau.

1. For consideration are the above-referenced applications. These applications are for construction permits in the Multipoint Distribution Service and they propose operations on Channel 2A at Fresno, California. The applications are therefore mutually exclusive and require comparative consideration. There are no petitions to deny or other objections under consideration.

2. Upon review of the captioned applications, we find that these applicants are legally, technically, financially, and otherwise qualified to

provide the services they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.

3. Accordingly, it is hereby ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, 47 U.S.C. 309(e) and § 0.291 of the Commission's Rules 47 CFR 0.291, the above-captioned applications are designated for hearing, in consolidated proceeding, at a time and place to be specified in a subsequent Order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order to best serve the public interest, convenience and necessity. In making such a determination, the following factors shall be considered:¹

(a) The relative merits of each proposal with respect to efficient frequency use, particularly with regard to compatibility with co-channel use in nearby cities and adjacent channel use in the same city;

(b) The anticipated quality and reliability of the service proposed, including installation and maintenance programs; and

(c) The comparative cost of each proposal considered in context with the benefits of efficient spectrum utilization and the quality and reliability of service as set forth in issues (a) and (b).

4. It is further ordered, That Contemporary Communications Corporation, Kravetz Media Corporation and the Chief of Common Carrier Bureau, ARE MADE PARTIES to this proceeding.

5. It is further ordered, That parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of § 1.221 of the Commission's Rules, 47 CFR 1.221.

6. The Secretary shall cause a copy of this Order to be published in the Federal Register.

James R. Keegan,

Chief, Domestic Facilities Division, Common Carrier Bureau.

[FR Doc. 86-17649 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

Memorandum Opinion and Order; Galesburg Broadcasting Co. et al.

In re Applications of CC Docket No. 86-317:

¹ Consideration of these factors shall be in light of the Commission's discussion in *Frank K. Spain*, 77 FCC 2d 20 (1980).

File No.

Galesburg Broadcasting Company.	50275-CM-P-82
Unimel, Inc	50333-CM-P-82

For Construction Permits in the Multipoint Distribution Service for a new station on Channel 1 at Galesburg, Illinois.

Adopted: July 22, 1986.

Released: July 28, 1986.

By the Common Carrier Bureau.

1. For consideration are the above-referenced applications. These applications are for construction permits in the Multipoint Distribution Service and they propose operations on Channel 1 at Galesburg, Illinois. The applications are therefore mutually exclusive and require comparative consideration. There are no petitions to deny or other objections under consideration.

2. Upon review of the captioned applications, we find that these applicants are legally, technically, financially, and otherwise qualified to provide the services they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.

3. Accordingly, it is hereby ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, 47 U.S.C. 309(e) and § 0.291 of the Commission's Rules, 47 CFR 0.291, the above-captioned applications are designated for hearing, in a consolidated proceeding, at a time and place to be specified in a subsequent Order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order to best serve the public interest, convenience and necessity. In making such a determination, the following factors shall be considered:¹

(a) The relative merits of each proposal with respect to efficient frequency use, particularly with regard to compatibility with co-channel use in nearby cities and adjacent channel use in the same city;

(b) The anticipated quality and reliability of the service proposed, including installation and maintenance programs; and

(c) The comparative cost of each proposal considered in context with the benefits of efficient spectrum utilization and the quality and reliability of service as set forth in issues (a) and (b).

4. It is further ordered, That Galesburg Broadcasting Company, Unimel, Inc. and

¹ Consideration of these factors shall be in light of the Commission's discussion in *Frank K. Spain*, 77 FCC 2d 20 (1980).

the Chief of Common Carrier Bureau, are made parties to this proceeding.

5. It is further ordered, That parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of § 1.221 of the Commission's Rules, 47 CFR 1.221.

6. The Secretary shall cause a copy of this Order to be published in the **Federal Register**.

James R. Keegan,
Chief, Domestic Facilities Division, Common
Carrier Bureau.

[FR Doc. 86-17650 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

Memorandum Opinion and Order; Telecrafter Communications Corp. et al.

In re Applications of CC Docket No. 86-315:
File No.

Telecrafter Communications Corporation.	50144-CM-P-82
Broadcast Data Corporation.	50270-CM-P-82

For Construction Permits in the Multipoint
Distribution Service for a new station on
Channel 1 at La Grande, Oregon;

Adopted: July 21, 1986.

Released: July 30, 1986.

By the Common Carrier Bureau.

1. For consideration are the above-referenced applications. These applications are for construction permits in the Multipoint Distribution Service and they propose operations on Channel 1 at La Grande, Oregon. The applications are therefore mutually exclusive and require comparative consideration. There are no petitions to deny or other objections under consideration.

2. Upon review of the captioned applications, we find that these applicants are legally, technically, financially, and otherwise qualified to provide the services they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.

3. Accordingly, it is hereby ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, 47 U.S.C. 309(e) and § 0.291 of the Commission's Rules, 47 CFR 0.291, the above-captioned applications are designated for hearing, in a consolidated proceeding, at a time and place to be specified in a subsequent Order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order to best serve the public interest,

convenience and necessity. In making such a determination, the following factors shall be considered:¹

(a) The relative merits of each proposal with respect to efficient frequency use, particularly with regard to compatibility with co-channel use in nearby cities and adjacent channel use in the same city;

(b) The anticipated quality and reliability of the service proposed, including installation and maintenance programs; and

(c) The comparative cost of each proposal considered in context with the benefits of efficient spectrum utilization and the quality and reliability of service as set forth in issues (a) and (b).

4. It is further ordered, That Telecrafter Corporation, Broadcast Data Corporation and the Chief of the Common Carrier Bureau, are made parties to this proceeding.

5. It is further ordered, That parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of § 1.221 of the Commission's Rules, 47 CFR 1.221.

6. It is further ordered, That any authorization granted to Broadcast Data Corporation, which is a wholly-owned subsidiary of Graphic Scanning Corporation, as a result of the comparative hearing shall be conditioned as follows:

(a) Without prejudice to reexamination and reconsideration of that company's qualifications to hold an MDS license following a decision in the hearing designated in *A.S.D. Answering Service, Inc., et al.*, FCC 82-391, released August 24, 1982, and shall be specifically conditioned upon the outcome of that proceeding.

7. The Secretary shall cause a copy of this Order to be published in the **Federal Register**.

James R. Keegan,
Chief, Domestic Facilities Division, Common
Carrier Bureau.

[FR Doc. 86-17641 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

July 31, 1986.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under

¹ Consideration of these factors shall be in light of the Commission's discussion in Frank K. Spain, 77 FCC 2d 20 (1980).

the Paperwork Reduction Act of 1980, Pub. L. 96-511.

Copies of this submission are available from Jerry Cowden, FCC, (202) 632-7513. Comments should be sent to J. Timothy Sprehe, Office of Management and Budget, Room 3235, NEOB, Washington, DC 20503 (202) 395-4814.

OMB Number: 3060-0149

Title: Part 63—Section 214 Application and Supplemental Information Requirements for Domestic Facilities (§§ 63.01-63.63, 63.65, 63.66, 63.71-63.601)

Action: Revision

Respondents: Businesses (including small businesses)

Estimated Annual Burden: 230

Responses: 2,760 Hours

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 86-17640 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

July 25, 1986.

The Federal Communications Commission has submitted the following information collection requirement to the Office of Management and Budget for review and clearance under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

Copies of the submission are available from Jerry Cowden, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact J. Timothy Sprehe, Office of Management and Budget, Room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0329

Title: Equipment Authorization—Verification (§§ 2.955, 15.69(b), 15.814(b), 15.834 (b) and (c), 18.203(b))

Action: Revision

Respondents: Manufacturers of certain radiofrequency devices

Estimated Annual Burden: 5,375

Recordkeepers: 96,750 Hours

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 86-17644 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

July 24, 1986.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511.

Copies of this submission are available from Doris Benz, FCC, (202) 632-7513. Comments should be sent to J. Timothy Spraehe, Office of Management and Budget, Room 3235, NEOB, Washington, DC 20503 (202) 395-4814.

OMB No.: 3060-0021

Form No.: FCC 480

Title: Civil Air Patrol Radio Radio Station License

Action: Revision

Estimated Annual Burden: 1,600

Responses; 1,200 Hours.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 86-17645 Filed 8-5-86; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the Federal Register in which this notice appears. The requirements for comments are found in §572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 202-005200-049.

Title: Pacific Coast European Conference.

Parties: Blue Star Line, Ltd; Compagnie Generale Maritime; A/S Det Ostasiatiske Kompagni; Hapag-Lloyd Ag; Intercontinental Transport (ICT) B.V.; Johnson Line AB; Sea-Land Service, Inc.

Synopsis: The proposed amendment would modify the independent action provisions of the agreement to bring the agreement into compliance with the

newly adopted rule concerning independent action provisions in conference agreements.

Agreement No.: 202-010637-015.

Title: North Europe-U.S. Atlantic Conference.

Parties: Atlantic Container Line (G.I.E.); Dart-ML Limited; Hapag-Lloyd AG; Sea-Land Service, Inc.; United States Lines, Inc.; Trans Freight Lines; Compagnie Generale Maritime (CGM); Nedlloyd Lijnen, B.V.; Gulf Container Line (GCL), B.V.

Synopsis: The proposed amendment would exclude any member of the agreement organized under FMC Agreement No. 207-009498 from the requirement that related companies offering common carrier service in the trade comply with the agreement in respect to the transport by Wallenius Line of non-containerizable cargo in any car vessel operated by Wallenius Line to any port in South Carolina, Georgia or Florida not served by roll-on/roll-off vessels of such member. The parties have requested a shortened review period.

Agreement No.: 217-010738-001.

Title: Barber Blue Sea/Open Bulk Carriers Chartering Agreement.

Parties: Barber Blue Sea Line (BBS); Open Bulk Carriers Limited (OBC).

Synopsis: The proposed amendment would clarify the geographic scope of the agreement with respect to Scandinavian ports and would include all North American ports. It would also permit BBS to retain space below deck on vessels chartered to OBC, permit the parties to take actions to avoid sales and marketing conflicts and make other non-substantive changes.

Agreement No.: 202-010789-001.

Title: Israel Westbound Conference.

Parties: Zim Israel Navigation Co., Ltd.; Farrell Lines, Inc.; Lykes Bros. Steamship Company, Inc.

Synopsis: The proposed amendment would specify that independent action rate or service items would be included in a conference tariff for use by the party effective no later than ten calendar days after receipt of the notice of independent action.

Agreement No.: 202-010790-001.

Title: Israel Eastbound Conference.

Parties: Zim Israel Navigation Co., Ltd.; Farrell Lines, Inc.; Lykes Bros. Steamship Company, Inc.

Synopsis: The proposed amendment would modify the independent action provisions of the agreement to bring the agreement into compliance with the newly adopted rule concerning independent action provisions in conference agreements.

Agreement No.: 224-010980.

Title: Stevedore and Terminal Service Agreement between Seacon Terminals, Inc., and Italia-D'Amico Joint Service.

Parties: Italian Line; d'Amico Line; Seacon Terminals, Inc. (Seacon).

Synopsis: The proposed agreement would permit Seacon to provide container terminal services at Puget Sound ports for containers to be loaded onto or discharged from container vessels owned, chartered, managed or otherwise controlled by Italia-D'Amico Joint Service on its regular service to and from the West Coast of the United States.

Agreement No.: 224-010981.

Title: Port of Seattle Terminal Agreement.

Parties: Seacon Terminals, Inc. (Contractor); United Yugoslav Line (Carrier).

Synopsis: The proposed agreement would permit the contractor to provide certain container terminal services in the Port of Seattle for containers to be loaded onto or discharged from container vessels owned, chartered, managed, or otherwise controlled by the carrier on its regular service between the West Coast of the United States and the Mediterranean. The contractor shall also provide directly or through sub-contractors all container, chassis and related equipment maintenance service which the carrier elects to have performed within the terminal facility area.

By Order of the Federal Maritime Commission.

Dated August 1, 1986.

Joseph C. Polking,

Secretary.

[FR Doc. 86-17661 Filed 8-5-86; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Community Banks, Inc.; Application To Engage de Novo in Permissible Nonbaking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbaking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing 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.

Unless otherwise noted, comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 26, 1986.

A. Federal Reserve Bank of Philadelphia (Thomas K. Desch, Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:

1. *Community Banks, Inc.*, Millersburg, Pennsylvania; to engage *de novo* through its subsidiary, Community Banks Life Insurance Company, Phoenix Arizona, in underwriting credit life, accident and health insurance as reinsurer, licensed by the State of Arizona; it will be organized and incorporated for the principal purpose of acting as a reinsurer of credit life, accident and health insurance issued by Security of America Life Insurance Company in connection with extensions of credit made by the Applicant's subsidiary banks, Upper Dauphin National Bank, Millersburg, Pennsylvania, and Peoples Bank of Shamokin, Shamokin, Pennsylvania, pursuant to § 225.25(b)(9) of the Board's Regulation Y. These activities will be conducted from the offices of the Applicant's two subsidiary banks located in and serving Dauphin, Schuylkill and Northumberland of Central Pennsylvania.

Board of Governors of the Federal Reserve System, July 31, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-17622 Filed 8-5-86; 8:45 am]

BILLING CODE 6210-01-M

First Jersey National Corp. et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. 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.

Unless otherwise noted, comments regarding each of these applications must be received not later than August 28, 1986.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. *First Jersey National Corporation*, Jersey City, New Jersey; to acquire 100 percent of the voting shares of First National Bancorp in Fort Lee, Fort Lee, New Jersey, and thereby indirectly acquire First National Bank in Fort Lee, Fort Lee, New Jersey.

2. *The Hong Kong and Shanghai Banking Corporation*, Hong Kong; to acquire substantially all of the assets of Global Union Bank, New York, New York.

B. Federal Reserve Bank of Chicago (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *First Midwest Corporation of Delaware*, Elmwood Park, Illinois; to acquire 100 percent of the voting shares of Illinois State Bancorp, Inc., Chicago, Illinois, and thereby indirectly acquire Illinois State Bank of Chicago, Chicago, Illinois. Comments on this application must be received by August 25, 1986.

2. *Mount Vernon Bancorp*, Mount Vernon, Iowa; to become a bank holding company by acquiring at least 80 percent of the voting shares of Mount

Vernon Bank and Trust Company, Mount Vernon, Iowa.

C. Federal Reserve Bank of Dallas (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Arlington Bancshares, Inc.*, Arlington, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of South Arlington National Bank, Arlington, Texas, a *de novo* bank.

Board of Governors of the Federal Reserve System, July 31, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-17623 Filed 8-5-86; 8:45 am]

BILLING CODE 6210-01-M

Landmark Bancshares Co.; Formation of, Acquisition by, or Merger of Bank Holding Companies; and Acquisition of Nonbanking Company

The company listed in this notice has applied under § 225.14 of the Board's Regulation Y (12 CFR 225.14) for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) to become a bank holding company or to acquire voting securities of a bank or bank holding company. The listed company has also applied under § 225.23(a)(2) of Regulation Y (12 CFR 225.23(a)(2)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies, or to engage in such an activity. Unless otherwise noted, these activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing 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.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 28, 1986.

A. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Landmark Bancshares Corporation*, Clayton, Missouri; to acquire 100 percent of the voting shares of *MidAmerica BancSystem, Inc.*, Fairview Heights, Illinois, and thereby indirectly acquire *MidAmerica Bank and Trust Company of Alton*, Alton, Illinois; *MidAmerica Bank and Trust Company of Carbondale*, Carbondale, Illinois; *MidAmerica Bank and Trust Company of Edgmont*, East St. Louis, Illinois; *MidAmerica Bank and Trust Company of Fairview Heights*, Fairview Heights, Illinois; *MidAmerica Bank and Trust Company of St. Clair County*, O'Fallon, Illinois; and *MidAmerica Bank and Trust Company of Mascoutha*, Mascoutha, Illinois.

In connection with this application, *Landmark Bancshares of Illinois, Inc.*, Clayton, Missouri, has applied to become a bank holding company by acquiring 100 percent of the voting shares of *MidAmerica BancSystem, Inc.*, Fairview Heights, Illinois.

Landmark Bancshares Corporation and *Landmark Bancshares of Illinois, Inc.*, both of Clayton, Missouri, have applied to acquire *MidAmerica Trust Company*, Fairview Heights, Illinois, and thereby engage in providing full trust services to its customers and customers of the banking subsidiaries of *MidAmerica BancSystem, Inc.*, pursuant to § 225.25(b)(3) of the Board's Regulation Y. These activities will be conducted in the States of Illinois and Missouri.

Board of Governors of the Federal Reserve System, July 31, 1986.

James McAfee

Associate Secretary of the Board.

[FR Doc. 86-17624 Filed 8-5-86; 8:45 am]

BILLING CODE 6210-01-M

Mellon Bank Corp.; Application To Engage de Novo in Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1)

of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing 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.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 22, 1986.

A. Federal Reserve Bank of Cleveland (Lee S. Adams, Vice President) 1445 East Sixth Street, Cleveland, Ohio 44101:

1. *Mellon Bank Corporation*, Pittsburgh, Pennsylvania; to engage *de novo* through its wholly-owned nonbank subsidiaries, *Mellon Life Insurance Company*, Wilmington, Delaware and *Commonwealth National Life Insurance Company*, Phoenix, Arizona, in underwriting home mortgage redemption insurance.

Board of Governors of the Federal Reserve System, July 31, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-17625 Filed 8-5-86; 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) 86-1153—Trilon Financial Corporation's proposed acquisition of voting securities of The Holden Group, Inc., (The Holden Company, UPE).	June 16, 1986.
(2) 86-1208—Kellwood Company's proposed acquisition of voting securities of Parsons Place Apparel Company Ltd., and Take 1 Sportswear, Inc., (Herbert Auslander, UPE).	Do.
(3) 86-1215—Bergen Burnswig Corporation's proposed acquisition of assets of DiGiorgio Corporation.	Do.
(4) 86-1237—Super Valu Stores, Inc.'s proposed acquisition of assets of Associated Grocers of Colorado, Inc.	Do.
(5) 86-1244—AmenTrust Corporation's proposed acquisition of assets of Associates Commercial Corporation, (Gulf & Western, Inc., UPE).	Do.
(6) 86-1247—Crosland Savings FSB's proposed acquisition of voting securities of First Security Realty Services and First Security Services, (First Security Corporation, UPE).	Do.
(7) 86-1251—Nortek, Inc.'s proposed acquisition of assets of Home Division of LSI, (Lear Siegler Inc., UPE).	Do.
(8) 86-1252—Nortek, Inc.'s proposed acquisition of assets of Mammoth Division of LSI, (Lear Siegler, Inc., UPE).	Do.
(9) 86-1270—East Asiatic Company Ltd. A/S's proposed acquisition of voting securities of DAK Foods, Inc., (Northern Foods plc, UPE).	Do.
(10) 86-1271—Instrument Systems Corporation's proposed acquisition of voting securities of Clopay Corporation.	Do.
(11) 86-1272—Instrument Systems Corporation's proposed acquisition of voting securities of Clopay Corporation.	Do.
(12) 86-1162—Bell Atlantic Corporation's proposed acquisition of assets of Pili-caim Properties Incorporated, (The Pili-caim Company, UPE).	June 16, 1986

Transaction	Waiting period terminated effective	Transaction	Waiting period terminated effective	Transaction	Waiting period terminated effective
(13) 86-1174—American Cyanamid Company's proposed acquisition of voting securities of Scherer-Storz, Inc., (Robert P. Scherer, Jr., UPE).	Do.	(38) 86-1256—Marvin Orleans' proposed acquisition of voting securities of FPA Corporation.	Do.	(59) 86-1288—The Pittston Company's proposed acquisition of voting securities of Paramount Coal Corporation, (Paramount Coal Company, UPE).	Do.
(14) 86-1207—Caronan Fund I's proposed acquisition of assets of Westinghouse Electric Corporation.	Do.	(39) 86-1260—Material Sciences Corporation's proposed acquisition of voting securities of Scharr Industries, Inc., (Jerome M. and Marlene G. Scharr, UPE's).	Do.	(60) 86-1289—Holly Sugar Corporation's proposed acquisition of assets of Union Sugar Company and Betteravia Byproducts Company, (Sara Lee Corporation, UPE).	Do.
(15) 86-1250—Reliance Capital Group, L. P.'s proposed acquisition of voting securities of John Blair & Company.	Do.	(40) 86-1273—Schroders Public Limited Company's proposed acquisition of voting securities of Werthiem & Co., Inc., (Werconn Limited Partnership, UPE).	Do.	(61) 86-1333—GSCA Inc.'s, (John R. Williams, UPE) proposed acquisition of voting securities of First Atlanta Mortgage Corporation, (First Wachovia Corporation, UPE).	Do.
(16) 86-1257—Koninklijke Wessanen NV's proposed acquisition of voting securities of John C. Cain, Co.	Do.	(41) 86-1203—Bessemer Securities Corporation's proposed acquisition of voting securities of Standard Food Service Company, Inc. and assets of Lobota, Inc., (Mr. & Mrs. Robert Mays, Sr., UPE).	June 26, 1986.	(62) 86-1344—Narragansett First Fund's proposed acquisition of assets of Rockefeller Group, Inc. and voting securities of Transtower, Inc.	Do.
(17) 86-1266—Masco Corporation's proposed acquisition of voting securities of Henredon Furniture Industries, Inc.	Do.	(42) 86-1287—MTD Products Inc.'s proposed acquisition of assets of Aircap Industries, Inc.	Do.	(63) 86-1303—Sterling Drug Inc.'s proposed acquisition of voting securities of Formby's Inc., (The Procter & Gamble Company, UPE).	June 30, 1986.
(18) 86-1267—Masco Corporation's proposed acquisition of voting securities of Henredon Furniture Industries, Inc.	Do.	(43) 86-1296—Dairy Mart Convenience Stores, Inc.'s proposed acquisition of voting securities of CONNA Corporation.	Do.	(64) 86-1335—Hawker Siddeley Group Public Limited Company's proposed acquisition of voting securities of Day-tronic Instrument System Corporation.	Do.
(19) 86-1268—Masco Corporation's proposed acquisition of voting securities of Henredon Furniture Industries, Inc.	Do.	(44) 86-1308—F. H. Partners, L. P.'s proposed acquisition of voting securities of Fruehauf Corporation.	Do.	(65) 86-1231—Mark Goodson's proposed acquisition of voting securities of Mark I Communications, Inc., (Film Productions, Inc., UPE).	July 3, 1986.
(20) 86-1193—IBS Partners Ltd.'s proposed acquisition of voting securities of Burnup & Sims, Inc.	June 19, 1986.	(45) 86-1311—PHH Group, Inc.'s proposed acquisition of voting securities of Ryan Aviation Corporation.	Do.	(66) 86-1232—Mark Goodson's proposed acquisition of voting securities of Summit Communications, Inc.	Do.
(21) 86-1205—Towers, Perrin Forster & Crosby Inc.'s proposed acquisition of voting securities of Tillinghast, Nelson & Warren, Inc.	Do.	(46) 86-1316—Neoax, Inc.'s proposed acquisition of voting securities of Lanson Industries, Inc., (Charter Lanson, Inc., UPE).	Do.	(67) 86-1235—Allen Holding Inc.'s proposed acquisition of assets of the Ticketron Division, (Control Data Corporation, UPE).	Do.
(22) 86-1212—AM International, Inc.'s proposed acquisition of voting securities of Nicolet Zeta Corporation (Nicolet Instrument Corporation, UPE).	Do.	(47) 86-1320—William F. Farley's proposed acquisition of assets of Genesco Camp Division, (Genesco, Inc., UPE).	Do.	(68) 86-1275—General Electric Company's proposed acquisition of voting securities of Genstar Container, (IMASCO Limited, UPE).	Do.
(23) 86-1213—United Technologies Corporation's proposed acquisition of voting securities of Florida Air Conditioners, Inc., (James C. Van Landingham, UPE).	Do.	(48) 86-1324—CML Group, Inc.'s proposed acquisition of voting securities of PSI Nordtrack, Inc., (Edward A. and Florence Pauls, UPE's).	Do.	(69) 86-1280—Martin D. Gruss' proposed acquisition of voting securities of Anderson, Clayton & Co.	Do.
(24) 86-1216—Jamie Securities Co.'s proposed acquisition of voting securities of Revco D.S., Inc.	Do.	(49) 86-1325—Edward A. Pauls and Florence Pauls' proposed acquisition of voting securities of CML Group, Inc.	Do.	(70) 86-1281—Gruss Partners' proposed acquisition of voting securities of Anderson, Clayton & Co.	Do.
(25) 86-1269—Texas Air Corporation's proposed acquisition of voting securities of Rocky Mountain Aviation, Inc.	Do.	(50) 86-1326—Spear Leeds & Kellogg's proposed acquisition of voting securities of H. A. Brandt & Associates Inc.	Do.	(71) 86-1282—Bear, Stearns & Company's proposed acquisition of voting securities of Anderson, Clayton & Co.	Do.
(26) 86-1276—Hambledon-Hill Industries, Inc.'s, (Van E. Hill, UPE) proposed acquisition of voting securities of The 224 Company.	Do.	(51) 86-1332—HMI Holdings, Inc. d/b/a/ Vons Grocery Company's proposed acquisition of voting securities of Pantry Food Markets, Inc. of California, (Cullum Companies, Inc., UPE).	Do.	(72) 86-1290—Hawaiian Electric Industries, Inc.'s proposed acquisition of voting securities of Young Brothers Limited and Dillingham Tug and Barge Corporation, (Dillingham Holdings, Inc., UPE).	Do.
(27) 86-1277—Hambledon-Hill Industries, Inc.'s, (Robert H. Hambledon, UPE) proposed acquisition of voting securities of The 224 Company.	Do.	(52) 86-1334—Delta Air Lines, Inc.'s proposed acquisition of voting securities of Comair Inc.	Do.	(73) 86-1339—Alto Co-Operative Creamery's proposed acquisition of assets of Golden Guernsey Dairy Cooperative.	Do.
(28) 86-1283—J. G. L. Investments Pty's proposed acquisition of voting securities of Victory Markets Inc.	Do.	(53) 86-1338—Pan Am Corporation's proposed acquisition of assets of certain landing and takeoff rights and gate facilities, (Texas Air Corporation, UPE).	Do.	(74) 86-1345—Golden Guernsey Dairy Cooperative's proposed acquisition of assets of Alto Co-Operative Creamery.	Do.
(29) 86-1284—J. G. L. Investments Pty's proposed acquisition of voting securities of Victory Markets Inc.	Do.	(54) 86-1142—Rio Tinto-Zinc Corp., PLC's proposed acquisition of voting securities of AL Tech Specialty Steel Corp., (GATX Corporation, UPE).	June 27, 1986.	(75) 86-1370—Chevron Corporation's proposed acquisition of assets of North River Energy Company.	Do.
(30) 86-1285—J. G. L. Investments Pty's proposed acquisition of voting securities of Victory Markets Inc.	Do.	(55) 86-1223—Dentsply Holdings Inc.'s proposed acquisition of assets of Cooper LaserSonics, Inc.	Do.	(76) 86-1396—Motel 6 Operating, L. P.'s proposed acquisition assets of Motel Associates, L. P.	Do.
(31) 86-1293—C. G. & T. Industries Inc.'s, (Mr. Jim R. Smith, UPE) proposed acquisition of assets of Illinois Central Gulf Railroad Company, (IC Industries, Inc., UPE).	Do.	(56) 86-1240—Carey Energy Corporation's proposed acquisition of voting securities of Caribbean Gulf Refining Corporation, (Chevron Corporation, UPE).	Do.		
(32) 86-1294—C. G. & T. Industries Inc.'s, (Mr. David W. Reed, UPE) proposed acquisition of assets of Illinois Central Gulf Railroad Company, (IC Industries, Inc., UPE).	Do.	(57) 86-1241—Citrus World, Inc.'s proposed acquisition of assets of Citrus Processing Operation, (Southern Fruit Distributors, Inc., UPE).	Do.		
(33) 86-1307—National Medical Enterprises, Inc.'s proposed acquisition of voting securities of Fortel Corporation.	Do.	(58) 86-1246—National Healthcare, Inc.'s proposed acquisition of assets of L. V. Stabler Memorial Hospital of Greenville, Inc.; Valley View Medical Center; Cleveland Community Hospital; White County Community Hospital; Grant Buie Hospital; and Malone-Hogan Hospital, (Hospital Corporation of America, UPE).	Do.		
(34) 86-1253—Total Petroleum's, (North America Ltd.) proposed acquisition of voting securities of AMR Energy Corporation, (AMR Corporation, UPE).	June 20, 1986.				
(35) 86-1315—Bunzl Plc's proposed acquisition of voting securities of G. B. Goldman Paper Co.	June 23, 1986.				
(36) 86-0235—International Minerals and Chemical Corporation's proposed acquisition of assets of Brewster Phosphates, a partnership.	June 25, 1986.				
(37) 86-1225—Chrysler Corporation's proposed acquisition of voting securities of Officine Alfieri Maserati, (Alejandro de Tomaso, UPE).	Do.				

FOR FURTHER INFORMATION CONTACT:
Sandra M. Peay, Legal Technician,
Premerger Notification Office, Bureau of
Competition, Room 301, Federal Trade
Commission, Washington, DC 20580,
(202) 523-3894.

By direction of the Commission.

C. Landis Plummer,

Acting Secretary.

[FR Doc. 86-17630 Filed 8-5-86; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Secretary's Private/Public Sector Advisory Committee on Catastrophic Illness; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to meet in 1986:

Name: *Secretary's Private/Public Sector Advisory Committee on Catastrophic Illness.*

Date: August 11, 1986—2:30 p.m. until 7:00 p.m.

Place: Humphrey Auditorium, 200 Independence Ave., SW., Washington, DC 20201.

Purpose: The purpose of the Private/Public Sector Advisory Committee on Catastrophic Illness will be to: (1) Solicit input from all interested parties regarding how government and the private sector can work together to address the problems of affordable insurance for catastrophic illness; and (2) Reflect periodically the views of the interested parties as well as the constituencies represented on the Committee regarding the report on catastrophic health care which the Secretary of Health and Human Services must submit to the President by the end of the year.

Agenda: The meeting of the Private/Public Sector Advisory Committee will be a discussion session. The Private/Public Sector Advisory Committee will discuss major points and private sector inputs enunciated in the public forums. The Agenda will consist of: A welcome and opening remarks by James Balog, Chairman of the Private/Public Sector Advisory Committee and remarks from the members of the Committee.

Anyone wishing to obtain a roster of members or other relevant information should write to or call Ms. Jean-Craft Comolli, Staff Director, Private/Public Sector Advisory Committee on Catastrophic Illness, or Ms. Nancy Hobbs, Public Forum Coordinator, 612E, Humphrey Building, 200 Independence Ave., SW., Washington, DC, (202) 245-2641.

Joseph Antos,

Vice Chairman, Executive Advisory Committee.

[FR Doc. 86-17808 Filed 8-5-86; 8:45 am]

BILLING CODE 4150-04-M

Secretary's Private-Public Sector Advisory Committee on Catastrophic Illness; Forum

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to meet in 1986:

Name: *Secretary's Private-Public Sector Advisory Committee on Catastrophic Illness.*

Date: August 12, 1986—9:00 a.m. until 4:00 p.m.

Place: Humphrey Auditorium 200 Independence Ave., SW. Washington, DC 20201.

Purpose: The purpose of the Private/Public Sector Advisory Committee on Catastrophic Illness will be to: (1) Solicit input from all interested parties regarding how government and the private sector can work together to address the problems of affordable insurance for catastrophic illness; and (2) to reflect periodically the views of the interested parties as well as the constituencies represented on the Committee regarding the report on catastrophic health care which the Secretary of Health and Human Services must submit to the President by the end of the year.

Agenda: The forum of the Private/Public Sector Advisory Committee on Catastrophic Illness will consist of a welcome and opening remarks by Chairman James Balog and members of the Committee and presentations from public witnesses.

Anyone wishing to make a presentation or receive other relevant information concerning the Committee or the forums should write to or call Ms. Jean-Craft Comolli, Staff Director, Private/Public Sector Advisory Committee on Catastrophic Illness, or Ms. Nancy Hobbs, Public Forum Coordinator, 602 E, Humphrey Building, 200 Independence Ave., SW., Washington, DC 20201, (202) 245-2641.

Joseph Antos,

Vice Chairman, Executive Advisory Committee.

[FR Doc. 86-17809 Filed 8-5-86; 8:45 am]

BILLING CODE 4150-04-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. N-86-1627]

Submission of Proposed Information Collection to OMB

AGENCY: Office of Administration, HUD.

ADDRESS: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

ACTION: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and should be sent to: Rober Fishman, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: David S. Cristy, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, Southwest, Washington, DC 20410, telephone (202) 755-6050. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal described below for the collection of information to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) The office of the agency to collect the information; (3) The agency form number, if applicable; (4) How frequently information submissions will be required; (5) What members of the public will be affected by the proposal; (6) An estimate of the total number of hours needed to prepare the information submission; (7) Whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) The names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposal should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirement is described as follows:

Notice of Submission of Proposed Information Collection to OMB

Proposal: Environmental Review Procedures

Office: Community Planning and Development

Form Number: HUD-7015.15

Frequency of Submission: On Occasion

Affected Public: State or Local Governments

Estimated Burden Hours: 47,700

Status: New

Contact: Charles E. Thomsen, HUD,
(202) 755-6811 Robert Fishman, OMB,
(202) 395-6880

Authority: Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; Sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: July 24, 1986.

Donald J. Keuch, Jr.,

Deputy Assistant Secretary.

[FR Doc. 86-17687 Filed 8-5-86; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Application for Permit

The following applicant has applied for a permit 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.*):

Applicant: Sea World, Orlando,
Florida—PPT-710647

The applicant requests a permit to import a one month old South American/Amazonian manatee (*Trichechus inunguis*) recently orphaned in Guyana and now in custody of the Guyana Ministry of Agriculture which finds it is unable to adequately care for it and is prepared to release the animal to the applicant for scientific research and rehabilitation and hopefully, reintroduction to its native habitat. If the animal condition deteriorates to such an extent as to threaten its life, emergency measures will be sought to import it prior to the expiration date of this notice.

Documents and other information submitted with this application is available to the public during normal business hours (7:45 am to 4:15 pm), U.S. Fish and Wildlife Service, Room 611, 1000 North Glebe Road, Arlington, Virginia 22201, or by writing to the Director, U.S. Fish and Wildlife Service of the above address.

Interested persons may comment on this application within 30 days of the date of this publication by submitting written views, arguments, or data to the Director at the above address. Please refer to the appropriate PRT number when submitting comments.

Dated: August 1, 1986.

Earl B. Baysinger,

Chief Federal Wildlife Permit Office.

[FR Doc. 86-17678 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-55-M

Bureau of Land Management

[CO-050-06-4212-120C2410; C-38684, C-40717, C-42677]

Realty Action; Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action; Segregation from certain public land laws and direct sale of public land to Hard Rock Paving and Redi-Mix, Inc., the Pueblo Diocese of the Catholic Church, and Mr. and Mrs. Gerald Tannehill.

SUMMARY: The following described public land is being considered for suitability for disposal by sale at no less than fair market value under section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750; 43 U.S.C. 1713):

T. 49 N., R. 9 E., NMPM, Colorado,
Sec. 8, Lots 2, 3, 4, and 5.

Contains 7.06 acres.

T. 32 N., R. 8 E., NMPM, Colorado,
Sec. 13, S½SW¼NE¼SW¼.

Contains 5.00 acres.

T. 29 S., R. 69 W., 6th P.M. Colorado,
Sec. 29, Lots 6, 7, and 8.

Contains 18.27 acres.

These lands are hereby segregated from appropriation under the public land laws, including the mining laws, pending decision and action on the sale proposal.

DATE: Comment period is 45 days from publication.

FOR FURTHER INFORMATION AND PUBLIC COMMENT: Contact the District Manager, Canon City District Office, 3080 East Main Street, P.O. Box 311, Canon City, Colorado, 81212. Comments will be evaluated by the District Manager, who may cancel or modify this realty action and issue a final determination. In the absence of any action by the District Manager, this realty action will become the final determination of the Department of the Interior.

Stuart L. Freer,

Associate District Manager.

[FR Doc. 86-17613 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-JB-M

[CO-940-86-4220-10; C-39308]

Colorado; Hearing on Withdrawal; Keystone Ski Area

July 28, 1986.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public hearing.

SUMMARY: This notice sets forth the schedule and agenda for a forthcoming hearing on a pending Forest Service withdrawal application. This hearing will provide the opportunity for public involvement in the proposed withdrawal of National Forest System land for the protection of recreational values near Keystone, Colorado. All comments will be considered when a final determination is made on whether this land should be withdrawn.

DATES: Hearing will be held on September 11, 1986, at 7:00 p.m. All comments or requests to be heard should be made to the Colorado State Office by close of business on August 27, 1986.

ADDRESS: Silverthorne Lodge, 560 Silverthorne Lane, Silverthorne, Colorado, at the intersection of I-70 and Colorado Highway 6.

FOR FURTHER INFORMATION CONTACT: Doris E. Chelius, BLM Colorado State Office, (303) 294-7635.

SUPPLEMENTARY INFORMATION: The notice of proposed withdrawal for the Keystone Ski Area which was published October 17, 1984 (49 FR 40673-40674), as amended, is hereby modified to allow for public hearing as provided in 43 U.S.C. 1714 and 43 CFR 2310.

This hearing will be open to all interested persons; those who desire to be heard in person and those who desire to submit written statements on this subject. All comments and requests to be heard should be submitted to the Colorado State Office, 2020 Arapahoe Street, Denver, Colorado 80205, by August 27, 1986.

Robert D. Dinsmore,
Chief, Branch of Lands and Minerals Operations.

[FR Doc. 86-17620 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-JB-M

[CO-940-86-4220-10; C43908]

Colorado; Proposed Withdrawal; Opportunity for Public Hearing; Correction

July 28, 1986.

AGENCY: Bureau of Land Management, Interior.

ACTION: Correction.

SUMMARY: In FR Doc. 86-15044, on page 24449, in the issue of Thursday, July 3, 1986, column three, the land description should be corrected as follows:

Under the heading Sixth Principal Meridian, White River National Forest, T. 7 S., R. 78 W., the line reading "Sec. 1, lots 5, 6, 9, 10, 11, 12, S½SE¼, and" should be corrected to read "Sec. 1, lots 5, 6, 9, 10, 11, 12, W½SE¼, and".

Robert D. Dinsmore,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 86-17621 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-JB-M

[WO-620-06-4111-2111]

Information Collection Submitted to the Office of Management and Budget for Review Under the Paperwork Reduction Act

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget for approval under the provision of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related forms and explanatory material may be obtained by contacting the Bureau's clearance officer at the phone number listed below. Comments and suggestions on the requirement should be made within 30 days directly to the Bureau clearance officer and to the Office of Management and Budget desk officer, at (202) 395-7340.

Title: Assignment of Record Title Interest in a Lease for Oil and Gas or Geothermal Resources.

Transfer of Operating Rights (Sublease) in a Lease For Oil and Gas and Geothermal Resources.

Abstract: Respondents supply information on form which is submitted to benefit the applicant by assigning/transferring interest in an oil and gas and geothermal lease.

Bureau Form Number: 3000-3, 3000-3a.

Frequency: Occasionally.

Description of Respondents: Individuals and oil, exploration and drilling companies.

Annual Responses: 60,000.

Annual Burden Hours: 30,000.

Bureau Clearance Officer: Rebecca Daugherty, (202) 653-8853.

Robert H. Lawton,

Acting Assistant Director.

July 29, 1986.

[FR Doc. 86-17619 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-84-M

[UT-060-06-4331-13]

Availability of Draft Environmental Assessment; Grand Gulch and Slickhorn Wilderness Study Areas, Utah

July 28, 1986.

AGENCY: Bureau of Land Management, Moab.

ACTION: Notice of availability of draft environmental assessment.

SUMMARY: The Bureau of Land Management proposes to conduct stabilization and associated archaeological excavation at nine prehistoric cultural properties in the Grand Gulch and Slickhorn Wilderness Study Areas. The purpose of this action is to maintain the structural and artifactual integrity of these sites thereby protecting their scientific values while at the same time allowing for continued public (recreational) use.

Anyone who wishes to comment on the proposed action can obtain a copy of the draft environmental assessment from the San Juan Resource Area Office, 435 North Main, P.O. Box 7, Honticello, Utah 84535, (801) 587-2141. Comments should be received by September 19, 1986.

Gene Nodine,

District Manager.

[FR Doc. 86-17610 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-DQ-M

Bureau Forms Submitted for Review

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement, related forms, and explanatory material may be obtained by contacting the Bureau's Clearance Officer at the phone number listed below. Comments and suggestions on the requirement should be made directly to the Bureau's Clearance Officer and to the Office of Management and Budget Interim Department Desk Officer, Washington, D.C. 20503, Telephone (202) 395-7340.

Title: Timber Sale Export Restrictions, 43 CFR 5400.0-3

Abstract: This form is used by purchasers of Bureau of Land Management timber to determine compliance with export restrictions Bureau Form Numbers: 5460-17

Frequency: Occasionally.

Description of Respondents: Individuals, companies and corporations that have

purchased Bureau of Land Management timber sales.
Annual Responses: 100
Annual Burden Hours: 190
Bureau Clearance Officer (alternate):
Rebecca Daugherty, (202) 653-8853

Dated: June 23, 1986.

Guy E. Baier,

Acting Assistant Director, Lands and Renewable Resources.

[FR Doc. 86-17612 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-84-M

[NV-050-06-4351-08]

Caliente Management Framework Plan, NV; Notice of Intent

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of intent to prepare an amendment to the Caliente management framework plan (MFP) and invitation for public participation in the identification of issues and review of planning criteria.

SUMMARY: This notice describes the action to be analyzed for the amendment, the geographic area that would be affected, the preliminary issue and planning criteria, the disciplines to be represented and used to prepare the plan, the kind and extent of public participation activities and the BLM offices to contact for further information.

DATES: Public comment and participation are integral parts of the planning process. Written comments on the preliminary issues and planning criteria should be sent to the District Manager, Bureau of Land Management, Las Vegas District, P.O. Box 26569, Las Vegas, NV 89126, no later than September 8, 1986. No public hearings are scheduled at this time.

FOR FURTHER INFORMATION CONTACT: Ben F. Collins, District Manager, Bureau of Land Management, P.O. Box 26569, Las Vegas, Nevada 89126, (702) 388-6403.

SUPPLEMENTARY INFORMATION:

Description of the Proposed Planning Action

The BLM Las Vegas District is beginning the process of preparing an amendment to the comprehensive land use plan for the Caliente Resource Area as described in 43 CFR 1610.5-5. The action being proposed through the amendment is for the reestablishment of desert bighorn sheep through a transplant program in the Hiko Mountain Range. The initial number will be 15-25 with subsequent releases and total eventual population based upon

monitoring studies that indicate the success of the initial transplants. The population level of desert bighorn sheep to be managed for will be based upon habitat conditions as determined through evaluations of cooperative monitoring efforts by the BLM and Nevada Department of Wildlife.

The Geographic Area Covered by the Management Framework Plan Amendment

The Hiko Mountain Range lies in southern Nevada within the Caliente Resource Area of the BLM Las Vegas District. The proposed amendment covers only that portion of the Hiko Mountain Range that is administered by the above BLM District and is located approximately four miles east of Alamo, Nevada, in Tps. 5, 6, and 7 S., R. 61 E., M.D.M., and is bordered on the north by U.S. Highway 93.

General Types of Issues Anticipated and Preliminary Planning Criteria

The public is invited to participate in the identification of issues related to the reestablishment of a desert bighorn sheep population in the Hiko Mountains. Anticipated issues include potential overlap of use areas and forage competition between domestic cattle and desert bighorn sheep, and a potential for desert bighorn sheep to occasionally enter private lands bordering historic habitat.

The planning criteria will help to determine a suitable area for the reestablishment of desert bighorn sheep where the benefits outweigh the potential conflicts with other resource uses and/or values and where a viable herd can be established. An on-the-ground analysis of the Hiko Mountain Range by Nevada Department of Wildlife has determined this to be a priority area. No new inventories are planned; updates of existing information will be done as necessary for environmental analysis of impacts of the proposal.

Three alternatives will be analyzed. A proposed action alternative, a no action alternative, and an alternative to transplant desert bighorn sheep north of Highway 93 within the BLM Ely District.

Disciplines Represented on the Planning Team

An interdisciplinary team representing wildlife and range management, planning coordination, and cultural resources will be assigned to this planning effort.

Public Participation

Public comment is solicited during this identification of issues, and the

development of the criteria to guide the planning process. Upon publication of the notice of amendment decision, there will be a 30 day protest period. Persons interested in participating in the planning process should submit their name and address for inclusion on the Caliente MFP amendment mailing list to Bureau of Land Management, Las Vegas District Office, Post Office Box 26569, Las Vegas, Nevada 89126.

Location of Planning Documents

Planning documents and other pertinent materials may be examined at the Las Vegas District Office located at 4765 W. Vegas Drive, Las Vegas, Nevada between 7:30 a.m. and 4:15 p.m. Monday through Friday.

Dated: July 30, 1986.

Edward F. Spang,

State Director, Nevada.

[FR Doc. 86-17653 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-HC-M

[CO-950-06-4830-20]

Oil Shale Project Office Closure, Grand Junction, CO

The Bureau of Land Management (BLM), Colorado State Office, has announced the closure of the Oil Shale Project Office in Grand Junction, Colorado, effective September 30, 1986.

Lease records and operating files for the prototype oil shale leasing program will be transferred to the following offices: (1) Tracts Ua/Ub: Vernal District Office, 170 South 500 East, Vernal, UT 84078; and (2) Tracts Ca/Cb: Craig District Office, P.O. Box 248, Craig, CO 81626.

Effective September 1, 1986, the delegation of authority for all actions and activities presently concerning the Colorado federal oil shale leases will be transferred from the Oil Shale Project Office to the Craig District Office.

More than 8,000 documents and books at the Oil Shale Projects Office will be transferred to BLM's Denver Service Center, located at the Denver Federal Center. This historical and archival library will be cataloged under contract and integrated into the international computerized library system. This system provides 7,000 member libraries and their users immediate access to reference materials.

H. Robert Moore,

Associate State Director.

[FR Doc. 86-17610 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-JB-M

Minerals Management Service

Outer Continental Shelf; Development Operations Coordination; Conoco Inc.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed development operations Coordination document (DOCD).

SUMMARY: Notice is hereby given that Conoco Inc. has submitted a DOCD describing the activities it proposes to conduct on Lease OCS 0577, Block 208, Eugene Island Area, offshore Louisiana. Proposed plans for the above area provide for the development and production of hydrobarcons with support activities to be conducted from onshore bases located at Cameron and Morgan City, Louisiana.

DATE: The subject DOCD was deemed submitted on July 28, 1986.

ADDRESS: The subject DOCD is available for public review at the Office of the Regional Director, Gulf of Mexico OCS Region, Minerals Management Service, 1420 South Clearview Pkwy., Room 114, New Orleans, Louisiana (Office Hours: 9 a.m. to 3:30 p.m., Monday through Friday).

FOR FURTHER INFORMATION CONTACT: Michael J. Tolbert, Minerals Management Service, Gulf of Mexico OCS Region, Field Operations, Plans, Platform and Pipeline Section, Exploration/Development Plans Unit; Phone (504) 736-2867.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to Sec. 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the DOCD and that it is available for public review.

Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in DOCDs available to affected States, executives of affected States, local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in revised §250.34 of Title 30 of the CFR.

Dated: July 30, 1986.

J. Rogers Percy,

Regional Director, Gulf of Mexico OCS Region.

[FR Doc. 86-17611 Filed 8-5-86; 8:45 am]

BILLING CODE 4310-MR-M

INTERSTATE COMMERCE COMMISSION

San Joaquin Shippers Transport, Inc., et al.; Notice to the Commission of Intent To Perform Interstate Transportation for Certain Nonmembers

Date: August 1, 1986.

The following Notices were filed in accordance with section 10526(a)(5) of the Interstate Commerce Act. These rules provide that agricultural cooperatives intending to perform nonmember, nonexempt, interstate transportation must file the Notice, Form BOP 102, with the Commission within 30 days of its annual meetings each year. Any subsequent change concerning officers, directors, and location of transportation records shall require the filing of a supplemental Notice within 30 days of such change.

The name and address of the agricultural cooperative (1) and (2), the location of the records (3), and the name and address of the person to whom inquiries and correspondence should be addressed (4), are published here for interested persons. Submission of information which could have bearing upon the propriety of a filing should be directed to the Commission's Office of Compliance and Consumer Assistance, Washington, DC 20423. The Notices are in a central file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, DC.

- (1) San Joaquin Shipper's Transport, Inc., 1000 E. William St., Suite 100, Carson City, NV 89701
- (2) 1000 E. William St., Suite 100, Carson City, NV 89701
- (3) Leonard Patzer, 1000 E. William St., Suite 100, Carson City, NV 89701
- (1) Western Agricultural Lines, Inc., 4734 N. Cornelia, Fresno, CA 93711
- (2) 4734 N. Cornelia, Fresno, CA 93711
- (3) John Murphey, 4734 N. Cornelia, Fresno, CA 93711

Noreta R. McGee,

Secretary.

[FR Doc. 86-17654 Filed 8-5-86; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Controlled Substances; Proposed Revised 1986 Aggregate Production Quotas; Correction

AGENCY: Drug Enforcement
Administration, Justice.

ACTION: Notice of proposed revised 1986 aggregate production quotas; correction.

SUMMARY: This notice corrects the amount of desoxyephedrine which is to be used for the production of levodesoxyephedrine for use in a noncontrolled, nonprescription product previously published in the *Federal Register* July 7, 1986 (51 FR 24590). This amount is corrected to read 1,355,000 grams for the production of levodesoxyephedrine for use in a noncontrolled, nonprescription product. There is no change in the amount of desoxyephedrine for the production of methamphetamine.

Dated: July 29, 1986.

John C. Lawn,
Administrator, Drug Enforcement
Administration.

[FR Doc. 86-17627 Filed 8-5-86; 8:45 am]

BILLING CODE 4410-09-M

NATIONAL COMMUNICATIONS SYSTEM

Industry Executive Subcommittee National Security Telecommunications Advisory Committee; Meeting

A meeting of the Industry Executive Subcommittee (IES) of the National Security Telecommunications Advisory Committee (NSTAC) will be held Tuesday, August 19, 1986. The meeting will be held at the MITRE Corporation, 1820 Dolley Madison Boulevard, McClean, Virginia 22102. Registration will begin at 8:30 a.m. and the meeting will start at 9 a.m. The agenda is as follows:

- A. Opening remarks.
- B. Administrative remarks.
- C. Briefings of industry and government activities.

Due the requirement to discuss classified information, in conjunction with the issues listed above, the meeting will be closed to the public in the interest of National Defense. Any person desiring information about the meeting may telephone (202) 692-9274 or write the Manager, National Communications System, Washington, DC 20305-2010.

Charles F. Noll,
Captain, U.S. Navy, Assistant Manager, NCS
Joint Secretariat.

[FR Doc. 86-17669 Filed 8-5-86; 8:45 am]

BILLING CODE 3610-05-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-341]

The Detroit Edison Co. (Fermi-2); Issuance of Director's Decision Under 10 CFR 2.206 (DD-86-10)

Notice is hereby given that the Director, Office of Inspection and Enforcement has denied a petition under 10 CFR 2.206 filed by Jennifer Puntenney on behalf of the Safe Energy Coalition of Michigan (SECOM) for immediate action. In its petition, SECOM requested that the Commission take immediate action to require the licensee to show cause why its license should not be revoked in light of the allegations set forth by the Petitioner. SECOM asserts as grounds for its request that (1) the NRC has not elevated enforcement actions against the licensee to the extent mandated by the Atomic Energy Act and the Commission's regulations, (2) continued lack of management controls at levels that meet NRC requirements have resulted in ineffective programs and incompetence at critical levels of the licensee's organization including operations, maintenance, security, and engineering, (3) twenty-six violations issued recently were willful in that they showed a careless disregard for requirements, (4) the licensee has been unable to comply with certain NRC requirements, and (5) the recently released operations improvement plan will not provide the substantive changes needed to correct the serious breakdown of operations at Fermi-2.

The SECOM request for immediate action to show cause why its license should not be revoked has been denied. The reasons for this decision are fully described in the "Director's Decision Under 10 CFR 2.206" issued on this date, which is available for public inspection in the Commission's Public Document Room located at 1717 H Street, NW., Washington, DC 20555, and in the local public document room for Fermi-2 located at Monroe County Library System, 3700 S. Custer Road, Monroe, Michigan 48161.

Dated at Bethesda, Maryland, this 29th of July 1986.

For The Nuclear Regulatory Commission.

James M. Taylor,
Director, Office of Inspection and
Enforcement.

[FR Doc. 86-17672 Filed 8-5-86; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-341]

Detroit Edison Co., Wolverine Power Supply Cooperative, Inc. (Fermi-2); Exemption

I

Detroit Edison Company (DECo or the licensee) is the holder of Facility Operating License No. NPF-43 which authorizes the operation of the Fermi-2 facility at steady-state power levels not in excess of 3292 megawatts thermal. The license provides, among other things, that the facility is subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility is a boiling water reactor (BWR) located at the licensee's site in Monroe County, Michigan.

II

The Fermi-2 facility achieved its initial criticality on June 21, 1985. In compliance with the applicable requirements of § 50.44 of 10 CFR Part 50, the primary containment of this facility, which has a boiling light-water nuclear power reactor with a Mark I type containment, was required to be inerted by December 21, 1985. The purpose of this regulatory requirement is to provide protection against hydrogen burning and explosions which might occur were gaseous hydrogen to be generated in the event of a loss-of-coolant accident. Due to an incident on July 1-2, 1985, involving errors in reactivity control, the NRC issued a Conformatory Action Letter (CAL) on July 16, 1985, limiting the Fermi-2 facility to operations at a power level not exceeding five percent of rated power. The facility operated at this lower level from then until October 11, 1985, when it was shutdown to install certain pieces of equipment.

Due to a number of other problems, including a failure of a main bearing of an emergency diesel generator, the plant has remained shutdown and is not expected to restart until late July 1986, at the earliest.

Accordingly, the licensee has been unable to proceed with, and complete, its Startup Test Program (STP) as originally planned during the initial six-month period following issuance on March 20, 1985, of the low-power Fermi-2 operating license, NPF-33. More importantly, the licensee was not able to conduct its STP within the six-month period during which the containment need not be inerted (i.e., June 21, 1985, to December 21, 1985) in accordance with 10 CFR 50.44.

In light of this restriction on power level and the delay resulting from the

scheduled shutdown in early October 1985, the licensee requested an exemption, for a limited period of time, from the requirement to inert the primary containment. This request was contained in its letter dated October 9, 1985, and supplemented in its letter dated November 13, 1985. This temporary exemption would permit the licensee to continue operating the Fermi-2 facility with a noninerted containment during the balance of the initial startup test program as originally planned.

III

In its request for the subject exemption, the licensee requests an exemption from the requirement of § 50.44(c)(3)(i) to allow completion of the startup test program with a non-inerted containment. The actual time limit proposed in the requested exemption is the end of the Startup Test Program, described in Chapter 14 of the FSAR, or until the reactor core has operated for 120 effective full power days, whichever is earlier. The end of the startup test phase is determined by the completion of the 100 percent rated thermal power trip tests.

The licensee's Startup Test Program is based on maintaining the primary containment in a non-inerted condition; i.e., not removing the oxygen contained in normal air from the containment by purging with nitrogen. Completion of the Startup Test Program would normally be expected to occur within about 120 effective full power days (e.g., within 6 months at an average power level of about 70 percent). Based on this consideration, the licensee's request for an exemption will not result in a significant change, if any, in the maximum full power days of reactor core burnup which would have been accumulated had the licensee been able to conduct its startup program without any extended delays or without a restriction on power level.

The reason the licensee has proposed a maximum fuel burnup of 120 effective full power days (EFPD), as noted above, was to assure that the buildup of the fission product inventory will be limited during the startup test phase. This limitation on the fission product inventory will minimize the risk to public health and safety in two ways. First, the limit on the fission product inventory will put an upper limit on the amount of decay heat in the reactor core which would have to be removed in the event of a loss-of-coolant accident (LOCA). This in turn will limit the potential rise in fuel clad temperature following a postulated LOCA. It is the value of this last parameter which determines whether there would be a

fuel clad failure leading to the release of the radioactive fission products. Thus, the limit on the effective full power days proposed by the licensee will serve to minimize the probability of the release of radio activity to the environment in the event of a LOCA as well as limit the amount of radioactivity which was available for release. Secondly, the proposed limit on the integrated power history will minimize the fission product inventory in the fuel which could be released through other postulated accident scenarios such as the dropped rod accident. The NRC staff finds for these reasons, discussed above, that the level of safety provided by the proposed limited inerting exemption will not be significantly reduced, if at all, from that margin of safety implicit in the 6-month inerting exception in 10 CFR 50.44(c)(3)(i) to inerting requirements.

Since the startup tests will be performed in essentially the same manner as originally planned with respect to the magnitude and duration of power levels for these tests, the NRC staff concludes that there will be no increase in the risks of operating the Fermi-2 facility during the startup tests with the proposed limited exemption over those risks which were contemplated by the staff when the Fermi-2 facility was granted its operating license. Therefore, since there is no increase in risk caused by the mere fact of extending the time allowed for conducting the startup tests while not inerted, the NRC staff finds that operating the Fermi-2 facility during the startup test phase will be as safe under the conditions proposed for the exemption as operations would have been had the startup tests been completed in the six-month period after initial criticality.

There is also a positive benefit in operating the reactor without inerting the containment during the startup test phase because this condition would permit frequent inspections and/or the identification of potential problems which might affect safety during this period, without incurring the delay associated with deinerting and reinerting the containment. The anticipated high frequency of containment entries by plant personnel during the startup tests, together with the 24-hour periods required to deinert, would tend to discourage prompt and frequent containment entries to identify and correct any potential safety problems before they could become serious safety problems. In this regard, frequent containment entries are normally required during the startup test phase to adjust control systems,

calibrate instruments and monitor containment conditions as the plant ascends in power. Were the requested exemption not to be granted, there would be a considerable delay in the overall startup test phase which would thereby delay start of commercial operation of the Fermi-2 facility.

Accordingly, based on the foregoing discussion, the staff finds that the proposed exemption poses no increase in risk to public health and safety, and is consistent with the intent of 10 CFR 50.44 regarding containment inerting. The staff also finds that granting the proposed exemption will promote the efficient and expeditious testing of the Fermi-2 systems and components and is, therefore, in the public interest. On this basis, we find that the proposed limited exemption from § 50.44(c)(3)(i) of 10 CFR Part 50 is acceptable.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances, as provided in 10 CFR 50.12(a)(2)(iii), are present justifying the exemption; namely, that application of the regulation in the particular circumstances would result in an undue hardship and other costs which are significantly in excess of those contemplated when the regulation was adopted and that are significantly in excess of those incurred by others similarly situated. If the licensee were forced to inert the containment prior to completing the startup test phase solely to comply with § 50.44(c)(3)(i) of 10 CFR Part 50, an undue hardship and financial burden would result from the delay in commercial operation of the Fermi-2 facility caused by the need to deinert and reinert each time entry into the containment is required. The costs would be significantly in excess of those contemplated when the subject regulation was adopted in that the staff believed the startup test phase could be accomplished within six months of initial criticality without the need to deinert and reinert for each containment entry. The cost and hardship imposed on the licensee by failing to grant the proposed exemption would be considerably in excess of that contemplated when the rule was adopted. Therefore, the Commission hereby approves the following exemption request:

With respect to the requirement to provide an inerted atmosphere for the

Fermi-2 Mark I containment no later than December 21, 1985, pursuant to § 50.44(c)(3)(i) of 10 CFR Part 50, exemption is granted from this provision for a limited period not extending beyond the completion of the 100 percent rated thermal power trip tests or until the reactor has operated for 120 effective full power days, whichever is earlier.

The Commission has further determined that the exemption does not authorize a change in effluent types or total amounts of effluents nor an increase in power level and will not result in any significant environmental impact. In light of this determination and as reflected in the Notice of Environmental Assessment and Finding of No Significant Impact prepared pursuant to 10 CFR 51.2 and 51.30 through 51.32, it is concluded that the instant action is insignificant from the standpoint of environmental impact and an environmental impact statement need not be prepared.

For further details with respect to this action, see the licensee's request dated October 11, 1985, and supplemented on November 13, 1985, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC 20555 and at the Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this Exemption will have no significant impact on the environment (51 FR 26315 dated July 22, 1986).

This exemption is effective upon issuance.

For the Nuclear Regulatory Commission,
Gus Lainas,

*Acting Director, Division of BWR Licensing,
Office of Nuclear Reactor Regulation.*

Dated at Bethesda, Maryland, this 30th day of July 1986.

[FR Doc. 86-17670 Filed 8-5-86; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-341]

Detroit Edison Co., Wolverine Power Supply Cooperative, Inc. (Fermi-2); Exemption

I

Detroit Edison Company (DECo or the licensee) is the holder of Facility Operating License No. NPF-43 which authorizes the operation of the Fermi-2 facility at steady-state power levels not in excess of 3292 megawatts thermal. The license provides, among other things, that the facility is subject to all

rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility is a boiling water reactor (BWR) located at the licensee's site in Monroe County, Michigan.

II

The NRC staff identified a concern with the design features of the 3/8-inch nitrogen purge line associated with the traversing in-core probe (TIP) system, in a letter dated November 21, 1985. The then current design of this line, identified as penetration X-35G in Table 6.2-2 of the Fermi-2 FSAR, was based on the classification of this penetration of primary containment by the licensee as an instrument line. This classification, if accepted by the NRC staff, would permit the licensee to install only a single check valve outside containment consistent with the guidelines in Section C.2.a of Regulatory Guide 1.11. That was the valving configuration for the subject penetration at that time.

The NRC staff disagreed with the licensee's classification for the subject containment penetration on the basis that while this line was indeed a portion of an instrument system, the line itself did not in any manner provide any function that remotely corresponds to the function of an instrument line.

In point of fact, the only purpose for this line is to remove any oxygen from the TIP system inside containment by purging this system with nitrogen. Thereafter, this line must be secured in such a fashion to maintain the nitrogen atmosphere in that portion of the TIP system inside containment. In the event of any condition which would generate an isolation signal, this line must isolate and remain closed until such time as the isolation signal is cleared.

Considering both the function and the operational requirements of this containment penetration, the NRC staff concluded that this line cannot be classified as an instrument line. (An instrument line might be expected to be operable in the event of an accident so as to follow the course of the accident; this is clearly not the intended function of penetration X-35G.) Accordingly, it is the staff's position that this penetration must comply with the provisions of General Design Criteria (GDC) 55 and 56 regarding the installation of isolation valves.

In response to the NRC staff position on this matter, the licensee committed in its letter dated December 31, 1985, to revise the design features of penetration X-35G to comply with GDC 56. (The requirements for isolation valves in GDC 55 are identical to those in GDC

56.) Specifically, the licensee committed to install a check valve inside containment and an automatic isolation valve outside containment. The automatic isolation valve will receive diverse isolation signals. While the NRC staff finds that the proposed modification described above complies with the NRC staff finds that the proposed modification described above complies with the criteria in GDC 56 to install one valve inside and one valve outside containment, our evaluation of the acceptability of the proposed long-term modification cannot be completed until we receive additional information from the licensee regarding placement of the outboard isolation valve and the types of isolation signals which will actuate the automatic valve.

Because of the scope of this modification, the lead time to design this installation and the subsequent procurement of components, the licensee states, in its letter of December 31, 1985, that it cannot implement its commitment, cited above, until the first scheduled refueling outage without significantly delaying restart of the facility. (Restart of the Fermi-2 facility is presently estimated by the licensee to occur in late July 1986.) For this reason, the licensee proposed in its letter of December 31, 1985, to install an interim modification to the subject containment penetration which will provide a significantly increased containment isolation capability over that of the prior design.

This interim modification consists of two automatic ball valves outside primary containment. The valves and their installation will be in compliance with the quality assurance criteria for safety-related components and will isolate automatically on receipt of either of two diverse containment isolation signals; i.e., a signal indicating that: (a) the reactor vessel water level has fallen below Level 3; or (b) There is a high drywell pressure. Upon loss of power, these two ball valves will be closed by springs.

Because the proposed interim modification is not in full compliance with all the provisions of GDC 56, the licensee has requested an exemption from GDC 56 in accordance with 10 CFR 50.12 until it is able to come into full compliance with GDC 56 at the first scheduled refueling outage.

III

The two automatic ball valves proposed by the licensee for an interim modification of penetration X-35G meet nearly all the applicable NRC staff

requirements for components serving as part of the reactor vessel pressure boundary. Namely, they will be: (1) Designed, manufactured and installed to the appropriate quality assurance standards; (2) Actuated by diverse signals; (3) Closed by springs on loss of power which is in compliance with the requirements of GDC 56; (4) Designed and installed to seismic Category I criteria; and (5) Leak tested per Appendix J to 10 CFR Part 50. The proposed interim modification differs from the requirements of GDC 56 only in that it does not include one valve inside containment. We find, however, that the proposed interim modification provides a containment isolation capability comparable to that required by GDC 56.

On the basis that the proposed interim modification of primary containment penetration X-56G will be for a limited time period and provides containment isolation capability comparable to that required by GDC 56, we find that the proposed exemption from GDC 56 poses no increase in risk to public health and safety. On this basis, we find that the proposed interim exemption from the requirement in GDC 56 of Appendix A to 10 CFR Part 50 to have one isolation valve inside and one isolation valve outside, is acceptable.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances, as provided in 10 CFR 50.12(a)(2)(v), are present justifying the exemption, namely that the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation. The good faith effort by the licensee is demonstrated by its relatively prompt response to the NRC staff's position on this matter. The staff informed the licensee of its position in a letter dated November 11, 1985; the licensee acknowledged the staff's position on December 2, 1985, provided a commitment to comply with the provisions of GDC 56 in its letter dated December 20, 1985, and submitted its proposal for an interim and long-term resolution of this matter on December 31, 1985. As discussed in Section III, the licensee has indicated in its letter of December 31, 1985, that the time required to design, procure and install the long-term modification prevents it from implementing its commitment prior

to the first refueling outage. Based on this prompt response and the licensee's commitment to implement the long-term resolution at the earliest practical opportunity (i.e., the first scheduled refueling outage), the Commission concludes that the licensee has made a good faith effort to come into compliance with the requirements of GDC 56. Therefore, the Commission hereby approves the following exemption:

With respect to the requirement in General Design Criterion 56 to provide each line that connects directly to the containment atmosphere and penetrates primary reactor containment, with two containment isolation valves, one inside and one outside containment, exemption is granted for this requirement for penetration X-35G for a limited period not extending beyond the first scheduled refueling outage.

The Commission has further determined that the exemption does not authorize a change in effluent types or total amounts of effluents nor an increase in power level and will not result in any significant environmental impact. In light of this determination, and as reflected in the Notice of Environmental Assessment and Finding of No Significant Impact prepared pursuant to 10 CFR 51.21 and 51.30 through 51.32, it is concluded that the instant action is insignificant from the standpoint of environmental impact and an environmental impact statement need not be prepared.

For further details with respect to this section, see the licensee's request dated December 31, 1985, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC 20555 and at the Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48101.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this Exemption will have no significant impact on the environment (51 FR 26959 dated July 28, 1986).

This exemption is effective upon issuance.

Dated at Bethesda, Maryland, this 31st day of July 1986.

For the Nuclear Regulatory Commission,
Gus Lainas,

Acting Director, Division of BWR Licensing,
Office of Nuclear Reactor Regulation.

[FR Doc. 17671 Filed 8-5-86; 8:45 am]

BILLING CODE 7590-01-M

**OFFICE OF PERSONNEL
MANAGEMENT****Proposed Extension of OPM Forms
1078-A and 1078-B****AGENCY:** Office of Personnel
Management.**ACTION:** Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (title 44, U.S.C. Chapter 35), this notice announces a request submitted to OMB to extend a clearance for collecting data from selected Federal agencies for general purpose statistics. OPM Forms 1078-A and 1078-B (or other automated means) are used annually to collect salary and wage data, not otherwise available to the Office of Personnel Management (OPM), from 10 agencies. The data are used by OPM to calculate the Federal pay line and to manage policy and special rate programs. For copies of this proposal call James M. Farron, Agency Clearance Officer, on (202) 632-7714.

DATE: Comments on this data collection should be received within 10 working days of this publication.

ADDRESSES: Send or deliver comments to—

James M. Farron, Agency Clearance Officer, Office of Personnel Management, Room 6410, 1900 E Street NW., Washington, DC 20415 and

Katie Lewin, Information Desk Officer, Office of Information and Regulatory Affairs, New Executive Office Building, NW., Office of Management and Budget, Room 3235, Washington, DC 20503

FOR FURTHER INFORMATION CONTACT:
Randall T. Matke, (202) 632-5022.

U.S. Office of Personnel Management.

Constance Horner,
Director.

[FR Doc. 86-17608 Filed 8-5-86; 8:45 am]

BILLING CODE 6325-01-M

RAILROAD RETIREMENT BOARD**Agency Forms Submitted for OMB
Review****AGENCY:** Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

SUMMARY OF PROPOSAL(S):

- (1) Collection title: Representative Payee Monitoring.
- (2) Form(s) submitted: G-99c.
- (3) Type of request: Revision of a currently approved collection.
- (4) Frequency of use: On occasion.
- (5) Respondents: Individuals or households.
- (6) Annual responses: 375.
- (7) Annual reporting hours: 153.
- (8) Collection description: Under section 12(a) of the RRA, the Board is authorized to select, make payments to, and conduct transactions with an annuitant's relative or some other person willing to act on behalf of the annuitant as a representative payee. The collection obtains information needed to determine if a representative is handling benefit payments in the best interests of the annuitant.

ADDITIONAL INFORMATION OR

COMMENTS: Copies of the proposed forms and supporting documents may be obtained from Pauline Lohens, the agency clearance officer (312-751-4692). Comments regarding the information collection should be addressed to Pauline Lohens, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Judy McIntosh (202-395-6880), Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Pauline Lohens,

Director of Information and Data
Management.

[FR Doc. 86-17616 Filed 8-5-86; 8:45 am]

BILLING CODE 7905-01-M

SMALL BUSINESS ADMINISTRATION

[Application No. 09/09-5370]

**Astar Capital Corp.; Application for a
Small Business Investment Company
License**

An application for a license to operate a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661, *et seq.*) has been filed by Astar Capital Corporation (Astar) 7282 Orangethorpe Avenue, Suite 8, Buena Park, California 90621, with the Small Business Administration (SBA) pursuant to 13 CFR 107.102 (1986).

The officers, directors and major shareholders of the Applicant are as follows:

George Chi-Tung Hsu, 20615 E. Appaloose Drive, Walnut, CA 91789, President and Director, 10 percent
Keiko S. Chen, 13512 Caravel Place, Cerritos, CA 90701, Secretary and Treasurer

Chen-Hong Lee, 370 North Acaso Drive, Walnut, CA 91789, Chief Financial Officer

Symeon Shi-Men Woo, 1843 Paseo Azul, Rowland Heights, CA 91748, Chairman of the Board of Directors, 10 percent

Pearl M.C. Tang, 6005 Davenport Road, Dallas, TX 75248, Director, 10 percent

Shiu-Hwei Grace Chou, 2677 Berkshire Road, Cleveland, OH 44106, Director

Lucy S. Yang, 3251 Anastacia Court, Pleasanton, CA 94566, Director

Thomas M. Lin, 4155 Dixon Drive, Hoffman Estates, IL 60195, 10 percent

Tsung Chang Yang, 3251 Anastacia Court, Pleasanton, CA 94566, 10 percent.

No other shareholder owns as much as 10 percent. The Applicant, Astar Capital Corporation, a California Corporation will begin operations with \$1,000,000 paid in capital and paid in surplus. Astar Capital Corporation will conduct its activities primarily in the State of California but will consider investments in businesses in other areas in the United States.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the company under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act of 1958, as amended, and the SBA Rules and Regulations.

Notice is further given that any person may, not later than 30 days from the date of publication of this Notice, submit written comments on the proposed Applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" St., NW., Washington, DC 20416.

A copy of this notice shall be published in a newspaper of general circulation in Buena Park, California.

[Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies]

Dated: July 31, 1986.

Robert G. Lineberry,

Deputy Associate Administrator for
Investment.

[FR Doc. 86-17633 Filed 8-5-86; 8:45 am]

BILLING CODE 8025-01-M

[Application No. 02/02-5495]

Jardine Capital Corp.; Application for a License To Operate as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the SBA Regulations governing small business investment companies (13 CFR 107.102 (1986)) under the name of Jardine Capital Corporation (the Applicant), 8 Chatham Square, Suite 805, New York, New York 10038 for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended, (the Act), (15 U.S.C. 661 *et seq.*) and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and stockholders of the Applicant are as follows:

Name and address	Title or relationship
Evelyn S. Dy.....	President, General Manager Director and 100% Shareholder.
Yau-Chi Wai, 173 East Broadway, New York, New York 10002.	Treasurer, Director.
John L. Milling, One Marine Plaza, North Bergen, New Jersey 07047.	Secretary, Director.

The Applicant will begin operations with a capitalization of \$1,025,000.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the company under their management, including adequate profitability and financial soundness, in accordance with the Act and the SBA Rules and Regulations.

Notice is further given that any person may, not later than 30 days from the date of publication of this notice, submit to SBA, in writing, relevant comments on the proposed licensing of this company. Any such communications should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW., Washington, DC 20416.

A copy of this notice shall be published in a newspaper of general circulation in the New York City area.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: July 30, 1986.

Robert G. Lineberry,
*Deputy Associate Administrator for
Investment.*

[FR Doc. 86-17634 Filed 8-5-86; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF THE TREASURY**Public Information Collection Requirements Submitted to OMB for Review**

Dated: July 31, 1986.

The Department of Treasury has submitted the following public information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of this submission may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Room 7221, 1201 Constitution Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0351

Form Number: Forms 3975, 3975A, 3975B, 3975C and 3975D

Type of Review: Revision

Title: Tax Practitioner Mailing File (TPMF)

Clearance Officer: Garrick Shear, (202) 566-6150, Room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224

OMB Reviewer: Robert Neal, (202) 396-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503

Douglas J. Colley,

Departmental Reports Management Office.

[FR Doc. 86-17683 Filed 8-5-86; 8:45 am]

BILLING CODE 4810-25-M

VETERANS ADMINISTRATION**Privacy Act of 1974; Amendment of System Notice; Revised Routine Use Statement**

Notice is hereby given that the VA (Veterans Administration) is considering revising routine use statement 17 for the system of VA records entitled "Compensation, Pension, Education and Rehabilitation Records—VA" (58 VA 21/22/28) as set forth on page 738 of the *Federal Register* publication Privacy Act Issuances, 1984 Comp., Vol. V and

amended at 50 FR 26875 (June 28, 1985); 50 FR 31453 (August 2, 1985); 51 FR 24781 (July 8, 1986); and 51 FR 25142 (July 10, 1986).

The DMDC (Defense Manpower Data Center) of the DOD (Department of Defense) and the Department of Veterans Benefits of the VA under authority of title 38, United States Code, sections 210(c)(1) and 3006 plan to conduct a series of computer data exchanges to verify eligibility to VA education benefits granted under title 38, United States Code and to prevent fraud and abuse. The data exchange will compare certain information in the data base of the DMDC of individuals on active duty with VA education benefit records to determine if the payee of education benefits is receiving the correct amount of such benefits. The goal of the data exchange is to detect instances of underpayment or overpayment of education benefits under title 38, U.S.C.

If the data exchange discloses that there is a discrepancy in the active duty service dates of an individual on active duty in DMDC record and the service dates of an individual on active duty in the DMDC record and the service dates in the individual's VA education benefit record, the VA will verify this information of the individual so identified and will make any necessary adjustment to his or her education benefits. For these individuals so identified, the VA will contact the individual and his or her branch of service to resolve the discrepancy. The proposed revision of this routine use will permit this exchange of data with the DMDC and will permit such disclosure of identifying information to branches of military service when required to verify and correct, if necessary, the amount of VA education benefits being paid.

The VA has determined that release of information for the purpose of this data exchange is a necessary and proper use of information in this system of records and that a specific routine use for transfer of this information is appropriate.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed routine use of the system of records to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420. All relevant material received before September 2, 1986, will be considered. All written comments received will be available for public

inspection only in room 132, Veterans Services Unit, at the above address between the hours of 8 a.m. to 4:30 p.m., Monday through Friday (except holidays) until September 16, 1986.

If no public comment is received during the 30-day review period allowed for public comment or unless otherwise published in the *Federal Register* by the VA, the new routine use statement included herein is effective September 7, 1986.

Dated: July 31, 1986.

Thomas K. Turnage,
Administrator.

Notice of System of Records

In the system of records identified as 58 VA 21/22/28, "Compensation, Pension, Education and Rehabilitation Records—VA," appearing on page 738 of the *Federal Register* publication Privacy Act Issuances, 1984 Comp., Vol. V and amended at 50 FR 26875 (June 28, 1985); 50 FR 31453 (August 2, 1985); 51 FR 24781 (July 8, 1986); and 51 FR 25142 (July 10, 1986), the following routine use statement is changed to read as follows:

58 VA 21/22/28

SYSTEM NAME:

Compensation, Education and Rehabilitation Records—VA.

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

* * * * *

17. The name, Social Security number, date of birth, branch of service, effective date of compensation, current and historical benefit pay amounts for disability, pension, or education and the amount and type of education contribution made under title 38, United States Code, chapter 32, may be disclosed to the following agencies upon their official request: Department of the Army, Navy, and Air Force; Department of Defense, Defense Manpower Data Center; Marine Corps; Department of Transportation (Coast Guard); Department of Health and Human Services; Department of Education; PHS (Public Health Service), NOAA (National Oceanic and Atmospheric

Administration), Commissioned Officer Corps in order for these departments and agencies and the VA to reconcile the amount and/or waiver of service, department and retired pay, or to ensure that veterans and service persons who are receiving VA education benefits are being paid the correct amounts to which they are eligible. The Department of Defense will also use this information to identify retired veterans and dependent members of his or her family who have entitlement to Department of Defense benefits but who are not identified in the Defense Enrollment Eligibility Reporting System (DEERS) program and to assist in determining eligibility for CHAMPUS (Civilian Health and Medical Program of the Uniformed Services) benefits. These records may also be disclosed as a part of an ongoing computer matching program to accomplish these purposes.

* * * * *

[FR Doc. 86-17664 Filed 8-5-86; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol. 51, No. 151

Wednesday, August 6, 1986

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

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 5:00 p.m. on Thursday, July 31, 1986, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session, by telephone conference call, to:

(A)(1) Receive bids for the purchase of certain assets of and the assumption of the liability to pay deposits made in Citizens State Bank, Iowa Falls, Iowa, which was closed by the Superintendent of Banking for the State of Iowa on Thursday, July 31, 1986; (2) accept the bid for the transaction submitted by Green Belt Bank & Trust, Iowa Falls, Iowa, a newly-chartered State nonmember bank; (3) approve the applications of Green Belt Bank & Trust, Iowa Falls, Iowa, for Federal deposit insurance, for consent to exercise trust powers, for consent to purchase certain assets of and assume the liability to pay deposits made in Citizens State Bank, Iowa Falls, Iowa, and for consent to establish the sole branch of Citizens State Bank as a branch of Green Belt Bank & Trust; and (4) provide such financial assistance, pursuant to section 13(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(2)), as was necessary to facilitate the purchase and assumption transaction; and

(B) Adopt a resolution making funds available for the payment of insured deposits made in First National Bank in Cordell, Cordell, Oklahoma, which was closed by the Deputy Comptroller of the Currency, Office of the Comptroller of the Currency, on Thursday, July 31, 1986; and

(C)(1) Receive bids for the purchase of certain assets of and the assumption of the liability to pay deposits made in Eden State Bank, Eden, Texas, which was closed by the Banking Commissioner for the State of Texas on Thursday, July 31, 1986; (2) accept the bid for the transaction submitted by The Eden State Bank, Eden, Texas, a newly-chartered

State nonmember bank; (3) approve the applications of The Eden State Bank, Eden, Texas, for Federal deposit insurance and for consent to purchase certain assets of and assume the liability to pay deposits made in Eden State Bank, Eden, Texas; and (4) provide such financial assistance, pursuant to section 13(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(2)), as was necessary to facilitate the purchase and assumption transaction; and

(D) Consider a personnel matter:

The meeting was recessed at 5:10 p.m. and at 6:30 p.m. that same day the meeting was reconvened, at which time the Board of Directors: (1) Received bids for the purchase of certain assets of and the assumption of the liability to pay deposits made in The Gering National Bank & Trust Company, Gering, Nebraska, which was closed by the Deputy Comptroller of the Currency, Office of the Comptroller of the Currency, on Thursday, July 31, 1986; (2) accepted the bid for the transaction submitted by Scottsbluff National Bank and Trust Company, Scottsbluff, Nebraska; and (3) provided such financial assistance, pursuant to section 13(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(2)), as was necessary to facilitate the purchase and assumption transaction.

In calling the meeting, the Board determined, on motion of Chairman L. William Seidman and seconded by Mr. Robert J. Herrmann, acting in the place and stead of Director Robert L. Clarke (Comptroller of the Currency), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable, that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting pursuant to subsections (c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

Dated: August 1, 1986.

Federal Deposit Insurance Corporation.

Margaret M. Olsen,

Deputy Executive Secretary.

[FR Doc. 86-17745 Filed 8-4-86; 11:12 am]

BILLING CODE 6714-01-M

2

FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS

TIME AND DATE: 11:00 a.m., Monday, August 11, 1986.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Federal Reserve Bank and Branch director appointments. (This item was originally announced for a closed meeting on July 30, 1986.)
2. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
3. 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. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: August 1, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-17688 Filed 8-1-86; 5:10 pm]

BILLING CODE 6210-01-M

3

INTERNATIONAL TRADE COMMISSION

TIME AND DATE: Monday, August 11, 1986, at 9:30 a.m.

PLACE: Room 117, 701 E Street, NW., Washington, DC 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda
2. Minutes
3. Ratifications
4. Petitions and Complaints
5. Investigations 701-TA-279 (P) and 731-TA-336 (P) (Porcelain on steel cooking ware from Spain)—briefing and vote.
6. Any items left over from previous agenda.

CONTACT PERSON FOR MORE INFORMATION: Kenneth R. Mason, Secretary (202) 523-0161.
Kenneth R. Mason,
Secretary.

July 31, 1986.

[FR Doc. 86-17696 Filed 8-4-86; 9:15 am]

BILLING CODE 7020-02-M

4

INTERNATIONAL TRADE COMMISSION

TIME AND DATE: Wednesday, August 13, 1986, at 10:00 a.m.

PLACE: Room 117, 701 E Street, NW., Washington, DC 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Petitions and Complaints
Certain electrically resistive monocomponent toner (Docket Number 1330).
2. Investigation 731-TA-282 (F) (Candles from the People's Republic of China)—briefing and vote.
3. Investigation 731-TA-292 (F) (Certain welded carbon steel pipes and tubes from the People's Republic of China)—briefing and vote.

CONTACT PERSON FOR MORE INFORMATION: Kenneth R. Mason, Secretary (202) 523-0161.

Kenneth R. Mason,
Secretary.

July 31, 1986.

[FR Doc. 86-17697 Filed 8-4-86; 9:15 am]

BILLING CODE 7020-02-M

5

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 9:00 a.m., September 8, 1986.

PLACE: On board MV MISSISSIPPI at City Front, Cape Girardeau, MO.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report by president on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting; and
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project.

CONTACT PERSON FOR MORE INFORMATION: Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,
Executive Assistant, Mississippi River Commission.

[FR Doc. 86-17754 Filed 8-4-86; 12:04 pm]

BILLING CODE 3710-GX-M

6

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 9:00 a.m., September 9, 1986.

PLACE: On board MV MISSISSIPPI at City Front, vicinity of Beale Street, Memphis, TN.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report by president on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting;
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; and District Commander's report on the Mississippi River and Tributaries Project in Memphis District.

CONTACT PERSON FOR MORE INFORMATION: Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,
Executive Assistant, Mississippi River Commission.

[FR Doc. 86-17755 Filed 8-4-86; 12:04 pm]

BILLING CODE 3710-GX-M

7

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 10:00 a.m., September 10, 1986.

PLACE: On board MV MISSISSIPPI at City Front, foot of Crawford Street, Vicksburg, MS.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report by president on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting;
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; and
- (3) District Commander's report on the Mississippi River and Tributaries Project in Vicksburg District.

CONTACT PERSON FOR MORE INFORMATION: Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,
Executive Assistant, Mississippi River Commission.

[FR Doc. 86-17756 Filed 8-4-86; 12:42 pm]

BILLING CODE 3710-GX-M

8

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 9:00 a.m., September 12, 1986.

PLACE: On board MV MISSISSIPPI at City Front, Morgan City, LA.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report by president on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting;
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; and
- (3) District Commander's report on the Mississippi River and Tributaries Project in New Orleans District.

CONTACT PERSON FOR MORE INFORMATION: Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,
Executive Assistant, Mississippi River Commission.

[FR Doc. 86-17757 Filed 8-4-86; 12:43 pm]

BILLING CODE 3710-GX-M

9

NATIONAL SCIENCE FOUNDATION

DATE AND TIME:

August 15, 1986

8:30-9:00 a.m.—Closed Section

9:00-11:30 a.m.—Open Session

PLACE: National Science Foundation Washington, DC.

STATUS: Most of this meeting will be open to the public. Part of this meeting will be closed to the public.

MATTERS TO BE CONSIDERED AUGUST 15:

Closed Session (8:30-9:00 a.m.)

1. Minutes—June 1986 Meeting
2. NSB and NSF Staff Nominees
3. Grants, Contracts, and Programs—Action Items

Open Session (9:00-11:30 a.m.)

4. Chairman's Report
5. Minutes—June 1986 Meeting
6. Director's Report
7. Fiscal Year 1988 NSF Budget
8. Report on Presidential Young Investigators (PYI) Program
9. Status Report on Academic Scientific Instrumentation
10. Report on National Science Week—1986
11. Other Business

Thomas Ubois,
Executive Officer.

[FR Doc. 86-17796 Filed 8-4-86; 3:29 pm]

BILLING CODE 7555-01-M

10

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of August 4, 11, 18, and 25, 1986.

PLACE: Commissioners' Conference Room, 1717 H Street, NW., Washington, DC.

STATUS: Open and Closed.

MATTERS TO BE CONSIDERED:

Week of August 4

Tuesday, August 5

10:00 a.m.

Quarterly Source Term Briefing and Programs Initiated by Other Countries Related to Meltdown and Radiological Releases (Public Meeting)

2:00 p.m.

Briefing on Engineering Research Program (Public Meeting)

Wednesday, August 6

10:30 a.m.

Briefing by Executive Branch (Closed—Ex. 1) (Tentative)

11:30 a.m.

Affirmation/Discussion and Vote (Public Meeting)

a. Comanche Peak Construction Permit Extension—Certified Questions (Tentative)

Week of August 11—Tentative

Thursday, August 14

3:30 p.m.

Affirmation Meeting (Public Meeting) (if needed)

Week of August 18—Tentative

No Commission Meetings

Week of August 25—Tentative

Thursday, August 28

2:00 p.m.

Affirmation Meeting (Public Meeting) (if needed)

ADDITIONAL INFORMATION:

Discussion of Pending Investigations (Closed—Ex. 5 & 7) was held on July 30.
Discussion of Pending Enforcement Matter (Closed—Ex. 5 & 7) was held on July 31.
Affirmation of "Braidwood—Draft Order Taking Commission Review of Subpoena Issuance" (Public Meeting) was held on July 31.

TO VERIFY THE STATUS OF MEETINGS CALL (RECORDING): (202) 634-1498.

CONTACT PERSON FOR MORE INFORMATION: Robert McOsker (202) 634-1410.

Robert B. McOsker,
Office of the Secretary.
July 31, 1986.

[FR Doc. 86-17793 Filed 8-4-86; 3:03 pm]

BILLING CODE 7590-01-M

[The body of the page contains extremely faint, illegible text, likely bleed-through from the reverse side of the document. The text is too light to transcribe accurately.]

Registered Federal Report

Wednesday
August 6, 1986

Part II

Environmental Protection Agency

40 CFR Part 261
Hazardous Waste Management System;
Identification and Listing of Hazardous
Waste; Final Rule

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 261**

[FRL-2987-4]

Hazardous Waste Management System; Identification and Listing of Hazardous Waste**AGENCY:** Environmental Protection Agency.**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA) today is amending its regulations under the Resource Conservation and Recovery Act (RCRA) to: (1) Correct 57 existing entries in the lists of commercial chemical products which are hazardous wastes when discarded, and in the list of hazardous constituents (Appendix VIII); and (2) add Chemical Abstracts Service (CAS) registry numbers to all listings.

EFFECTIVE DATE: This amendment becomes effective on August 6, 1986 1986.

ADDRESSES: The public docket for this amendment is located in Room S-212A, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, and is available for viewing from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: The RCRA Superfund/Hotline at (800) 424-9346 or at (202) 382-3000. For technical information contact Agnes Ortiz, Office of Solid Waste (WH-562B), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 382-4770.

SUPPLEMENTARY INFORMATION:**I. Background**

Under the authority of Section 3001 of the Resource Conservation and Recovery Act of 1976, as amended (RCRA), the Agency promulgated in 40 CFR 261.33 a list of commercial chemical products or manufacturing chemical intermediates which are hazardous wastes if they are discarded or intended to be discarded. The phrase "commercial chemical product or manufacturing chemical intermediate" refers to a chemical substance which is manufactured or formulated for commercial or manufacturing use, and which consists of the commercially pure grade of the chemical, any technical grades of the chemical that are produced or marketed, and all formulations in

which the chemical is the sole active ingredient.¹ 40 CFR 261.33 also lists as hazardous wastes off-specification variants and the residues and debris from the clean-up of spills of these chemicals, if discarded or intended to be discarded (§ 261.33 (b) and (d)). Finally, § 261.33 lists as hazardous wastes the containers that have held those chemicals listed in § 261.33(e), if they are discarded or intended to be discarded, unless the containers have been triple-rinsed with a solvent capable of removing the chemical, or have been decontaminated in an equivalent manner.

A chemical substance is listed in § 261.33(e), and is subject to a small quantity generator exclusion limit of 1 kilogram per month, if it meets the criteria of § 261.11(a)(2); that is, it is acutely hazardous because it has been shown to be fatal to humans in low doses or is otherwise capable of causing or significantly contributing to serious illness or, in the absence of data on human toxicity, it has been shown in animal studies to have an oral (rat) LD50 of less than 50 milligrams per kilogram, a dermal (rabbit) LD50 of less than 200 milligrams per kilogram, or an inhalation (rat) LC50 of less than 2 mg/l. Chemical substances are listed in § 261.33(f), and are subject to the small quantity exclusion limit of 1000 kilograms per month,² if they satisfy the criteria in § 261.11(a)(1), or § 261.11(a)(3). Note, however, that on August 1, 1985, the Agency proposed to lower the small quantity generator exclusion level to 100 Kg/month for non-acutely toxic hazardous waste.

Chemicals are listed in Appendix VIII if they have been shown in reputable scientific studies to have toxic, carcinogenic, mutagenic or teratogenic effects on humans or other life forms and include such substances as those identified by the Agency's Carcinogen Assessment Group as being carcinogenic. See 40 CFR 261.11(a)(3).

¹ The Agency will propose a new version of this provision which would include formulations with more than one active ingredient and establish a means to determine a level below which formulations of acutely hazardous wastes could be treated as hazardous wastes.

² The Hazardous and Solid Waste Amendments of 1984 require the promulgation of standards for hazardous waste generated in a quantity greater than 100 kilograms but less than 1000 kilograms a month. These standards may differ from those applicable to large quantity generators. Some requirements on small quantity generators are effective immediately. See Section 221 of the Amendments, 42 U.S.C. 6921(d).

The significance of including a compound in Appendix VIII is threefold. First, the compound then can be cited as a basis for listing toxic wastes (see 40 CFR 261.11(a)(3)). Second, permittees are required to monitor ground water for many of these constituents under the detection, compliance, and corrective action monitoring programs of 40 CFR 264.91(a) (2) and (3). Third, the Principal Organic Hazardous Constituents specified in incineration permits are drawn from Appendix VIII (see 40 CFR 264.342).

In listing wastes in § 261.33, the Agency intends to encompass those hazardous chemical products which, for various reasons, are sometimes thrown away in pure or diluted form. The regulation is intended to designate chemicals themselves as hazardous wastes, if discarded. The reasons for discarding these materials might be that the materials did not meet required specifications, that inventories have been changed, or that the product line has been changed.

II. Reason and Basis for Today's Amendment

The Agency's on-going review of the clarity and accuracy of the existing hazardous waste lists has resulted in this revision. The Chemical Abstract Service (CAS) registry numbers are being added as an identification aid, and a number of corrections are being made as well. The CAS numbers added are found in the regulation section. Note that a new format is used for Appendix VIII in the regulation section. In addition many chemical names in Appendix VIII and Sections 261.33 (e) and (f) have been changed to correspond to the name in the Chemical Abstracts Service Registry Handbook—Number Section for the listed CAS number. This corresponds to the CAS Ninth Collective Index nomenclature for most compounds.

Since this notice involves only technical corrections and clarification, no public comment period will be necessary. Under 5 U.S.C. 553(b)(B), a rule is exempt from notice and public comment requirements "when the Agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedures thereon are impractical, unnecessary, or contrary to the public interest." For the same reasons, this rule is effective immediately. See 5 U.S.C. 553(d) and 42 U.S.C. 6930(b).

A. Corrections to Appendix VIII

Following are corrections to existing Appendix VIII listings:

As listed now—	Should be changed to—
Aldrin (1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a,8b-hexahydro-endo, exo-1,4:5,8-dimethanonaphthalene)	Aldrin (1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-endo,exo-1,4:5,8-dimethanonaphthalene)
5-(Aminomethyl)-3-isoxazole (3(2H)-isoxazalone, 5-(aminomethyl)- 4-Aminopyridine (4-Pyridinamine)	4-Aminopyridine (4-Fyridinamine) Should be a separate listing; not combined with 5-(Aminomethyl)-3-isoxazole
N,N-Diethylhydrazine (Hydrazine, 1,2-diethyl)	N,N'-Diethylhydrazine (Hydrazine, 1,2-diethyl)
Ethyl carbamate (urethane)	Carbamic acid, ethyl ester
Glycidylaldehyde (1-propanol-2,3-epoxy)	Glycidylaldehyde (1-propanol-2,3-epoxy)
Hexachlorobutadiene (1,3-Butadiene, 1,1,2,3,4,4-hexachloro-)	Hexachlorobutadiene (1,3-Butadiene, hexachloro-)
Hexachloroethane (Ethane, 1,1,1,2,2,2-hexachloro-)	Hexachloroethane (Ethane, hexachloro-)
Hexachloropropene (1-Propene, 1,1,2,3,3,3-hexachloro-)	Hexachloropropene (Propene, hexachloro-)
Kepone (Decachlorooctahydro-1,3,4-methano-2H-cyclobuta[cd]-pentalene-2-one)	Kepone (Decachlorooctahydro-1,3,4-methano-2H-cyclobuta[cd]-pentalene-2-one)
2-Methyl-2-(methylthio)propionaldehyde-o-(methylcarbonyl) oxime	2-Methyl-2-(methylthio)propionaldehyde-o-(methylcarbonyl) oxime
Nitrobenzene	Nitrobenzene
Nitrogen mustard N-oxide and hydrochloride salt (Ethanamine, 2-chloro-, N-(2-chloroethyl)-N-methyl-, and hydrochloride salt)	Nitrogen mustard N-oxide and hydrochloride salt (Ethanamine, 2-chloro-, N-(2-chloroethyl)-N-methyl-, and hydrochloride salt)
Nitrosopyrrolidine	N-Nitrosopyrrolidine
Propylthiouracil (Undecamethylenediamine, N,N'-bis(2-chlorobenzyl)-, dihydrochloride	Propylthiouracil (2,3-dihydro-6-propyl-2-thioxo-4(1H)-pyrimidinone)
(Above two unrelated chemical names should be separate listings as shown in right column)	Undecamethylenediamine, N,N'-bis-(2-chlorobenzyl)-, dihydrochloride (N,N'-Undecamethylenbis(2-chlorobenzylamine, dihydrochloride)
Tetrachloroethane (Ethene, 1,1,2,2-tetrachloro-)	Tetrachloroethene (Ethene, tetrachloro-)
Toluenediamine (Diaminotoluene)	Toluenediamine (Toluene, 2,5-diamine-)
Tolyene diisocyanate (Benzene, 1,3-diisocyanatomethyl-)	Tolyene diisocyanate (Benzene, 2,4- and 2,6-diisocyanatomethyl-)
Trichloromethanethiol	Perchloromethyl mercaptan (Methanesulfenyl chloride, trichloro-)
2,4,5-Trichlorophenoxyacetic acid (2,4,5-T)	Acetic acid, 2,4,5-trichlorophenoxy-, salts and esters (2,4,5-T, salts and esters)
2,4,5-Trichlorophenoxypropionic acid (2,4,5-TP, Silvex)	Propionic acid, 2-(2,4,5-trichlorophenoxy), salts and esters (2,4,5-TP, Silvex, salts and esters)

B. Corrections to § 261.33(e)

Following are corrections to existing listings in § 261.33(e):

EPA hazardous waste No.	As listed now—	Should be changed to—
P001	3-(alpha-acetonylbenyl)-4-hydroxycoumarin and salts	3-(alpha-Acetonyl-benzyl)-4-hydroxycoumarin and salts
P006	Aluminum phosphide	Aluminum phosphide (R,T)
P008	4-aAminopyridine	4-alpha-Aminopyridine
P043	Phosphorofluoric acid, bis-(1-methylethyl)-ester	Phosphorofluoric acid, bis(1-methylethyl) ester
P047	Phenol, 2,4-dinitro-6-methyl-	Phenol, 2-methyl-4,6-dinitro-and salts
P060	Hexachlorohexahydro-exo,exo-dimethanonaphthalene	Hexachlorohexahydro-endo,endo-dimethanonaphthalene
P089	Phosphorothioic acid, O,O-diethyl O-(p-nitrophenyl)	Phosphorothioic acid, O,O-diethyl O-(p-nitrophenyl) ester
P114	Thallium (I) selenite	Thallium (I) selenide

C. Corrections to § 261.33(f)

Following are corrections to existing listings in § 261.33(f):

Hazardous waste No.	As listed now—	Should be changed to—
U026	2-Naphthylamine, N,N'-bis(2-chloromethyl)-	2-Naphthylamine, N,N-bis(2-chloroethyl)-
U035	Butanoic acid, 4-[bis(2-chloroethyl)amino]benzene-	Butanoic acid, 4-[bis(2-chloroethylamino)benzene-
U058	2H-1,3,2-Oxazaphosphorine, 2-[bis(2-chloro-ethyl)amino]-tetrahydro-, oxide-2	2H-1,3,2-Oxazaphosphorine, 2-[bis(2-chloroethyl)amino]-tetrahydro-, 2-oxide
U067	Ethylene dibromide	Ethylene dibromide
U087	Phosphorodithioic acid, O,O-diethyl-, S-methylester	Phosphorodithioic acid, O,O-diethyl-, S-methyl ester
U137	1,10-(1,2-phenylene)pyrene	1,10-(1,2-Phenylene)pyrene
U093	Benzenamine, N,N'-dimethyl-4-phenylazo-	Benzenamine, N, N-dimethyl-4-[phenylazo]-
U105	Benzene, 1-methyl-1,2,4-dinitro	Benzene, 1-methyl-2,4-dinitro-
U111	Di-n-propylnitrosamine	Di-n-propylnitrosamine
U111	N-Nitroso-N-propylamine	N-Nitrosodi-n-propylamine
U114	Ethylenebis(dithiocarbamic acid)	Ethylenebis(dithiocarbamic acid), salts and esters
U115	Ethylene oxide	Ethylene oxide
U118	Ethylmethacrylate	Ethyl methacrylate
U121	Methane, trichlorofluoro-	Delete one of the two entries; the compound was inadvertently listed twice.
U145	Phosphoric acid, Lead salt	Phosphoric acid, lead salt
U148	1,2-Dihydro-3,6-pyridazine-dione	1,2-Dihydro-3,6-pyridazinedione
U155	Pyridine, 2-[(2-dimethylamino)-2-thenylamino]-	Pyridine, 2-[(2-dimethylamino) ethyl]-2-phenylamino-
U163	Guanidine, N-nitroso-n-methyl-N'-nitro-	Guanidine, N-nitroso-N-methyl-N'-nitro-
U166	1,4-Naphthoquinone	1,4-Naphthoquinone
U182	1,3,5-Trioxane, 2,4,5-trimethyl-	1,3,5-Trioxane, 2,4,6-trimethyl-
U185	Benzene, pentachloro-nitro-	Benzene, pentachloronitro-
U189	Phosphorous sulfide	Phosphorus sulfide
U202	1,2-Benzisothiazolin-3-one,1,1-dioxide	1,2-Benzisothiazolin-3-one,1,1-dioxide, and salts
U222	O-Toluidine hydrochloride	o-Toluidine hydrochloride
U234	Benzene, 1,3,5-Trinitro-	Hazardous waste number appears as "0234"; should be U234.
U237	Uracil, 5[bis(2-chloromethyl)-amino]-	Uracil, 5-[bis(2-chloroethyl)-amino]-
U240	2,4,4-D, salts and esters	2,4-D, salts and esters
U232	2,4,5-Trichloroacetic acid	2,4,5-Trichloroacetic acid, salts and esters
U233	2,4,5-Trichlorophenoxypropionic acid	2,4,5-Trichlorophenoxypropionic acid, salts and esters

IV. Regulatory Impact

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a Regulatory Impact Analysis. Due to the nature of this notice, the amendment is not a major regulation; therefore, no Regulatory Impact Analysis is required.

V. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601-612, whenever an Agency is required to publish a general notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis which describes the impact of the rule on small entities (*i.e.*, small businesses, small organizations, and small governmental jurisdictions). The Administrator may certify, however, that the rule will not

have a significant economic impact on a substantial number of small entities.

Today's amendment will have no economic impact on small entities. Accordingly, I hereby certify that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation therefore does not require a regulatory flexibility analysis.

VI. Paperwork Reduction Act

This rule does not contain any information collection requirements subject to OMB review under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

List of Subjects in 40 CFR Part 261

Hazardous waste, Recycling.

Dated: March 5, 1986.

Thomas Devine,

Acting Assistant Administrator for Solid Waste and Emergency Response.

For the reasons set out in the preamble, Title 40 of the Code of Federal Regulations is amended as follows:

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

1. The authority citation for Part 261 continues to read as follows:

Authority: Secs. 1006, 2002(a), 3001, and 3002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6921, and 6922).

2. In 40 CFR 261.33, the table in paragraph (e) is revised to read as follows:

§ 261.33 Discarded commercial chemical products, off-specification species, container residues, and spill residues thereof.

* * * * *

(e) * * *

Hazardous waste No.	Chemical abstracts No.	Substance
P023	107-20-0	Acetaldehyde, chloro-
P002	591-08-2	Acetamide, N-(aminothioxomethyl)-
P057	640-19-7	Acetamida, 2-fluoro-
P058	62-74-8	Acetic acid, fluoro-, sodium salt
P066	16752-77-5	Acetimidic acid, N-[(methylcarbamoyl)oxy]thio-, methyl ester
P002	591-08-2	1-Acetyl-2-thiourea
P003	107-02-8	Acrolein
P070	116-06-3	Aldicarb
P004	309-00-2	Aldrin
P005	107-18-6	Allyl alcohol
P006	20859-73-8	Aluminum phosphide (R,T)
P007	2763-96-4	5-(Aminomethyl)-3-isoxazolol
P008	504-24-5	4-alpha-Aminopyridine
P009	131-74-8	Ammonium picrate (R)
P119	7803-55-6	Ammonium vanadate
P010	7778-39-4	Arsenic acid
P012	1327-53-3	Arsenic oxide As ₂ O ₃
P011	1303-28-2	Arsenic oxide As ₂ O ₅
P011	1303-28-2	Arsenic pentoxide
P012	1327-53-3	Arsenic trioxide
P038	692-42-2	Arsine, diethyl
P036	696-26-6	Arsinous dichloride, phenyl-
P054	151-56-4	Azirdine
P013	542-62-1	Barium cyanide
P024	106-47-8	Benzenamine, 4-chloro-
P077	100-01-6	Benzenamine, 4-nitro-
P028	100-44-7	Benzene, (chloromethyl)-
P042	51-43-4	1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-, (R)-
P046	122-09-8	Benzeneethanamine, alpha,alpha-dimethyl-
P014	108-98-5	Benzenethiol
P001	81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts
P028	100-44-7	Benzyl chloride
P015	7440-41-7	Beryllium dust
P016	542-88-1	Bis(chloromethyl) ether
P017	588-31-2	Bromoacetone
P018	357-57-3	Brucine
P021	592-01-8	Calcium cyanide
P022	75-15-0	Carbon bisulfide
P022	75-15-0	Carbon disulfide
P095	75-44-5	Carbonic dichloride
P023	107-20-0	Chloroacetaldehyde
P024	106-47-8	p-Chloroaniline
P029	544-92-3	Copper cyanide
P030		Cyanides (soluble cyanide salts), not otherwise specified
P031	480-19-5	Cyanogen
P033	506-77-4	Cyanogen chloride
P034	131-89-5	2-Cyclohexyl-4,6-dinitrophenol
P036	696-26-6	Dichlorophenylarsine
P037	60-57-1	Dioldrin
P038	692-42-2	Diethylarsine
P041	311-45-5	Diethyl-p-nitrophenyl phosphate
P040	297-97-2	O,O-Diethyl O-pyrazinyl phosphorothioate
P043	55-91-4	Diisopropyl fluorophosphate (DEP)

Hazardous waste No.	Chemical abstracts No.	Substance
P004	309-00-2	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha,4alpha,4beta,5alpha,8alpha,8beta)-
P060	465-73-6	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P037	60-57-1	2,7,3,6-Dimethanonaphth[2,3b]oxirane, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1alpha,4alpha,4beta,5beta,8beta,8beta)-
P051	72-20-8	2,7,3,6-Dimethanonaphth[2,3b]oxirane, octahydro-, (1alpha,2beta,2alpha,3beta,6beta,6alpha,7beta,7alpha)-
P044	60-51-5	Dimethoate
P045	39196-18-4	3,3-Dimethyl-1-(methylthio)-2-butanone, O-[(methylamino)carbonyl] oxime
P046	122-09-8	alpha, alpha-Dimethylphenethylamine
P047	534-52-1	4,6-Dinitro-o-cresol and salts
P048	51-28-5	2,4-Dinitrophenol
P020	88-85-7	Dinoseb
P085	152-16-9	Diphosphoramidate, octamethyl-
P039	298-04-4	Disulfoton
P049	541-53-7	2,4-Dithiobiuret
P050	115-29-7	Endosulfan
P088	145-73-3	Endothal
P051	72-20-8	Endrin
P042	51-43-4	Epinsphrine
P101	107-12-0	Ethyl cyanide
P054	151-56-4	Ethyleneimine
P097	52-85-7	Famphur
P056	7782-41-4	Fluorine
P057	640-19-7	Fluoroacetamide
P058	62-74-8	Fluoroacetic acid, sodium salt
P065	628-86-4	Fulminic acid, mercury(2+) salt (R,T)
P059	76-44-8	Heptachlor
P062	757-58-4	Hexaethyltetraphosphate
P116	79-19-6	Hydrazinecarbothioamide
P068	60-34-4	Hydrazine, methyl-
P063	74-90-8	Hydrocyanic acid
P063	74-90-8	Hydrogen cyanide
P096	7803-51-2	Hydrogen phosphide
P064	624-83-9	Isocyanic acid, methyl ester
P060	485-73-6	Isodrin
P007	2763-96-4	3(2H)-Isoxazolone, 5-(aminomethyl)-
P092	62-38-4	Mercury, (acetato-O)phenyl-
P065	628-86-4	Mercury fulminate (R,T)
P082	62-75-9	Methamine, N-methyl-N-nitroso-
P016	542-88-1	Methane, oxybis[chloro-
P112	509-14-8	Methane, tetranitro- (R)
P118	75-70-7	Methanethiol, trichloro-
P050	115-29-7	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide
P059	76-44-8	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-
P066	16752-77-5	Methomyl
P067	75-55-8	2-Methylaziridine
P068	60-34-4	Methyl hydrazine
P064	624-83-9	Methyl isocyanate
P069	75-86-5	2-Methylacetonitrile
P071	298-00-0	Methyl parathion
P072	86-88-4	alpha-Naphthylthiourea
P073	13463-39-3	Nickel carbonyl
P073	13463-39-3	Nickel carbonyl, (T-4)-
P075	54-11-5	Nicotine and salts
P076	10102-43-9	Nitric oxide
P077	100-01-6	p-Nitroaniline
P078	10102-44-0	Nitrogen dioxide
P076	10102-43-9	Nitrogen oxide NO
P078	10102-44-0	Nitrogen oxide NO ₂
P081	55-63-0	Nitroglycerine (R)
P082	62-75-9	N-Nitrosodimethylamine
P084	4549-40-0	N-Nitrosomethylvinylamine
P074	557-19-7	Nickel cyanide
P085	152-16-9	Octamethylpyrophosphoramidate
P087	20816-12-0	Osmium oxide
P087	20816-12-0	Osmium tetroxide
P088	145-73-3	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid
P089	56-38-2	Parathion
P034	131-89-5	Phenol, 2-cyclohexyl-4,6-dinitro-
P048	51-28-5	Phenol, 2,4-dinitro-
P047	534-52-1	Phenol, 2-methyl-4,6-dinitro- and salts
P020	88-85-7	Phenol, 2-(1-methylpropyl)-4,6-dinitro-
P009	131-74-6	Phenol, 2,4,6-trinitro-, ammonium salt (R)
P092	62-38-4	Phenylmercury acetate
P093	103-85-5	Phenylthiourea
P094	298-02-2	Phorate
P095	75-44-5	Phosgene
P096	7803-51-2	Phosphine
P041	311-45-5	Phosphoric acid, diethyl 4-nitrophenyl ester
P039	298-04-4	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl] ester
P094	298-02-2	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)methyl] ester
P044	60-51-5	Phosphorodithioic acid, O,O-dimethyl S[2-(methylamino)-2-oxoethyl] ester
P043	55-91-4	Phosphorothioic acid, bis(1-methylethyl)- ester
P089	56-38-2	Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl) ester
P040	297-97-2	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester
P097	52-85-7	Phosphorothioic acid, O-[4-[(dimethylamino)sulfonyl]phenyl] O,O-dimethyl ester
P071	298-00-0	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester
P110	78-00-2	Plumbane, tetraethyl-
P098	151-50-8	Potassium cyanide
P099	506-61-6	Potassium silver cyanide
P070	116-06-3	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl]oxime
P101	107-12-0	Propanenitrile
P027	542-76-7	Propanenitrile, 3-chloro-
P069	75-86-5	Propanenitrile, 2-hydroxy-2-methyl-

Hazardous waste No.	Chemical abstracts No.	Substance
P081	55-63-0	1,2,3-Propanetriol, trinitrate (R)
P017	598-31-2	2-Propanone, 1-bromo-
P102	107-19-7	Propargyl alcohol
P003	107-02-6	2-Propenal
P005	107-18-6	2-Propen-1-ol
P067	75-55-8	1,2-Propylenimine
P102	591-08-2	2-Propyn-1-ol
P008	504-24-5	Pyridinamine
P075	¹ 54-11-5	Pyridine, (S)-3-(1-methyl-2-pyrroldinyl)-, and salts
P111	107-49-3	Pyrophosphoric acid, tetraethyl ester
P103	630-10-4	Selenourea
P104	506-64-9	Silver cyanide
P105	26628-22-8	Sodium azide
P106	143-33-9	Sodium cyanide
P107	1314-96-1	Strontium sulfide
P108	¹ 57-24-9	Strychnidin-10-one, and salts
P018	357-57-3	Strychnidin-10-one, 2,3-dimethoxy-
P108	¹ 57-24-9	Strychnine and salts
P115	10031-59-1	Sulfuric acid, thallium(I) salt
P109	3689-24-5	Tetraethyldithiopyrophosphate
P110	78-00-2	Tetraethyl lead
P111	107-49-3	Tetraethylpyrophosphate
P112	509-14-8	Tetranitromethane (R)
P062	757-58-4	Tetraphosphoric acid, hexaethyl ester
P113	1314-32-5	Thallic oxide
P113	1314-32-5	Thallium(III) oxide
P114	12039-52-0	Thallium(I) selenite
P115	10031-59-1	Thallium(I) sulfate
P109	3689-24-5	Thiodiphosphoric acid, tetraethyl ester
P045	39196-18-4	Thiofanox
P049	541-53-7	Thioimidodicarbonic diamide
P014	108-98-5	Thiophenol
P116	79-19-6	Thiosemicarbazide
P026	5344-82-1	Thiourea, (2-chlorophenyl)-
P072	86-88-4	Thiourea, 1-naphthalenyl-
P093	103-85-5	Thiourea, phenyl-
P123	8001-35-2	Toxaphene
P118	75-70-7	Trichloromethanethiol
P119	7803-55-6	Vanadic acid, ammonium salt
P120	1314-62-1	Vanadium(V) oxide
P084	4549-40-0	Vinylamine, N-methyl-N-nitroso-
P001	81-81-2	Warfarin
P121	557-21-1	Zinc cyanide
P122	1314-84-7	Zinc phosphide (R,T)

¹ CAS Number given for parent compound only.

3. In 40 CFR 261.33, the table in paragraph (f) is revised to read as follows:

§ 261.33 Discarded commercial chemical products, off-specification species, container residues, and spill residues thereof.

(f) * * *

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Hazardous waste No.	Chemical abstracts No.	Substance
U001	75-07-0	Acetaldehyde (I)
U034	75-87-6	Acetaldehyde, trichloro-
U187	62-44-2	Acetamide, N-(4-ethoxyphenyl)-
U005	53-96-3	Acetamide, N-9H-fluoren-2-yl
U112	141-78-6	Acetic acid, ethyl ester (I)
U144	301-04-2	Acetic acid, lead salt
U214	563-68-8	Acetic acid, thallium (1+) salt
U232	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-
U002	67-64-1	Acetone (I)
U003	75-05-8	Acetonitrile (I,T)
U004	98-86-2	Acetophenone
U005	53-96-3	2-Acetylaminofluorene
U006	75-36-5	Acetyl chloride (C,R,T)
U007	79-06-1	Acrylamide
U008	79-10-7	Acrylic acid (I)
U009	107-13-1	Acrylonitrile
U011	61-82-5	Amitrole
U012	62-53-3	Aniline (I,T)
U014	492-80-8	Auramine
U015	115-02-6	Azaserine
U010	50-07-7	Azirino(2',3':3,4)pyrrolo[1,2-a]indole-4,7-dione, 6-amino-8-[[[(aminocarbonyl)oxy]methyl]-1,1a,2,5,8a,8b-hexahydro-8a-methoxy-5-methyl-
U157	50-49-5	Benz[<i>j</i>]aceanthrylene, 1,2-dihydro-3-methyl-
U016	225-51-4	3,4-Benzacridine
U017	98-87-3	Benzal chloride
U192	23950-58-5	Benzamide, 3,5-dichloro-N-(1,1-diethyl-2-propynyl)-
U018	56-55-3	Benz[<i>a</i>]anthracene
U094	57-97-6	Benz[<i>a</i>]anthracene, 7,12-dimethyl-
U012	62-53-3	Benzenamine (I,T)
U014	492-80-8	Benzenamine, 4,4'-carbonimidoylbis[N,N-dimethyl-

Hazardous waste No.	Chemical abstracts No.	Substance
U049	3165-93-3	Benzenamine, 4-chloro-2-methyl-
U093	60-11-7	Benzenamine, N,N-dimethyl-4-(phenyleazo)-
U328	95-53-4	Benzenamine, 2-methyl-
U353	106-49-0	Benzenamine, 4-methyl-
U158	101-14-4	Benzenamine, 4,4'-methylenebis[2-chloro-
U222	636-21-5	Benzenamine, 2-methyl-, hydrochloride
U181	99-55-8	Benzenamine, 2-methyl-5-nitro-
U019	71-43-2	Benzene
U038	510-15-6	Benzeneacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy, ethyl ester
U030	101-55-3	Benzene, 1-bromo-4-phenoxy-
U035	305-03-3	Benzenebutanoic acid, 4-[bis(2-chloroethyl)amino]-
U037	108-90-7	Benzene, chloro-
U221	25376-45-8	Benzenediamine, ar-methyl-
U028	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester
U069	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester
U088	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester
U102	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester
U107	117-84-0	1,2-Benzenedicarboxylic acid, di-n-octyl ester
U070	95-50-1	Benzene, 1,2-dichloro-
U071	541-73-1	Benzene, 1,3-dichloro-
U072	106-46-7	Benzene, 1,4-dichloro-
U060	72-54-8	Benzene, 1,1'-(2,2-dichloroethylidene)bis[4-chloro-
U017	98-87-3	Benzene, (dichloromethyl)-
U223	26471-62-5	Benzene, 1,3-diisocyanatomethyl- (R,T)
U239	1330-20-7	Benzene, dimethyl- (I,T)
U201	108-46-3	1,3-Benzenediol
U127	118-74-1	Benzene, hexachloro-
U056	110-82-7	Benzene, hexahydro- (I)
U220	108-88-3	Benzene, methyl-
U105	121-14-2	Benzene, 1-methyl-2,4-dinitro-
U106	606-20-2	Benzene, 2-methyl-1,3-dinitro-
U055	98-82-8	Benzene, (1-methylethyl)- (I)
U169	98-95-3	Benzene, nitro- (I,T)
U183	608-93-5	Benzene, pentachloro-
U185	82-68-8	Benzene, pentachloronitro-
U020	98-09-9	Benzenesulfonic acid chloride (C,R)
U020	98-09-9	Benzenesulfonyl chloride (C,R)
U207	95-94-3	Benzene, 1,2,4,5-tetrachloro-
U061	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-chloro-
U247	72-43-5	Benzene, 1,1'-(2,2,2-trichloroethylidene)[4-methoxy-
U023	98-07-7	Benzene, (trichloromethyl)- (C,R,T)
U234	99-35-4	Benzene, 1,3,5-trinitro- (R,T)
U021	92-87-5	Benzidine
U202	181-07-2	1,2-Benzisothiazol-3-(2H)-one, 1,1-dioxide and salts
U203	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-
U141	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-
U090	94-58-6	1,3-Benzodioxole, 5-propyl-
U064	189-55-9	Benzo[rs]pentaphene
U022	50-32-8	Benzo[a]pyrene
U197	106-51-4	p-Benzoquinone
U023	98-07-7	Benzotrithiolide (C,R,T)
U085	1464-53-5	2,2'-Bioxirane (I,T)
U021	92-87-5	[1,1'-Biphenyl]-4,4'-diamine
U073	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-
U091	119-90-4	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-
U095	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-
U027	39638-32-9	Bis(2-chloroisopropyl) ether
U024	111-91-1	Bis(2-chloromethoxy) ethane
U028	117-81-7	Bis(2-ethylhexyl) phthalate.
U225	75-25-2	Bromoform
U030	101-55-3	4-Bromophenyl phenyl ether
U128	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172	924-16-3	1-Butanamine, N-butyl-N-nitroso-
U031	71-36-3	1-Butanol (I)
U159	78-93-3	2-Butanone (I,T)
U160	1338-23-4	2-Butanone peroxide (R,T)
U053	4170-30-3	2-Butenal
U074	764-41-0	2-Butene, 1,4-dichloro- (I,T)
U143	303-34-4	2-Butenoic acid, 2-methyl-, 7-[[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1-pyrrolizin-1-yl] ester, [1S-[alpha(2),7(2S,3R),7aalpha]]-
U031	71-36-3	n-Butyl alcohol (I)
U136	75-60-5	Cacodylic acid
U032	13765-19-0	Calcium chromate
U238	51-79-6	Carbamic acid, ethyl ester
U178	615-53-2	Carbamic acid, methylnitroso-, ethyl ester
U097	79-44-7	Carbamic chloride, dimethyl-
U114	111-54-6	Carbamodithioic acid, 1,2-ethanediybis-, salts and esters
U062	2303-16-4	Carbamothioic acid, bis(1-methylethyl)-S-(2,3-dichloro-2-propenyl) ester
U215	6533-73-9	Carbonic acid, dithallium(1+) salt
U033	353-50-4	Carbonic difluoride
U156	79-22-1	Carbonochloridic acid, methyl ester (I,T)
U033	353-50-4	Carbon oxyfluoride (R,T)
U211	56-23-5	Carbon tetrachloride
U034	75-87-6	Chloral
U035	305-03-3	Chlorambucil
U036	12789-03-6	Chlorodane
U026	494-03-1	Chloromaphazine
U037	108-90-7	Chlorobenzene
U039	59-50-7	p-Chloro-m-cresol
U041	106-89-8	1-Chloro-2,3-epoxypropane
U042	110-75-8	2-Chloroethyl vinyl ether
U044	67-66-3	Chloroform

Hazardous waste No.	Chemical abstracts No.	Substance
U046	107-30-2	Chloromethyl methyl ether
U047	91-58-7	beta-Chloronaphthalene
U048	95-57-8	o-Chlorophenol
U049	3165-93-3	4-Chloro-o-toluidine, hydrochloride
U032	13765-19-0	Chromic acid, calcium salt
U050	218-01-9	Chrysene
U051	8021-39-4	Creosote
U052	1319-77-3	Cresols (Cresylic acid)
U053	4170-30-3	Crotonaldehyde
U055	98-82-8	Cumene (I)
U246	506-68-3	Cyanogen bromide
U197	106-51-4	2,5-Cyclohexadiene-1, 4-dione
U056	110-82-7	Cyclohexane (I)
U057	108-94-1	Cyclohexanone (I)
U130	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-
U058	50-18-0	Cyclophosphamide
U240	94-75-7	2,4-D, salts and esters
U059	20830-81-3	Daunomycin
U060	72-54-8	DDD
U061	50-29-3	DDT
U062	2303-16-4	Diallate
U063	53-70-3	Dibenz[a,h]anthracene
U084	189-55-9	Dibenzo[a,i]pyrene
U066	96-12-8	1,2-Dibromo-3-chloropropane
U069	84-74-2	Dibutyl phthalate
U070	95-50-1	o-Dichlorobenzene
U071	541-73-1	m-Dichlorobenzene
U072	106-46-7	p-Dichlorobenzene
U073	91-94-1	3,3'-Dichlorobenzidine
U074	764-41-0	1,4-Dichloro-2-butene (I,T)
U075	75-71-8	Dichlorodifluoromethane
U078	75-35-4	1,1-Dichloroethylene
U079	156-60-5	1,2-Dichloroethylene
U025	111-44-1	Dichloroethyl ether
U081	120-83-2	2,4-Dichlorophenol
U082	87-65-0	2,6-Dichlorophenol
U240	94-75-7	2,4-Dichlorophenoxyacetic acid, salts and esters
U083	78-87-5	1,2-Dichloropropane
U084	542-75-6	1,3-Dichloropropene
U085	1464-53-5	1,2,3,4-Diepoxybutane (I,T)
U108	123-91-1	1,4-Diethyleneoxide
U086	1615-80-1	N,N-Diethylhydrazine
U087	3288-58-2	O,O-Diethyl-S-methyl-dithiophosphate
U088	84-66-2	Diethyl phthalate
U089	56-53-1	Diethylstilbestrol
U090	94-58-6	Dihydrosofrole
U091	119-90-4	3,3'-Dimethoxybenzidine
U092	124-40-3	Dimethylamine (I)
U093	60-11-7	Dimethylaminoazobenzene
U094	57-97-6	7,12-Dimethylbenz[a]anthracene
U095	119-93-7	3,3'-Dimethylbenzidine
U096	80-15-9	alpha, alpha-Dimethylbenzylhydroperoxide (R)
U097	79-44-7	Dimethylcarbamoyl chloride
U098	57-14-7	1,1-Dimethylhydrazine
U099	540-73-8	1,2-Dimethylhydrazine
U101	105-67-9	2,4-Dimethylphenol
U102	131-11-3	Dimethyl phthalate
U103	77-78-1	Dimethyl sulfate
U105	121-14-2	2,4-Dinitrotoluene
U106	606-20-2	2,6-Dinitrotoluene
U107	117-84-0	Di-n-octyl phthalate
U108	123-91-1	1,4-Dioxane
U109	122-66-7	1,2-Diphenylhydrazine
U110	142-84-7	Dipropylamine (I)
U111	621-64-7	Di-n-propylnitrosamine
U001	75-07-0	Ethanal (I)
U174	55-18-5	Ethanamine, N-ethyl-N-nitroso-
U155	91-80-5	1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-
U067	106-93-4	Ethane, 1,2-dibromo-
U076	75-34-3	Ethane, 1,1-dichloro-
U077	107-06-2	Ethane, 1,2-dichloro-
U131	67-72-1	Ethane, hexachloro-
U024	111-91-1	Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-
U117	60-29-7	Ethane, 1,1'-oxybis- (I)
U025	111-44-4	Ethane, 1,1'-oxybis[2-chloro-
U184	76-01-7	Ethane, pentachloro-
U208	630-20-6	Ethane, 1,1,1,2-tetrachloro-
U209	79-34-5	Ethane, 1,1,2,2-tetrachloro-
U218	62-55-5	Ethanethioamide
U227	110-80-5	Ethanol, 2-ethoxy-
U359	79-00-5	Ethanol, 1,1,2-trichloro-
U173	1116-54-7	Ethanol, 2,2'-(nitrosoimino)bis-
U004	98-86-2	Ethanone, 1-phenyl-
U043	75-01-4	Ethene, chloro-
U042	110-75-8	Ethene, (2-chloroethoxy)-
U078	75-35-4	Ethene, 1,1-dichloro-
U079	156-60-5	Ethene, 1,2-dichloro-, (E)-
U210	127-18-4	Ethene, tetrachloro
U228	79-01-6	Ethene, trichloro
U112	141-78-6	Ethyl acetate (I)
U113	140-88-5	Ethyl acrylate (I)
U238	51-79-6	Ethyl carbamate

Hazardous waste No.	Chemical abstracts No.	Substance
U038	510-15-6	Ethyl 4,4'-dichlorobenzilate
U114	111-54-6	Ethylenebisdithiocarbamic acid, salts and esters
U067	106-93-4	Ethylene dibromide
U077	107-06-2	Ethylene dichloride
U359	110-80-5	Ethylene glycol monoethyl ether
U115	75-21-8	Ethylene oxide (I,T)
U116	96-45-7	Ethylene thiourea
U117	60-29-7	Ethyl ether (I)
U076	75-34-3	Ethylidene dichloride
U118	97-63-2	Ethyl methacrylate
U119	62-50-0	Ethylmethanesulfonate
U120	208-44-0	Fluoranthene
U122	50-00-0	Formaldehyde
U123	64-18-6	Formic acid (C,T)
U124	110-00-9	Furan (I)
U125	98-01-1	2-Furancarboxaldehyde (I)
U147	108-31-6	2,5-Furandione
U213	109-99-9	Furan, tetrahydro- (I)
U125	98-01-1	Furfural (I)
U124	110-00-9	Furfuran (I)
U208	18883-66-4	D-Glucopyranose, 2-deoxy-2(3-methyl-3-nitrosoureido)-
U126	765-34-4	Glycidialdehyde
U163	70-25-7	Guanidine, N-methyl-N'-nitro-N-nitroso-
U127	118-74-1	Hexachlorobenzene
U128	87-68-3	Hexachlorobutadiene
U129	58-88-9	Hexachlorocyclohexane (gamma isomer)
U130	77-47-4	Hexachlorocyclopentadiene
U131	67-72-1	Hexachloroethane
U132	70-30-4	Hexachlorophene
U243	1888-71-7	Hexachloropropene
U133	302-01-2	Hydrazine (R,T)
U086	1615-80-1	Hydrazine, 1,2-diethyl-
U098	57-14-7	Hydrazine, 1,1-dimethyl-
U099	540-73-8	Hydrazine, 1,2-dimethyl-
U109	122-66-7	Hydrazine, 1,2-diphenyl-
U134	7664-39-3	Hydrofluoric acid (C,T)
U134	7664-39-3	Hydrogen fluoride (C,T)
U135	7783-06-4	Hydrogen sulfide
U096	80-15-9	Hydroperoxide, 1-methyl-1-phenylethyl- (R)
U136	75-60-5	Hydroxydimethylarsine oxide
U116	96-45-7	2-Imidazolidinethione
U137	193-39-5	Indeno[1,2,3-cd]pyrene
U139	9004-66-4	Iron dextran
U190	85-44-9	1,3-Isobenzofurandione
U140	78-83-1	Isobutyl alcohol (I,T)
U141	120-58-1	Isosafrole
U142	143-50-0	Kepone
U143	303-34-4	Lasiocarpine
U144	301-04-2	Lead acetate
U146	1335-32-6	Lead, bis(acetato-O)tetrahydroxytri-
U145	7446-27-7	Lead phosphate
U146	1335-32-6	Lead subacetate
U129	58-89-9	Lindane
U147	108-31-6	Maleic anhydride
U148	123-33-1	Maleic hydrazide
U149	109-77-3	Malononitrile
U150	148-82-3	Melphalan
U151	7439-97-6	Mercury
U152	126-98-7	Methacrylonitrile (I,T)
U092	124-40-3	Methanamine, N-methyl- (I)
U029	74-83-9	Methane, bromo-
U045	74-87-3	Methane, chloro- (I,T)
U046	107-30-2	Methane, chloromethoxy-
U068	74-95-3	Methane, dibromo-
U080	75-09-2	Methane, dichloro-
U075	75-71-8	Methane, dichlorodifluoro-
U138	74-88-4	Methane, iodo-
U119	62-50-0	Methanesulfonic acid, ethyl ester
U211	56-23-5	Methane, tetrachloro-
U153	74-93-1	Methanethiol (I,T)
U225	75-25-2	Methane, tribromo-
U044	67-66-3	Methane, trichloro-
U121	75-69-4	Methane, trichlorofluoro-
U123	64-18-6	Methanoic acid (C,T)
U154	67-56-1	Methanol (I)
U155	91-80-5	Methapyrilene
U142	143-50-0	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-
U247	72-43-5	Methoxychlor
U154	67-56-1	Methyl alcohol (I)
U029	74-83-9	Methyl bromide
U186	504-80-9	1-Methylbutadiene (I)
U045	74-87-3	Methyl chloride (I,T)
U156	79-22-1	Methylchlorocarbonate (I,T)
U226	71-55-6	Methylchloroform
U157	56-49-5	3-Methylcholanthrene
U158	101-14-4	4,4'-Methylenebis(2-chloroaniline)
U088	74-95-3	Methylene bromide
U080	75-09-2	Methylene chloride
U159	78-93-3	Methyl ethyl ketone (MEK) (I,T)
U160	1338-23-4	Methyl ethyl ketone peroxide (R,T)
U138	74-88-4	Methyl iodide
U161	108-10-1	Methyl isobutyl ketone (I)

Hazardous waste No.	Chemical abstracts No.	Substance
U162	80-62-6	Methyl methacrylate (I,T)
U163	70-25-7	N-Methyl-N'-nitro-N-nitrosoguanidine
U161	108-10-1	4-Methyl-2-pentanone (I)
U164	56-04-2	Methylthiouracil
U010	50-07-7	Mitomycin C
U059	20830-81-3	5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[(3-amino-2,3,6-trideoxy)-alpha-L-lyxo-hexopyranosyl]oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-
U165	91-20-3	Naphthalene
U047	91-58-7	Naphthalene, 2-chloro-
U166	130-15-4	1,4-Naphthalenedione
U236	72-57-1	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl-(1,1'-biphenyl)-4,4'-diyl)]-bis(azo)bis(5-amino-4-hydroxy)-, tetrasodium salt
U166	130-15-4	1,4-Naphthoquinone
U167	134-32-7	alpha-Naphthylamine
U168	91-59-8	beta-Naphthylamine
U026	494-03-1	2-Naphthylamine, N,N'-bis(2-chloromethyl)-
U167	134-32-7	1-Naphthylamine
U168	91-59-8	2-Naphthylamine
U217	10102-45-1	Nitric acid, thallium(1+) salt
U169	98-95-3	Nitrobenzene (I,T)
U170	100-02-7	p-Nitrophenol
U171	79-46-9	2-Nitropropane (I,T)
U172	924-16-3	N-Nitrosodi-n-butylamine
U173	1116-54-7	N-Nitrosodiethanolamine
U174	55-18-5	N-Nitrosodiethylamine
U176	759-73-9	N-Nitroso-N-ethylurea
U177	684-93-5	N-Nitroso-N-methylurea
U178	615-53-2	N-Nitroso-N-methylurethane
U179	100-75-4	N-Nitrosopiperidine
U180	930-55-2	N-Nitrosopyrrolidine
U181	99-55-8	5-Nitro-o-toluidine
U193	1120-71-4	1,2-Oxathiolane, 2,2-dioxide
U058	50-18-0	2H-1,3,2-Oxazaphosphorin-2-amine, N,N-bis(2-chloroethyl)tetrahydro-, 2-oxide
U115	75-21-8	Oxirane (I,T)
U126	765-34-4	Oxiranecarboxyaldehyde
U041	106-89-8	Oxirane, (chloromethyl)-
U182	123-63-7	Paraldehyde
U183	608-93-5	Pentachlorobenzene
U184	76-01-7	Pentachloroethane
U185	82-68-8	Pentachloronitrobenzene (PCNB)
U242	87-86-5	Pentachlorophenol
U186	504-60-9	1,3-Pentadiene (I)
U187	62-44-2	Phenacetin
U188	108-95-2	Phenol
U048	95-57-8	Phenol, 2-chloro-
U039	59-50-7	Phenol, 4-chloro-3-methyl-
U081	120-83-2	Phenol, 2,4-dichloro-
U082	87-85-0	Phenol, 2,6-dichloro-
U089	56-53-1	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-
U101	105-67-9	Phenol, 2,4-dimethyl-
U052	1319-77-3	Phenol, methyl-
U132	70-30-4	Phenol, 2,2'-methylenebis[3,4,6-trichloro-
U170	100-02-7	Phenol, 4-nitro-
U242	87-86-5	Phenol, pentachloro-
U212	58-90-2	Phenol, 2,3,4,6-tetrachloro-
U230	95-94-4	Phenol, 2,4,5-trichloro-
U231	88-06-2	Phenol, 2,4,6-trichloro-
U150	148-82-3	L-Phenylalanine, 4-[bis(2-chloroethyl)amino]-
U145	7446-27-7	Phosphoric acid, lead salt
U087	3288-58-2	Phosphorodithioic acid, O,O-diethyl-, S-methyl-, ester
U189	108-95-2	Phosphorous sulfide (R)
U190	85-44-9	Phthalic anhydride
U191	109-06-8	2-Picoline
U179	100-75-4	Piperidine, 1-nitroso-
U192	23950-58-5	Pronamide
U194	107-10-8	1-Propanamine (I,T)
U111	621-64-7	1-Propanamine, N-nitroso-N-propyl-
U110	142-84-7	1-Propanamine, N-propyl- (I)
U066	96-12-8	Propane, 1,2-dibromo-3-chloro-
U149	109-77-3	Propanedinitrile
U171	79-46-9	Propane, 2-nitro- (I,T)
U027	39638-32-9	Propane, 2,2'-oxybis[2-chloro-
U193	1120-71-4	1,3-Propane sulfone
U235	126-72-7	1-Propanol, 2,3-dibromo-, phosphate (3:1)
U140	78-83-1	1-Propanol, 2-methyl- (I,T)
U002	67-64-1	2-Propanone (I)
U084	542-75-6	1-Propane, 1,3-dichloro-
U152	126-98-7	2-Propanenitrile, 2-methyl- (I,T)
U007	79-06-1	2-Propenamide
U243	1888-71-7	1-Propene, hexachloro-
U009	107-13-1	2-Propenenitrile
U008	79-10-7	2-Propenoic acid (I)
U113	140-88-5	2-Propenoic acid, ethyl ester (I)
U118	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester
U162	80-66-2	2-Propenoic acid, 2-methyl-, methyl ester (I,T)
U233	93-72-1	Propionic acid, 2-(2,4,5-trichlorophenoxy)-
U184	107-10-8	n-Propylamine (I,T)
U083	78-87-5	Propylene dichloride
U148	123-33-1	3,6-Pyridazinedione, 1,2-dihydro-
U196	110-86-1	Pyridine
U191	109-06-8	Pyridine, 2-methyl-
U237	66-75-1	2,4-(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)amino]-
U184	56-04-2	4-(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-
U180	930-55-2	Pyrrolidine, 1-nitroso-

Hazardous waste No.	Chemical abstracts No.	Substance
U200	50-55-5	Reserpine
U201	109-46-3	Resorcinol
U202	81-07-2	Saccharin and salts
U203	94-59-7	Safrole
U204	7783-00-8	Selenious acid
U204	7783-00-8	Selenium dioxide
U205	7446-34-6	Selenium sulfide (R,T)
U015	115-02-6	L-Serine, diazoacetate (ester)
U233	93-72-1	Silvex
U206	18883-86-4	Streptozotocin
U103	77-78-1	Sulfuric acid, dimethyl ester
U189	1314-80-3	Sulfur phosphide (R)
U232	93-76-5	2,4,5-T
U207	95-94-3	1,2,4,5-Tetrachlorobenzene
U208	630-20-6	1,1,1,2-Tetrachloroethane
U209	79-34-5	1,1,2,2-Tetrachloroethane
U210	127-18-4	Tetrachloroethylene
U212	58-90-2	2,3,4,6-Tetrachlorophenol
U213	109-99-9	Tetrahydrofuran (I)
U214	15843-14-8	Thallium(I) acetate
U215	6533-73-9	Thallium(I) carbonate
U216	7781-12-0	Thallium chloride
U217	10102-45-1	Thallium(I) nitrate
U218	62-55-5	Thioacetamide
U153	74-93-1	Thiomethanol (I,T)
U244	137-26-8	Thioperoxydicarbonic diamide, tetramethyl-
U219	62-56-6	Thiourea
U244	137-26-8	Thiuram
U220	109-88-3	Toluene
U221	25376-45-8	Toluenediamine
U223	26471-62-5	Toluene diisocyanate (R,T)
U328	95-53-4	o-Toluidine
U353	106-49-0	p-Toluidine
U222	636-21-5	o-Toluidine hydrochloride
U011	61-82-5	1H-1,2,4-Triazol-3-amine
U226	71-55-6	1,1,1-Trichloroethane
U227	79-00-5	1,1,2-Trichloroethane
U228	79-01-6	Trichloroethylene
U121	75-69-4	Trichloromonofluoromethane
U230	95-95-4	2,4,5-Trichlorophenol
U231	88-06-2	2,4,6-Trichlorophenol
U234	99-35-4	sym-Trinitrobenzene (R,T)
U182	123-63-7	1,3,5-Trioxane, 2,4,6-trimethyl-
U235	126-72-7	Tris (2,3-dibromopropyl) phosphate
U236	72-57-1	Trypan blue
U237	66-75-1	Uracil mustard
U176	759-73-9	Urea, N-ethyl-N-nitroso-
U177	684-93-5	Urea, N-methyl-N-nitroso-
U043	75-01-4	Vinyl chloride
U248	81-81-2	Warfarin, when present at concentrations of 0.3% or less
U239	1330-20-7	Xylene (I)
U200	50-55-5	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyloxy)-], methyl ester
U249	1314-84-7	Zinc phosphide, when present at concentrations of 10% or less

¹ CAS Number given for parent compound only.

4. Appendix VIII to Part 261 is revised to read as follows:

APPENDIX VIII.—HAZARDOUS CONSTITUENTS

Common name	Chemical abstracts name	Chemical abstracts No.
Acetonitrile	Same	75-05-8
Acetophenone	Ethanone, 1-phenyl-	98-86-2
2-Acetylaminofluorene	Acetamide, N-9H-fluoren-2-yl-	53-96-3
Acetyl chloride	Same	75-36-5
1-Acetyl-2-thiourea	Acetamide, N-(aminothioxymethyl)-	591-08-2
Acrolein	2-Propenal	107-02-8
Acrylamide	2-Propenamide	79-06-1
Acrylonitrile	2-Propenenitrile	107-13-1
Aflatoxins	Aflatoxin	1402-68-2
Aldicarb	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl]oxime	116-06-3
Aldrin	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha,4alpha,4beta,5alpha,8alpha,8beta)-	309-00-2
Allyl alcohol	2-Propan-1-ol	107-18-6
Allyl chloride	1-Propane, 3-chloro-	107-05-1
Aluminum phosphide	Same	20659-73-8
4-Aminobiphenyl	(1,1'-Biphenyl)-4-amine	92-67-1
5-(Aminomethyl)-3-isoxazolol	3(2H)-isoxazolone, 5-(aminomethyl)-	2763-96-4
4-Aminopyridine	4-Pyridineamine	504-24-5
Amitrole	1H-1,2,4-Triazol-3-amine	61-82-5
Ammonium vanadate	Vanadic acid, ammonium salt	7803-55-6
Aniline	Benzenamine	62-53-3
Antimony and compounds, N.O.S. ¹	Antimony	7440-36-0
Aramite	Sulfurous acid, 2-chloroethyl-, 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester	140-57-8
Arsenic and compounds, N.O.S. ¹	Arsenic	7440-38-2
Arsenic acid	Arsenic acid AsH ₃ O ₄	7778-39-4
Arsenic pentoxide	Arsenic oxide As ₂ O ₅	1303-28-2
Arsenic trioxide	Arsenic oxide As ₂ O ₃	1327-53-3
Auramine	Benzamine, 4,4'-carbonimidoylbis[N,N-dimethyl-	492-80-8

APPENDIX VIII.—HAZARDOUS CONSTITUENTS—Continued

Common name	Chemical abstracts name	Chemical abstracts No.
Azaserine	L-Serine, diazoacetate (ester)	
Barium and compounds, N.O.S. ¹	Barium	115-02-6
Barium cyanide	Same	7440-39-3
Benz[c]acridine	Same	542-82-1
Benz[a]anthracene	Same	225-51-4
Benzal chloride	Benzene, (dichloromethyl)-	56-55-3
Benzene	Same	98-87-3
Benzenearsonic acid	Arsonic acid, phenyl-	71-43-2
Benzidine	[1,1'-Biphenyl]-4,4'-diamine	98-05-5
Benzo[b]fluoranthene	Benz[e]acephenanthrylene	92-87-5
Benzo[<i>h</i>]fluoranthene	Same	205-99-2
Benzo[<i>a</i>]pyrene	Same	205-82-3
p-Benzoquinone	2,5-Cyclohexadiene-1,4-dione	50-32-8
Benzotrifluoride	Benzene, (trichloromethyl)-	106-51-4
Benzyl chloride	Benzene, (chloromethyl)-	98-07-7
Beryllium and compounds, N.O.S. ¹	Beryllium	100-44-7
Bis(2-chloromethoxy)ethane	Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-	7440-41-7
Bis(2-chloroethyl) ether	Ethane, 1,1'-oxybis[2-chloro-	111-91-1
Bis(2-chloroisopropyl) ether	Propane, 2,2'-oxybis[2-chloro-	111-44-4
Bis(chloromethyl) ether	Methane, oxybis(chloro-	39638-32-9
Bis(2-ethylhexyl) phthalate	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	542-88-1
Bromoacetone	2-Propanone, 1-bromo-	117-81-7
Bromoform	Methane, tribromo-	598-31-2
4-Bromophenyl phenyl ether	Benzene, 1-bromo-4-phenoxy	75-25-2
Brucine	Strychnidin-10-one, 2,3-dimethoxy	101-55-3
Butyl benzyl phthalate	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester	357-57-7
Cacodylic acid	Arsenic acid, dimethyl-	85-68-3
Cadmium and compounds, N.O.S. ¹	Cadmium	75-60-5
Calcium chromate	Chromic acid, calcium salt	7440-43-9
Calcium cyanide	Same	13765-19-0
Carbon disulfide	Carbon bisulfide	592-01-6
Carbon oxyfluoride	Carbonic difluoride	75-15-0
Carbon tetrachloride	Methane, tetrachloro-	353-50-4
Chloral	Acetaldehyde, trichloro-	56-23-5
Chlorambucil	Benzenecarboxylic acid, 4-[bis(2-chloroethyl)amino]-	75-87-6
Chlordane, alpha and gamma isomers	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-	305-03-3
Chlorinated benzenes, N.O.S. ¹		57-74-9
Chlorinated ethane, N.O.S. ¹		
Chlorinated fluorocarbons, N.O.S. ¹		
Chlorinated naphthalene, N.O.S. ¹		
Chlorinated phenol, N.O.S. ¹		
Chloromaphazine	2-Naphthalenamine, N,N-bis(2-chloroethyl)-	494-03-1
Chloroacetaldehyde	Acetaldehyde, chloro-	107-20-0
Chloroalkyl ethers, N.O.S. ¹		
p-Chloroaniline	Benzenamine, 4-chloro-	106-47-8
Chlorobenzene	Benzene, chloro-	108-90-7
Chlorobenzilate	Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester	510-15-6
p-Chloro-m-cresol	Phenol, 4-chloro-3-methyl-	59-50-7
1-Chloro-2,3-epoxypropane	Oxirane, (chloromethyl)-	106-89-8
2-Chloroethyl vinyl ether	Ethene, (2-chloroethoxy)-	110-75-8
Chloroform	Methane, trichloro-	67-66-3
Chloromethyl methyl ether	Methane, chloromethoxy-	107-30-2
beta-Chloronaphthalene	Naphthalene, 2-chloro-	91-58-7
o-Chlorophenol	Phenol, 2-chloro-	95-57-8
1-(o-Chlorophenyl) thiourea	Thiourea, (2-chlorophenyl)-	5344-82-1
Chloroprene	2-Chloro-1,3-butadiene	126-99-8
3-Chloropropionitrile	Propanenitrile, 3-chloro-	542-76-7
Chromium and compounds, N.O.S. ¹	Chromium	7440-47-3
Chrysene	Same	218-01-9
Citrus red No. 2	2-Naphthalenol, 1-[(2,5-dimethoxyphenyl)azo]-	6358-53-8
Coal tars		8005-45-2
Copper cyanide	Copper cyanide CuCN	544-92-3
Cresole	Same	8001-58-9
Cresols (Cresylic acid)	Phenol, methyl-	1319-77-3
Crotonaldehyde	2-Butenal	4170-30-3
Cyanides (soluble salts and complexes) N.O.S. ¹		
Cyanogen	Ethanedinitrile	460-19-5
Cyanogen bromide	Same	508-68-3
Cyanogen chloride	Same	506-77-4
Cytasin	beta-D-Glucopyranoside, (methyl-ONN-azoxy)methyl	14901-08-7
2-Cyclohexyl-4,6-dinitrophenol	Phenol, 2-cyclohexyl-4,6-dinitro-	131-89-5
Cyclophosphamide	2H-1,3,2-Oxazaphosphorin-2-amine, N,N-bis(2-chloroethyl)tetrahydro-, 2-oxide	50-18-0
2,4-D, salts and esters	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters	94-75-7
Daunomycin	5,12-Naphthacenedione, (8S-cis)-8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxo-hexopyranosyl)oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-	20830-81-3
DDD	Benzene, 1,1'-(2,2-dichloroethylidene)bis[4-chloro-	72-54-8
DDE	Benzene, 1,1'-(dichloroethenylidene)bis[4-chloro-	72-55-9
DDT	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-chloro-	50-29-3
Diallate	Carbamothioic acid, bis(1-methylethyl)-S-(2,3-dichloro-2-propenyl) ester	2303-16-4
Dibenz[a,h]acridine	Same	226-36-8
Dibenz[a,i]acridine	Same	224-42-0
Dibenz[a,h]anthracene	Same	53-70-3
7H-Dibenzof[c,g]carbazole	Same	194-59-2
Dibenzo[a,e]pyrene	Naphtho[1,2,3,4-def]chrysene	192-65-4
Dibenzo[a,h]pyrene	Dibenzo[b,def]chrysene	189-64-0
Dibenzo[a,i]pyrene	Benzo[<i>rst</i>]pentaphene	189-55-9
1,2-Dibromo-3-chloropropane	Propane, 1,2-dibromo-3-chloro	96-12-8
Dibutylphthalate	1,2-Benzenedicarboxylic acid, dibutyl ester	84-74-2
o-Dichlorobenzene	Benzene, 1,2-dichloro-	95-50-1
m-Dichlorobenzene	Benzene, 1,3-dichloro-	541-73-1

APPENDIX VIII.—HAZARDOUS CONSTITUENTS—Continued

Common name	Chemical abstracts name	Chemical abstracts No.
p-Dichlorobenzene	Benzene, 1,4-dichloro	106-46-7
Dichlorobenzene, N.O.S.	Benzene, dichloro	25321-22-6
3,3'-Dichlorobenzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro	91-94-1
1,4-Dichloro-2-butene	2-Butene, 1,4-dichloro	764-41-0
Dichlorodifluoromethane	Methane, dichlorodifluoro	75-71-8
1,2-Dichloroethylene	Ethene, 1,2-dichloro-, (E)-	156-60-5
Dichloroethylene, N.O.S.	Dichloroethylene	25323-30-2
1,1-Dichloroethylene	Ethene, 1,1-dichloro	75-35-4
2,4-Dichlorophenol	Phenol, 2,4-dichloro	120-83-2
2,6-Dichlorophenol	Phenol, 2,6-dichloro	87-65-0
Dichlorophenylarsine	Arsonous dichloride, phenyl-	696-29-6
Dichloropropane, N.O.S. ¹	Propane, dichloro	26638-19-7
Dichloropropanol, N.O.S. ¹	Propanol, dichloro	26545-73-3
Dichloropropene, N.O.S. ¹	1-Propene, dichloro	26952-23-8
1,3-Dichloropropene	1-Propene, 1,3-dichloro	542-75-6
Dieldrin	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1a α ,2 β a,2a α ,3 β a,6 β a,6a α ,7 β a,7a α)	60-57-1
1,2:3,4-Diepoxybutane	2,2'-Bioxirane	1484-53-5
Diethylarsine	Arsine, diethyl-	692-42-2
1,4-Diethyleneoxide	1,4-Dioxane	123-91-1
N,N'-Diethylhydrazine	Hydrazine, 1,2-diethyl-	1615-80-1
O,O-Diethyl S-methyldithiophosphate	Phosphorodithioic acid, O,O-diethyl S-methyl ester	3288-58-2
Diethyl-p-nitro phenyl phosphate	Phosphoric acid, diethyl-4-nitrophenyl ester	311-45-5
Diethylphthalate	1,2-Benzenedicarboxylic acid, diethyl ester	84-66-2
O,O-Diethyl O-pyrazinyl phosphorothioate	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester	297-97-2
Diethylstilbestrol	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis,(E)-	56-53-1
Dihydrosofrole	1,3-Benzodioxole, 5-propyl-	94-58-6
3,4-Dihydroxy-alpha-(methylamino)methyl benzyl alcohol	(+)-1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-	329-85-7
Diisopropylfluorophosphate(DFP)	Phosphorofluoric acid, bis(1-methylethyl) ester	55-91-4
Dimethoate	Phosphorodithioic acid, O,O-dimethyl S-[2-[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-	60-51-5
3,3'-Dimethoxybenzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-	119-90-4
p-Dimethylaminoazobenzene	Benzenamine, N,N-dimethyl-4-(phenylazo)-	60-11-7
7,12-Dimethylbenz[a]anthracene	Benz[a]anthracene, 7,12-dimethyl-	57-97-6
3,3'-Dimethylbenzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-	119-93-7
Dimethylcarbamoyl chloride	Carbamic chloride, dimethyl-	79-44-7
1,1-Dimethylhydrazine	Hydrazine, 1,1-dimethyl-	57-14-7
1,2-Dimethylhydrazine	Hydrazine, 1,2-dimethyl-	540-73-8
alpha, alpha-Dimethylphenethylamine	Benzeneethanamine, alpha, alpha-dimethyl-	122-09-8
2,4-Dimethylphenol	Phenol, 2,4-dimethyl-	105-67-9
Dimethylphthalate	1,2-Benzenedicarboxylic acid, dimethyl ester	131-11-3
Dimethyl sulfate	Sulfuric acid, dimethyl ester	77-78-1
Dinitrobenzene, N.O.S. ¹	Benzene, dinitro-	25154-54-5
4,6-Dinitro-o-cresol and salts	Phenol, 2-methyl-4,6-dinitro- and salts	534-52-1
2,4-Dinitrophenol	Phenol, 2,4-dinitro-	51-28-5
2,4-Dinitrotoluene	Benzene, 1-methyl-2,4-dinitro-	121-14-2
2,6-Dinitro toluene	Benzene, 2-methyl-1,3-dinitro-	606-20-2
Dinoseb	Phenol, 2-(1-methylpropyl)-4,6-dinitro-	88-85-7
Di-n-octylphthalate	1,2-Benzenedicarboxylic acid, dioctyl ester	117-84-0
Diphenylamine	Benzenamine, N-phenyl-	122-39-4
1,2-Diphenylhydrazine	Hydrazine, 1,2-diphenyl-	122-66-7
Di-n-propylnitrosamine	1-Propanamine, N-nitroso-N-propyl-	621-64-7
Disulfoton	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl] ester	298-04-4
Dithioburet	Thioimidodicarbonic diamide	541-53-7
Endosulfan	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-,3-oxide	115-29-7
Endothal	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid	145-73-3
Endrin	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1a α ,2 β a,2a α ,3 β a,6 β a,6a α ,7 β a,7a α)	72-20-8
Ethyl carbamate (urethane)	Carbamic acid, ethyl ester	106-93-4
Ethyl cyanide	Propanenitrile	107-12-0
Ethylenebis(dithiocarbamic acid, salts and esters)	Carbamodithioic acid, 1,2-ethanediybis-, salts and esters	111-54-6
Ethylene dibromide	Ethane, 1,2-dibromo-	106-93-4
Ethylene dichloride	Ethane, 1,2-dichloro-	107-06-2
Ethylene glycol monoethyl ether	Ethanol, 2-ethoxy-	110-80-5
Ethyleneimine	Azirdine	151-56-4
Ethylene oxide	Oxirane	75-21-8
Ethylenethiourea	2-Imidazolidinethione	96-45-7
Ethylidene dichloride	Ethane, 1,1-dichloro-	75-34-3
Ethyl methacrylate	2-Propenoic acid, 2-methyl-, ethyl ester	97-63-2
Ethylmethane sulfonate	Methanesulfonic acid, ethyl ester	62-50-0
Famphur	Phosphorothioic acid, 0-[4-[(dimethylamino) sulfonyl] phenyl] O,O-dimethyl ester	52-85-7
Fluoranthene	Same	206-44-0
Fluorine	Same	7782-41-4
Fluoroacetamide	Acetamide, 2-fluoro-	640-19-7
Fluoroacetic acid, sodium salt	Acetic acid, fluoro-, sodium salt	62-74-8
Formaldehyde	Same	50-00-0
Glycidylaldehyde	Oxiranecarboxaldehyde	765-34-4
Halomethane, N.O.S. ¹		
Heptachlor	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-	76-44-8
Heptachlor epoxide	2,5-Methano-2H-indeno[1,2b]oxirene, 2,3,4,5,6,7,7-heptachloro-1a,1b,5,5a,6,6a-hexahydro-alpha, beta and gamma isomers)	1024-57-3
Hexachlorobenzene	Benzene, hexachloro-	118-74-1
Hexachlorobutadiene	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-	87-68-3
Hexachlorocyclopentadiene	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-	77-47-4
Hexachlorodibenzo-p-dioxins		
Hexachlorodibenzofurans		
Hexachloroethane	Ethane, hexachloro-	67-72-1
Hexachlorophene	Phenol, 2,2'-methylenebis[3,4,6-trichloro-	70-30-4
Hexachloropropene	1-Propene, hexachloro-	1888-71-7
Hexaethyltetraphosphate	Tetraphosphoric acid, hexaethyl ester	757-58-4
Hydrazine	Same	302-01-2

APPENDIX VIII.—HAZARDOUS CONSTITUENTS—Continued

Common name	Chemical abstracts name	Chemical abstracts No.
Hydrogen cyanide	Hydrocyanic acid	74-90-8
Hydrogen fluoride	Hydrofluoric acid	7664-39-3
Hydrogen sulfide	Same	7783-06-4
Indeno[1,2,3cd]pyrene	Same	193-39-5
Iron dextran	Same	9004-66-4
Isobutyl alcohol	1-Propanol, 2-methyl-	78-83-1
Isodrin	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-1 α ,4 α ,4 β ,5 β ,8 β ,8 β -	
Isosafrole	1,3-Benzodioxole, 5-(1-propenyl)-	120-58-1
Kepone	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-	143-50-0
Lasiocarpine	2-Butenoic acid, 2-methyl-, 7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1 α (Z),7(2s,3R),7a α (H)]]-	303-34-4
Lead and compounds, N.O.S. ¹		7439-92-1
Lead acetate	Acetic acid, lead(2+) salt	301-04-2
Lead phosphate	Phosphoric acid, lead(2+) salt	7448-27-7
Lead subacetate	Lead, bis(acetato-O)tetrahydroxytri-	1335-32-6
Lindane	Cyclohexane, 1,2,3,4,5,6-Hexachloro-	58-89-9
Maleic anhydride	2,5-Furandione	108-31-6
Maleic hydrazide	3,6-Pyridazinedione, 1,2-dihydro-	123-33-1
Malononitrile	Propanedinitrile	109-77-3
Melphalan	L-Phenylalanine, 4-[bis(2-chloroethyl)amino]-	148-82-3
Mercury fulminate	Fulminic acid, mercury(2+) salt	628-86-4
Mercury and compounds N.O.S. ¹	Same	7439-97-6
Methacrylonitrile	2-Propanenitrile, 2-methyl-	126-98-7
Methacrylene	1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-	91-80-5
Methoxychlor	Acetimidic acid, N-[(methylcarbamoyloxy)thio]-, methyl ester	16752-77-5
Methyl bromide	Benzene, 1,1'-(2,2,2-trichloroethylidene)[4-methoxy-	72-43-5
Methyl chloride	Methane, bromo-	74-83-9
Methylchlorocarbonate	Methane, chloro-	74-87-3
Methyl chloroform	Carbonchloridic acid, methyl ester	79-22-1
3-Methylcholanthrene	Ethane, 1,1,1-trichloro-	71-55-6
4,4'-Methylenebis(2-chloroaniline)	Benz[<i>j</i>]aceanthrylene, 1,2-dihydro-3-methyl-	56-49-5
Methylene bromide	Benzenamine, 4,4'-methylenebis[2-chloro-	101-14-4
Methylene chloride	Methane, dibromo-	74-95-3
Methyl ethyl ketone (MEK)	Methane, dichloro-	75-09-2
Methyl ethyl ketone peroxide	2-Butanone	78-93-3
Methyl hydrazine	2-Butanone, peroxide	1338-23-4
Methyl iodide	Hydrazine, methyl-	60-34-4
Methyl isocyanate	Methane, iodo-	74-88-4
2-Methylacetonitrile	Methane, isocyanato-	624-83-9
Methyl methacrylate	Propanenitrile, 2-hydroxy-2-methyl-	75-86-5
Methyl methanesulfonate	2-Propenoic acid, 2-methyl-, methyl ester	80-62-6
Methyl parathion	Methanesulfonic acid, methyl ester	66-27-3
Methylthiouracil	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester	298-00-0
Mitomycin C	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-	56-04-2
MNNG	Azirino[2,3':3,4]pyrrolo[1,2-a] indole-4,7-dione, 6-amino-8-[[[aminocarbonyloxy]methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-1 α R-[1 α R-(1 α alpha,8 β beta,8a α alpha)]-	50-07-7
Mustard gas	Guanidine, N-methyl-N-nitro-N-nitroso-	70-25-7
Naphthalene	Ethane, 1,1'-thiobis[2-chloro-	505-60-2
1,4-Naphthoquinone	Same	91-20-3
alpha-Naphthylamine	1,4-Naphthalenedione	130-15-4
beta-Naphthylamine	1-Naphthalenamine	134-32-7
alpha-Naphthylthiourea	2-Naphthalenamine	91-59-8
Nickel and compounds, N.O.S. ¹	Thiourea, 1-naphthalenyl-	88-88-4
Nickel carbonyl	Same	7440-02-0
Nickel cyanide	Nickel carbonyl, (T-4)-	13463-39-3
Nicotine and salts	Same	557-19-7
Nitric oxide	Pyridine, (S)-3-(1-methyl-2-pyrrolidinyl)-, and salts	54-11-5
p-Nitroaniline	Nitrogen oxide NO	10102-43-9
Nitrobenzene	Benzenamine, 4-nitro-	100-01-6
Nitrogen dioxide	Benzene, nitro-	98-95-3
Nitrogen mustard and hydrochloride salt	Nitrogen oxide NO ₂	10102-44-0
Nitrogen mustard N-oxide and hydrochloride salt	Ethanamine, 2-chloro-, N-(2-chloroethyl)-N-methyl-, and hydrochloride salt	51-75-2
Nitroglycerin	Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-, N-oxide, and hydrochloride salt	126-85-2
p-Nitrophenol	1,2,3-Propanetriol, trinitrate	55-83-0
2-Nitropropane	Phenol, 4-nitro-	100-02-7
4-Nitroquinoline-1-oxide	Propane, 2-nitro-	79-46-9
Nitrosamine, N.O.S. ¹	Quinoline, 4-nitro-1-oxide	56-57-5
N-Nitrosodi-n-butylamine	1-Butanamine, N-butyl-N-nitroso-	35576-91-1
N-Nitrosodiethanolamine	Ethanol, 2,2-(nitrosoimino)bis-	924-16-3
N-Nitrosodimethylamine	Ethanamine, N-ethyl-N-nitroso-	1116-54-7
N-Nitroso-N-ethyl urea	Methamine, N-methyl-N-nitroso-	55-18-5
N-Nitrosomethylethylamine	Urea, N-ethyl-N-nitroso-	62-75-9
N-Nitroso-N-methylurea	Ethanamine, N-methyl-N-nitroso-	759-73-9
N-Nitroso-N-methylurethane	Urea, N-methyl-N-nitroso-	10595-95-6
N-Nitrosomethylvinylamine	Carbamic acid, methylnitroso-, ethyl ester	684-93-5
N-Nitrosomorpholine	Vinylamine, N-methyl-N-nitroso-	615-53-2
N-Nitrosomocotine	Morpholine, N-nitroso-	4549-40-0
N-Nitrosopiperidine	Pyridine, 3-(1-nitroso-2-pyrrolidinyl)-, (S)-	59-89-2
Nitrosopyrrolidine	Piperidine, 1-nitroso-	16543-55-8
N-Nitrososarcosine	Pyrrolidine, 1-nitroso-	100-75-4
5-Nitro-o-toluidine	Glycine, N-methyl-N-nitroso-	930-55-2
Octamethylpyrophosphoramide	Benzenamine, 2-methyl-5-nitro-	13256-22-9
Osmium tetroxide	Diphosphoramide, octamethyl-	99-55-8
Paraldehyde	Osmium oxide (OsO ₄)	152-16-9
Parathion	1,3,5-Trioxane, 2,4,6-trimethyl-	20816-12-0
Pentachlorobenzene	Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl) ester	123-63-7
Pentachlorodibenzo-p-dioxins	Benzene, pentachloro-	56-38-2
Pentachlorodibenzofurans		608-93-5

APPENDIX VIII.—HAZARDOUS CONSTITUENTS—Continued

Common name	Chemical abstracts name	Chemical abstracts No.
Pentachloroethane	Ethane, pentachloro-	76-01-7
Pentachloronitrobenzene (PCNB)	Benzene, pentachloronitro-	82-68-8
Pentachlorophenol	Phenol, pentachloro-	87-86-5
Phenacetin	Acetamide, N-(4-ethoxyphenyl)-	62-44-2
Phenol	Same	108-95-2
Phenylenediamine	Benzenediamine	25265-76-3
Phenylmercury acetate	Mercury, (acetato-O)phenyl-	62-38-4
Phenylthiourea	Thiourea, phenyl-	103-85-5
Phosgene	Carbonic dichloride	75-44-5
Phosphine	Same	7803-51-2
Phorate	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester	298-02-2
Phthalic acid esters, N.O.S. ¹		85-44-9
Phthalic anhydride	1,3-Isobenzofurandione	109-06-8
2-Picoline	Pyridine, 2-methyl-	
Polychlorinated biphenyls N.O.S. ¹		151-50-8
Potassium cyanide	Same	506-61-6
Potassium silver cyanide	Argentate(1-), bis(cyano-C)-, potassium	23950-58-5
Pronamide	Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propenyl)-	1120-71-4
1,3-Propane sulfone	1,2-Oxathiolane, 2,2-dioxide	107-10-8
n-Propylamine	1-Propanamine	107-19-7
Propargyl alcohol	2-Propyn-1-ol	78-87-5
Propylene dichloride	Propane, 1,2-dichloro-	75-55-8
1,2-Propylenimine	Aziridine, 2-methyl-	51-52-5
Propylthiouracil	4(1H)-Pyrimidinone, 2,3-dihydro-6-propyl-2-thioxo-	110-86-1
Pyridine	Same	50-55-5
Reserpine	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-, methyl ester	108-46-3
Resorcinol	1,3-Benzenediol	81-07-2
Saccharin and salts	1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide and salts	94-59-7
Safrole	1,3-Benzodioxole, 5-(2-propenyl)-	7783-00-8
Selenium dioxide	Selenious acid	7782-49-2
Selenium and compounds, N.O.S. ¹	Selenium	7446-34-6
Selenium sulfide	Same	630-10-4
Selenourea	Same	7440-22-4
Silver and compounds, N.O.S. ¹	Silver	506-64-9
Silver cyanide	Same	93-72-1
Silvex (2,4,5-TP)	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-	143-33-9
Sodium cyanide	Same	18883-66-4
Streptozotocin	D-Glucopyranose, 2-deoxy-2-(3-methyl-3-nitrosoureido)-	1314-96-1
Strontium sulfide	Same	57-24-9
Strychnine and salts	Strychnidin-10-one and salts	1746-01-6
TCDD	Dibenzo[b,e] [1,4]dioxin, 2,3,7,8-tetrachloro-	95-94-3
1,2,4,5-Tetrachlorobenzene	Benzene, 1,2,4,5-tetrachloro-	
Tetrachlorodibenzo-p-dioxins		25322-20-7
Tetrachlorodibenzofurans		630-20-6
Tetrachloroethane, N.O.S. ¹	Ethane, tetrachloro-, N.O.S.	79-34-5
1,1,1,2-Tetrachloroethane	Ethane, 1,1,1,2-tetrachloro-	127-18-4
1,1,2,2-Tetrachloroethane	Ethane, 1,1,2,2-tetrachloro-	58-90-2
Tetrachloroethylene	Ethene, tetrachloro-	3689-24-5
2,3,4,6-Tetrachlorophenol	Phenol, 2,3,4,6-tetrachloro-	78-00-2
Tetraethylthiopyrophosphate	Thiodiphosphoric acid, tetraethyl ester	107-49-3
Tetraethyl lead	Plumbane, tetraethyl-	509-14-8
Tetraethylpyrophosphate	Diphosphoric acid, tetraethyl ester	7440-28-0
Tetranitromethane	Methane, tetranitro-	1314-32-5
Thallium and compounds, N.O.S. ¹	Thallium	563-68-8
Thallic oxide	Thallium (III) oxide	6533-73-9
Thallium (I) acetate	Acetic acid, thallium(1+) salt	7791-12-0
Thallium (I) carbonate	Carbonic acid, dithallium(1+) salt	10102-45-1
Thallium (I) chloride	Thallium chloride	12039-52-0
Thallium (I) nitrate	Nitric acid, thallium(1+) salt	10031-59-1
Thallium selenite	Thallium selenide	62-55-5
Thallium (I) sulfate	Sulfuric acid, thallium salt	39196-18-4
Thioacetamide	Ethanethioamide	74-93-1
Thioanox	2-Butanone, 3,3-dimethyl-1-(methylthio)-O-I(methylamino)carbonyl]oxime	108-98-5
Thiomethanol	Methanethiol	79-19-6
Thiophenol	Benzenethiol	62-56-6
Thiosemicarbazide	Hydrazinecarbothioamide	137-26-8
Thiourea	Same	108-88-3
Thiram	Thioperoxydicarbonic diamide, Tetramethyl-	25378-45-8
Toluene	Benzene, methyl-	95-80-7
Toluenediamine	Benzenediamine, ar-methyl-	823-40-5
2,4-Toluenediamine	1,3-Benzenediamine, 4-methyl-	496-72-0
2,6-Toluenediamine	1,3-Benzenediamine, 2-methyl-	584-84-9
3,4-Toluenediamine	1,2-Benzenediamine, 4-methyl-	106-49-0
Toluene diisocyanate	Benzene, 2,4-diisocyanato-1-methyl-	636-21-5
p-Toluidine	Benzenamine, 4-methyl-	8001-35-2
o-Toluidine hydrochloride	Benzenamine, 2-methyl-, hydrochloride	120-82-1
Toxaphene	Same	79-00-5
1,2,4-Trichlorobenzene	Benzene, 1,2,4-trichloro-	79-01-6
1,1,2-Trichloroethane	Ethane, 1,1,2-trichloro-	75-70-7
Trichloroethylene	Ethene, trichloro-	75-69-4
Trichloromethanethiol	Methanethiol, trichloro-	95-95-4
Trichloromonofluoromethane	Methane, trichlorofluoro-	88-06-2
2,4,5-Trichlorophenol	Phenol, 2,4,5-trichloro-	93-76-5
2,4,6-Trichlorophenol	Phenol, 2,4,6-trichloro-	
2,4,5-T	Acetic acid, (2,4,5-trichlorophenoxy)-	96-18-4
Trichloropropane, N.O.S.		126-69-1
1,2,3-Trichloropropane	Propane, 1,2,3-trichloro-	99-35-4
O,O,O-Triethylphosphorothioate	Phosphorothioic acid, O,O,O-triethyl ester	52-24-4
sym-Trinitrobenzene	Benzene, 1,3,5-trinitro	126-72-7
Tris(1-aziridinyl)phosphine sulfide	Aziridine, 1,1',1''-phosphinothioylidynetris-	
Tris(2,3-dibromopropyl)phosphate	1-Propanol, 2, 3-dibromo-, phosphate (3:1)	

APPENDIX VIII.—HAZARDOUS CONSTITUENTS—Continued

Common name	Chemical abstracts name	Chemical abstracts No.
Trypan blue	2,7-Naphthalendisulfonic acid, 3, 3'-[(3,3'-dimethyl[1,1'-biphenyl]-4,4'-diyl)bis(azo)]bis[5-amino-4-hydroxy-, tetrasodium salt	72-57-1
Uracil mustard	2,4(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)amino]-	66-75-1
Same as CAS name	Undecamethylenediamine, N,N'-bis(2-chlorobenzyl)-, dihydrochloride	2056-25-9
Vanadium pentoxide	Vanadium oxide V ₂ O ₅	1314-62-1
Vinyl chloride	Ethere, chloro-	75-01-4
Warfarin	2 H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-	81-81-2
Zinc cyanide	Same	557-21-1
Zinc phosphide	Zinc phosphide P ₂ Zn ₃	1314-84-7

¹ The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this appendix.

[FR Doc. 86-6093 Filed 8-5-86; 8:45 am]

BILLING CODE 6560-50-M

Final Regulations Federal Register

**Wednesday
August 6, 1986**

Part III

Department of Education

34 CFR Part 674

**Postsecondary Education; National Direct
Student Loan Program; Final Regulations**

DEPARTMENT OF EDUCATION

34 CFR Part 674

Postsecondary Education; National Direct Student Loan Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary of Education amends the regulations for the National Direct Student Loan (NDSL) Program. These regulations are designed to reduce the high number of defaulted loans under the NDSL Program and the unacceptably high default rate of certain participating institutions of higher education by amending the current funding procedures. These regulations are being amended to encourage institutions to improve the management of their NDSL Programs. Institutions which reduce their default rate by increasing repayments will better preserve the NDSL fund as a revolving fund, and will increase the funds available for loans to future borrowers.

EFFECTIVE DATE: These regulations take effect either 45 days after publication in the *Federal Register* or later if the Congress takes certain adjournments. If you want to know the effective date of these regulations, call or write the Department of Education contact person.

FOR FURTHER INFORMATION CONTACT: Margaret O. Henry, Chief, Policy Section, Campus and State Grant Branch, Division of Policy and Program Development, Office of Student Financial Assistance, 400 Maryland Avenue, SW. (Room 4018, ROB-3), Washington, DC 20202. Telephone (202) 245-9720.

SUPPLEMENTARY INFORMATION: Under the National Direct Student Loan (NDSL) Program, Title IV Part E of the Higher Education Act of 1965, as amended, institutions of higher education may receive Federal funds to make loans to students. The current regulations governing NDSL funding procedures provide that a participating institution may not receive a Federal Capital Contribution (FCC) under the program if its NDSL default rate exceeds 25 percent. The current regulations reduce the FCC provided to an institution with a default rate between 10 percent and 25 percent. This final regulation lowers, from 25 percent to 20 percent, the maximum default rate percentage which an institution may have and still qualify for receipt of the Federal Capital Contribution (FCC) allocation in the 1987-88 and subsequent award years. The regulation also

reduces, from 10 percent to 7.5 percent, the maximum default rate percentage which an institution may have without having its FCC reduced for those same years. In addition, this regulation changes certain elements of the funding appeal process in the 1988-89 and subsequent award years.

The Secretary revised these procedures in an effort to reduce the high number of defaulted loans under the NDSL Program and the unacceptably high default rate of certain participating institutions of higher education. The following is a discussion of these final regulations, including a summary of the comments received and the Department's response to those comments.

Revisions to the Notice of Proposed Rulemaking

Only a few significant changes have been made to the Notice of Proposed Rulemaking (NPRM) published in the *Federal Register* on February 13, 1986, 51 FR 5484-5488.

Section 674.2 Definitions.

- "Default or in default"—The Secretary intends to revise this definition in a separate document.

Section 674.6a Funding procedures—Federal capital contributions (FCC) for the 1986-87 and subsequent award years.

- Implementation of the revisions to current practice contained in this section has been postponed until the 1987-88 award year.

Section 674.7 Application appeal review for the 1987-88 and subsequent award years.

- A new § 674.7a contains provisions implementing a changed appeal process for the 1988-89 award year and subsequent award years.

A summary of the comments received and the Department's response to those comments follows.

General

Comment. Most of the commenters supported the Secretary's stated goals of reducing the high number of defaulted loans and the unacceptably high default rates of certain institutions. However, they questioned whether those goals can be achieved by implementing the regulations as proposed. Many felt that the sanctions in the NPRM were too drastic, and would result in the elimination of the NDSL Program. The commenters urged the Department to re-evaluate the NPRM in terms of the stated goals of reducing the default rate.

Response. Several changes have been made. As discussed in more detail in response to specific comments, the Secretary does not agree with the commenters and considers the changes made here both practical and necessary to meet the goals of reducing the high number of defaulted loans. The changes will increase collections on defaulted loans and enable participating institutions to recapture monies for their revolving funds to serve more needy students.

Comment. Most of the commenters objected to the timing of this NPRM, claiming that issuance of new rules should await the enactment of the legislation reauthorizing the Higher Education Act.

Response. Publication of the regulations is necessary at this time in order to provide institutions with adequate lead time for their implementation. If changes are necessary as a result of revised legislation, the changes will be incorporated after the legislation is enacted.

Comment. Many commenters asserted that this NPRM, if published as a final regulation, while attempting to reduce the default rates at a few institutions, would punish all participating institutions, and make many institutions ineligible to receive any FCC.

Response. No change has been made. Only institutions that do not demonstrate a serious commitment to administer properly the NDSL program will be penalized. The Secretary believes that there is no reasonable basis for providing additional FCC to an institution which is neither successful in collecting nor willing to relinquish to the Department the accounts which remain uncollectible despite responsible collection efforts.

Comment. Several commenters claimed that an institution's NDSL default rate so depends on factors beyond its control, such as the type of student served by the institution, that application of the same default rate measurement to all institutions is unfair. These commenters contended that a loan program making funds available, without credit references, to needy students can be expected to suffer a large number of defaults. Other commenters urged use of a varying penalty rate, depending on the type of institution and the composition by income and dependency status of its student body.

Response. The Secretary has observed widely differing default rates among similar types of institutions serving student populations with similar

characteristics, and believes that institutional default rates, although related to the income levels of the student body, are more related to other factors clearly within the control of the institution. The latter include not only the quality of the institution's collection activity, but also the manner and type of loan counseling given student borrowers and the degree of student satisfaction with the quality of the education provided by the school. Moreover, institutions may reduce their default rates by assigning defaulted loans to the Secretary. Recent amendments to the statute have eliminated the two-year waiting period before such defaulted loans can be assigned to the Secretary. However, the requirement that institutions perform due diligence still remains.

Therefore, for these reasons, the Secretary concludes that the establishment of a varying rate is unnecessary and these revisions do not unfairly penalize institutions.

Section 674.6a Funding Procedures—Federal capital contributions (FCC).

Comment. The largest number of commenters criticized the timing of the changes in the NDSL default rate penalty thresholds as retroactive and punitive. These commenters believed that it was unfair to publish an NPRM, not only after the reporting year had ended, but after the Department had stopped accepting assignments of notes which would have affected the default rate for that reporting year. If institutions had been able to continue to assign notes to the Department, they would have been able to reduce further the base year's (1984-85) default rate, which determined the institution's eligibility for an allocation for the application year (1986-87).

Response. In response to this public comment, the Secretary has decided to delay implementation of the new default rate penalty until the 1987-88 award year and the change in the application review procedure until 1988-89.

Comment. A number of commenters believed that there was little justification for reducing the thresholds for FCC to 7.5 percent and 20 percent from 10 percent and 25 percent. Some believed the new figures were set arbitrarily; others questioned using a "median" figure rather than a "mean" figure, as a justification for lower thresholds.

Response. No change has been made. The commenters were correct in pointing out that median figures could be much less valid as national figures; the NPRM erroneously stated that the "median" default rate had decreased

from 9.56 percent to 8.96 percent; in fact, these figures are "mean" averages. The Secretary has observed that since June 30, 1980, the last year for which no default rate penalty applied, there has been a steady decline in the national default rate. The Secretary believes that this decline from 11.8 percent (1980) to 8.27 percent (1985) represents a response by institutions to the imposition of the default rate penalty.

Based on this demonstrated ability to respond to an established threshold and the recent statutory amendments on assigning defaulted loans, the Secretary considers it reasonable to expect that institutions will be able to respond satisfactorily to a further reduction in the threshold.

Comment. A number of commenters expressed the belief that the Department should not assume that all institutions can expect to increase collections in future years at the rate of 10 percent a year. They argued that many institutions that have tightened their collection practices during the past several years could not expect to see a further increase in collections. A few suggested that institutions with default rates below 7.5 percent should not be expected to increase their collections by 10 percent annually.

Response. No change has been made. Most institutions have an NDSL portfolio with potential for a 10 percent collections increase per year. However, the Secretary realizes that some institutions, particularly those with low default rates that have been in the program for a number of years, may not, for various reasons, be able to increase collections by 10 percent per year. It is for this reason that this is an allowable appeal item each year.

Comment. A few commenters suggested that the following is a simpler, shorter method of calculating the excess overdue amount: *Step 1.* Start with the institution's default rate, from which would be subtracted the acceptable default rate (7.5 percent). *Step 2.* Divide that figure by the same institutional default rate used in step one. *Step 3.* Multiply that figure by the amount of principal past due on defaulted loans.

Response. No change has been made. In determining the funds to be provided to the institution, the Department itself computes the excess overdue amount for each institution based on data provided by the institution. The commenters' suggested procedure would eliminate only one calculation, would not result in any decrease in institutional burden, and would yield no increase in accuracy. Therefore, the Secretary has decided not to adopt the commenters' suggestion.

Section 674.7 Application Appeal Review.

Comment. A number of commenters objected to the proposed regulation that changes the appeal process by deleting the option to appeal the use of current year default rate rather than the base year default rate. The commenters claimed that institutions were not provided sufficient notice to permit them to reduce their default rates to the new thresholds for the 1986-87 award year through the assignment of defaulted notes. The commenters noted that assignments, if made after November 1985, would not change the base year statistics for 1986-87 funding.

Response. A change has been made. The Secretary agrees with the commenters, and current regulations governing the appeal process will continue in effect until the 1988-89 award year, when the provisions of the new section 674.7a will apply. This will give institutions sufficient time to pursue diligently borrowers whose loans are in default. It will also allow institutions added time to execute new repayment agreements with borrowers whose loans are in default.

Executive Order 12291

These final regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in the Order.

Paperwork Reduction Act of 1980

These final regulations do not contain any information collection requirements and are therefore not subject to the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) which govern such requirements.

Assessment of Educational Impact

In the notice of proposed rulemaking, the Secretary requested comments on whether the proposed regulations would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

Based on the response to the proposed rules and on its own review, the Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects in 34 CFR Part 674

Education, Loan programs—
education, Student aid.

Citation of Legal Authority

A citation of statutory or other legal authority is placed in parentheses on the line following each substantive provision of these final regulations.

(Catalog of Federal Domestic Assistance Number 84.038 National Direct Student Loan Program)

Dated: August 1, 1986.

William J. Bennett,
Secretary of Education.

The Secretary amends Part 674 of Title 34 of the Code of Federal Regulations as follows:

1. The authority citation for Part 674 is revised to read as follows:

Authority: 20 U.S.C. 1087aa-1087ii, 20 U.S.C. 421-429, unless otherwise noted.

2. The table of contents is amended by revising the section headings for §§ 674.6a and 674.7, and by adding a new § 674.7a, to read as follows:

PART 674—NATIONAL DIRECT STUDENT LOAN PROGRAM

* * * * *

Sec.

674.6a Funding procedures—Federal capital contributions (FCC) for the 1987-88 and subsequent award years.

674.7 Application appeal review for award years prior to the 1988-89 award year.

674.7a Application appeal review for the 1988-89 and subsequent award years.

* * * * *

3. Section 674.6 is revised to read as follows:

§ 673.6a Funding procedures—Federal capital contributions (FCC) for the 1987-88 and subsequent award years.

(a) An institution may receive a Federal capital contribution (FCC) for the 1987-88 and subsequent calculated under this section if its default rate is not more than 20 percent.

(b) An institution's FCC equals 90 percent of its—

(1) Conditional guarantee minus the sum of its reimbursements for Direct loan cancellations received in the base year and loan repayments calculated under paragraph (c) of this section;

(2) Fair share State increase; and

(3) Fair share National increase.

(c) For purposes of paragraph (b)(1) of this section—

(1) If the institution's default rate is 7.5 percent or less, the Secretary considers its loan repayments in equal 121 percent of the amount it collected in the base year; and

(2) If an institution's default rate is greater than 7.5 percent but not more than 20 percent, the Secretary considers its loan repayment to be—

(i) 121 percent of the amount collected in the base year; plus

(ii) The additional amount it would have collected in the base year if its default rate were 7.5 percent (excess overdue amount).

(3) The Secretary calculates an institution's excess overdue amount by—

(i) Determining the amount of defaulted loans that would equal a 7.5 percent default rate by multiplying the total amount of matured loans of the institution by 7.5 percent;

(ii) Subtracting the amount obtained in paragraph (c)(3)(i) of this section (7.5 percent of the matured loans) from the defaulted principal amount outstanding;

(iii) Dividing the amount obtained in paragraph (c)(3)(ii) of this section by the defaulted principal amount outstanding; and

(iv) Multiplying the actual amount of principal past due on defaulted loans by the fraction obtained in paragraph (c)(3)(iii) of this section.

(d) The definitions of "default rate," "defaulted principal amount outstanding" and "matured loans" are contained in § 674.2. However, for purposes of this section, the Secretary, when calculating an institution's default rate, excludes from the numerator of that fraction the following:

(1) Notes referred to the U.S. Commissioner of Education on or before September 15, 1979, if the institution received either a notification of acceptance or a receipt from the Office of Education, and that referral has not been rescinded or rejected.

(2) Notes assigned to the United States on or before June 30 of the base year and accepted by the United States.

(3) Notes for borrowers whose accounts are past due but not in default.

(e) No institution may receive more Federal capital contribution than it requested.

(Authority: 20 U.S.C. 1087bb.)

4. Section 674.7(a) is revised to read as follows:

§ 674.7 Application appeal review for award years prior to the 1988-89 award year.

(a) (1) An institution may appeal its computed NDSL level of expenditure and its Federal capital contribution (FCC) for award years prior to the 1988-89 award year in accordance with this section.

(2) An institution must file an appeal under this section at the time specified by the Secretary.

* * * * *

5. A new § 674.7a is added, to read as follows:

§ 674.7a Application appeal review for the 1988-89 and subsequent award years.

(a) (1) An institution may appeal its computed NDSL level of expenditure

and its Federal capital contribution (FCC) for the 1988-89 and subsequent award years in accordance with this section.

(2) An institution must file an appeal under this section at the time specified by the Secretary.

(b) A National Appeal Panel appointed by the Secretary conducts the review.

(c) An institution may appeal the following elements used in determining an institution's NDSL level of expenditure of its FCC:

(1) For purposes of determining an institution's FCC award, the expectation of an annual increase in its NDSL collections of 10 percent.

(2) For purposes of determining an institution's self-help need—

(i) The average cost of books and supplies;

(ii) The established expected family contributions;

(iii) The enrollment data used to determine average tuition and fee costs; and

(iv) The award year used as the base year.

(d) The Secretary and the appeal panel evaluate appeals on the basis of the following criteria and documentation required by the Secretary:

(1) The extent to which the institution can justify that an increase in NDSL collections of 10 percent per year is unreasonable.

(2) The extent to which the institution can justify that the average cost of books and supplies does not accurately reflect these costs at the institution.

(3) The extent to which the institution can justify that the standard expected family contribution figures do not accurately reflect the characteristics of the student body at the institution.

(4) The extent to which the institution can justify that the average tuition and fee costs derived from the institution's enrollment data do not accurately reflect these costs at the institution.

(5) The extent to which the institution can justify that the base year used to determine its self-help need under the fair share formula does not accurately reflect the institution's current self-help need.

(e) In establishing an institution's level of expenditure and Federal capital contribution, the Secretary considers the appeal panel's recommendations and its reasons for the recommendations.

(f) The Secretary establishes an approved level of expenditure and Federal capital contribution based on procedures in §§ 674.6 and 674.6a and the appeal panel's recommendations.

Authority: 20 U.S.C. 1087bb.

Federal Register

Wednesday
August 6, 1986

Part IV

Department of Education

**Educational Media Research, Production,
Distribution, and Training; Final Funding
Priority for Fiscal Year 1986; Notice of
Final Funding Priority for Fiscal Year
1986**

DEPARTMENT OF EDUCATION**Educational Media Research, Production, Distribution, and Training; Final Funding Priority for Fiscal Year 1986****AGENCY:** Department of Education.**ACTION:** Notice of Final Funding Priority for Fiscal Year 1986.

SUMMARY: The Secretary announces an annual funding priority for the Educational Media, Research, Production, Distribution, and Training program. To ensure a continuing supply of Line 21 television decoders for the Nation's hearing-impaired population, the Secretary establishes a single funding priority for fiscal year 1986 for a project to manufacture at least 33,000 additional Line 21 decoders. The Secretary gives an absolute preference to applications that meet the terms of this final priority.

EFFECTIVE DATE: This priority takes effect either 45 days after publication in the *Federal Register* or later if Congress takes certain adjournments. If you want to know the effective date of this priority, call or write the Department of Education contact person.

FOR FURTHER INFORMATION CONTACT: Dr. Malcolm J. Norwood, Division of Innovation and Development, Department of Education, 400 Maryland Ave., SW. (Room 4088, Switzer Building), Washington, DC 20202. Telephone: (202) 732-1172.

SUPPLEMENTARY INFORMATION: The Educational Media, Research, Production, Distribution and Training program is designed to promote the educational advancement of handicapped persons by providing assistance for: (a) Conducting research on the use of educational media and technology for handicapped persons; (b) Producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of handicapped persons; and (c) training persons in the use of educational media for the instruction of handicapped persons.

In 1972 the Federal Government, through the former Office of Education, initiated the development of the closed-captioned Line 21 system to make television accessible to the Nation's hearing-impaired population. Closed-captioning is a system that uses Line 21

of the broadcasting signal for the benefit of viewers with hearing impairments to transmit captions (subtitles) which may be made visible only on television sets that are equipped with decoders.

Upon completion of the development of the system, the Department supported the creation of the National Captioning Institute to provide captioning services to the broadcasting industry and helped subsidize 100,000 large-scale integrated-circuit chips which made the manufacture of Line 21 decoders possible.

The system was implemented in March 1980 and has resulted in cooperative efforts between the public and private sectors to provide closed-captioned television to hearing-impaired Americans. All major networks are making closed-captioned programs available. Federal funding supports approximately 50% of current programming, the networks support approximately 30%, and corporate advertisers, foundations, and contributions account for the remaining 20%. Closed-captioning provides the only acceptable system that makes television access for deaf persons possible. Open captioning which would appear on all television sets is disturbing to the general viewing audience and, therefore, is not an acceptable alternative to the broadcasting industry and private sector supporters of captioning services.

The original stock of Line 21 decoders was depleted during 1985. The Congress provided \$1.5 million during fiscal year 1985 to assist in the underwriting of the manufacture of 50,000 more chips to ensure a continuing supply.

More recently the Senate Committee on Appropriations directed the Secretary to provide \$1.0 million during fiscal year 1986 for the purpose of manufacturing additional Line 21 decoders to assure that these devices will be available to meet a continuing need.

Final Priority

In accordance with the Education Department General Administrative Regulations (EDGAR) at 34 CFR 75.105(c)(3), the Secretary will give an absolute preference to applications submitted under the Educational Media, Research, Production, Distribution, and Training program in fiscal year 1986 that respond to the priority described below. An absolute preference is one which

permits the Secretary to select only those applications that meet the described priority.

All applications submitted under the Educational Media, Research, Production, Distribution and Training program must address the priority for a project to manufacture at least 33,000 additional Line 21 decoders to ensure a continuing supply of these devices for the Nation's hearing-impaired population.

The selection of this final priority is based upon the Congressional appropriation report language indicating that \$1.0 million should be spent under Pub. L. 98-619 to underwrite the production of 50,000 additional Line 21 decoders before the current supply is exhausted. The final priority provides for the production of at least 33,000 additional Line 21 decoders rather than 50,000. At this level, a subsidy of \$30 per decoder would be provided, thereby reducing the retail price of decoders. The Department believes that pricing at a lower level is necessary in order to promote the sale of decoders.

This final priority will support a cooperative agreement with an organization which has the technical expertise and knowledge to assure that the hearing-impaired population will have a continuing supply of Line 21 decoders available.

The applicant shall submit a working plan for the subsequent production of at least 33,000 additional Line 21 decoder modules as part of the application. The plan shall provide for a fully assembled unit (i.e., large-scale-integrated (LSI) circuit chip set, circuit board, and adapter unit) with evidence of commitment from one or more manufacturers and retailers to assure production and sale of the units. The plan shall contain a timeline for testing and production and an estimated retail price for the assembled units to be marketed to hearing-impaired consumers. The plan shall also provide assurances that at least 33,000 Line 21 decoders will be produced for marketing to consumers at the estimate price. An applicant, however, could propose a project for more than 33,000 Line 21 decoders if provisions can be made for the production and marketing of that number of decoders at an acceptable price.

Summary of Comments and Responses

A notice of proposed annual funding priority was published in the **Federal Register** on June 3, 1986 at 51 FR 20234. The public was given thirty days in which to comment. Twenty comments were received; all of them supported the proposed priority. Therefore, no change has been made.

(20 U.S.C. 1451, 1452)

(Catalog of Federal Domestic Assistance No. 84.026, Educational Media Research, Production, Distribution, and Training)

Dated: August 1, 1986.

William J. Bennett,

Secretary of Education.

[FR Doc. 86-17691 Filed 8-5-86; 8:45 am]

BILLING CODE 4000-01-M

The first part of the report deals with the general situation of the country and the progress of the war. It is a very interesting and detailed account of the events of the year, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.

The second part of the report deals with the military operations of the year. It is a very detailed account of the campaigns and battles, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.

The third part of the report deals with the political and social conditions of the country. It is a very detailed account of the events of the year, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.

Register Federal Register

**Wednesday
August 6, 1986**

Part V

**Department of
Commerce**

**National Oceanic and Atmospheric
Administration**

**50 CFR Part 216
Taking and Importing of Marine Mammals
Incidental to Commercial Fishing
Operations; Advance Notice of Proposed
Rulemaking**

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

[Docket No. 60742-6142]

Taking and Importing of Marine Mammals Incidental to Commercial Fishing Operations

AGENCY: National Marine Fisheries Service (NMFS), NOAA, DOC.

ACTION: Advance Notice of Proposed Rulemaking.

SUMMARY: Under the Marine Mammal Protection Act (MMPA) U.S. fishermen have an annual quota of 20,500 on the total mortality of porpoise that can be taken in fishing for yellowfin tuna in the eastern tropical Pacific (ETP). This quota could be reached in late September 1986. At that time, fishing on porpoise will be prohibited under 50 CFR 216.24 until January 1, 1987. NOAA intends to enforce this for 1986 trips by

prohibiting the catching, possession, or landing of yellowfin and bigeye tuna by Class III U.S. tuna purse seine vessels fishing in the ETP unless the vessel voluntarily agrees to take an NMFS observer.

The MMPA also prohibits importation into the United States of fish products caught in a manner proscribed for persons subject to the jurisdiction of the United States, whether or not any marine mammals were in fact taken incidental to the catching of the fish. When the U.S. quota is reached, the importation of yellowfin tuna taken on porpoise, during the time of the U.S. ban on setting on porpoise, also will be prohibited. Therefore, any country wishing to import yellowfin tuna to the United States must place an observer approved by its government on any vessel for any trip, of which any part is in the ETP and from which yellowfin tuna is to be imported into the United States. The observer must verify that no sets for tuna were made on porpoise after the closure date. The imported tuna must be accompanied by a

statement from a responsible official of the government to this effect. Any comments provided to the persons below will be considered in preparing subsequent actions.

DATE: Comments will be received until further notice.

ADDRESS: Comments should be sent to National Marine Fisheries Service, Southwest Region, 300 S. Ferry St., Terminal Island, CA 90731.

FOR FURTHER INFORMATION CONTACT:

Mr. R.B. Brumsted, Acting Director, Office of Protected Species and Habitat Conservation, NMFS, Washington, D.C. 20235; 202-673-5350, or

Mr. E.C. Fullerton, Regional Director, Southwest Region, NMFS, 300 S. Ferry St., Terminal Island, CA 90731, 213-514-6196.

Dated: August 5, 1986.

William G. Gordon,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

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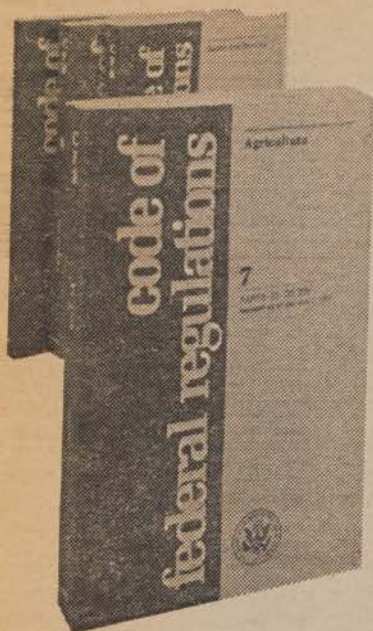
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