

Thursday  
July 9, 1987



# Federal Register

**Briefings on How To Use the Federal Register—**  
For information on briefings in Boston, MA, see  
announcement on the inside cover of this issue.



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**How To Cite This Publication:** Use the volume number and the page number. Example: 52 FR 12345.

## THE FEDERAL REGISTER

### WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** The Office of the Federal Register.
- WHAT:** Free public briefings (approximately 2 1/2 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
  2. The relationship between the Federal Register and Code of Federal Regulations.
  3. The important elements of typical Federal Register documents.
  4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

### BOSTON, MA

- WHEN:** July 15, at 9 a.m.
- WHERE:** Main Auditorium, Federal Building,  
10 Causeway Street,  
Boston, MA.
- RESERVATIONS:** Call the Boston Federal Information Center, 617-565-8129

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# Rules and Regulations

Federal Register

Vol. 52, No. 131

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Parts 330 and 340

[Docket No. 87-094]

#### Public Meetings To Discuss APHIS Final Rule for Genetically Engineered Organisms and Products

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice of public meetings.

**SUMMARY:** This document announces that the Animal and Plant Health Inspection Service (APHIS) is holding public meetings for the purpose of discussing and answering questions about its final rule entitled, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which are Plant Pests or Which There is Reason to Believe are Plant Pests." The meetings will be informal in nature and will be in a "workshop" format. APHIS representatives will be available to explain the agency's regulatory policy and procedures pertaining to genetically engineered organisms and products, and will be available to address other related topics of interest to the audience.

**DATES:** The public meetings will be held in San Francisco, California, on July 28, 1987, Cincinnati, Ohio, on August 4, 1987, and Washington, DC, on August 12, 1987.

**ADDRESSES:** See Supplementary Information.

**FOR FURTHER INFORMATION CONTACT:** Mr. Terry L. Medley, Director, Biotechnology and Environmental Coordination Staff, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 406,

Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-7602.

**SUPPLEMENTARY INFORMATION:** On June 16, 1987, the Animal and Plant Health Inspection Service (APHIS) published a final rule entitled, "Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which are Plant Pests or Which There is Reason to Believe are Plant Pests" (52 FR 22892-22915). The final rule becomes effective on July 16, 1987.

The final rule regulates the introduction (importation, interstate movement, and release into the environment) of genetically engineered organisms and products which are plant pests or which there is reason to believe are plant pests. The regulations set forth procedures for obtaining a permit for the release into the environment of a regulated article and for obtaining a limited permit for the importation or interstate movement of a regulated article. Such permits are required before a regulated article can be introduced in the United States.

In response to numerous requests, APHIS will be holding informal public meetings in the form of "workshops" in order to discuss and answer questions about its final rule. APHIS has scheduled public meetings in San Francisco, California, on July 28, 1987, in Cincinnati, Ohio, on August 4, 1987, and Washington, DC, on August 12, 1987. APHIS representatives will be present to explain regulatory policy, procedures pertaining to the issuance of permits, when and how to submit a permit application, when and how to submit a petition to amend the list of organisms which contains plant pests, as well as any other topics related to the final rule which are of interest to participants. APHIS encourages all interested persons to attend.

The three public meetings will be held as follows: Registration will occur one hour prior to the commencement of the meetings.

1. July 28, 1987—Federal Building, Room 2007  
9:30 a.m.—450 Golden Gate Avenue, San Francisco, CA 94102
2. August 4, 1987—Cincinnati Convention Center\*, Room 241  
1:15 p.m.—525 Elm Street, Cincinnati, OH 45202

\*In conjunction with the 1987 Annual Meeting of the American Phytopathological Society

3. August 12, 1987—U.S. Department of Agriculture, Jefferson Auditorium, South Agriculture Building  
9:00 a.m.—14th and Independence Avenue SW., Washington, DC 20250

Done in Washington, DC, this 7th day of July, 1987.

**W. Helms,**

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

[FR Doc. 87-15698 Filed 7-8-87; 8:45 am]

**BILLING CODE 3410-34-M**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### 32 CFR Part 552

[FL Reg 210-9]

#### National Defense, Regulations Affecting Military Reservations, Regulation Controlling Access to Main Cantonment Area, Fort Lewis Military Reservation, Fort Lewis, WA, and Prohibiting Certain Forms of Conduct Upon Fort Lewis Military Reservation

**AGENCY:** Department of the Army, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Army is adding Subpart G to 32 CFR Part 552 to set forth additional regulations governing entry to and conduct upon the Fort Lewis Military Reservation, Fort Lewis, Washington. Fort Lewis has been declared a closed post, and it is intended that these regulations will give notice to the members of the public of the rules governing entry to the Main Cantonment Area of the Fort Lewis Military Reservation, Fort Lewis, Washington, and of certain conduct prohibited upon the Fort Lewis Military Reservation.

**EFFECTIVE DATE:** July 9, 1987.

#### FOR FURTHER INFORMATION CONTACT:

Captain John B. McDaniel, Civil Law Division, Office of the Staff Judge Advocate, I Corps and Fort Lewis, Fort Lewis, Washington 98433-5000; telephone (206) 967-6153.

**SUPPLEMENTARY INFORMATION:** On April 24, 1987, the notice of proposed rulemaking was published in the Federal Register (52 FR 13719). The notice provided thirty days from date of publication for receipt of comments. No

comments being received within the stated period, the Commanding General, Headquarters, I Corps and Fort Lewis, Fort Lewis, Washington, pursuant to the authority cited below, on 22 June 1987 adopted regulations in furtherance of the security of Fort Lewis as a closed post which set forth entry regulations and access controls for the Main Cantonment Area and prohibit certain forms of conduct anywhere upon the Fort Lewis Military Reservation. The Main Cantonment Area of the Fort Lewis Military Reservation includes, but is not limited to, Government housing areas, schools, medical facilities, troop billets, the installation command and control functions, Gray Army Air Field, and Madigan Army Medical Center. To improve the security of essential installation operations and functions, it has become necessary to limit unimpeded access to the Main Cantonment Area to those persons with prior approved permission to enter, and to prohibit entry of the general public except through established access control points. Accordingly, these regulations limit access to the Main Cantonment Area of the Fort Lewis Military Reservation to persons with prior approval who enter through established access control points pursuant to these regulations. Entry into the Main Cantonment Area at any other point, by any person, is strictly prohibited. Additionally, certain forms of conduct that have a significant potential for interference with orderly accomplishment of the installation's mission are prohibited unless prior approval of the Installation Commander or his designated representative has been obtained.

#### Executive Order 12291

It has been determined that this document is not a major rule and does not require a regulatory analysis under Executive Order 12291 because the rule is administrative and has no economic effect on the public.

#### Regulatory Flexibility Act

The Department has also determined that this document will not have a significant effect in a substantial number of small entities and does not require a flexibility analysis under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

#### Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

#### List of Subjects in 32 CFR Part 552

Military reservations, Consumer protection, Federal buildings and facilities, Real Property acquisition.

For the reasons set out in the preamble, Title 32, Chapter V of the Code of Federal Regulations is amended as follows:

#### PART 552—REGULATIONS AFFECTING MILITARY RESERVATIONS

1. The authority citation for Part 552 continues to read as follows:

Authority: 5 U.S.C. 301, 10 U.S.C. 3012, 15 U.S.C. 1601, 18 U.S.C. 1382, 31 U.S.C. 71, 40 U.S.C. 258a, 41 U.S.C. 14, and 50 U.S.C. 797.

2. Subpart G, consisting of §§552.105 through 552.111 is added to read as follows:

#### Subpart G—Regulation Controlling the Access to the Fort Lewis Main Cantonment Area and Prohibiting Certain Conduct Upon Fort Lewis Military Reservation

Sec.	Purpose.
552.105	Purpose.
552.106	Applicability.
552.107	References.
552.108	General.
552.109	Routine Security Controls.
552.110	Requests for exception.
552.111	Severability.

#### Subpart G—Regulation Controlling the Access to the Fort Lewis Main Cantonment Area and Prohibiting Certain Conduct Upon Fort Lewis Military Reservation

##### § 552.105 Purpose.

(a) This regulation establishes procedures governing access control requirements for the Main Cantonment Area, Fort Lewis, Washington, and prohibits certain forms of conduct upon the Fort Lewis Military Reservation.

(b) These procedures and requirements have been established in conjunction with other efforts to improve the physical security of the Fort Lewis Military Reservation. It is essential that entrance to, and exit from, the installation be made only at controlled access points, and that certain forms of conduct be restricted.

(c) This regulation governs all access to the Main Cantonment Area of the Fort Lewis Military Reservation, including, but not limited to, all housing areas, Gray Army Air Field, and Madigan Army Medical Center. It further prohibits all persons from engaging in certain forms of conduct anywhere on the Fort Lewis Military Reservation.

##### § 552.106 Applicability.

This regulation is applicable to all persons, both military and civilian, who enter the Fort Lewis Military Reservation.

##### § 552.107 References.

- (a) AR 190-5 (Motor Vehicle Traffic Supervision)
- (b) AR 190-52 (Countering Terrorism and Other Major Disruptions on Military Reservations)
- (c) AR 210-7 (Commercial Solicitation on Army Installations)
- (d) AR 210-10 (Administration)
- (e) Fort Lewis Supplement 1 to AR 190-5 (Motor Vehicle Traffic Supervision)
- (f) I Corps and Fort Lewis Installation Security and Closure Plan
- (g) HFL Form 1138 (Fort Lewis Visitor Pass)

##### § 552.108 General.

(a) *Access controls.* (1) Fort Lewis is a closed post. Access to the installation is limited to persons with prior approved permission to enter.

(2) *Public access into the Main Cantonment Area of Fort Lewis* is controlled through a series of static security posts manned by sentries empowered to grant or deny access to persons and material. The "Main Cantonment Area" is that area of the Fort Lewis Military Reservation shown on the overprinted 1:50,000 Fort Lewis Special Map (DMA Stock No. V791SFTLEWIS) excluding those areas designated thereon as Impact Areas, lettered Close-In Training Areas, or numbered Training Areas. A full sized map is located at the Fort Lewis Area Access Office, Building T-6127. As defined, the Main Cantonment Area includes, but is not necessarily limited to, those areas of the installation containing Government housing areas, schools, medical facilities, troop billets, the installation command and control facilities, Gray Army Air Field, Madigan Army Medical Center, and certain recreational sites controlled by the Director of Personnel and Community Activities.

(3) Entry of the general public into the Main Cantonment Area at any location other than through established manned access control points is strictly prohibited. For the purposes of this regulation, entry includes the entrance of the person, or the insertion of any part of his body, or the introduction of any unauthorized material.

(b) *Trespassers.* Persons entering or remaining upon the Main Cantonment Area of the Fort Lewis Military Reservation in violation of this

regulation are trespassing on a closed federal reservation and are subject to citation by the military police. Trespassers may be barred from subsequent access to the installation and will be subject to the provisions of this regulation. A person violates this regulation when he enters or remains upon the Main Cantonment Area when he is not licensed, invited, or otherwise authorized to so enter or remain. All such persons are trespassers for the purpose of this regulation.

(c) *Prohibited Activities.* Department of Defense policy permits commanders to prohibit any expressive activity which could interfere with or prevent the orderly accomplishment of the installation's mission, or which presents a clear danger to the loyalty, discipline or morale of their soldiers. Therefore, unless the prior approval of the installation commander or his designated representative has been obtained, no person while on the Fort Lewis Military Reservation shall:

- (1) Engage in protests, public speeches, sit-ins, or demonstrations promoting a political point of view.
- (2) Engage in partisan political campaigning or electioneering.
- (3) Display or distribute commercial advertising or solicit business.
- (4) Interrupt or disturb a military formation, ceremony, class or other activity.
- (5) Obstruct movement on any street, sidewalk, or pathway without prior authority.
- (6) Utter to any person abusive, insulting, profane, indecent or otherwise provocative language that by its very utterance tends to incite an immediate breach of the peace.
- (7) Distribute or post publications, including pamphlets, newspapers, magazines, handbills, flyers, leaflets, and other printed material, except through regularly established and approved distribution outlets.
- (8) Circulate petitions or engage in picketing or similar demonstrations for any purpose.
- (9) Disobey a proper request or order by Department of Defense (DoD) police, military police, or other competent authority to disperse or to leave the installation.

(d) *Failure to comply.* Any person who enters or remains upon the Main Cantonment Area of Fort Lewis Military Reservation when he is not licensed, invited or otherwise authorized by the terms of this regulation or who enters or remains upon the Fort Lewis Military Reservation for a purpose of engaging in any activity prohibited by this regulation is in violation of the provisions of the regulation. Violators of

this regulation may be subjected to administrative action or criminal punishment under the Uniform Code of Military Justice (UCMJ), Title 18 U.S.C. 1382, or Title 50 U.S.C. 797, as appropriate to each individual's status. Maximum punishment under Title 18 U.S.C. 1382 is a fine of not more than \$500 or imprisonment for not more than six months, or both. Maximum punishment under 50 U.S.C. 797 is a fine of \$5,000 or imprisonment for not more than one year, or both. Administrative action may include suspension of access privileges, or permanent expulsion from the Fort Lewis Military Reservation.

#### § 552.109 Routine Security Controls.

(a) *Unimpeded access.* Military vehicles, emergency vehicles, mail delivery vehicles, privately owned motor vehicles registered in accordance with Fort Lewis Supplement 1 to Army Regulation (AR) 190-5, and pedestrians in possession of current active duty, retired, dependent, or DoD civilian identification cards are authorized unimpeded access to Fort Lewis during periods of routine installation operations unless prohibited or restricted by action of the Installation Commander.

(b) *Visitor access.* All visitors to the installation will report to the visitor's information center where the visitor's name, vehicle license number, purpose and duration of visit will be recorded prior to granting access. Visitor's passes for visitors to Madigan Army Medical Center and the Logistics Center/Civilian Personnel Office will be issued at the Madigan and Logistics Center gates respectively.

(c) *Visitor's passes.* HFL Form 1138 (Fort Lewis Visitor Pass) valid for a period not to exceed 24 hours unless otherwise noted below, may be issued only when one or more of the following criteria is met.

(1) Personnel in possession of proper orders directing temporary duty at Fort Lewis may be issued a visitor's pass for periods not to exceed 13 days. Personnel ordered to temporary duty at Fort Lewis for periods in excess of 13 days but less than 90 days will be required to obtain a temporary vehicle registration.

(2) Persons visiting Fort Lewis military personnel or their family members may be issued visitor's passes for periods up to and including 13 days when personally requested by the military sponsor.

(3) Moving vans and commercial delivery vehicles will be issued visitor's passes after the operator displays a bill of lading or other official documentation demonstrating a legitimate need to enter Fort Lewis.

(4) Contract vehicles not qualifying for installation vehicle registration pursuant to Fort Lewis Supplement 1 to AR 190-5 will be issued a visitor's pass as provided in paragraph (c) of this section, after the purpose of the visit has been verified by the Contracting Officer's Representative, or the Contractor when the former is not available.

(5) Prior to issuing a visitor's pass to unsponsored personnel who desire to visit unit areas, club facilities and other recreational facilities, security personnel will telephonically contact the person to be visited. If the person to be visited cannot be contacted to verify the visit, the visitor will be denied entry.

Unsponsored personnel desiring to visit the Fort Lewis Museum may be issued a visitor's pass valid until museum closing time on day of issue, provided security personnel telephonically contact the museum and verify the hours of public operation that day prior to issuing the visitor's pass.

(6) Soldiers, dependent family members, and Department of the Army employees who sponsor visitors to the installation remain responsible for the conduct of their guests on Fort Lewis for the duration of the visit.

(d) *Heightened security controls.* Access control measures implemented during periods of enhanced security will be in accordance with AR 190-52 and the I Corps and Fort Lewis Installation Security and Closure Plan. During periods of heightened security controls, sponsors may be required to personally report to the Visitor's Information Center to accept responsibility for the visitor.

#### § 552.110 Requests for exception.

The installation commander or his deputy may grant exceptions to the prohibitions contained in paragraph (c)(4) of this section. An application for exception shall be submitted to the installation Public Affairs Liaison Officer at least seven days prior to the date of the requested activity. The application must be in writing, and must specify the particular activity proposed, the names of the persons and organizations sponsoring the activity, the number of participants, and the time, date and specific place or places the requester proposes the activity occur. In addition, the application shall be signed by the requester or by a representative of the requesting organization, if any, and contain an address and local telephone number where the requester or representative can be reached in the event further information is needed.

**§ 552.111 Severability.**

If a provision of this Regulation is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality or validity of every other provision of this Regulation shall not be affected thereby.

John O. Roach,

Department of the Army Liaison Office with the Federal Register.

[FR Doc. 87-15421 Filed 7-8-87; 8:45 am]

BILLING CODE 3710-06-M

**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 110**

[CGD14-87-02]

**Anchorage Ground; Apra Harbor, Island of Guam**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard has established an explosives anchorage around Mooring Buoy 702 in Apra Harbor, Guam. Military Sealift Command ships loaded with explosives use this mooring on a regular basis. The purpose of this regulation is to provide a safe separation between vessels loaded with explosives and other vessels at anchor.

**EFFECTIVE DATE:** August 10, 1987.

**FOR FURTHER INFORMATION CONTACT:** LT M.D. West; (808) 541-2315.

**SUPPLEMENTARY INFORMATION:** On May 7, 1987, the Coast Guard published a notice of proposed rulemaking in the Federal Register for these regulations (52 FR 17304). Interested persons were requested to submit comments and no comments were received.

**Drafting Information**

The drafters of these regulations are LT M.D. West, project officer, Fourteenth Coast Guard District Aids to Navigation Office, and LCDR S.R. Campbell, project attorney, Fourteenth Coast Guard District Legal Office.

**Discussion of Comments**

No comments were received. This regulation is issued pursuant to 33 U.S.C. 471 as set out in the authority citation for all of 33 CFR Part 110.

**Economic Assessment and Certification**

This regulation is considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of

Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. Mooring 702 has been maintained by the U.S. Navy for several years. The buoy has been made available on occasion in the past to commercial vessels. Buoy 702 is no longer available for commercial vessels, but sufficient mooring buoys and anchorage grounds exist outside the explosives anchorage. The only effect of this regulation is to provide protection for vessels at the mooring. The regulation does not restrict access to any fairway or channel, or limit access to any facility or area previously accessible to vessels affected by the regulation.

Since the impact of these regulations is expected to be minimal the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

**List of Subjects in 33 CFR Part 110**

Anchorage grounds.

**Final Regulations**

In consideration of the foregoing, Part 110 of Title 33, Code of Federal Regulations, is amended as follows:

**PART 110—[AMENDED]**

1. The authority citation for Part 110 continues to read as follows:

**Authority:** 33 U.S.C. 471, 2030, 2035 and 2071; 49 CFR 1.46 and 33 CFR 1.05-1(g). Section 110.1a and each section listed in 110.1a are also issued under 33 U.S.C. 1223 and 1231.

2. Section 110.238 is added to read as follows:

**§ 110.238 Apra Harbor, Guam.**

(a) *The anchorage grounds (based on Guam 1963 Datum)*—(1) *General Anchorage.* The waters of Apra Outer Harbor enclosed by a line beginning at Southwest Point at latitude 13°27'29" N., longitude 144°39'32" E.; thence to latitude 13°27'18" N., longitude 144°39'18" E.; thence to Spanish Rocks at latitude 13°27'09.5" N., longitude 144°37'20.6" E.; thence along the shoreline to the point of beginning.

(2) *Explosives Anchorage 701.* In Naval Anchorage A, a circular area with a radius of 350 yards, centered at latitude 13°26'51" N., longitude 144°37'48.7" E.

(3) *Naval Explosives Anchorage 702.* In the General Anchorage, a circular area with a radius of 350 yards centered at latitude 13°27'26.9" N., longitude 144°38'08.2" E.

(4) *Naval Anchorage A.* The area enclosed by a line beginning at latitude 13°26'44.3" N., longitude 144°37'37.8" E.; thence to latitude 13°26'59" N., longitude

144°37'37.8" E.; thence to latitude 13°27'07.6" N., longitude 144°38'56" E.; thence to latitude 13°26'56.6" N., longitude 144°38'56" E.; thence to latitude 13°26'56.6" N., longitude 144°39'03.8" E.; thence to latitude 13°26'51.3" N., longitude 144°39'03.8" E.; thence to latitude 13°26'51.3" N., longitude 144°39'19.4" E.; thence to latitude 13°26'39.2" N., longitude 144°39'19.4" E.; thence to latitude 13°26'37.4" N., longitude 144°37'57" E.; thence to the point of beginning.

(5) *Naval Anchorage B.* The area enclosed by a line beginning at latitude 13°26'40.7" N., longitude 144°39'48.5" E.; thence to latitude 13°26'50.6" N., longitude 144°39'59" E.; thence to latitude 13°26'48" N., longitude 144°40'01.2" E.; thence to latitude 13°26'38" N., longitude 144°39'51.2" E.; thence to the point of beginning.

(b) *The regulations*—(1) *General Anchorage.* Any vessel may anchor in the General Anchorage except vessels carrying more than 25 tons of high explosives.

(2) *Explosives Anchorage 701.* Vessels carrying more than 25 tons of high explosives must use Anchorage 701, unless otherwise directed by the Captain of the Port.

(3) *Naval Explosives Anchorage 702.* Except Naval vessels using the anchorage as directed by local Naval authorities, no vessel may anchor so that any part of the hull or rigging, or the anchor tackle may extend into Anchorage 702 at any time.

(4) *Naval Anchorages A and B.* (i) Except as provided in paragraph (b)(3)(ii) of this section, non-naval vessels may not anchor within these anchorages or use the mooring buoys therein without permission of the local Naval authorities obtained through the Captain of the Port. (There is a user charge for the use of these mooring buoys.)

(ii) Small craft that are continuously manned and capable of getting underway may anchor within these anchorages during daylight hours without prior approval of the Captain of the Port.

(5) *General regulations.* (i) Vessels may use the Naval mooring buoys in the General Anchorage without charge for a period up to 72 hours if authorized by the Captain of the Port. Vessels so moored shall promptly move at their own expense upon notification from the Captain of the Port.

(ii) Except for vessels not more than 65 feet in length, all vessels shall anchor in an anchorage ground.

(iii) Vessels anchored in an anchorage ground shall place their anchors within

the anchorage ground so that no portion of the hull or rigging at any time extends outside the anchorage ground.

(iv) No vessel may anchor in the harbor for more than 30 consecutive days without permission of the Captain of the Port.

Dated: July 1, 1987.

P.A. Bunch,

Captain, U.S. Coast Guard, Acting  
Commander, Fourteenth Coast Guard District.  
[FR Doc. 87-15584 Filed 7-8-87; 8:45 am]

BILLING CODE 4910-14-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1, 73 and 74

#### Oversight of Radio and TV Rules

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This Order amends broadcast regulations in 47 CFR Parts 1, 73 and 74. Amendments are made to correct inaccurate rule texts, contemporize certain requirements and to execute editorial revisions as needed for clarity and ease of understanding.

**EFFECTIVE DATE:** July 9, 1987.

**ADDRESS:** Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Steve Crane, Policy and Rules Division, Mass Media Bureau (202) 632-5414.

**SUPPLEMENTARY INFORMATION:** In this Order, modifications are made to update, delete, clarify or correct regulations in Title 47, Code of Federal Regulations. Adopted June 3, 1987; released June 17, 1987.

#### Order

Adopted: June 3, 1987.

Released: June 17, 1987.

By the Chief, Mass Media Bureau.

1. In this Order, the Commission focuses its attention on the oversight of its radio and TV broadcast rules. Modifications are made herein to update, delete, clarify or correct broadcast regulations as described in the following amendment summaries:

(a). In the Order adopted November 13, 1986, corrections were made in Part 73 to substitute the term "allotment" for the improperly used term "assignment", wherever such misuse occurred. See Order, 51 FR 44069, December 8, 1986.

The improper use of "assignment" instead of "allotment" survives in Part 1 of the Rules, in § 1.420. The rule title and paragraphs (a) and (b) are amended

here to correct this inaccurate text. (See Rule item 2).

(b). Prior to the adoption of the alphabetical indexes for the radio and TV subparts of Part 73, it was FCC practice to group like rules under a specific heading which was termed an undesignated headnote. Over the years, with the adoption of new regulations, a scarcity of rule section numbers became common, and staff was forced to put certain rules in these designated areas that were completely different from those already there.

Also the creation of the alphabetical indexes in the various Parts nullified continued need for undesignated headnotes by offering rules' users simple and quick access to any regulation being sought. The practice of using undesignated headnotes was ended and they were removed from the rules' volumes. Except for two, which are eliminated here. They are "OTHER OPERATING REQUIREMENTS" which precedes § 73.127, and "CHANNEL UTILIZATION" § 73.606. (See Rule item 3).

(c). Three errors in the text of § 73.182 have surfaced and are corrected herein:

In Note 1, following paragraph (a)(3), the last sentence bears a cross reference to § 73.182(o)—it is changed to correctly read § 73.182(l); and,

Consonant with our continuing effort to supplant the term cycles per second with Hertz, the Note following paragraph (v) which bears the definition "one-fifth of a cycle per second" is revised to state "0.2 Hz"; also, a reference in paragraph (a)(1) to "10 Kc/s" is amended to read "10 kHz". (See Rule item 4).

(d). In the Report and Order in BC Docket 82-186, the Commission adopted new regulations pertaining to FM broadcast station blanketing interference. (49 FR 45142, November 15, 1984).

Paragraph (b), of the newly adopted § 73.318, FM blanketing interference, has, in a few cases, been misinterpreted, thereby leading some licensees or their legal or engineering advisors to misconstrue our meaning. This is due, in part, to a minor sentence structure change that came about in the Federal Register printing; and also, in small part, to the text of the rule as drafted. It is corrected here to state clearly that which the Commission intended when it adopted the Report and Order. (See Rule item 5).

(e). The Report and Order in BC Docket 82-320 eliminated 3 policies and 2 rules used in the licensing of radio and TV stations. 48 FR 12094, March 23, 1983. The policies were the suburban community policy, the Berwick doctrine

and the *de facto* reallocation policy; the rules were the 10- and 15-mile rules in § 73.203(b) and § 73.607(b), respectively. A cross reference to the eliminated § 73.203(b) remains in § 73.504(b). It is removed herein. (See Rule item 6).

(f). The following misspelled words are corrected via this Order:

(i) In § 73.525(c)(2) the word "filer" is changed to "filter";

(ii) In § 73.1030(b)(2) the term "mf" is corrected to read "of"; and

(iii) In § 73.3522(a)(1) "bank" is amended to read "band". (See Appendix items 7, 10 and 12).

(g). In § 73.682, TV transmission standards, paragraph (a)(23)(iv) incorrectly refers the reader to "§ 73.150 . . .". This is corrected to read § 73.1250. (See Rule item 8).

(h). The operating power of all broadcast stations must be maintained within a certain range expressed as percentages above or below the authorized power.

During the streamlining of Part 73 in the late 1970's, these power rules were removed from the separate AM, FM and TV Subparts (Subparts A, B and E) and added to Subpart H as a single rule section.

A cross reference to the old AM rule, § 73.52, still exists in § 73.933, EBS operation during a National level emergency. Section 73.933 is corrected to cross reference § 73.1560, Operation power and mode tolerances. (See Rule item 9).

(i). Section 73.1202, Retention of letters received from the public, was abbreviated, revised and retitled in 1981.

The Report and Order in BC Docket 80-253, the "Short Form Renewal Application" proceeding, removed many of the requirements previously found in § 73.1202, under the title of "Public Notice of licensee obligation". At that time, all commercial licensees had to present announcements informing the audience of the licensee's obligations to the public, and of the appropriate methods to be used by the public to express opinions of the station's operation.

With the removal of this regulatory burden, licensees are simply required to file all written comments and suggestions received from the public, mail which has been sent by listeners/viewers on their own initiative.

Unfortunately, in amending the rule in 1981, we failed to reiterate that the requirement pertains to commercial licensees only and not to non-commercial educational broadcasters. That omission is corrected in this Order. (See Rule item 11).

(j). The alphabetical indexes to Parts 73, 74, 76 and 78 were formerly printed at the beginning of each Part immediately following the Table of Contents.

Effective with the October 1, 1985 edition of 47 CFR, the alphabetical indexes were moved to the end of each Part.

After the repositioning, the undesignated headnotes "Alphabetical Index to Part—" continued to be printed following each Parts' content tables. Those headnotes, left standing alone, are removed. (See Rule items 13, 14, 15 and 16).

(k). Section 74.780 presents the list of rules in Part 73 which apply to low power TV stations and translators. One rule, so listed, is § 73.1205, Fraudulent billing practices.

In the 2nd Report and Order in MMD 83-242, the so-called "Underbrush" proceeding, § 73.1205 was removed from the Commission's rules. Inadvertently, the reference to it remains in § 74.780. It is removed by this *Order*. Also the section title of § 74.780 is corrected to read "Broadcast regulations applicable to TV translators and low power TV stations." (See Rule item 17).

2. No substantive changes are made herein which impose additional burdens or remove provisions relied upon by licensees or the public. We conclude, for the reasons set forth above, that these revisions will serve the public interest.

3. These amendments are implemented by authority delegated by the Commission to the Chief, Mass Media Bureau. Inasmuch as these amendments impose no additional burdens and raise no issue upon which comments would serve any useful purpose, prior notice of rule making, effective date provisions and public procedure thereon are inapplicable pursuant to the Administrative Procedure Act provisions of 5 U.S.C. 553(b)(3)(B).

4. Since a general notice of proposed rulemaking is not required, the Regulatory Flexibility Act does not apply.

5. Therefore, it is ordered, that pursuant to sections 4(i), 303(r) and 5(c)(1) of the Communications Act of 1934, as amended, and §§ 0.61 and 0.283 of the Commission's Rules, Parts 1, 73 and 74 of the FCC Rules and Regulations are amended as set forth in the attached rule, effective on the date of publication in the *Federal Register*.

6. For further information on this *Order*, contact Steve Crane, (202) 632-5414, Mass Media Bureau.

Federal Communications Commission.

William H. Johnson,  
Acting Chief, Mass Media Bureau.

#### List of Subjects in 47 CFR Parts 1, 73 and 74

Radio broadcasting.

#### Rule Changes

47 CFR Parts 1, 73 and 74 are amended as follows:

1. The authority citation for Parts 1, 73, and 74 continues to read as follows:

Authority: 47 U.S.C. 154 and 303.

#### PART 1—[AMENDED]

2. Section 1.420 is amended by revising the section title and paragraphs (a) and (b) to read as follows:

#### § 1.420 Additional procedures in proceedings for amendment of the FM, TV or Air-Ground Table of Allotments.

(a) Comments filed in proceedings for amendment of the FM Table of Allotments (47 CFR 73.202), the Television Table of Allotments (47 CFR 73.606), or the Table of Allotments for Air-Ground Stations in the Domestic Public Land Mobile Radio Service (47 CFR 22.521) which are initiated on a petition for rulemaking shall be served on petitioner by the person who files the comments.

(b) Reply comments filed in proceedings for amendment of the FM, Television or Air-Ground Tables of Allotments shall be served on the person(s) who filed the comments to which the reply is directed.

#### PART 73—[AMENDED]

3. The undesignated headnotes **Other Operating Requirements** preceding § 73.127 and **Channel Utilization** preceding § 73.606 are removed.

4. Section 73.182 is amended by revising paragraph (a)(1); Note 1 following paragraph (a)(3); and the Note following paragraph (v) to read as follows:

#### § 73.182 Engineering standards of allocation.

(a) \* \* \*

(1) Class I stations are dominant stations operating on clear channels with powers of not less than 10 or more than 50 kW. These stations are designed to render primary and secondary service over an extended area and at relatively long distances, hence have their primary service areas free from objectionable interference from other stations on the same and adjacent channels and secondary service areas free from objectionable interference from stations on the same channels. (The secondary service area of a Class I station is not protected from adjacent channel interference. However, if it is desired to make a determination of the area in

which adjacent channel groundwave interference (10 kHz removed) to skywave service exists, it may be considered as the area where the ratio of the desired 50% skywave of the Class I station to the undesired groundwave of a station 10 kHz removed is 1 to 4). From an engineering point of view, Class I stations may be divided into three groups and, hereafter, for the purpose of convenience, the three groups of Class I stations will be termed Class I-A, I-B or I-N in accordance with the assignment to channels allocated by § 73.25 (a) or (b).

(3) \* \* \*

Note 1.—Class III stations in Alaska, Hawaii, Puerto Rico and the U.S. Virgin Islands are permitted a maximum power of 50 kW day or night. Use of such higher power is subject to amendment of the U.S./Mexican Agreement and final disposition of NARBA. Pending such amendment, the maximum power permitted stations in these localities may not exceed 5 kW. Stations in the above-named places that are reclassified from Class IV to Class III stations under § 73.26(b) shall not be authorized to increase power to levels that, under the RSS procedure and the 50% exclusion rule in § 73.182(l) would increase the nighttime interference-free limit of cochannel Class IV stations in the counterterminous United States.

(v) \* \* \*

Note.—Two stations are considered to be operated synchronously when the carriers are maintained with 0.2 Hz of each other and they transmit identical programs.

5. Section 73.318 is amended by revising paragraph (b) to read as follows:

#### § 73.318 FM blanketing interference.

(b) After January 1, 1985, permittees or licensees who either (1) commence program tests, or (2) replace their antennas, or (3) request facilities modifications and are issued a new construction permit must satisfy all complaints of blanketing interference which are received by the station during a one year period. The period begins with the commencement of program tests, or commencement of programming utilizing the new antenna. Resolution of complaints shall be at no cost to the complainant. These requirements specifically do not include interference complaints resulting from malfunctioning or mistuned receivers, improperly installed antenna systems, or the use of high gain antennas or antenna booster amplifiers. Mobile receivers and non-RF devices such as tape recorders

or hi-fi amplifiers (phonographs) are also excluded.

6. Section 73.504 is amended by revising paragraph (b) to read as follows:

**§ 73.504 Channel assignments under the U.S.A.-Mexico FM Broadcast Agreement.**

(b) Anyone applying for a noncommercial educational FM station in the border area of Arizona, California, New Mexico or Texas must propose at least Class A minimum facilities (see § 73.211(a)) and apply for a channel set forth in the table in paragraph (a) of this section for use at the listed community. However, existing Class D noncommercial educational stations may apply to change frequency within the educational portion of the FM band in accordance with the requirements set forth in § 73.512.

7. Section 73.525 is amended by revising paragraph (c)(2) to read as follows:

**§ 73.525 TV Channel 6 protection.**

(c) \* \* \*

(2) The following adjustment to population may be made: up to 1,000 persons may be subtracted from the population within the predicted interference area if, for each person subtracted, the applicant effectively installs one filter within 90 days after commencing program tests and, no later than 45 days thereafter, provides the affected TV Channel 6 station with a certification containing sufficient information to permit verification of such installation. The required number of filters will be installed on television receivers located within the predicted interference area.

8. Section 73.682 is amended by revising paragraph (a)(23)(iv) to read as follows:

**§ 73.682 TV transmission standards.**

(a) \* \* \*

(23) \* \* \*

(iv) Transmission of emergency visual messages pursuant to § 73.1250 must take precedence over, and shall be cause for interrupting, a service such as teletext that provides a visual depiction of information simultaneously transmitted on the aural channel.

9. Section 73.933 is amended by revising paragraph (b)(12) to read as follows:

**§ 73.933 Emergency Broadcast System operation during a National level emergency.**

(b) \* \* \*

(12) Broadcast stations holding an EBS Authorization are specifically exempt from complying with § 73.1560 (pertaining to maintenance of operating power) while operating under this subpart of the rules.

10. Section 73.1030 is amended by revising paragraph (b)(2) to read as follows:

**§ 73.1030 Notification concerning interference to radio astronomy, research and receiving installations.**

(b) \* \* \*

(2) Applicants concerned are urged to communicate with the Radio Frequency Management Coordinator, Department of Commerce, Research Support Services, NOAA R/E5X2, Boulder Laboratories, Boulder, CO 80303; telephone (303) 497-6548, in advance of filing their applications with the Commission.

11. Section 73.1202 is amended by revising paragraph (a) introductory text to read as follows:

**§ 73.1202 Retention of letters received from the public.**

(a) All written comments and suggestions received from the public by licensees of commercial AM, FM, and TV broadcast stations regarding operation of their station shall be maintained in the local public inspection file, unless the letter writer has requested that the letter not be made public or when the licensee feels that it should be excluded from public inspection because of the nature of its content, such as a defamatory or obscene letter.

12. Section 73.3522 is amended by revising paragraph (a)(1) to read as follows:

**§ 73.3522 Amendment of applications.**

(a) *Predesignation amendment.* (1) Subject to the provisions of §§ 73.3525, 73.3571, 73.3572, 73.3573, and 73.3580, and except as provided in paragraph (a)(2) of this section, any application, other than an application for a low power TV, TV translator station or a non-reserved band FM station may be amended as a matter of right prior to the adoption date of an order designating such applications for hearings, merely by filing the appropriate number of copies of the amendments in question

duly executed in accordance with § 73.3513. If a petition to deny (or to designate for hearing) has been filed, the amendment shall be served on the petitioner.

13. Part 73 is amended by removing the undesignated headnote, Alphabetical Index to Part 73, which immediately follows Part 73's Table of Contents.

**PART 74—[AMENDED]**

14. Part 74 is amended by removing the undesignated headnote, Alphabetical Index to Part 74, which immediately follows Part 74's Table of Contents.

**PART 76—[AMENDED]**

15. Part 76 is amended by removing the undesignated headnote, Alphabetical Index to Part 76, which immediately follows Part 76's Table of Contents.

**PART 78—[AMENDED]**

16. Part 78 is amended by removing the undesignated headnote, Alphabetical Index to Part 78, which immediately follows Part 78's Table of Contents.

**§ 74.780 [Amended]**

17. Section 74.780, Broadcast regulations applicable to translators and low power stations, is amended by removing the listing of § 73.1205—Fraudulent billing practices; and revising the section title to read, broadcast regulations applicable to TV translators and low power TV stations.

[FR Doc. 87-14447 Filed 7-8-87; 8:45 am]  
BILLING CODE 6712-01-M

**47 CFR Part 73**

[MM Docket No. 86-157; RM-5079]

**Radio Broadcasting Services; Spring Valley, MN**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allocates FM Channel 282A to Spring Valley, Minnesota, as that community's first FM broadcast service, in response to a petition filed by John M. Rolli. There is a site restriction 11.6 kilometers (7.2 miles) southwest of the community. The petitioner originally requested FM Channel 286A be allocated to Spring Valley. However, in an effort to provide

expanded service and coverage to a community of 19,200 people, we have substituted Channel 282A in order to provide Station KCPI-FM, Albert Lea, Minnesota, an opportunity to upgrade to a Class C2 facility. With this action, this proceeding is terminated.

**DATES:** Effective August 14, 1987. The window period for filing applications will open on August 17, 1987, and close on September 16, 1987.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 86-157, adopted May 29, 1987, and released July 1, 1987. The full text of this Commission decision 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 of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

**List of Subjects in 47 CFR Part 73**  
Radio broadcasting.

#### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

#### § 73.202 [Amended]

2. Section 73.202(b), the FM Table of Allotments under Minnesota is amended by adding FM Channel 282A at Spring Valley.

Federal Communications Commission.

Mark N. Lipp,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 87-15529 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[MM Docket No. 86-413; RM-5510; RM-5689]

**Radio Broadcasting Services; State College, Avis and University Park, PA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** Pursuant to a request by Destiny Communications, Inc., this document allocates Channel 233A to State College, PA, as the community's second local commercial FM allotment. At the request of Central Pennsylvania Christian Institute, Inc., Channel 260A is allocated to Avis, PA, as the community's first local FM service. Both channels can be allocated in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. On the Commission's own motion, Channel 244A has been reallocated from State College to University Park, PA, to reflect its use by Station WQWK(FM). Canadian concurrence in these allotments has been received since the communities are located within 320 kilometers of the U.S.-Canadian border. With this action, this proceeding is terminated.

**DATES:** Effective August 14, 1987. The window period for filing applications will open on August 17, 1987, and close on September 16, 1987.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 86-413, adopted May 28, 1987, and released July 1, 1987. The full text of this Commission decision 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 of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

#### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments for Pennsylvania is amended by adding Avis, Channel 260A, adding

Channel 233A to State College and removing Channel 244A from State College and adding Channel 244A to University Park.

Bradley P. Holmes,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 87-15533 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[MM Docket No. 86-414; RM-5468; RM-5690]

**Radio Broadcasting Services; Williamsport and Salladasburg, PA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Bald Eagle Broadcast Associates, allocates Channel 300A to Williamsport, PA, as the community's third local FM service. At the request of David A. Donlin, the Commission also allocates Channel 238A to Salladasburg, PA, as the community's first local FM service. Channel 300A can be allocated to Williamsport and Channel 238A can be allocated to Salladasburg in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. Canadian concurrence in these allotments has been received since both communities are located within 320 kilometers (200 miles) of the U.S.-Canadian border. With this action, this proceeding is terminated.

**DATES:** Effective August 14, 1987. The window period for filing applications will open on August 17, 1987, and close on September 16, 1987.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 86-414, adopted May 29, 1987, and released July 1, 1987. The full text of this Commission decision 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 of this decision may also be purchased from the Commission's copy contractors.

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

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

**PART 73—[AMENDED]**

1. The authority citation for Part 73  
continues to read as follows:

**Authority:** 47 U.S.C. 154, 303.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM  
Allotments for Pennsylvania is amended  
by adding Channel 300A to the entry for  
Williamsport and by adding  
Salladasburg, Channel 238A.

**Mark N. Lipp,**

*Chief, Allocations Branch, Policy and Rules  
Division, Mass Media Bureau.*

[FR Doc. 87-15530 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

# Proposed Rules

Federal Register

Vol. 52, No. 131

Thursday, July 9, 1987

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 HOME LOAN BANK BOARD

12 CFR Parts 501, 543, 544, 545, 546, and 551

[No. 87-687]

### Corporate Governance, Parts III and IV

Dated: June 22, 1987.

**AGENCY:** Federal Home Loan Bank Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Home Loan Bank Board ("Board") is proposing extensive revisions to its regulations regarding the corporate governance of Federal associations in order to update and clarify these regulations. Due to the magnitude of the revisions, the Board has presented the proposal in parts, issued separately for public comment. The proposed regulations would reorganize portions of Subchapter C (the regulations for federally chartered associations) and amend and add sections to provide a more cohesive and complete body of rules for the corporate governance of Federal associations. Part I, previously proposed, would provide definitions and rules for the organization and incorporation of Federal associations. Part II, also previously proposed, would contain provisions regarding the corporate structure and governing processes for Federal stock associations and Federal mutual associations. Part III proposes revisions to the rules governing operations of and charter conversion from and to Federal associations. Part IV proposes provisions regarding conservatorships, receiverships, trust powers, miscellaneous provisions, Board rulings, and statements of policy. Part I was proposed on September 13, 1985, by Res. No. 85-821, 50 FR 38832 (Sept. 25, 1985). Part II was proposed on November 22, 1985, by Res. No. 85-1068, 50 FR 52482 (Dec. 24, 1985). Revisions of the Board's current regulations governing conservatorships and receiverships were proposed on November 8, 1985 in

Res. No. 85-1007, 50 FR 48970 (Nov. 27, 1985). The provisions of Part 551 regarding service of process on the Board are proposed to be relocated to Part 501—Operations.

The Board is now proposing Parts III and IV together for public comment. The Board invites comment on Parts III and IV of the proposal for a period of 60 days following publication in the **Federal Register**. Comments on Parts I and II of the Board's Corporate Governance proposal also may be submitted during this period. The Board also specifically requests comment on procedures for implementing these proposed rules. In this regard, the Board is considering requiring compliance with the proposed regulations by the first annual meeting of a Federal association that occurs at least 120 days after the effective date of the final regulations.

**DATE:** Comments should be received by September 8, 1987.

**ADDRESS:** Send comments to the Director, Public Information Services Section, Office of the Secretariat, Federal Home Loan Bank Board, 1700 G Street NW., Washington, DC 20552. Comments will be available for public inspection at that address.

**FOR FURTHER INFORMATION CONTACT:** Kathleen M. Ulrich, Staff Attorney, Corporate and Securities Division, (202-377-7049); or Carol Johnson, Staff Attorney, Regulations and Legislation Division, (202-377-6357); V. Gerard Comizio, Director, Corporate and Securities Division (202-377-6457); Peggy W. Spohn, Deputy Director, Office of Community Investment (202-653-2684); Edward J. Taubert, Associate Director, Policy Division, Office of Regulatory Policy, Oversight, and Supervision (202-778-2511); Patricia D. Neidecker, Paralegal, Corporate and Securities Division (202-377-6410); or Julie L. Williams, Deputy General Counsel for Securities and Corporate Structure, Office of General Counsel (202-377-6459), at the above address.

#### SUPPLEMENTARY INFORMATION:

##### I. OVERVIEW

On October 15, 1982, the Garn-St Germain Depository Institutions Act of 1982 ("Act"), Pub. L. 97-320, 96 Stat. 1469, was enacted. The Act greatly broadened the types of charters and organizational options open to Federal associations. Previously, Federal

associations could be organized *de novo* only as mutual institutions with accounts insured by the Federal Savings and Loan Insurance Corporation ("FSLIC" or "Corporation") or as a direct consequence of a conversion from a state-chartered mutual savings bank. The Act permitted not only *de novo* organization of Federal savings banks but also Federal associations to be chartered either as savings and loan associations or savings banks. Further, the Act enabled Federal charters to be obtained by state-chartered savings banks, whether in stock or mutual form, without requiring that they surrender their Federal Deposit Insurance Corporation insurance in favor of FSLIC insurance of accounts.

The Board directed the staff to study whether existing regulations adequately cover the multiplicity of structural options now available for Federal associations and are adequate as a modern corporate code for governance of Federal thrifts. The Board has concluded preliminarily that existing regulations cover many of the options, but in a piecemeal fashion, and that a number of important areas of corporate governance of Federal associations have either not been adequately covered or not been addressed at all by regulation. Consequently, the Board is proposing a substantial updating of its regulations for corporate governance of Federal associations. The proposed amendments were developed following extensive review of the Model Business Corporation Act the corporate codes of a number of states, including Delaware, California, New York and Florida, and the Board's experience with the specific statutory requirements for chartering of converting Federal associations, set forth under the Home Owners' Loan Act of 1933, as amended, ("HOLA"), 12 U.S.C. 1464 *et seq.*

The proposed regulations would reorganize portions of Subchapter C (the regulations for federally chartered associations) and amend and add sections to provide more complete rules for the corporate governance of Federal associations. Part I, proposed by the Board on September 13, 1985 (Res. No. 85-821) (50 FR 38832 (Sept. 25, 1985)), ("Corporate Governance I"), provided proposed definitions and set forth rules for the organization and incorporation of Federal associations. Part II, proposed on November 22, 1985, by Res. No. 85-

1068 (50 FR 52482 (Dec. 24, 1985)) ("Corporate Governance II") proposed provisions regarding Federal stock associations and Federal mutual associations. Part III proposes revisions to the rules governing operations of and charter conversions to and from Federal associations. Part IV contains proposed provisions regarding conservatorships, receiverships, trust powers, miscellaneous provisions, Board rulings, and statements of policy. Revisions of current regulations governing conservatorships and receiverships were proposed by the Board on November 8, 1985, by Res. No. 85-1007 (50 FR 48970 (Nov. 27, 1985)). Also, the provisions of current Part 551 regarding procedures for services of process are proposed to be relocated to Part 501—Operations.

The Board is now proposing Part III and those portions of Part IV not proposed by the Board on November 8, 1985, in Res. No. 85-1007, for public comment.

## II. REORGANIZATION

The Board believes the existing organization of the Federal Regulations could be more logical and cohesive, so that interested persons would not be required to hunt for the various regulations governing Federal associations. The following chart illustrates the proposed reorganization of these regulations:

### Regulations for the Federal Savings and Loan System

Present	Proposed
Part I	
Part 541—Definitions.....	Part 541—Definitions.
Part 542—[Removed 8/3/79].	Part 542—Organization and Incorporation of Federal Associations.
Part II	
Part 543—Incorporation, Organization, and Conversion of Federal Mutual Associations.	Part 543—Federal Stock Associations.
Part 544—Charter and Bylaws.	Part 544—Federal Mutual Associations.
Part III	
Part 545—Operations.....	Part 545—Operations.
Part 546—Merger, Dissolution, Reorganization, and Conversion.	Part 546—Conversion of and to Federal Associations.
Part IV	
Part 547—Appointment of Conservators and Receivers.	Part 547—Appointment of Conservators and Receivers.
Part 548—Powers of Conservator and Conduct of Conservatorship.	Part 548—Powers of Conservators and Conduct of Conservatorship.
Part 549—Powers of Receiver and Conduct of Receivership.	Part 549—Powers of Receiver and Conduct of Receivership.
Part 550—Trust Powers of Federal Associations.	Part 550—Trust Powers of Federal Associations.

Present	Proposed
Part 551—Service of Process Upon Board.	Part 551—Reserved.
Part 552—Stock Associations.	Part 552—Reserved.
Part 553—Reserved.....	Part 553—Reserved.
Part 554—Reserved.....	Part 554—Reserved.
Part 555—Board Rulings.....	Part 555—Board Rulings.
Part 556—Statements of Policy.	Part 556—Statements of Policy.

## III. DESCRIPTION OF THE PROPOSED AMENDMENTS IN PARTS III AND IV

### A. Part 501—Operations

#### Section 501.12 Service of process on the Board.

1. The Board is proposing to relocate current § 551.1, which specifies procedures for service of process on the Board, as a new § 501.12 in Part 501. The Board believes this is a more logical place for this subject matter. Part 551 would be reserved.

### B. Part 543—Federal Stock Associations

#### Section 543.10-5 Indemnification of directors, officers, and employees.

2. This section would amend § 543.10-5(b)(2)(i), as proposed in Corporate Governance II, by deleting the requirement that an association must give the Board 60 days notice of its intention to indemnify a person where a final judgment is not in such person's favor. This would allow an association to provide indemnification permissible within the scope of the Board's regulations on a more timely basis. The Board asks for comment on the proposed deletion of this requirement generally and requests specific comment as to whether a threshold of capital adequacy should be included in the imposition of the requirement; e.g., if the association is meeting its regulatory capital requirement and would continue to meet it after the indemnification payment is made, then no notice to the Board would be required. The Board also solicits comment on whether any distinction should be made between mutual and stock institutions with respect to whether such a notice process should be required.

In addition, the Board solicits any other relevant comment on the subject of indemnification payments by a regulated thrift institution, as well as on the other changes to the regulation as proposed in Corporate Governance II. As stated in the preamble to that previous proposal, the Board is aware that some state codes allow a disinterested attorney to make the determination required by § 543.10-5(b)(2)(i) in some circumstances, and the Board again requests comment as to the use of such disinterested counsel,

particularly where a quorum of disinterested directors is not available (e.g., where all of the directors are being sued) and the question of indemnification would therefore be required to be put to the stockholders in what could be a relatively costly proxy solicitation. The Board also solicits comment in this regard on the standard to be used in determining whether a counsel is "disinterested."

Also in connection with the issue of indemnification, the Board solicits comment on whether Federal associations should be allowed to implement a provision similar to that recently adopted by Delaware<sup>1</sup> that would allow a Federal stock association, upon approval by shareholder vote, to eliminate the financial liability of its directors for breaches of the duty of due care owed to the association. Shareholders could vote to place such a provision into the association's charter or bylaws. As some commentators have observed of the Delaware law, this provision would not be permitted to be used to eliminate an official's liability for breaches of loyalty, good faith, or willful misconduct. In addition, even where liability may be limited or eliminated, equitable remedies for breach of fiduciary duties—including injunctive relief or rescission—still would be available.<sup>2</sup> The Board requests comment on how the FSLIC might be treated under such a provision and generally whether the adoption of such a provision would be in the best interests of a Federal stock association. In this latter regard, the Board is aware of the enhanced concern regarding indemnification arrangements on the part of management officials in view of the apparent difficulty in obtaining satisfactory directors' and officers' liability insurance. The Board therefore specifically requests commenters to submit relevant information regarding the availability, cost, and terms of such insurance.

Finally, it has been suggested to the Board that a Federal association be allowed to secure its obligation to indemnify its officers, directors, and employees by means of a pledge of collateral consisting of mortgage loans. The Board solicits comment on the advisability of a provision for such collateralization generally and requests

<sup>1</sup> The Delaware law was introduced as SB 533, signed by Governor Michael Castle on June 18, 1986 and took effect on July 1, 1986. It adds a new section 102(b)(f) and amends section 145 by adding a new section 145(j) to Title 8 of the Delaware Code.

<sup>2</sup> See, e.g. 1986 Daily Rep. for Corp. Executives, June 24, 1986. (BNA)

specific comment on the treatment of the FSLIC with respect to priority of claims made under such provision.

### C. Part 544—Federal Mutual Associations

#### Section 544.9-2 Disclosure of membership lists; communication between members of a Federal mutual association.

3. This section would amend § 544.9-2 as proposed in Corporate Governance II by including new sections essentially derived from current § 545.131 of the Board's current rules regarding permissible communications between members of a Federal mutual association. The proposed section relocates this subject matter to a more logical place in the regulations, clarifies board policy regarding release of membership lists by Federal mutual associations, and revises the procedures for a member to request to communicate with other members of such an association. In addition, procedures have been added that would give a member of a Federal mutual association the opportunity to appeal to the Supervisory Agent if the member's request to communicate with other members has been denied by the association.

*Paragraph (a)—Disclosure of membership lists prohibited.* This section is essentially § 544.9-2, proposed in Corporate Governance II, which, as noted in the preamble thereto, is derived from current § 544.5(b)(6). First, the paragraph generally sets forth the Board's policy regarding privacy of depositor, member, and borrower information now found in § 552.11(d). In addition, the proposal adds a new section that codifies Board interpretations of current § 545.131 by providing that Federal mutual associations may, under certain conditions, distribute membership lists to wholly owned service corporations or other wholly owned subsidiaries. In this regard, this section provides that such membership lists may be distributed to wholly owned subsidiaries of Federal associations solely for their use in the ordinary course of business, under conditions designed to protect the privacy of members, borrowers, and depositors of the association. This section also would prohibit release of a membership list to a subsidiary unless pursuant to a written agreement between the association and its subsidiary. The agreement would have to contain certain provisions, including a stipulation by the parties that the membership list will be used solely in the ordinary course of business of the

subsidiary and not be sold or otherwise made publicly available.

*Paragraph (b)—Right of inspection of member's own records.* This paragraph is essentially current § 545.131(b) with an elaboration of the scope of the term "inspection".

*Paragraph (c)—Right of communication with other members of Federal mutual association.* This paragraph is essentially current § 545.131(c).

*Paragraph (d)—Member communication procedures.* This paragraph is essentially current § 545.131(d), which sets forth procedures to be followed by a member of a Federal mutual association desiring to communicate with other members. Revisions have been made to provide a member who has been denied a request to communicate with other members with the right to appeal such a denial to the Supervisory Agent, who may order the association to mail the requested communication if it is not deemed an "improper communication", as defined in paragraph (e) of the rule.

*Paragraph (e)—Improper communication.* This paragraph is essentially current § 545.131(e), with the addition of paragraphs (e) (5) and (6), which contain new categories of member communications that may be deemed an "improper communication."

#### Section 544.10-5 Indemnification of directors, officers and employees.

4. This section would amend § 554.10-5(b)(2)(i), as proposed in Corporate Governance II, by deleting the requirement that the association give the Board 60 days notice of its intention to indemnify a person where a final judgment is not in such person's favor. This would allow an association to provide indemnification permissible within the scope of the Board's regulations on a more timely basis. The Board asks for comment on the proposed deletion of this requirement generally and requests specific comment as to whether the deletion of this requirement is appropriate for a Federal mutual association, where the likelihood of shareholder (mutual member) action for breach of fiduciary duty is less strong than in the case of a stock form institution. The Board also solicits comment as to whether a threshold of capital adequacy should be included in the imposition of the requirement; e.g., if the association is meeting its regulatory capital requirement and would continue to meet it after the indemnification payment is made, then no notice to the Board would be required.

In addition, the Board solicits any other relevant comment on the subject

of indemnification payments by a regulated mutual or stock form thrift institution, as well as on the other changes to the regulation as proposed in Corporate Governance II. As stated in the preamble to that previous proposal, the Board is aware that some state codes allow a disinterested attorney to make the determination required by § 544.10-5(b)(2)(i) in some circumstances, and the Board again requests comment as to the use of such disinterested counsel, particularly where a quorum of disinterested directors is not available (e.g., where all of the directors are being sued). The Board also solicits comment in this regard on the standard to be used in determining whether a counsel is "disinterested."

Finally, it has been suggested to the Board that a Federal association be allowed to secure its obligation to indemnify its officers, directors, and employees by means of a pledge of collateral consisting of mortgage loans. The Board solicits comment on the advisability of a provision for such collateralization generally and requests specific comment on the treatment of the FSLIC with respect to priority of claims made under such provision.

### D. Part 545—Operations

#### Section 545.2 Federal preemption.

5. This section revises current § 545.2 to express more clearly the Board's position on preemption of state law with respect to federally chartered associations. When it adopted § 545.2 in April 1983, the Board revised its approach to the regulation of federally chartered associations and abandoned its previous scheme of permitting only activities specifically regulated in favor of generally allowing management discretion within the confines of the HOLA, except where specifically limited by regulation. The Board has found, however, that preemption questions have arisen under this revised approach, particularly in those areas covered by previous versions of the Federal regulations. This raised questions as to the import of state regulation in areas where the Board had no regulations that specifically occupy the field. Furthermore, questions have arisen as to how much Federal involvement in a field is necessary to preempt state regulation if the state intervention does not interfere with the Federal presence. Finally, the current regulation may leave the implication that other parts of the Federal regulations are not preemptive, since it specifically preempts state law only with respect to Part 545.

For these reasons, the Board is proposing to clarify its position on preemption of state laws with respect to federally chartered associations. The proposal would state clearly that state regulation of the activities of Federal associations is inconsistent with the Board's view that federally chartered associations should be able to exercise reasonable discretion in areas not specifically limited by its regulations. This would apply to areas as to which the Board has deliberately rescinded its regulations, such as fees for accounts, and those in which the Board has never promulgated regulations, such as loan origination procedures. The Board is also proposing to codify its view that all of the Federal regulations relating to the operations of Federal associations, and not only those in Part 545, have preemptive effect. This would in no way, however, limit the power of the Board to grant express exemptions with regard to its position on preemption, as, for example, in § 535.3 (credit practices rule) and in § 590.4 (mobile homes usury exemption).

#### *Section 545.3 Transition period.*

6. The Board proposes to delete this section, since it is an outdated reference to compliance with the provisions of the predecessor of current Part 545.

#### *Section 545.12 Demand deposit accounts.*

7. The Board is proposing to clarify current § 545.12 (a) and (b), which, respectively, define the terms "business, corporate, commercial or agricultural loan" and "loan relationship" for purposes of section 1464(b)(1)(A) of the HOLA. Interpretive questions have arisen regarding the scope of the two definitions, so the Board is proposing two revisions to clarify this section. First, paragraph (a) would be revised to state specifically that public utility accounts are permissible demand deposit accounts under this section if they otherwise meet the statutory requirements. Second, paragraph (b) would be revised to make clear that a service corporation or finance subsidiary would not be deemed to have a "loan relationship" with its parent institution for purposes of issuance of a demand deposit account by the parent institution solely by virtue of its status as a subsidiary of that insured institution, but, rather, would be required to meet the specific criteria of the "loan relationship" definition of paragraph (b).

#### *Section 545.21 Give-aways.*

8. The Board is proposing to revise § 545.21 (b) and (c), which restrict

Federal associations with respect to give-aways. The proposed amendment clarifies the intent of the Board to limit such restrictions only to situations where the association operates in a state that similarly restricts state-chartered associations, and then only to the extent that the state regulation contains provisions equivalent to any or all of those outlined in paragraph (b) of § 545.21. The proposed amendment would also specify that where a state statute contains none of the provisions described in paragraph (b), the Federal association may operate as if it were doing business in a state where such activities are unrestricted. In addition, the Board specifically solicits comment as to whether the restrictions on Federal associations with respect to give-aways continue to be necessary and whether such provisions should be deleted from the Board's regulations.

#### *Section 545.32 Real estate loans.*

9. The proposed regulation extends additional protection to certain borrowers. It addresses a situation that has been the subject of consumer complaints—namely, a lender's practice of continuing to collect escrow payments from the borrower when the payments are no longer required to cover the lender's estimated expenses in connection with the loan, without notification to the borrower that the escrow payments may be reduced. This practice, with respect to escrow amounts required to ensure payment of private mortgage insurance premiums, recently has been held by the U.S. Department of Housing and Urban Development to violate section 10 of the Real Estate Settlement Procedures Act, 12 U.S.C. 2609 (1982) ("RESPA") if the lender continues to collect the amounts more than 60 days after the date it cancels private mortgage insurance coverage, unless the lender is able to demonstrate that continued collection of the amounts is required to avoid or eliminate a deficiency in the account that would arise from the lender's payment of taxes or other charges on the loan. The proposed amendment would require the lender, in connection with home loans as defined in § 545.33, to give written notice to the borrower of any reduction in the lender's estimated expenses for which amounts are being collected and held in escrow. It would require the notice to be given not later than 30 days after the date of such a change. The proposed amendment also would require the lender, within 60 days after the date of the change, to reduce the borrower's escrow payment by an amount necessary to reflect the change, unless the lender obtains express

consent from the borrower to apply the excess amount collected to the outstanding balance owed on the loan.

The Board notes that the proposed amendment does not prevent a lender, consistent with RESPA and the loan contract, from requiring the borrower to pay additional deposits into an escrow account to avoid or eliminate a deficiency in the account. Therefore, if at the time of such change the lender determines that there will be or is such a deficiency in the account, the notice provisions of the proposed amendment would not be applicable to that amount.

From correspondence the Board has received expressing concerns relating to perceived problems with disclosure in this area, the Board believes that borrowers also need more information and more consistency with respect to disclosure of deficiencies in their escrow accounts and the manner in which the deficiencies will be corrected. The Board, therefore, proposes to clarify further the section granting escrow powers to require that contracts indicate how deficiencies will be handled. It also proposes to make explicit the underlying assumption of this section, that escrow funds will be used to make timely payments on behalf of borrowers.

There is an additional issue on which the Board currently proposes no change but on which it requests comment. 12 CFR 545.6-2(a)(3)(iv)(b)(B) (1980) previously permitted an association to set up a reserve in lieu of obtaining private mortgage insurance coverage on 90 percent loans. The current regulation does not include this option, but opinions of the General Counsel referencing the previous section are still outstanding. Consequently, the Board requests comment on whether it should reinstate, by regulation, the previous provision permitting a reserve in lieu of private mortgage insurance coverage or instead should prohibit such a reserve, what the reserve requirements should be if reinstated, and what disclosures concerning the reserve should be required.

#### *Section 545.33 Home Loans.*

10. The Board believes there may be need for clarification of this regulation in a number of areas. First, the proposal would clarify the requirements in paragraph (e)(4) regarding an association's obligation to notify a borrower of interest rate adjustments to an adjustable rate mortgage for any home loan secured by borrower-occupied property. The Board notes that questions have arisen as to the amount of prior notice required for interest rate adjustments. Current paragraph (e)(4)

refers, in pertinent part, to a notice requirement of at least 30 but not more than 120 days prior to "an adjustment", but is unclear as to the adjustment date for notice, stating that a payment adjustment is considered to occur "as of the date of the interest rate change immediately preceding the due date of the adjusted payment." 12 CFR 545.33(e)(4) (1986). The proposed revision makes the meaning clear and incorporates T Memorandum 66-2, issued January 19, 1982, and reissued February 13, 1984. It also reflects recent opinions of the Office of General Counsel addressed to the specific question of payment notification when interest rate adjustments are more frequent than payment adjustments. This revision maintains the long-standing Board position that an adjustment occurs when the institution first becomes entitled to a new rate—i.e., when the interest rate changes. It also maintains separate treatment for loans with rate adjustments that occur more frequently than payment adjustments.

The Board proposes to make clear that for most adjustable-rate mortgages notice is required at least 30 days but not more than 120 days prior to the interest rate adjustment, but that when the contract provides that the interest rate shall change more frequently than the payment, notice is required at least 30 days prior to each payment change.

Second, the proposal includes additions to § 545.33(f) to respond to questions frequently raised under the current regulations. This addition would make clear that the disclosures and other procedures set forth in this section are not required with respect to loans purchased from unaffiliated entities, unless the purchase is pursuant to an agreement or understanding that predated origination of the loan. Such loans would be permissible investments if of a type the association could make and if they comply with whatever requirements are applicable to the originator, including Truth-in-Lending regulations, as well as other state and local regulations.

The Board is also proposing an amendment to the requirement for disclosure of escrows. As revised, the section would require that the initial notice to the borrower concerning escrows include a statement of the consequence if the accumulated escrow is insufficient to meet the need for which it is being held and would require an additional notice and choice to the borrower if the escrow is no longer required. This will protect borrowers from unexpected credit costs caused by adding to principal amounts advanced

to cover shortfalls in escrows held for such expenses as taxes.

The Board notes that the disclosure required in § 545.33(f) in conjunction with an application for an adjustable rate mortgage loan secured by borrower-occupied property must be made not later than three business days after receipt of the application. The Board believes this clarification will remove the apparent discrepancy between the current regulatory language, which is not proposed to be changed, and the original preamble, which states that the notice must be mailed "within three days". The proposal also would clarify the timing of subsequent disclosure for adjustable rate mortgages.

*Section 545.34 Limitation for home loans secured by borrower-occupied property.*

11. Current § 545.34 contains provisions relating to due-on-sale clauses, late charges, loan payments, and prepayments that may be included by an association in its loan instrument or otherwise disclosed to the borrower pursuant to § 545.33(f)(2).

*Paragraph (b)—Late charges.* This section would be revised to reflect changes in thrift industry operations that affect mortgage borrowers. As institutions increasingly engage in purchases and sales of mortgage loans and servicing rights, borrowers sometimes have to deal with a series of different servicers. Therefore, the Board is proposing that a borrower who does not receive adequate notice of a new servicer may not be assessed a late charge for a tardy first payment to the new servicer. Similarly, as savings institutions become larger and acquire distant branches, there can be varying delays between receipt of mortgage payments at the address designated by the institution and posting of the payment at a headquarters or operations center location. The Board is proposing that such a delay that is within the institution's control (unlike mail delays, for example) should not count as part of the 15-day period that triggers a late payment charge.

*Section 545.46 Commercial loans.*

12. The Board is proposing a technical amendment regarding the extent of permissible commercial loan investment for Federal associations. When this regulation was adopted on April 26, 1983, Federal associations were subject to a limit on commercial lending of 5 percent of assets (7.5 percent for savings banks). Because this limit was raised effective January 1, 1984, to 10 percent for all Federal institutions, 12 U.S.C. 1464(c)(1)(R), the references to 5 percent

and 7.5 percent are proposed to be replaced with a reference to 10 percent.

*Section 545.74 Service corporations.*

13. The current regulation permits investment in service corporations up to three percent of assets and permits additional conforming loans to service corporations up to regulatory capital or half of regulatory capital, depending upon certain circumstances. The Board is proposing to clarify that the provision for conforming loans is applicable *only* to loans, and the Board will scrutinize purported loan transactions to determine whether they are in fact disguised capital contributions. Similarly, while the Board has recognized that legitimate purchases and sales between service corporations and their parents should not be included in calculating the parent's investment in the subsidiary, the Board is now proposing to codify its view that purchase and sale transactions, or repurchase arrangements, with service corporations will be scrutinized to ascertain whether they are actually loans or capital contributions.

The Board is also taking this opportunity to address several questions that have arisen concerning loans to service corporations. Under the current regulation, loans to service corporations must be included in calculating the amount of the parent association's investment in the subsidiary, with certain exceptions. The exceptions include a provision permitting associations meeting their regulatory capital requirements to make "conforming loans" to their service corporations in amounts up to the associations' regulatory capital and to "statewide" service corporations under certain circumstances. Confusion has arisen because "conforming loans" are defined as all investments except "nonconforming loans" as described in 12 U.S.C. 1464(c)(3) (C) and (D) (1982 & Supp. I 1983), but the meaning of this section is, at best, unclear. Similarly, the "statewide" service corporation concept, which was carried forward from an earlier version of the service corporation regulation, is of questionable applicability under the current regulation. In addition to these sources of confusion, the Board is aware of instances in which Supervisory Agents have recommended, based on an association's financial condition and the types of loans involved, that additional loans to a service corporation be permitted. On the other hand, the Board is also aware of sentiment that lending powers may already be too broad and should be cut back by, for example,

limiting conforming loans to real estate loans.

In light of these considerations, the Board is seeking comment on whether it should revise its approach to the treatment of a Federal association's loans to and investments in its service corporation(s) in general. Specifically, the Board invites comment as to whether it should permit additional loans to service corporations, and, if so, what limits, if any, should be placed on such loans. It also invites comment as to permitting Supervisory Agents to approve additional loans. If additional loans to service corporations are permitted, this might require reconsideration of an amendment the Board promulgated to 12 CFR 563.9-3, to exempt loans to service corporations from the loans-to-one-borrower limitation.

The Board also would have to consider the implications of such a change under its direct investment regulation, 12 CFR 563.9-8, as amended, Board Res. No. 87-215, 52 FR 8188 (Mar. 16, 1987). As amended, the applicable threshold for aggregate direct investment by insured institutions that meet their minimum capital requirements and have tangible capital less than six percent of total liabilities is the greater of three percent of assets or two and one-half times tangible capital. Institutions meeting their regulatory capital requirements and having tangible capital equal to or greater than six percent of total liabilities may invest up to three times tangible capital without prior Supervisory Agent approval. Institutions that fail to meet their minimum regulatory capital requirements may make direct investments only with prior supervisory review and approval.

While § 545.74(d)(1) currently authorizes Federal associations to invest up to three percent of total assets in service corporations, without approval by the Supervisory Agent, regardless of the association's adherence to the minimum regulatory capital requirements, § 563.9-8 requires that an association that fails its minimum regulatory capital requirement must seek the approval of its Supervisory Agent prior to investing in the service corporation. The Board wishes to take this opportunity to emphasize that the requirements of § 563.9-8 apply to investment permitted under § 545.74. See Office of Regulatory Policy, Oversight and Supervision ("ORPOS") Memorandum No. T77, 1 Sup. Service (U.S. League of Savings Institutions) ¶ 10,421 (Nov. 20, 1985). Accordingly, to the extent the Board determines to

permit additional loans to service corporations, Federal associations must ascertain whether the aggregate amount of investment in service corporations exceeds the applicable threshold for aggregate direct investment under the direct investment regulation. If such additional loans would cause the aggregate amount of investment in service corporations to exceed the applicable direct investment threshold, then, pursuant to § 563.9-8(g), the association must apply for and receive Supervisory Agent approval prior to making such loans.

Moreover, on June 10, 1987, the Board adopted a final rule that expands the scope of the direct investment regulation (now referred to as the "equity risk regulation") to include certain high-ratio land loans and nonresidential construction loans. See Board Res. No. 87-660-A (June 17, 1987), 52 FR 23787 (June 25, 1987). Thus, the amended regulation may further affect the ability of Federal associations to make conforming loans to service corporations. Accordingly, the Board specifically solicits comment on the most appropriate means to integrate the requirements of the service corporation regulation with the equity risk regulation, as amended.

On a related point, the Board recently has become aware of instances in which existing regulatory restrictions on the ability of Federal associations to lend to service corporations engaged in mortgage banking activities may have unnecessarily adversely affected the effectiveness of these service corporations to the detriment of the parent Federal associations. To address this problem, the Board is proposing to amend § 545.74(d) by adding a new subsection (5) to permit the Supervisory Agent to authorize Federal associations to make loans in excess of the otherwise applicable limits<sup>3</sup> to their majority-owned service corporations engaged solely in mortgage banking activities involving residential real estate loans. Approvals by Supervisory Agents under this authority must be supported by detailed business plans submitted by the associations enabling the Supervisory Agent to conclude that:

1. The mortgage banking subsidiary will contribute significantly to the consolidated net income of the Federal association;

<sup>3</sup> The Board notes that, in determining whether to approve loans to mortgage banking subsidiaries, the Supervisory Agent must consider the implications, if any, of the direct investment regulation, 12 CFR 563.9-6, as amended.

2. The proposed expanded mortgage banking activities are protected adequately against interest rate risk;

3. All such loans are residential real estate loans and a substantial majority of the loans originated by the service corporation are for amounts not in excess of \$250,000 and are secured by one to four family properties; and

4. The Federal association will continue to maintain a substantial level of residential real estate loans.

The Board also solicits comment as to whether a "cap" should be imposed on the total amount of loans that the Supervisory Agent may authorize under this regulation after taking into account any direct investment implications as noted above (and if so, on what factor(s) should such "cap" be based—e.g., a percentage of the association's total assets). Alternatively, the Supervisory Agent could be granted unlimited discretion to determine, based on the business plan required to be submitted with the application, the level of lending by an association to its service corporation that would be appropriate; the applicant would then have the ability to obtain authorization for future increases in this "discretionary" determination if information contained in subsequent applications indicates that such increases would be feasible for the association.

The authorization procedure would be similar to that established for waiving the scheduled items limitation under § 545.75(d)(4); i.e., that the application is approved if, within 30 calendar days after the date the Supervisory Agent receives it, he or she has not notified the applicant that approval is withheld. An association approved to make a warehouse line of credit to its subsidiary under this special authority would be required to file periodic reports with its Supervisory Agent regarding its mortgage banking service corporation activity.

The Board also is proposing one substantive amendment to the service corporation powers. In general, a service corporation may engage in any activities open to the parent (except taking deposits in its own right), subject to the overall three percent of assets investment limit applicable to the parent. Under the current regulation, however, service corporations do not have the explicit authority the parent association has to invest in corporate debt securities or mortgage related securities. Consequently, the Board is proposing to amend the service corporation authority specifically to permit these types of investments.

In addition, the Board requests comment on whether investments by Federal associations in service corporation subsidiaries engaged in activities permitted to their parent should be authorized as operating subsidiaries. Because such subsidiaries could be characterized as having been organized under the parent's incidental authority, they would be exempt from the service corporation percentage-of-assets investment limits. The Board specifically requests comment on the Board's authority for such a construction and what safeguards or limitations should be applied if such expanded investments were to be permitted.

Finally, the Board is proposing to amend the authority of a service corporation to invest in commercial loans to delete the obsolete reference to the investment limits applicable prior to January 1, 1984. The Board also requests comment on whether the exceptions contained in § 545.74(d)(3) for statewide service corporations should be retained.

*Section 545.76 Investment in open-end management investment companies.*

14. Questions have arisen under this section as to whether an investment company that qualifies on the basis of its assets retains its status as a permissible investment if it engages in hedging techniques (i.e., futures transactions, options transactions, or forward commitments) that are themselves permissible for a Federal association pursuant to §§ 545.136 and 545.137 of the rules for Federal associations. Without proposing specific amendment to this section, the Board is requesting comment on the following questions relating to this issue:

1. Whether mutual funds engaging in hedging activities should be permissible investments for Federal associations, and, if so, what safeguards, if any, should be imposed regarding this type of investment;

2. Whether diversification of mutual funds should be required;

3. Whether a mutual fund, limited partnership, or unit investment trust that invests in low rated corporate debt securities would be an appropriate investment for Federal associations, and, if so, whether such investments should be subject to the five percent of assets limitation set forth in § 545.76(b), to the eleven percent limitation of assets set forth in §§ 545.46 and 545.75(d), or to some other percent of assets limitation.

4. Whether shares of a mutual fund, the portfolio of which consists of permissible investments for Federal associations and that engages in hedging activities, should qualify as a liquid asset pursuant to § 523.10(g).

5. Whether the type of hedging activities engaged in by mutual funds that may be permissible investments for Federal associations should be specified—e.g., forward commitments, futures transactions, financial options transactions.

6. Whether the mutual funds should be required to comply with the procedural requirements set forth in §§ 563.17-3(e), 563.17-4(d)-(f), and 563.17-5(d)-(f) of the Board's hedging regulations regarding authorization by the institution's board of directors, notification, and recordkeeping.

*Section 545.91 Home Office; Administrative office or executive office.*

15. This section substantially revises current § 545.91 to clarify matters relating to the function, activities, and types of offices from which the affairs of an association may be conducted. Current § 545.91 is expanded to permit all operations of a Federal association to be directed from either a home office, executive office, or administrative office and clarifies that an executive or administrative office need not be a branch office, but that a home office must be a deposit-taking facility. Also, if the operations of a Federal association are directed from an executive or administrative office, that office must be located in the same state or Metropolitan Statistical Area as the association's home office.

*Section 545.92 Branch Offices; and Section 545.96 Agency.*

16. Although no amendments are being proposed at this time, the Board is requesting comment as to whether its regulations on branch and agency offices should be revised in light of Board policies encouraging Federal associations to provide "choice of facilities for improved financial services to the public." See Board Res. No. 86-424, 51 FR 16501, 16505 (May 5, 1986). The Board recognizes that this may be accomplished through the establishment of branches, whether full-service or otherwise, and that associations require appropriate flexibility in making these operational decisions.

A branch office includes any office of an association other than its home office, agency office, data processing or administrative office, or a remote service unit. 12 CFR 545.92(a) (1986). Therefore, the issue continually arises as to what activities constitute the operation of a "branch" requiring prior approval of the Board. For example, must an association obtain Board approval before it may retain a private courier company to pick up deposits

from the places of business of its commercial customers or open accounts at the homes of customers or at other convenient locations?

Issues also have arisen concerning whether loan production offices must be operated as service corporations because of the geographical limitations on the locations of branch and agency offices. 12 CFR 556.5(a) (2), (3), 545.96(a). Congress has authorized Federal associations to engage in lending without geographic restrictions (Pub. L. No. 96-221, section 401, 94 Stat. 132, 151 (1980)) and has removed the characterization of Federal associations as "local" thrift institutions (Pub. L. 97-320, section 311, 96 Stat. 1469, 1496 (1982)). Based on these and other concerns, the Board generally requests comment addressing the impact of its branch and agency office regulations on the operations of Federal associations.

*Section 545.95 Change of office location and redesignation of offices.*

17. This section revises current § 545.95 to make clear that the Supervisory Agent may reject a short distance relocation if the association's overall policies, conditions, or operation afford a basis for supervisory objection.<sup>4</sup> Also, a new paragraph (d) is proposed to delegate authority to the Supervisory Agent to approve applications under this section, unless the application involves a significant issue of law or policy on which the Board has not taken a position, and to deny an application if there is a basis for supervisory objection, as described in this section. Finally, a new paragraph (e) would be added to provide procedures for appeal to the Board of applications under this section denied pursuant to delegated authority.

*Section 545.114 Monthly Reports.*

18. This section is essentially current § 545.114, but deletes the current reference to the specific number of copies of the report that must be sent to the Federal Home Loan Banks and to the Board and substitutes the requirement that associations distribute the reports in accordance with instructions supplied by the Board for completion of the form. This change is proposed to provide greater leeway to the association with respect to the dissemination of the

<sup>4</sup> The Board notes, for example, that a short distance relocation requested across state lines could raise issues of compliance with the Board's interstate branching policy for Federal associations if the Federal association requesting the relocation would not otherwise be permitted under that policy to branch into the state for which a request is made for office relocation.

reports (including the possibility of electronic transmission to the Board), as well as to be consistent with the reporting requirements under 12 CFR 563.18(a).

In addition, the Board requests comment on whether the regulation that requires that monthly reports be submitted by an association to its board of directors on forms prescribed by the Board should be deleted. The Board believes that this would provide a Federal association with more flexibility as to the manner of providing information about the association's financial condition and operations to its board of directors.

*Section 545.121 Indemnification of directors, officers, and employees.*

19. This section has been relocated and revised as §§ 543.10-5 and 544.10-5, proposed in Corporate Governance II, governing indemnification of officers, directors, and employees of Federal stock and mutual associations. Sections 543.10-5(b)(2)(i) and 544.10-5(b)(2)(i), as previously proposed, would be amended as discussed in paragraphs numbers "2." and "4." respectively of this preamble.

*Section 545.123 Advisory boards and committees.*

20. This section is essentially current § 545.123, with an added reference calling attention to the fact that compensation for advisory board or committee members must comply with the guidelines in § 571.5(d) (4) and (5) of the Board's Insurance Regulations.

*Section 545.131 Disclosure of customer information.*

21. As proposed in Corporate Governance II, substantially all of current § 545.131 has been relocated and revised as §§ 543.9-3 (Stockholder communication) and 544.9-2 (Communication between members). The proposed section, as revised, would set forth the Board's policy on disclosure of customer information by any Federal association.

**E. Part 546—Conversions of and to Federal Associations**

22. Sections of existing Parts 543, 546, and 563, and a number of new proposed sections have been incorporated into this Part to cover conversion of and to Federal associations, special rules for new Federal mutual savings banks, grandfathered authority of formerly state-chartered mutual savings banks converting to Federal mutual savings banks, and continuity of existence of associations converting pursuant to this Part.

23. The following 11 sections are proposed:

- Sec.  
546.1 Scope of Part.  
546.2 State charter to Federal charter.  
546.3 Application.  
546.4 Organization after conversion.  
546.5 Special rule for new Federal mutual savings banks.  
546.6 Grandfathered authority.  
546.7 FDIC-insured Federal savings banks.  
546.8 FSLIC-insured state-chartered savings banks.  
546.9 Federal charter to state charter.  
546.10 Adoption of new Federal charter by a Federal Association.  
546.11 Continuity of existence.

*Section 546.1 Scope of Part.*

24. This is a new section that sets forth the scope of permissible conversions of and to Federal associations covered by this Part. The section follows the provisions of section 5(i) of the HOLA and provides that, subject to certain conditions, any institution that is, or is eligible to become, a member of a Federal Home Loan Bank may convert itself to a Federal savings and loan association or a Federal savings bank; any Federal association may change its designation from a Federal savings and loan association to a Federal savings bank, or the reverse; any Federal association may convert itself into a savings and loan or savings bank type of institution organized pursuant to the laws of the state in which the principal office of the Federal association is located; and that any state-chartered savings bank may convert itself from a state-chartered savings bank insured by the Federal Deposit Insurance Corporation ("FDIC") to a Federal savings bank insured by either the FSLIC or the FDIC, if effected in accordance with the provisions of this Part.

In addition, this section would make clear that nothing in this Part authorizes conversions from mutual to stock form, which are governed exclusively by Part 563b of the Board's Conversion Regulation.

*Section 546.2 State charter to Federal charter.*

25. This section is essentially current § 543.8, with clarification that any FSLIC-insured institution, any FDIC-insured state-chartered savings bank, or any other institution eligible to become a member of a Federal Home Loan Bank is eligible to convert to a Federal association pursuant to this Part. This section further clarifies that in a supervisory transaction the approval of the Board or, if delegated by the Board, the approval of the General Counsel with the concurrence of ORPOS, would

be required for conversion to a Federal charter.

*Section 546.3 Application.*

26. This section is derived from current § 543.8 and outlines the procedures for submission to, and consideration by, the Supervisory Agent of an application by a Federal Home Loan Bank member to convert to a Federal association.

*Paragraph (a)—Filing.* This paragraph is based upon current § 543.9(a), but is expanded to make clear that this Part covers conversions from state stock to Federal stock form, as well as conversions from state mutual to Federal mutual form. This section also clarifies that applicants desiring to convert in connection with a supervisory transaction should file the application with the Board and with the Office of General Counsel and also provide copies to ORPOS and to the Principal Supervisory Agent. The current section is also expanded to require that applicants, in connection with all conversion applications, must submit an opinion by independent legal counsel, in a form acceptable to the Board, opining that the conversion will be in conformance with applicable state law.

*Paragraph (b)—Plan of Conversion.* This is essentially current § 543.9(b) expanded to provide that in the case of a state stock-to-Federal-stock conversion, an applicant must provide in its plan of conversion that the holders of securities of the applicant must receive equivalent securities, on a *pro rata* basis, in the Federal association and that the securities in the Federal association received must be the equivalent of the former type and class of securities. The section also provides that where types and classes of securities carry features inconsistent with the provisions and standards of the Federal charter, such securities must be amended to conform to the Federal charter.

*Paragraph (c)—Nonconforming charter and bylaw provisions.* This is a new paragraph, which generally provides that institutions converting to Federal charter that wish to bring charter or bylaw provisions inconsistent with the model charter and bylaw provisions for Federal associations (See Corporate Governance II—for Federal mutual associations proposed §§ 543.3, 543.4, 543.4-1 and 543.8 through 543.14—for Federal stock associations proposed §§ 544.3, 544.4 and 544.8 through 544.14) must follow the applicable procedures in either Part 543 or 544 for preapproval of nonconforming provisions. This

paragraph also provides that nonconforming provisions would require a separate vote of the members or stockholders, as appropriate, to approve such provision(s).

*Paragraph (d)—Action on application.* This is essentially current § 543.9(c).

*Paragraph (e)*—This is a new paragraph that clarifies that the Board or, if so delegated, the General Counsel with the concurrence of ORPOS, may waive or deem inapplicable the procedural requirements of paragraphs (b), (c) and (d) of § 546.3 in the case a conversion to a Federal charter in connection with a supervisory transaction.

*Section 546.4 Organization after conversion.*

27. This section follows current § 543.10 with a new reference to the date of Board approval of the conversion application as the trigger date for required organization after conversion. This section also provides a new reference to proposed § 546.5, discussed below.

*Section 546.5 Special rule for new Federal mutual savings banks.*

28. This provision is derived from current § 543.11, which sets forth the procedures for organization and governance during the first years after issuance of a Federal mutual savings bank charter to an institution converting from a state-chartered mutual savings bank, with the general requirements of § 546.4 for a post-conversion organizational meeting substituted for current § 543.11(a).

*Paragraph (a)—Election of the board of directors.* This is essentially current § 543.11(c), omitting the last two sentences of current § 543.11(c)(2) dealing with optional plan provisions and permissible exemptions from the disclosure requirements of § 563.45 for a period of two years following the conversion, which are covered by paragraph (b) below.

Paragraph (b) is essentially the last two sentences of current § 543.11(c)(2) with the provision permitting a Federal mutual savings bank converting from a state-chartered mutual savings bank to amend its charter without a membership vote revised to add a proviso that any such amendment first must be approved by a two-thirds vote of its board of directors and be subject to Board approval. In addition, the proposed rule makes clear that any proposed mutual-to-stock conversion must be approved by members pursuant to Part 563b of the Board's Conversion Regulations.

*Paragraph (c)—Compliance with other regulations.* This is essentially

current § 543.11(c)(2) with updated references to proposed paragraphs (a) and (b), above.

*Section 546.6 Grandfathered authority.*

29. This provision is derived from current § 543.11-1, with the addition of standards for demonstrating to the Board the source of authority for activities claimed as grandfathered activities under applicable state law.

Paragraph (a) is derived from current § 543.11-1(a) with the addition of proposed standards to clarify what the Board will consider to be grandfathered activities under applicable state law. In this regard, the Board notes that in the past questions have arisen regarding the extent to which authority actually exists to conduct activities claimed by converting associations as grandfathered activities. Under the proposal, for the purposes of determining whether a mutual savings bank was authorized under state law to exercise claimed authority, the converting association must satisfy the Board that such activities or investments are explicitly acknowledged as authorized by the state regulator, accepted generally within the industry as shown by persuasive evidence, or actually conducted by the converting savings bank in conformance with state law and without objection from state authorities.

This paragraph also revises current § 543.11-1(a) to make clear that the permitted exercise of grandfathered authority does not extend to a Federal savings bank formerly chartered or designated as an interim state-chartered mutual savings bank.

*Paragraph (b)—Acquisition of grandfathered authority.* This paragraph is essentially current § 543.11-1(b) omitting an outdated reference regarding determination of the extent of grandfathered rights of a Federal association disappearing prior to the effective date of the adoption of current § 543.11-1.

*Section 546.7 FDIC-insured Federal savings bank.*

30. This section combines current §§ 543.12 and 543.13 as one provision.

*Section 546.8 Conversion to FSLIC-insured state-chartered savings bank.*

31. This is a new section that generally permits any FSLIC-insured institution to convert to a state-chartered savings-bank type institution and still retain FSLIC insurance of accounts, provided that (1) applicable state law would permit such a conversion and (2) its authority under state law as a savings bank, as

determined by the Board, is not significantly different from what its authority would be under state law as a savings and loan association, building and loan association, homestead association, or cooperative bank.

*(a)—General.* This paragraph sets forth the prerequisites to retain FSLIC coverage upon conversion to a state-chartered savings bank type institution.

*(b)—Application.* This paragraph provides that application for such conversions must be made with the Supervisory Agent by letter, together with such exhibits as will demonstrate to the satisfaction of the Supervisory Agent that the conversion meets the requirements of paragraph (a) of this section.

*(c)—Approvals.* This paragraph requires that conversion to a state-chartered savings bank type institution pursuant to this section be approved by shareholders of the converting institution pursuant to applicable state law, with proof of such shareholder approval to be submitted to the Supervisory Agent on the terms described.

*(d)—Delegated authority.* This is a new paragraph that generally delegates authority to the Supervisory Agent to approve conversion applications in compliance with regulatory requirements, unless an application involves a significant issue of law or policy upon which the Board or Corporation has not taken a formal position. The Principal Supervisory Agent also is authorized to deny applications if there is a basis for supervisory objection because of the institution's overall policies, conditions, or operations.

*Section 546.9 Federal charter to state charter.*

32. This is a new section that generally sets forth the procedures and conditions under which a Federal association may, pursuant to the laws of the state in which the principal office is located, convert itself into a state-chartered savings and loan or savings bank type institution. The section contains a new requirement for Board approval where a conversion from Federal to state charter is undertaken as part of a multi-step transaction that, in essence, entails more than a simple change in chartering authority for an FSLIC-insured institution—for example, a conversion to state charter as an integral part of a transaction in which the association will terminate FSLIC insurance and convert into or be acquired by another entity such as a bank. Since such a transaction may

have some of the consequences of a dissolution of the Federal association, the Board believes that additional oversight, similar to what would be applicable in the case of a dissolution, may be called for. The Board specifically requests comment on this proposed procedure.

*Paragraph (a)—General.* This paragraph is essentially current § 5 (i)(3)(A)(i)-(vi) of the HOLA.

*Section 546.10 Adoption of new Federal charter by a Federal association.*

33. This section is essentially current § 544.3.

*Section 546.11 Continuity of existence.*

34. This section is essentially current § 543.4 with an updated reference to this Part.

*Section 555.15 Preemption regarding prepayment penalty authority.*

35. This section states explicitly the Board's view that state law purporting to limit the authority of Federal associations to charge prepayment penalties is preempted by § 545.34(c), which makes clear that charging of a prepayment penalty is a matter of contract between the borrower and lender. However, this section refers to a maximum amount of penalty and to exceptions to an association's authority to impose it, which are no longer contained in § 545.34(c). Since, without references to these limitations, § 555.15 has no import except to establish what is clear from § 545.2—i.e., that Federal associations may include prepayment penalty clauses in their mortgage loan contracts and enforce them according to their terms, state law to the contrary notwithstanding—the Board is requesting comment on whether this section should be deleted, or perhaps recast to address also the preemption of state law concerning other contract matters, such as late charges and escrow accounts.

#### F. Comment Period and Effective Date

The Board invites comment on Parts III and IV of the proposal presented in this Resolution for a period of 60 days following publication in the *Federal Register*. Comments on Parts I and II of the Board's Corporate Governance proposal also may be submitted during this comment period. The Board specifically requests public comment on procedures for implementing these proposed rules at such time as they become effective. The Board is considering requiring compliance with the proposed regulations by the first annual meeting of a Federal association

that occurs 120 or more days after the effective date of the final regulations.

#### Initial Regulatory Flexibility Analysis

Pursuant to section 3 of the Regulatory Flexibility Act, 5 U.S.C. 603 (1982), the Board is providing the following initial regulatory flexibility analysis:

1. *Reasons, objectives, and legal bases underlying the proposed rule.* These elements are incorporated above in **SUPPLEMENTARY INFORMATION**.

2. *Small entities to which the proposed rule would apply.* The rule would apply to all federally chartered and FSLIC insured savings and loan associations and savings banks ("Federal associations").

3. *Impact of the proposed rule on small entities.* The policies will affect all Federal associations equally and will not have an adverse impact on small institutions.

4. *Overlapping or conflicting Federal rules.* There are no known Federal rules that duplicate, overlap, or conflict with this proposal.

5. *Alternatives to the proposed rule.* There are no alternatives that would be less burdensome than the proposal in addressing the concerns expressed in the **SUPPLEMENTARY INFORMATION** set forth above.

List of Subjects in 12 CFR Parts 501, 543, 544, 545, 546, and 551

Accounting, Claims, Consumer protection, Courts, Credit, Electronic funds transfers, Investments, Manufactured homes, Mortgages, Reporting and recordkeeping requirements, Savings and loan associations.

Accordingly, the Federal Home Loan Bank Board hereby proposes to amend Part 501, Subchapter A, Parts 543-546, and 551, Subchapter C, 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 947, 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. Amend Part 501 by adding a new § 501.12 to read as follows:

##### § 501.12 Service of process upon the Board.

Service of process may be made upon the Board by delivering to the U.S.

Attorney for the district in which the action is brought or to an Assistant U.S. Attorney or clerical employee designated by the U.S. Attorney in writing filed with the clerk of the court, and by sending copies of the summons and of the complaint by registered or certified mail to the Attorney General of the United States, Washington, DC, and to the Secretary to the Board.

#### SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

##### PART 543—FEDERAL STOCK ASSOCIATIONS

3. The authority citation for Part 543, as proposed at 50 FR 52494 (Dec. 24, 1985), is revised to read as follows:

*Authority:* Secs. 2, 5, 48 Stat. 128, 132, as amended (12 U.S.C. 1462, 1464); secs. 401-403, 405-407, 48 Stat. 1255-1257, 1259-1260, as amended (12 U.S.C. 1724-1726, 1728-1730); sec. 408, 82 Stat. 5, as amended (12 U.S.C. 1730a); sec. 801, 91 Stat. 1147, as amended (12 U.S.C. 2901 *et seq.*); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-1948 Comp., p. 1071.

4. Amend Part 543 by revising paragraph (b)(2)(i) of § 543.10-5, as proposed at 50 FR 52504 (Dec. 24, 1985), to read as follows:

##### § 543.10-5 Indemnification of directors, officers and employees.

\*(b) \* \* \*

(2) \* \* \*

(i) *General.* In the case of settlement, final judgment against the person, or final judgment in his favor other than on the merits, indemnification may be made if it is determined that the person was acting in good faith within the scope of his employment or authority as he could reasonably have perceived it under the circumstances and for a purpose he could reasonably have believed under the circumstances was in the best interests of the association and in the case of a criminal action, he had no reasonable cause to believe his conduct was unlawful. Such determination shall be made by the board of directors by a majority vote of a quorum consisting of disinterested directors, or if such a quorum is not obtainable or, even if obtainable, if a quorum of disinterested directors so directs, by the stockholders with only the shares of disinterested stockholders allowed to vote or to be counted for purposes of determining a quorum.

\* \* \* \* \*

## PART 544—FEDERAL MUTUAL ASSOCIATIONS

5. The authority citation for Part 544, as proposed at 50 FR 52518 (Dec. 24, 1985), is revised to read as follows:

Authority: Secs. 2, 5, 48 Stat. 128, 132, as amended (12 U.S.C. 1462, 1464); secs. 401-403, 405-407, 48 Stat. 1255-1257, 1259-1260, as amended (12 U.S.C. 1724-1726, 1728-1730); sec. 408, 82 Stat. 5, as amended (12 U.S.C. 1730a); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071.

6. Part 544 is amended by revising § 544.9-2, as proposed at 50 FR 52522 (Dec. 24, 1985), to read as follows:

### § 544.9-2 Disclosure of membership lists; communication between members of a Federal mutual association.

(a) *Disclosure of membership list prohibited.* (1) As used in this section, "membership list" means any document of a Federal mutual association containing:

- (i) Names of members of, depositors in, or borrowers from such association;
- (ii) Their addresses;
- (iii) Individual savings account or loan balance or records; or
- (iv) Any data from which such information reasonably could be constructed.

(2) Federal mutual associations may not disclose in any manner, directly or indirectly, their membership lists to any person, provided, however, that nothing in this section shall prohibit a Federal mutual association from disclosing all or a portion of its membership list to officers or other employees of the association in the ordinary course of conducting the association's business.

(3) Notwithstanding any provision of this section, Federal associations may provide membership lists to their wholly owned service corporations or other wholly owned subsidiaries provided the following conditions are met:

(i) Such membership lists are used solely in the ordinary course of business of the association or that of the wholly owned service corporations or other wholly owned subsidiaries to which the association provides such membership lists; and

(ii) Such membership lists are released only pursuant to a written agreement between the association and such service corporation or other subsidiary that sets forth procedures designed to protect the privacy of members of, depositors in, or borrowers from such association. The written agreement shall specify that the membership list will be used by the service corporation or other subsidiary solely in the ordinary course of business and contain an acknowledgment and

undertaking by the service corporation or other subsidiary that such list is not to be sold or otherwise made publicly available to any person, except pursuant to the Board's regulations.

(4) Prior to release of a membership list, a Federal association shall file with the Supervisory Agent a copy of the executed written agreement required by paragraph (a)(3) of this section. Membership lists shall not be released by the association until the Supervisory Agent has advised the association in writing that he or she has no objection to the agreement under the standards set forth in this section.

(b) *Right of inspection of member's own records.* A member of, depositor in, or borrower from a Federal association has the right to inspect the association's books and records pertaining solely to the member's, depositor's, or borrower's own savings or borrowing account(s). If a member, depositor, or borrower is not able to appear at the premises where the records are located, the association shall provide copies of the records requested, for which service the association may charge a reasonable fee. For initial requests by members, depositors, and borrowers, in direct response to association correspondence or action, this fee shall not exceed the actual cost of reproduction.

(c) *Right of communication with other members of a Federal mutual association.* A member of a Federal mutual association has the right to communicate in accordance with paragraph (d) of this section with other members of the association regarding any matter related to the association's affairs, except for "improper" communications, as defined in paragraph (e) of this section. The association may not defeat that right by redeeming a member's savings account in the association.

(d) *Member communication procedures.* If a member of a Federal mutual association desires to communicate with other members, the following procedures shall be followed:

(1) The member shall give the association a written request to communicate;

(2) If the proposed communication is in connection with a meeting of the association's members, the request shall be given at least 30 days before the annual meeting or 10 days before a special meeting;

(3) The request shall contain—

- (i) The member's full name and address;
- (ii) The nature and extent of the member's interest in the association at the time the information is given;

(iii) A copy of the proposed communication; and

(iv) If the communication is in connection with a meeting of the members, the date of the meeting;

(4) The association shall reply to the request within either—

- (i) Fourteen days;
- (ii) Ten days, if the communication is in connection with the annual meeting;

or

(iii) Three days, if the communication is in connection with a special meeting.

(5) The reply shall provide either—

- (i) The number of the association's members and the estimated reasonable cost to the association of mailing to them the proposed communication; or
- (ii) Notification that the association has determined not to mail the communication because it is "improper", as defined in paragraph (e) of this section.

(6) After receiving the dollar amount of the estimated reasonable cost of mailing and sufficient copies of the communication from the requesting member, the association shall mail the communication to all members, by a class of mail specified by the requesting member, either—

- (i) Within fourteen days;
- (ii) Within seven days, if the communication is in connection with the annual meeting;

(iii) As soon as practicable before the meeting, if the communication is in connection with a special meeting; or

(iv) On a later date specified by the member.

(7) If the association refuses to mail the proposed communication, it shall return the requesting member's material together with a written statement of the specific reasons for refusal and a notice of the right to appeal to the Supervisory Agent, and it shall simultaneously send to the Supervisory Agent two copies each of the requesting member's materials, the association's written statement, and any other relevant material. The materials shall be sent within either—

- (i) Fourteen days;
- (ii) Ten days if the communication is in connection with the annual meeting;

or

(iii) Three days, if the communication is in connection with a special meeting; after the association receives the request for communication.

(8) If the request to communicate has been denied by the association, upon request by the member, the Supervisory Agent shall review the materials and may order the association to mail the proposed communication if he or she determines that it is not an improper

communication as defined in paragraph (e) of this section.

(e) *Improper communication.* A communication is an "improper communication" if it contains material that:

(1) At the time and in the light of the circumstances under which it is made is false or misleading with respect to any material fact or omits a material fact necessary to make the statements therein not false or misleading, or necessary to correct a statement in an earlier communication on the same subject that has become false or misleading;

(2) Relates to a personal claim or a personal grievance or is solicitous of personal gain or business advantage by or on behalf of any party;

(3) Relates to any matter, including a general economic, political, racial, religious, social, or similar cause, that is not significantly related to the business of the association or is not within the control of the association;

(4) Directly or indirectly and without expressed factual foundation (i) impugns character, integrity, or personal reputation, (ii) makes charges concerning improper, illegal, or immoral conduct, or (iii) makes statements impugning the stability and soundness of the association or the Federal Savings and Loan Insurance Corporation;

(5) Relates to any matter that, upon implementation, would require the association to violate state or Federal law or regulation; or

(6) Relates to any proposal that is beyond the association's power to effectuate.

7. Amend Part 544 by revising paragraph (b)(2)(i) of § 544.10-5, as proposed at 50 FR 52524 (Dec. 24, 1985), to read as follows:

**§ 544.10-5 Indemnification of directors, officers and employees.**

(b) \* \* \*

(2) \* \* \*

(i) *General.* In the case of settlement, final judgment against the person, or final judgment in his favor other than on the merits, indemnification may be made if it is determined that the person was acting in good faith within the scope of his employment or authority as he could reasonably have perceived it under the circumstances and for a purpose he could reasonably have believed under the circumstances was in the best interests of the association or its members and, in the case of a criminal action, he had no reasonable cause to believe his conduct was unlawful. Such determination shall be made by the board of directors by a

majority vote of a quorum consisting of disinterested directors.

**PART 545—OPERATIONS**

8. The authority citation for Part 545 continues to read as follows:

*Authority:* Sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended (12 U.S.C. 1425a); 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. 1725-1728, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071.

9. Section 545.2 is amended by removing the words "this Part 545" contained in the first sentence of the section and inserting in lieu thereof the words "Subchapter C, Chapter V, of the Code of Federal Regulations"; and by revising the second sentence of the section to read as follows:

**§ 545.2 Federal preemption.**

\* \* \* This plenary and exclusive authority includes authority to permit appropriate exercise of management discretion in areas not specifically addressed by these regulations. Consequently, exercise of the Board's authority is preemptive of any state law or regulation purporting to address or effectively addressing the subject of the operations of a Federal association, including areas of operation specifically excluded from Board regulations or where the Board has expressly refrained from regulation.

**§ 545.3 [Removed and reserved]**

10. Part 545 is amended by removing § 545.3 and by reserving the section designation for future use.

11. Section 545.12 is amended by removing the word "or" at the end of paragraph (a)(1); by removing the period at the end of paragraph (a)(2) and by substituting in lieu thereof the word "; or" and by adding a new paragraph (a)(3) to read as follows:

**§ 545.12 Demand deposit accounts.**

(a) \* \* \*

(3) Public utility accounts that meet the conditions of 12 U.S.C. 1464(b)(1)(A), (B) are permissible accounts under this section. For purposes of this section, a service corporation or finance subsidiary shall not be considered to have established a loan relationship with its parent institution solely by virtue of its subsidiary relationship.

12. Section 545.21 is amended by revising paragraph (b); by removing paragraph (c), redesignating paragraph (d) as the new paragraph (c) and

revising newly designated paragraph (c) to read as follows:

**§ 545.21 Give-aways.**

(b) *Reciprocal statutory provisions.* If a Federal association is doing business in a state that regulates its domestic associations with respect to give-aways, the Federal association is hereby similarly regulated as to its business in that state, but only to the extent that the state statute contains the equivalent of any or all of the following provisions:

(1) Distribution of a give-away shall not be conditioned on the recipient's possessing, opening, or adding to a savings account or maintaining a minimum balance therein;

(2) Except under paragraph (c) of this section, reference may not be made in any of the association's advertising to any give-away, other than printed material of an educational or informational nature or to a coin bank, with a cost not exceeding \$2.50;

(3) No association may enter into any agreement with, or accept funds for investment in a savings account from, any person engaging in the activities prohibited in paragraphs (b)(1) and (2) of this section.

If the state statute contains no provisions equivalent to those in paragraphs (b)(1), (2) or (3) above, then the Federal association may operate as if it were doing business in a state where no restrictions on give-aways exist.

(c) *Exception.* Notwithstanding paragraph (b) of this section, a Federal association may advertise give-aways during a single period of thirty days ending not more than one year after it opens its first office.

13. Section 545.32(b)(6) is amended by removing the portion of the paragraph beginning with the phrase "as they become due" and by adding the following:

**§ 545.32 Real estate loans.**

(b) \* \* \*

(6) \* \* \* if the loan contract provides for escrow payments:

(i) The association shall make timely payment of such charges as they become due;

(ii) The loan contract shall indicate how shortfalls will be handled and how the borrower will be notified of deficiencies in the escrow account;

(iii) In connection with home loans as defined in § 545.33, not later than 30 days after the date on which an association is given notice that the amount of such charges has been

reduced, the association must give written notification to the borrower of the change. Not later than 60 days after the date of such change, the association must reduce the amount of such charges that are required to be paid in advance to reflect such change unless it has obtained the express consent of the borrower to apply any excess payments to the outstanding balance of the loan: *Provided*, if the association determines that there is or will be a deficiency in the escrow account and that the excess payments are necessary to avoid or eliminate such deficiency, it may, consistent with the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2601-2617) ("RESPA") and the loan contract, continue to collect such payments without notice to the borrower.

14. Section 545.33 is amended by revising the first and second sentences and by removing the parenthetical sentence of paragraph (e)(4); by adding the following sentence to the end of the next to the last sentence of the introductory text of paragraph (f); and by revising paragraph (f)(3) to read as follows:

**§ 545.33 Home loans.**

(e) \* \* \*  
 (r) At least 30 but not more than 120 days prior to an interest rate adjustment and at least 90 but not more than 120 days prior to the expected maturity of a non- or partially-amortized loan (including a loan with a "call" provision pursuant to paragraph (e)(5) of this section), an association shall provide the borrower with notice of the adjustment or of maturity. However, where the loan contract provides that changes in the interest rate shall occur more frequently than changes in the payment, notification is only required when the payment changes and shall be provided at least 30 days prior to the due date of the adjusted payment. \* \* \*

(f) *Disclosure.* \* \* \* Loans purchased from an unaffiliated entity in the usual course of business, and previously originated by that entity without guarantees, agreements, or understandings that they would be purchased by the association, may be purchased notwithstanding these disclosure requirements, provided that such loans comply with any other disclosure requirements, such as Truth in Lending, to which they may be subject. \* \* \*

(3) If the loan contract provides for escrow payments, a statement explaining the purpose of requiring escrow payments, how the amount of the escrow payment is established, how the borrower will be notified of any deficiencies in the borrower's escrow account, how such deficiencies will be corrected, whether the borrower will have the option of correcting the deficiency with either prorated monthly payments or a lump-sum payment, and the rights of the association if the borrower fails to make required escrow payments.

15. Section 545.34 is amended by revising the fourth sentence of paragraph (b) to read as follows:

**§ 545.34 Limitations for home loans secured by borrower-occupied property.**

(b) \* \* \* The association shall not assess a late payment charge as to any payment received at the address designated by the association within fifteen days after the due date of the payment or on any payment for which the borrower has not received at least 30 days notice of the proper servicing agent and mailing address. \* \* \*

**§ 545.46 [Amended]**

16. Section 545.46(a) is amended by removing the phrase "five percent of the association's assets (or 7.5 percent in the case of a savings bank) prior to January 1, 1984, and ten percent thereafter." and inserting in lieu thereof the phrase "ten percent of assets."

17. Section 545.74 is amended by revising the first sentence of paragraph (a)(2); by removing the phrase "five percent of the assets of the parent, or 7.5 percent if the parent is a federally chartered savings bank, prior to January 1, 1984, or ten percent thereafter" and inserting in lieu thereof the phrase "ten percent of the assets of the parent" in paragraph (c)(1)(vi); by adding after the reference to "§§ 545.71-73" the citation ", 545.75," and by removing the reference to "12 U.S.C. 1464(c)(1)(C) through (F), (M), and (N)" and substituting in lieu thereof the citation "12 U.S.C. 1464 (c)(1) (C) through (F), (Q), and (S)" in paragraph (c)(4)(viii); by inserting the following between the second and third sentences of paragraph (d)(1); by revising paragraph (d)(2); and by adding a new paragraph (d)(5) to read as follows:

**§ 545.74 Service corporations.**

(a) \* \* \*  
 (2) "Conforming loan" means a loan or portion thereof, secured by real

property, that a Federal association may make under any provision of this Part other than this section, except a loan made under 12 U.S.C. 1464(c)(3)(C)-(D). \* \* \*

(d) *Amount of investment.* (1) \* \* \* Subject to this investment limit are transactions styled as purchase and leaseback, repurchase arrangements, or other agreements or understandings which nonetheless do not represent arm's length dealings for fair market value. \* \* \*

(2) In addition to amounts that it may invest under paragraph (d)(1) of this section, an association may make loans to its service corporation, *Provided that*: (i) such loans are bona fide loan transactions subject to substantially the same terms and standards of creditworthiness the association would impose on third parties, with a reasonable expectation of repayment; (ii) the association meets the minimum regulatory capital requirement applicable to it in paragraph (b) of § 563.13 of this chapter; and (iii) the association has a ratio of scheduled items (other than assets acquired in a merger) of not more than 2.5 percent (except as provided in paragraph (d)(4) of this section). Loans under this section are limited to the following amounts:

(5)(i) In addition to amounts that it may invest under paragraphs (d)(1) and (2) of this section, an association may lend amounts to a service corporation in which the association owns more than 50 percent of the capital stock and that engages solely in mortgage banking activities involving solely loans made on the security of residential real estate, *provided*, that a loan authorized under this paragraph (d)(5) shall be made pursuant to the prior written approval of the Principal Supervisory Agent.

(ii) To obtain the prior written approval of the Principal Supervisory Agent, an association must submit an application including a business plan containing sufficient information to permit the Principal Supervisory Agent to conclude that: (A) The mortgage banking subsidiary will contribute significantly to the consolidated net income of the association; (B) the mortgage banking activities are protected adequately against interest rate risk; (C) all loans are residential real estate loans and a substantial majority of the loans originated by the subsidiary are for amounts not in excess of \$250,000 and are secured by one to four family dwelling units; and (D) the association itself will continue to

maintain a substantial level of loans made on the security of residential real estate.

(iii) The procedures for consideration of applications filed under this paragraph (d)(5) shall be the same as those set forth in paragraph (d)(4) of this section.

18. Section 545.91 is revised to read as follows:

**§ 545.91 Home office; executive office; administrative office.**

All operations of a Federal association shall be subject to direction from either the home office, executive office, or administrative office. An executive or administrative office is not a branch office but may be the office that directs the affairs of the association. Executive or administrative offices, if directing the affairs of the association, shall be located in the same state or same Metropolitan Statistical Area as the association's home office. The home office must be a deposit taking facility, but executive or administrative offices need not be deposit-taking facilities.

19. Section 545.95 is amended by inserting the words "or that its overall policies, condition, and operation afford a basis for supervisory objection," after the words "paragraph (c)" in paragraph (c)(2); and by adding new paragraphs (d) and (e) to read as follows:

**§ 545.95 Change of office location and redesignation of offices.**

(d) *Delegated authority.* The Principal Supervisory Agent is authorized to approve applications under this section if they are in compliance with regulatory requirements, unless the application involves a significant issue of law or policy upon which the Board or the Corporation has not taken a formal position. The Principal Supervisory Agent is authorized to deny any applications under this section if there is a basis for supervisory objection pursuant to paragraph (c)(2) of this section.

(e) *Appeal of denial.* Denial of an application pursuant to delegated authority under this section may be appealed to the Board under the following procedures:

(1) Within 20 days after notification of the Principal Supervisory Agent's decision, the applicant may notify the Secretary to the Board of the applicant's desire to appeal the Principal Supervisory Agent's decision. Four copies of such request for review must be submitted to the Office of the Secretariat, Federal Home Loan Bank

Board, Washington, DC 20552, with three of such copies addressed, respectively, to the attention of the Director, Office of Regulatory Policy, Oversight, and Supervision; the General Counsel; and the Director, Office of District Banks. The request for review must identify the party seeking review and describe with specificity the action taken for which review is sought and the reasons why the Principal Supervisory Agent's denial is contended to be erroneous.

(2) If an applicant does not file an appeal within the time permitted under this section, any objection to the initial determination by the applicant is waived. A timely appeal filed with the Secretariat in accordance with the provisions of this section shall be mandatory for securing judicial review of an initial determination.

20. Section 545.114 is revised to read as follows:

**§ 545.114 Monthly reports.**

A Federal association's officers shall make a monthly report to the association's board of directors on forms prescribed by the Board and available from any Federal Home Loan Bank and shall distribute the report in accordance with the instructions for completing the form.

**§ 545.121 [Removed and reserved]**

21. Remove § 545.121 and reserve the section designation for future use.

**§ 545.123 [Amended]**

22. Section 545.123 is amended by adding the following sentence to the end of the section: " \* \* \* Compensation for advisory boards or committees shall comply with the guidelines set forth in § 571.5 of the Board's Insurance Regulations, 12 CFR 571.5."

23. Section 545.131 is revised to read as follows:

**§ 545.131 Disclosure of customer information.**

Provisions relating to communications between stockholders or members shall be consistent with §§ 543.9-3 and 544.9-2, respectively, of this Subchapter. Notwithstanding any provision of this section or common law, no members, stockholders, or any other person, corporation, or public law enforcement agency (absent a valid court order) shall have the right to obtain, inspect, or copy any portion of any books or records of a Federal association containing:

- (a) Names of depositors in or borrowers from such association;
- (b) Their addresses;
- (c) Individual deposit or loan balances or records; or

(d) Any data from which such information could be reasonably constructed.

24. Revise Part 546 to read as follows:

**PART 546—CONVERSION OF AND TO FEDERAL ASSOCIATIONS**

Sec.

- 546.1 Scope of part.
- 546.2 State charter to Federal charter.
- 546.3 Application.
- 546.4 Organization after conversion.
- 546.5 Special rule for new Federal mutual savings banks.
- 546.6 Grandfathered authority.
- 546.7 FDIC-insured Federal savings banks.
- 546.8 Conversion to FSLIC-insured state-chartered savings banks.
- 546.9 Federal charter to state charter.
- 546.10 Adoption of new Federal charter by a Federal association.
- 546.11 Continuity of existence.

*Authority:* Secs. 2, 5, 48 Stat. 128, 132, as amended (12 U.S.C. 1462, 1464); secs. 401-403, 405-407, 48 Stat. 1255-1257, 1259-1260, as amended (12 U.S.C. 1724-1726, 1728-1730); sec. 408, 82 Stat. 5, as amended (12 U.S.C. 1730a); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-1948 Comp., p. 1071.

**§ 546.1 Scope of part.**

Any institution that is, or is eligible to become, a member of a Federal Home Loan Bank may convert itself into a Federal savings and loan association or a Federal savings bank; any Federal association may change its designation from a Federal savings and loan association to a Federal savings bank, or the reverse; any Federal association may convert itself into a savings and loan or savings bank type of institution organized pursuant to the laws of the state in which the principal office of the Federal association is located; and any state-chartered savings bank may convert itself from a state-chartered savings bank insured by the Federal Deposit Insurance Corporation to a Federal savings bank insured by either the Corporation or the Federal Deposit Insurance Corporation, only in accordance with the provisions of this Part, *provided*, that nothing herein authorizes conversions from mutual to stock form (such conversions are governed exclusively by the provisions at Part 563b of the Board's Insurance Regulations, 12 CFR Part 563b).

**§ 546.2 State charter to Federal charter.**

With the approval of the Principal Supervisory Agent, any institution insured by the Corporation, a state-chartered savings bank insured by the Federal Deposit Insurance Corporation, or an institution eligible to become a member of a Federal Home Loan Bank may, on such conditions as the Board may prescribe, convert itself into a

Federal association, *provided*, that it complies with all laws of its jurisdiction expressly providing for such conversions and with these rules and regulations. Questions regarding conversions shall be directed to the Board's Supervisory Agent of the district in which the applicant is located. Recommendations by Supervisory Agents and officers and employees of the Board regarding applications for issuance of Federal charters are privileged, confidential, and subject to § 505.6 of this chapter. Notwithstanding the preceding provisions of this section, a conversion to a Federal charter in connection with a supervisory transaction may be approved only by the Board. In situations involving the conversion of a state-chartered institution the accounts of which are insured by the Corporation to a Federal charter in connection with a supervisory transaction, the Board delegates its authority to approve the conversion to the General Counsel with the concurrence of the Office of Regulatory Policy, Oversight and Supervision ("ORPOS") unless the transaction involves significant issues of law or policy.

#### § 546.3 Application.

(a) *Filing.* Any member of a Federal Home Loan Bank desiring to convert itself into a Federal association shall, after approval by its board of directors, file an application in duplicate through its Bank on forms obtained from the Bank or the Board. A nonmember institution eligible to apply for membership may likewise file such an application, simultaneously with its application for membership, through the Bank of which it proposes to become a member. However, if the conversion relates to a supervisory transaction, two complete copies of the application shall be filed with the Office of the Secretariat, Federal Home Loan Bank Board, Washington, DC 20552, with one copy indicating "Attention: Secretariat, Records Copy", and the second copy indicating "Attention: Office of General Counsel, Corporate and Securities Division." In addition, one complete copy should be filed with the Office of Regulatory Policy, Oversight and Supervision, 900 19th Street, NW., Washington, DC 20006, and a fourth copy should be transmitted to the Principal Supervisory Agent at the institution's Bank. All applicants shall submit any financial statements or other information the Board or the Principal Supervisory Agent may require and shall pay all costs, as determined by the Principal Supervisory Agent or the Board, in consideration of the

application. All applicants shall also submit an opinion by independent counsel that the conversion will be in conformance with applicable state law.

(b) *Plan of conversion.* The applicant shall submit with its application a plan of conversion specifying the location of the home office and any branch offices to be maintained by the Federal association and providing for: (1) Appropriate reserves and surplus for the Federal association; (2) satisfaction in full or assumption by the Federal association of all creditor obligations of the applicant; (3) issuance by the Federal association of saving accounts to current holders of withdrawable accounts in an amount equalling the value of such accounts; and (4) if applicable, issuance of additional savings accounts to current holders of securities of the applicant in an amount equalling the value of their securities, including the present value of any preference to which such holders are entitled or, if applicable, an applicant shall provide that the holders of securities of the applicant shall receive in exchange, on a *pro rata* basis, equivalent securities in the Federal association. The new securities shall be the same as the former types and classes of securities but their provisions must be consistent with the provisions and standards set forth in the charter or shall be amended to conform therewith.

(c) *Nonconforming charter and bylaw provisions.* Institutions converting to Federal association form that wish to bring charter or bylaw provisions inconsistent with §§ 543.3, 543.4, 543.4-1, 543.8-543.14, 544.3, 544.4, or 544.8 through 544.14 of this subchapter, must follow the procedures set forth in Parts 543 and 544 of this subchapter for preapproval of nonconforming provisions. Any nonconforming provision shall require a separate vote of the members or stockholders to approve such provision.

(d) *Action on application.* The Principal Supervisory Agent will consider such application and any information submitted therewith and may approve the application. The Principal Supervisory Agent will not consider the application of a converting institution not insured by the Federal Savings and Loan Insurance Corporation, except in the case of a savings bank insured by the Federal Deposit Insurance Corporation, until an eligibility examination has been completed to the satisfaction of the Federal Savings and Loan Insurance Corporation. Approval of an application and issuance by the Board of a charter will be subject to: (1) The applicant's

compliance with all conditions prescribed in the approval; (2) receipt of evidence of approval of the plan of conversion by such vote as may be required by the laws of the applicant's jurisdiction to consider such action; and (3) approval of the required application for Federal Home Loan Bank membership, if the applicant is not a member.

(e) In a supervisory transaction the Board or, if so delegated pursuant to § 546.2, the General Counsel with the concurrence of the Office of Regulatory Policy, Oversight and Supervision, may waive or deem inapplicable any provision of paragraph (b), (c) or (d) of this section in approving an application for conversion of a state-chartered institution the accounts of which are insured by the Corporation to a Federal charter.

#### § 546.4 Organization after conversion.

Except as provided in paragraph (b) of § 546.5, after Board approval of the application for conversion, the association's members or stockholders shall, after due notice, or upon a valid adjournment of a previous legal meeting, hold a meeting to elect directors and take all other action necessary to effect fully the conversion and operate the association in accordance with law and these rules and regulations. Immediately thereafter, the board of directors shall meet, elect officers, and transact any other appropriate business.

#### § 546.5 Special rule for new Federal mutual savings banks.

(a) *Election of the board of directors.* A state-chartered mutual savings bank converting into a Federal mutual savings bank may submit a plan that provides that each member of its governing board—*i.e.*, board of trustees, managers, or directors—may continue to serve, *provided*, that within two years of the issuance of a Federal charter at least one-fifth of the members of such board shall have been elected by vote, either in person or by proxy, of the bank's membership as provided in its Federal charter, that within three years of such issuance at least two-fifths of the members of such board shall have been elected by such a membership vote, that within four years of such issuance at least three-fifths of the members of such board shall have been elected by such a membership vote, and that within six years of such issuance all of the members of such board shall have been elected by such a

membership vote. The plan shall (1) set forth the names of persons being proposed for service on the applicant's governing board (by which may be known as the board of trustees) after conversion to Federal charter, (2) show how directors not elected by the converted bank's membership will be appointed or otherwise selected, and (3) provide that no directors may be appointed or elected to terms of more than three years.

(b) *First two years of governance.* The plan may provide that (1) after receipt of its Federal charter the bank will be organized by its existing governing board, (2) within the first two years following receipt of its Federal charter, the bank's charter may be amended without a membership vote, *Provided*, that any such amendment is first approved by a two-thirds vote of its board of directors and is thereafter approved by the Board, but *Provided*, further that any proposed mutual to stock conversion must be approved by a vote of the members as required in Part 563b of this Chapter, and (3) the bank's first annual membership meeting need not take place until two years after receipt of its Federal charter. Also, during the first two years of any such plan, the Board will not require the bank to comply with the disclosure requirements of § 563.45 of the Board's Insurance Regulations, 12 CFR 563.45, if such disclosure requirements would be otherwise applicable.

(c) *Compliance with other regulations.* Except to the extent that the Board approves a plan under paragraphs (a) or (b) of this section that is inconsistent with other provisions of this Part, a Federal mutual savings bank shall in all respects comply with those other provisions.

#### § 546.6 Grandfathered authority.

(a) *General.* A Federal savings bank formerly chartered or designated as a mutual savings bank under state law (other than as an interim state-chartered mutual savings bank) may exercise any authority it had as a mutual savings bank under state law at the time of its conversion from a state mutual savings bank to a Federal or other state charter. To the extent such authority exceeds that of Federal associations not enjoying grandfathered rights hereunder, such authority may be exercised only to the degree authorized under state law at the time of such conversion. Unless otherwise determined by the Board, an association, in the exercise of grandfathered authority, may continue to follow applicable state laws and regulations in effect at the time of such conversion. For the purposes of

identifying activities or investments that a mutual savings bank was authorized under state law to exercise, such activities or investments must be either acknowledged as authorized by the state regulator, shown by other persuasive evidence to be accepted generally within the industry, or actually have been conducted in conformity with state law and without objection from state authorities, by a given converting savings bank over a reasonable period of time prior to conversion.

(b) *Acquisition of grandfathered authority.* A Federal association that acquires, or has acquired, a Federal savings bank by merger or consolidation may itself exercise any grandfathered rights enjoyed by the disappearing institution, whether such rights were obtained directly through conversion or through merger or consolidation.

(c) *Conditions precedent.* A Federal association enjoying grandfathered rights hereunder of authority available under the applicable state law only upon the occurrence of specific preconditions, such as the attainment of a particular future date or specified level of regulatory capital, that have not occurred at the time of conversion from state mutual savings bank, may exercise such authority if such preconditions occur or have occurred thereafter.

(d) *Scope of grandfathering.* This section does not permit exercise of any particular authority on a more liberal basis than is allowable under the most liberal construction of either state or Federal law or regulation but not both.

#### § 546.7 FDIC-insured Federal savings banks.

The Board may issue a Federal charter to a state-chartered savings bank whose accounts are insured or continue to be insured by the Federal Deposit Insurance Corporation. Upon receiving an application for a Federal charter by an institution whose accounts are insured by the Federal Deposit Insurance Corporation, the Board shall notify the Federal Deposit Insurance Corporation, consult with it before disposing of the application, and notify it of such disposition.

#### § 546.8 Conversion to FSLIC/insured state-chartered savings bank.

(a) *General.* Pursuant to § 563.29-1 of the Insurance Regulations, 12 CFR 563.29-1, an institution whose accounts are insured by the Corporation may convert into a state-chartered savings-bank type institution and retain its insurance of accounts by the Corporation *provided*, that (1) state law allows such a conversion, and (2) its authority (as determined by the Board)

under state law as a savings bank is not significantly different than its authority would be under state law as a savings and loan association, building and loan association, homestead association, or cooperative bank.

(b) *Application.* Application for such conversion shall be made to the Supervisory Agent by letter with such exhibits as demonstrate to the satisfaction of the Supervisory Agent that such conversion meets the requirements of paragraph (a) of this section.

(c) *Approvals.* Approval by members or stockholders of such a conversion shall be by whatever percentage vote is required by state law and evidence of such approval shall be submitted to the Supervisory Agent either in conjunction with the application or as part of any compliance materials.

(d) *Delegated Authority.* The Principal Supervisory Agent is authorized to approve applications under this section if they comply with regulatory requirements and do not involve a significant issue of law or policy upon which the Board or Corporation has not taken a formal position. The Principal Supervisory Agent is authorized to deny applications under this section if there is a basis for supervisory objection because of the institution's overall policies, condition, or operations.

#### § 546.9 Federal charter to State charter.

(a) *General.* Any Federal association may convert itself into a savings and loan or savings bank type of institution organized pursuant to the laws of the State, district, commonwealth, or territory ("State") in which the principal office of such Federal association is located if:

(1) The State permits conversion of any savings and loan or savings bank type of institution of such State into a Federal association;

(2) Such conversion is approved by the votes cast in person or by proxy at a special meeting of members or stockholders called to consider such action, specified by the law of the State in which the home office of the Federal association is located for a State-chartered institution to convert itself into a Federal association, but in no event by less than 51 per centum of all the votes cast at such meeting, and upon compliance with other requirements equivalent to those of such State law for conversion of a State-chartered institution into a Federal association;

(3) Notice of the meeting to vote on conversion shall be given as herein provided and no other notice shall be necessary; the notice shall expressly

state that such meeting is called to vote on the conversion and state the time and place of the meeting and shall be mailed, postage prepaid, at least 30 and not more than 60 days prior to the date of the meeting to each member or stockholder of record of the Federal association at his last address as shown on the books of the Federal association and to the General Counsel of the Federal Home Loan Bank Board, Washington, District of Columbia, 20552;

(4) In the event of dissolution of a mutual association after conversion, the members or shareholders of the association will share on a mutual basis in the net assets of the association in proportion to their relative share or account credits;

(5) In the event of dissolution of a stock association after conversion, the stockholders will share on an equitable basis in the assets of the association; and

(6) Such conversion shall be effective upon compliance with all provisions of this section and issuance of a new charter by the State wherein the association is located;

*Provided*, however, that Board approval shall be required for any conversion to state charter undertaken as part of a transaction in which the association will terminate Federal Savings and Loan Insurance Corporation ("FSLIC") insurance of accounts in connection with such conversion. Such approval shall be granted where the Board determines that the conversion and transaction as structured would not be detrimental to the interests of the stockholders, members of the association, or the FSLIC.

(b) *Conditions.* (1) Conversion constitutes consent by the institution to be bound by all the requirements that the Corporation may legally impose under section 403 of the National Housing Act.

(2) The association shall upon conversion and thereafter be authorized to issue securities in any form approved by the Corporation at the time of issue for issuance by similar insured institutions in such State.

(3) If FSLIC insurance of accounts is terminated in connection with such conversion, notice and other action shall be taken as provided by law and regulations for such termination, including payment of the insurance premium specified in section 407(d) of the National Housing Act.

#### § 546.10 Adoption of new Federal charter by a Federal association.

If the board of directors of a Federal mutual association proposes to amend

its charter to the form of any other Federal mutual association charter, the amendment must be approved by a majority vote of members at any duly called regular or special meeting of members. In the case of a Federal stock association, after the board of directors votes to amend its charter to the form of any other Federal stock association charter, the amendment must be approved by a majority of the total votes eligible to be cast at a legal meeting. In either case, after such vote, the association shall submit the following petition to the Principal Supervisory Agent, together with any requested change in the association's title (which must comply with § 542.2 of this part) or location of home office, and the Board thereafter will issue a charter in the form sought, upon approval by the Principal Supervisory Agent or the Board of a change in such name or location:

Federal Home Loan Bank of \_\_\_\_\_,  
[city], \_\_\_\_\_  
[state]. \_\_\_\_\_

The undersigned, under § 546.10 of the Rules and Regulations for the Federal Savings and Loan System, petitions the Federal Home Loan Bank Board to issue to it a charter in the form of \_\_\_\_\_, fixing the name of the undersigned as \_\_\_\_\_, and its home office at \_\_\_\_\_. The present charter fixes the name of the association as \_\_\_\_\_ and its home office location at \_\_\_\_\_.

The undersigned, by its secretary, hereby certifies that the members or stockholders, at a meeting duly called and held, adopted the following resolution:

Be it resolved, That the present charter of this association is amended to read in the form of \_\_\_\_\_ as prescribed in the Rules and Regulations for the Federal Savings and Loan System, prescribing the name of the association as \_\_\_\_\_ and fixing its home office location as \_\_\_\_\_.

In witness whereof, the Secretary of the undersigned has hereunto affixed his hand and the seal of the undersigned this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
[Name of Federal Association]

By \_\_\_\_\_  
[Corporate Seal]

#### § 546.11 Continuity of existence.

Each savings or demand account holder of the former association converting under this part shall receive a savings account or demand account of

equal amount in the converted association.

#### PART 551—[REMOVED AND RESERVED]

25. The heading of Part 551 is revised to read "Part 551—Operations" and the text of the part is removed and reserved.

By the Federal Home Loan Bank Board,  
Nadine Y. Washington,  
Acting Secretary.  
[FR Doc. 87-15439 Filed 7-8-87; 8:45 am]  
BILLING CODE 6720-01-M

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

##### 14 CFR Ch. I

[Docket No. 25326; Summary Notice No. PR-87-5]

#### Summary of Rulemaking Petition Received From America West Airlines, Inc.

**AGENCY:** Federal Aviation Administration [FAA], DOT.

**ACTION:** Notice of petition for rulemaking.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for rulemaking (14 CFR Part 11), this notice contains a summary of a petition by America West Airlines, Inc., seeking an amendment to the Federal Aviation Regulations to reallocate takeoff and landing slots at Washington National and LaGuardia Airports. The amendment as proposed would withdraw slots from the carriers holding more than 20 percent of current slots at each airport and reallocate those slots to new entrants and smaller incumbent carriers. The purpose of this notice is to improve the public's awareness of this aspect of FAA's regulatory activities. Neither the publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATE:** Comments on petitions received must identify the petition docket number involved and be received or before September 8, 1987.

**ADDRESSES:** Send comments on the petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket [AGC-204], Docket No. 25326, 800 Independence Avenue, SW., Washington, DC 20591.

**FOR FURTHER INFORMATION CONTACT:** David L. Bennett, Office of the Chief Counsel, AGC-230, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, (202) 267-3491.

**SUPPLEMENTARY INFORMATION:** The Petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rule Docket [AGC-204], Room 915, FAA Headquarters Building [FOB-10A], Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

Petitioner asserts that recent mergers of airlines have resulted in an unacceptable level of market concentration at LaGuardia and Washington National Airports. This concentration has reduced competition and limited the ability of new entrant carriers to initiate or expand service at those airports. As a remedy to this situation, petitioner requests the following action at each airport:

1. *Washington National.* Withdraw a total of 93 slots from Texas Air (Continental Airlines and Eastern Air Lines); USAir; and Piedmont Airlines: 49 slots from Texas Air and 44 slots from the merged USAir/Piedmont. Fewer slots would be withdrawn if the USAir-Piedmont merger is not approved. Petitioner proposes that two new entrant carriers, including petitioner, would be allocated 18 slots each, and that the remainder of the 93 slots withdrawn would be redistributed to each air carrier serving National Airport holding less than 18 slots.

2. *LaGuardia.* Withdraw a total of 96 slots from Texas Air; USAir; and Piedmont: 53 slots from Texas Air and 43 slots from the merged USAir/Piedmont. Fewer slots would be withdrawn if the USAir-Piedmont merger is not approved. Three new entrant carriers, including petitioner, would be allocated 18 slots each, and the remainder of the 96 slots withdrawn would be used to increase the slot base of each air carrier serving LaGuardia Airport to 18 slots.

Petitioner proposes that the reallocation be accomplished by a lottery similar to the procedure used in the lotteries conducted in March 1986 and December 1986, under Special Federal Aviation Regulation (SFAR) 48.

Petitioner further requested that this notice be published immediately with a comment period of 15 days. Under FAR § 11.27(b), comments on a petition for rulemaking are due within 60 days of publication in the *Federal Register*

unless the Administrator finds, for good cause, that a different period is appropriate. At petitioner's request, the FAA has published this notice of petition immediately rather than holding the petition for publication of the next list of petitions for rulemaking. However, the agency does not find that a reduction of the standard 60-day comment period is appropriate, in consideration of the potential impact of the proposal on other parties.

Issued in Washington, DC, on July 6, 1987.

John H. Cassady,

*Assistant Chief Counsel, Regulations and Enforcement Division.*

[FR Doc. 87-15629 Filed 7-8-87; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

30 CFR Parts 202, 203, 206, 212, and 218

43 CFR Part 3480

### Revision of Coal Product Valuation Regulations and Related Topics

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of proposed rulemaking; Reopening of Public Comment Period.

**SUMMARY:** The Minerals Management Service (MMS) hereby gives notice it is reopening the public comment period on its Notice of Proposed Rulemaking for Coal Product Valuation Regulations and Related Topics. The proposed rule was published in the *Federal Register* on January 15, 1987 (52 FR 1840). MMS is reopening the comment period in response to further requests from the public.

**DATE:** Comments must be received by 4:30 p.m. MST July 23, 1987.

**ADDRESS:** Written comments should be sent to: Minerals Management Service, Building 85, Denver Federal Center, P.O. Box 25165, Mail Stop 651, Denver, Colorado 80225, Attention: Dennis C. Whitcomb.

**FOR FURTHER INFORMATION CONTACT:** Dennis Whitcomb, Chief, Rules and Procedures Branch, telephone (303) 231-3432, (FTS) 326-3432.

Dated: July 6, 1987.

William D. Bettenberg,  
*Director, Minerals Management Service.*

[FR Doc. 87-15637 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-MR-M

### Office of Surface Mining Reclamation and Enforcement

30 CFR Part 914

### Permanent State Regulatory Program of Indiana

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The State of Indiana has submitted to OSMRE a proposal for amending its permanent regulatory program (hereinafter the Indiana program) in accordance with the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment, submitted on April 14, 1987, is intended to address that part of the Indiana program pertaining to the removal and segregation of topsoil at both surface and underground mining sites. This action is in response to OSMRE's objection to the inclusion of the term "permanent impoundment" on the listing of those areas for which topsoil need not be removed. This notice sets forth the times and locations that the Indiana program and proposed amendments are available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendment and information pertinent to the public hearing.

**DATES:** Written comments not received on or before 4:00 p.m., August 10, 1987, will not necessarily be considered.

If requested, a public hearing will be held on August 3, 1987, beginning at 10:00 a.m. at the location shown below under "ADDRESSES."

**ADDRESSES:** Written comments should be mailed or hand-delivered to Mr. Richard D. Rieke, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, Indiana 46204.

If a public hearing is held, its location will be at: OSMRE Indianapolis Field Office, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, Indiana.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard D. Rieke, (317) 269-2609 or FTS 331-2600.

### SUPPLEMENTARY INFORMATION:

#### I. Public Comment Procedures

#### Availability of Copies

Copies of the Indiana program, the proposed amendment, a listing of any scheduled public meeting and all written

comments received in response to this notice will be available for review at the OSMRE offices and the Office of the State Regulatory Authority listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays. Each requester may receive, free of charge, one single copy of the proposed amendment by contacting the Indianapolis Field Office listed below.

Office of Surface Mining Reclamation and Enforcement, Room 5315A, 1100 L Street, NW., Washington, DC 20240

Office of Surface Mining Reclamation and Enforcement, Eastern Field Operations, Program Analysis Division, 10 Parkway Center, 2nd Floor, Pittsburgh, PA 15220

Office of Surface Mining Reclamation and Enforcement, Indianapolis Field Office, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, Indiana 46204

Indiana Department of Natural Resources, 608 State Office Building, Indianapolis, Indiana 46204.

#### Written Comments

Written comments should be specific, pertain only to the issues proposed in this amendment and include an explanation in support of the commenter's recommendations. Comments not received by August 10, 1987 or received at a location other than the OSMRE Indianapolis Field Office, will not necessarily be considered and included in the Administrative Record for the final rulemaking.

#### Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under "FOR FURTHER INFORMATION CONTACT" by the close of business on July 24, 1987. If no one requests to comment at the public hearing, the hearing will not be held.

If only one person requests to comment, a public meeting, rather than a public hearing may be held and the results of the meeting included in the Administrative Record.

Filing of a written statement at the time of the hearing is requested and will greatly assist the transcriber.

Submission of written statement in advance of the hearing will allow OSMRE officials to prepare appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and wish to do so will be heard following those scheduled. The hearing will end after all persons scheduled to comment and

persons in the audience who wish to comment have been heard.

#### Public Meeting

Persons wishing to meet with OSMRE representatives to discuss the proposed amendment may request a meeting at the OSMRE office listed in "ADDRESSES" by contacting the person listed under "FOR FURTHER INFORMATION CONTACT."

All such meetings are open to the public and, if possible, notices of meetings will be posted in advance in the Administrative Record. A written summary of each public meeting will be made a part of the Administrative Record.

#### II. Background

Information regarding the general background on the Indiana State Program, including the Secretary's Findings, the disposition of comments and a detailed explanation of the conditions of approval of the Indiana program can be found in the July 16, 1982, *Federal Register* (47 FR 32071-32108).

#### III. Discussion of the Proposed Amendment

On April 14, 1987, the Indiana Department of Natural Resources submitted to OSMRE pursuant to 30 CFR 732.17, a proposed State program amendment for approval in response to the requirement at 30 CFR 914.16(d). Indiana proposes to amend 310 IAC 12-5-12.1(a)(3)(i) and 310 IAC 12-5-78.1(a)(3)(i) pertaining to topsoil removal at surface and underground coal mine sites, respectively. The amended rules would delete the term "permanent impoundment" from the list of sites from which topsoil need not be removed. The OSMRE Director had determined that "permanent impoundments" would not be considered minor disturbances and that topsoil from such sites must be removed and salvaged (50 FR 20206, May 15, 1985). Removal of the term from the lists of sites from which topsoil need not be removed would result in these Indiana provisions being no less effective than the Federal rules.

Pursuant to 30 CFR 732.15 and 732.17, the Director requests public comment on the adequacy of the above modifications. If the Director determines that the proposed modifications are in accordance with SMCRA, and consistent with the Federal regulation, the amendment will be incorporated as part of the approved Indiana program.

#### IV. Procedural Matters

1. *Compliance with the National Environmental Policy Act:* The

Secretary has determined that, pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. *Executive Order No. 12291 and the Regulatory Flexibility Act:* On August 28, 1981, the Office of Management and Budget (OMB) granted OSMRE an exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB. The Department of the Interior has determined that this rule would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 60 et seq.). This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

3. *Paperwork Reduction Act:* This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

#### List of Subjects in 30 CFR Part 914

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: June 25, 1987.

Carl C. Close,

Assistant Director, Eastern Field Operations,  
[FR Doc. 87-15619 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-05-M

#### 30 CFR Part 915

#### Public Comment Period and Opportunity for Public Hearing on an Amendment to the Iowa Permanent Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

**ACTION:** Proposed rule.

**SUMMARY:** OSMRE is announcing procedures for a public comment period and for a public hearing on the substantive adequacy of an amendment submitted by the State of Iowa to amend its permanent regulatory program (hereinafter referred to as the Iowa Program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of a revision to the Iowa program concerning permanent program performance standards.

This notice sets forth the times and locations that the proposed amendment is available for public inspection, the comment period during which interested persons may submit written comments on the proposed program amendment and information pertinent to the public hearing.

**DATES:** Comments not received on or before 4:00 p.m. August 10, 1987, will not necessarily be considered

If requested, a public hearing on the proposed modifications will be held on August 3, 1987, beginning at 10:00 a.m. at the location shown below under "ADDRESSES".

**ADDRESSES:** Written comments should be mailed or hand delivered to: Office of Surface Mining Reclamation and Enforcement, Kansas City Field Office, 1103 Grand Avenue, Room 502, Kansas City, Missouri 64106.

If a public hearing is held, its location will be at: Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation, Henry A. Wallace Building, Des Moines, Iowa 50319.

See "SUPPLEMENTARY INFORMATION" for addresses where copies of the Iowa program amendment and administrative record on the Iowa program are available. Each requestor may receive, free of charge, one single copy of the proposed program amendment by contacting the OSMRE Kansas City Field Office listed above.

**FOR FURTHER INFORMATION CONTACT:** Mr. William J. Kovacic, Director, Kansas City Field Office, Office of Surface Mining Reclamation and Enforcement, 1103 Grand Avenue, Room 502, Kansas City, Missouri 64106; Telephone: (816) 374-5527.

**SUPPLEMENTARY INFORMATION:**

**Availability of Copies**

Copies of the Iowa program amendment, the Iowa program and the administrative record on the Iowa program are available for public review and copying at the OSMRE offices and the office of the State regulatory authority listed below, Monday through Friday, 9:00 a.m. to 4:00 p.m., excluding holidays:

Kansas City Field Office, Office of Surface Mining Reclamation and Enforcement, 1103 Grand Avenue, Room 502, Kansas City, Missouri 64106; Telephone (816) 374-5527.

Office of Surface Mining Reclamation and Enforcement, 1100 L Street, NW, Room 5131, Washington, DC 20240; Telephone: (202) 343-5447

Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation, Henry A. Wallace

Building, Des Moines, Iowa 50319; Telephone: (515) 281-6142.

**Written Comments**

Written comments should be specific, pertain only to those issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "DATES" or at locations other than Kansas City, Missouri, will not necessarily be considered and included in the Administrative Record for this final rulemaking.

**Public Hearing**

Persons wishing to comment at a public hearing should contact the person listed under "FOR FURTHER INFORMATION CONTACT" by the close of business July 24, 1987. If no one requests to comment at a public hearing, the hearing will not be held.

If only one person requests to comment, a public meeting, rather than a public hearing, may be held and the results of the meeting included in the Administrative Record.

Filing of a written statement at the time of the hearing is requested and will greatly assist the transcriber. Submission of written statements in advance of the hearing will also allow OSMRE officials to prepare appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and wish to do so will be heard following those scheduled. The hearing will end after all persons scheduled to comment and persons present in the audience who wish to comment have been heard.

**Public Meeting**

Persons wishing to meet with OSMRE representatives to discuss the proposed amendments may request a meeting at the OSMRE office listed in "ADDRESSES" by contacting the person listed under "FOR FURTHER INFORMATION CONTACT".

All such meetings are open to the public and, if possible, notices of meetings will be posted in advance in the Administrative Record. A written summary of each public meeting will be made a part of the Administrative Record.

**Background**

On February 28, 1980, the Secretary of the Interior received a proposed regulatory program from the State of Iowa. On April 10, 1981, following a

review of the proposed program as outlined in 30 CFR Part 732, the Secretary conditionally approved the Iowa program (46 FR 5885).

Information pertinent to the general background of the permanent program submission, as well as the Secretary's findings, the disposition of comments and explanation of the condition of approval of the Iowa program, can be found in the April 10, 1981 *Federal Register*. Subsequent actions concerning the Iowa program are identified in 30 CFR 915.15.

**Proposed Amendment**

On April 28, 1987, the State of Iowa submitted to OSMRE an amendment to its approved permanent regulatory program. The amendment consists of a proposed modification to Iowa statute concerning permanent program performance standards.

Without the proposed rule change, Iowa statute only required that rules should be consistent with the environmental performance standards of Pub. L. 95-87 and the permanent regulations issued pursuant to that Act on or before March 13, 1979. This language precluded any responsibility for Iowa to be consistent with language of the Act or subsequent regulation changes promulgated after March 13, 1979. In order for Iowa to respond to OSMRE requirements for regulatory reform after March 13, 1979, this language has to be revised.

The proposed change is summarized briefly below.

1. Section 83.7, Code 1987, is amended by striking the section and inserting in lieu thereof the following:

*83.7 Environmental Protection Performance Standards*

The division shall adopt rules for environmental protection performance standards that are consistent with Federal regulations authorized under the Federal Surface Mining Control and Reclamation Act and amendments to that Act.

Therefore, the Director of OSMRE is seeking public comment on the adequacy of the proposed program amendment. Comments should specifically address whether the proposed amendment is as stringent as SMCRA and no less effective than its implementing regulations.

**Additional Determinations**

1. *Compliance with the National Environmental Policy Act:* The Secretary has determined that, pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact

statement need be prepared on this rulemaking.

2. *Executive Order No. 12291 and the Regulatory Flexibility Act:* On August 28, 1981, the Office of Management and Budget (OMB) granted OSMRE an exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, for this action OSMRE is exempt from the requirement to prepare a Regulatory Impact Analysis and this action does not require regulatory review by OMB.

The Department of the Interior has determined that this rule would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules would be met by the State.

3. *Paperwork Reduction Act:* This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

#### List of Subjects in 30 CFR Part 915

Coal Mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: June 25, 1987.

Raymond L. Lowrie,

Assistant Director, Western Field Operations,  
Office of Surface Mining Reclamation and  
Enforcement.

[FR Doc. 87-15620 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-5-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 46 CFR Part 27

[CGD 86-025]

#### Equipment Standards for Uninspected Fish Processing Vessels

**AGENCY:** Coast Guard, DOT.

**ACTION:** Advance Notice of Proposed Rulemaking.

**SUMMARY:** This rulemaking will implement the provisions of the Commercial Fishing Industry Vessel Act which requires development of regulations for uninspected fish processing vessels that enter into service after December 31, 1987 and carry more than 16 persons who are primarily employed in the preparation of fish or fish products. The response to

this advance notice will help the Coast Guard determine the appropriate standards to propose for this class of vessels.

**DATE:** Comments must be received on or before September 8, 1987.

#### ADDRESSES:

1. Comments should be submitted to the Commandant (G-CMC/21) (CGD 86-025), U.S. Coast Guard, 2100 Second St. SW., Washington, DC 20593-0001. Comments will be made available for examination or copying between the hours of 7:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays, at the Marine Safety Council (G-CMC/21), Room 2110, Coast Guard Headquarters Building, 2100 Second Street, SW., Washington, DC. Comments may also be delivered to this address.

2. Navigation and Vessel Inspection Circular (NVIC) 5-86 will be made available for examination or copying between the same hours and at the same location as noted above. Additionally, NVIC 5-86 is available at local U.S. Coast Guard Marine Inspection and Marine Safety Offices or through the Government Printing Office. If ordering through the Government Printing Office include NVIC 5-86 stock number (850-001-000-22-7) along with a check in the amount of \$11.00 payable to the "Superintendent of Documents," to Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402; (202) 783-3238.

**FOR FURTHER INFORMATION CONTACT:** LCDR William J. Morani Jr., the Office of Marine Safety, Security and Environmental Protection, Standards Development Branch (G-MVI-2), telephone (202) 267-1055 from 7:00 a.m. until 3:30 p.m., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:** The public is invited to participate in the earliest stages of this rulemaking procedure by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this advance notice (CGD 86-025), the specific issues of this advance notice to which each comment applies, and give reasons for the comments. Receipt of comments will be acknowledged if a stamped, self-addressed post card or envelope is enclosed. All comments received before the expiration of the comment period will be considered before further action is taken. Late comments will be considered to the extent practicable without delaying the rulemaking process. No public meeting is planned for this advance notice but one may be held at a time and place to be set in a later notice in the *Federal Register* if

requested in writing by anyone raising a genuine issue and the Coast Guard determines that an opportunity to make oral presentations will aid in the rulemaking process.

This advance notice contains requests for specific information that the Coast Guard believes will aid in developing proposed regulations for uninspected fish processing vessels that enter into service after December 31, 1987 and carry more than 16 persons who are primarily employed in the preparation of fish or fish products. Even though specific questions are posed, commenters are not limited in providing any other views, data, or arguments that they may consider pertinent.

#### Drafting Information

The principal persons involved in the drafting of this rule are LCDR William J. Morani Jr., Project Manager, and Stanley M. Colby, Project Counsel, Office of Chief Counsel.

#### Discussion

On July 17, 1984, Title 46 United States Code, was amended by the addition to it of Chapter 45 (Fish Processing Vessels, sections 4501 through 4504) as mandated by the Commercial Fishing Industry Vessel Act (Act) (98 Stat. 446). This new chapter is applicable to uninspected fish processing vessels entered into service after December 31, 1987, and having more than 16 individuals on board primarily employed in the preparation of fish or fish products. The Act applies to all such vessels operating on the navigable waters of the United States or vessels owned in the United States operating on the high seas. An uninspected fish processing vessel is one that is not more than 5,000 gross tons and exempted from inspection by 46 U.S.C. 3302. 46 U.S.C. 4502 requires the Secretary of Transportation to prescribe regulations for certain equipment.

To implement the Act, the Coast Guard needs information concerning the appropriate standards to apply, their costs, and the equipment now on board fish processing vessels. The Coast Guard is considering adding these standards to a new Part 27 entitled "Fish Processing Vessels."

This proposed rulemaking effort will establish regulations in the six regulatory categories mandated by the Act [46 U.S.C. 4502(a)]. These six categories are as follows:

(1) Navigation equipment, including radars, fathometers, compasses, radar reflectors, lights, sound producing devices, nautical charts, and anchors.

(2) Life saving equipment, including life preservers, exposure suits, lifeboats or life rafts, emergency position indicating radio beacons, signaling devices, bilge pumps, bilge alarms, life-and grab-rails, and medicine chests.

(3) Fire protection and firefighting equipment, including fire alarms, portable and semi-portable fire extinguishing equipment, and flame arrestors.

(4) The use and installation of insulating material.

(5) Storage methods for flammable or combustible material.

(6) Fuel, ventilation, and electrical systems.

#### Information Desired

The following questions were developed by the Coast Guard to provide the information and views that it believes will be helpful in formulating proposed standards in the above described categories.

#### *Specialized Nature and Economic of Fish Processing Vessel Operations and the Character, Design, and Construction of Fish Processing Vessels*

1. What would vessel owners or operators wish considered regarding the specialized nature, economics, vessel operations and the character, design, and construction of fish processing vessels in developing these regulations?

2. How many persons are there on board these vessels? How many are crew and how many are considered processing personnel? Do these persons have any other duties other than processing fish, i.e. stand navigational watches? Do fish processing vessels carry passengers?

3. Are standards imposed on these vessels by insurers, industry organizations, or unions? If so, what are they?

4. Do these vessels carry cargo in support of fishing vessels, cannery operations, or remote bases?

5. Are such vessels classed by the American Bureau of Shipping (ABS) or other classification societies? What type of classification is given?

6. Are these vessels common in all U.S. fisheries, i.e., the Atlantic, Pacific, and Gulf Coast?

7. Do any of these vessels carry Certificates of Inspection or similar documents issued by a foreign country? If so, from what country? How long are they valid?

The Coast Guard published in the *Federal Register* of October 20, 1986 (51 FR 37247) notification of the issuance of NVIC 5-86, "Voluntary Standards for U.S. Uninspected Commercial Fishing

Vessels" which contains recommended standards for the six regulatory categories specified in 45 U.S.C. 4502(a). The Coast Guard is considering proposing these or similar standards for vessels covered by this ANPRM. Copies of NVIC 5-86 can be obtained as described under **ADDRESSES**, above. Comments are requested on these standards. Would you recommend any changes to the standards in NVIC 5-86 for fish processing vessels? If so, what are they? What would be the cost to industry to install and maintain this equipment?

#### *Navigation Equipment*

1. How many and what type of navigational equipment [required under 46 U.S.C. 4502(a)(1)] do these vessels carry?

2. How many and what type of navigational equipment do you recommend these vessels carry?

#### *Lifesaving Equipment*

1. How many and what type of lifesaving equipment [required under 46 U.S.C. 4502(a)(2)] do these vessels carry?

2. How many and what type of lifesaving equipment do you recommend these vessels carry?

3. If the vessels are equipped with lifeboats or rescue boats, how are they propelled? Where are they located on the vessels? What is the capacity of each lifeboat?

4. If the vessels carry liferafts, what are the capacities of each, i.e., 6 man, 8 man? Are they Coast Guard approved? How often are they serviced? Are they equipped for ocean service or limited service? What equipment is carried in the liferafts? Are any equipped with an emergency position indicating radio beacon (EPIRB)? If so, what class (class A, B, or C)?

5. How many and what type of signaling devices do these vessels carry?

6. What compartments do bilge system cover? Does the bilge system meet any agency standards? If so, what are they?

7. What spaces do the bilge alarms protect? Where is the alarm sounded, i.e., local, wheelhouse, engine room?

8. What is included in the medicine chest? Do vessel owners or operators have difficulty replacing contents in the medicine chest? Are these medicine chests serviced by any private company? If so, has this proved satisfactory? Do these vessels have any medical facilities or other equipment on

board that can be used in treating respiratory and soft tissue injuries from refrigerant exposure?

#### *Fire Protection and Firefighting Equipment*

1. How many and what type of firefighting equipment [i.e., fire alarms, portable and semi-portable fire extinguishers, and fire pumps] do these vessels carry?

2. How many and what type of firefighting equipment do you recommend these vessels carry?

3. Are any exhausts on these vessels equipped with flame arrestors?

4. If these vessels are fitted with fire alarms where is the alarm sounded, i.e., local, wheelhouse, engine room?

5. If these vessels are fitted with fixed firefighting equipment [i.e., CO<sup>2</sup> or HALON] what spaces do they protect? Where are the controls that activate the system located? Do these vessels have fixed detection systems in machinery, accommodation, cargo, service, and control spaces? If so, what standards do they meet?

6. Do any of these vessels have fire mains? If so, how many fire stations do these vessels have?

#### *Use and Installation of Insulating Material*

1. What materials are used for thermal insulation? Is foam insulation used, if so what type?

2. What type insulation is used in refrigeration spaces, i.e., polyurethane foam?

#### *Flammable and Combustible Material*

1. Do these vessels carry flammable liquids or gases, such as gasoline, propane, etc? How much? Do they carry fuel (diesel, etc.), in addition to the fuel they need to operate, for the refueling of fishing or fish tender vessels? How much?

2. Are there large quantities of combustibles stored on board? What type of packing material are they made of i.e., cardboard, wood? Where are they stored? Are any of these storage spaces fitted with fire or smoke detectors? If so, what type are they?

#### *Design and Equipment Standards*

1. The Coast Guard is considering requiring these vessels to install fuel, ventilation, and electrical systems as recommended in NVIC 5-86. What would be the cost to industry to install and maintain this equipment?

2. Would you recommend any changes to the voluntary standards in NVIC 5-86?

J.W. Kime,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

July 6, 1987.

[FR Doc. 87-15585 Filed 7-8-87; 8:45 am]

BILLING CODE 4910-14-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 87-9; RM-5509]

#### Amendment of Part 73, Subpart C of the Commission's Rules To Require Licensees of Noncommercial FM Stations To Accommodate Requests by Radio Reading Services To Utilize Their Subcarrier Capacity on an Incremental Cost Justified Basis

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of Inquiry; extension of reply-comment deadline.

**SUMMARY:** This action grants an extension of time for filing reply comments in connection with the Notice of Inquiry in MM Docket No. 87-9 (RM-5509) (Amendment of Part 73, Subpart C of the Commission's Rules to Require Licensees of Noncommercial FM Stations to Accommodate Requests by Radio Reading Services to Utilize Their Subcarrier Capacity on an Incremental Cost Justified Basis). Reply comments were originally due on July 29, 1987, and are now due on August 13, 1987. The extension was granted as requested by the Association of Radio Reading Services.

**DATES:** Comments were due on June 15, 1987. Reply comments are now due by August 13, 1987.

**ADDRESS:** Federal Communications Commission, Washington DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Mark Solberg, Policy and Rules Division, Mass Media Bureau, (202) 632-7792.

**SUPPLEMENTARY INFORMATION:** The Notice of Inquiry in MM Docket 87-9 was published at 52 FR 8084 (March 16, 1987).

Federal Communications Commission.

William H. Johnson,

Acting Chief, Mass Media Bureau.

[FR Doc. 87-15531 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

### 47 CFR Part 73

[MM Docket No. 87-232, RM-5694]

#### Radio Broadcasting Services; Bethalto, IL

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Bethalto Broadcasting which proposes to allot Channel 238A to Bethalto, Illinois, as a first FM service. The transmitter site for Channel 238A is restricted to 8 kilometers (5 miles) northeast of the city.

**DATES:** Comments must be filed on or before August 21, 1987, and reply comments on or before September 8, 1987.

**ADDRESS:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Thomas L. Root, 2120 L Street, NW., Suite 840, Washington, DC 20037, (Attorney for petitioner).

**FOR FURTHER INFORMATION CONTACT:** Montrose H. Tyree, Mass Media Bureau, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 87-232, adopted on June 10, 1987, and released July 1, 1987. The full text of this Commission decision 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 of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suit 140, Washington DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should not that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Mark N. Lipp,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 87-15534 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

### 47 CFR Part 73

[MM Docket No. 87-227, RM-5775]

#### Radio Broadcasting Services; Richfield, UT

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition by David I. Hansen, proposing the allotment of Class C Channel 248 to Richfield, Utah, as that community's second wide coverage area FM service.

**DATES:** Comments must be filed on or before August 21, 1987, and reply comments on or before September 8, 1987.

**ADDRESS:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners, or their counsel or consultant, as follows: David I. Hansen, 1335 Avenue I, Ely, Nevada 89301 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Patricia Rawlings, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 87-227, adopted June 15, 1987, and released July 1, 1987. The full text of this Commission decision 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 of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Mark N. Lipp,

Chief, Allocations Branch, Mass Media Bureau.

[FR Doc. 87-15535 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[MM Docket No. 87-226, RM-5752]

#### Radio Broadcasting Services; Rupert, VT

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition by Peter Morton proposing the allotment of Channel 281A to Rupert, Vermont, as that community's first FM service. Concurrence by the Canadian government must be obtained.

**DATES:** Comments must be filed on or before August 21, 1987, and reply comments on or before September 8, 1987.

**ADDRESS:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners, or their counsel or consultant, as follows: Peter Morton, P.O. Box 1303, Burlington, VT 05402 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Patricia Rawlings, (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 87-226 adopted June 15, 1987, and released July 1, 1987. The full text of this Commission decision 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 of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Mark N. Lipp,

Chief, Allocations Branch, Mass Media Bureau.

[FR Doc. 87-15536 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[MM Docket No. 87-225, RM-5731]

#### Radio Broadcasting Services; Vinton, VA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition by Joseph P. Durham, proposing the allotment of Channel 273A to Vinton, Virginia, as that community's second FM service.

**DATES:** Comments must be filed on or before August 21, 1987, and reply comments on or before September 8, 1987.

**ADDRESS:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners, or their counsel or consultant, as follows: Lawrence J. Bernard, Jr., Esquire, Ward & Mendelsohn, P.C., 1100 17th Street, NW., Suite 900, Washington, DC 20036 (Counsel for petitioner).

**FOR FURTHER INFORMATION CONTACT:** Patricia Rawlings (202) 634-6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 87-225, adopted June 15, 1987, and released July 1, 1987. The full text of this Commission decision 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 of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Mark N. Lipp,

Chief, Allocations Branch, Mass Media Bureau.

[FR Doc. 87-15537 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

# Notices

Federal Register

Vol. 52, No. 131

Thursday, July 9, 1987

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

### Animal and Plant Health Inspection Service

[Docket No. 87-091]

#### Secretary's Advisory Committee for Swine Health Protection; Meeting

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** We are giving notice of a meeting of the Secretary's Advisory Committee for Swine Health Protection.

#### Place, Date, and Time of Meeting

The meeting will be held in Room 107-A of the Administration Building, U.S. Department of Agriculture, 14th Street and Independence Avenue SW., Washington, DC, August 5, 1987, from 8:15 a.m. to 4:30 p.m.

**FOR FURTHER INFORMATION CONTACT:** Dr. R. R. Ormiston, Senior Staff Veterinarian, Program Planning Staff, VS, APHIS, USDA, Room 846, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8378.

**SUPPLEMENTARY INFORMATION:** The purpose of the Committee is to advise the Secretary of Agriculture concerning matters within the scope of the Swine Health Protection Act. The meeting will focus on means of coordination between federal and state programs for regulating the treatment of garbage to be fed to swine. The meeting will be open to the public.

Written statements concerning these matters may be filed with the committee before or at the time of the meeting. Written statements concerning the meeting may be forwarded to Dr. R. R. Ormiston, Senior Staff Veterinarian, Program Planning Staff, VS, APHIS, USDA, Room 846, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please refer to Docket Number 87-091 when submitting your statements.

Comments received may also be inspected at Room 846 of the Federal Building between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

Done in Washington, DC, this 6th day of July, 1987.

**J.K. Atwell**

*Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.*

[FR Doc. 87-15618 Filed 7-8-87; 8:45 am]

BILLING CODE 3410-34-M

### Forest Service

#### Mono Basin National Forest Scenic Area Advisory Board; Meeting

The Mono Basin National Forest Scenic Area Advisory Board will meet at 9:00 a.m. on August 12, 1987, at the Presbyterian Church in Lee Vining, California. The agenda of the meeting will include:

1. General Update
2. National Academy of Science Study
3. Visitor Center Conceptual Design
4. Comprehensive Management Plan

The meeting will be open to the public. Persons who wish to attend and make oral presentation should notify Dennis W. Martin, Forest Supervisor, Inyo National Forest, 873 N. Main Street, Bishop, California, 93514, Telephone: (619) 873-5841. Written statements may be filed with the Committee before or after the meeting.

The Committee has established the following rules for public participation: After the Board has completed discussion of each topic, the public will be allowed time for questions or comment.

Dated: July 1, 1987.

**Dennis W. Martin,**

*Forest Supervisor and Chairman.*

[FR Doc. 87-15590 Filed 7-8-87; 8:45 am]

BILLING CODE 3410-11-M

#### Scientific Advisory Board Mount St. Helens National Volcanic Monument, Gifford Pinchot National Forest, Vancouver, WA; Meeting

The Mount St. Helens Scientific Advisory Board will meet at 9:00 a.m., August 5, 1987, at the Mount St. Helens National Volcanic Monument Visitor

Center, Gifford Pinchot National Forest, 3029 Spirit Lake Highway, Castle Rock, Washington 98611, to receive information on and discuss the following:

1. A final review of:
  - a. The National Volcanic Monument vision statement on Scientific Research.
  - b. The recommendation on fish stocking.
2. Updates on the National Volcanic Monument Plans for:
  - a. Castle Lake
  - b. Mt. Margaret area
  - c. Wildlife management
  - d. Cave management
  - e. Climbing policy
  - f. Recruiting Monument scientist
  - g. Relationship with science community
3. Meet new Monument manager.
4. Discussion of feedback on research workshop.
5. Status of Board membership.
6. Open discussion of topics of interest to the Advisory Board and public comments.

The meeting will be open to the public. Persons who wish to make a statement to the Board should notify Dr. Jack K. Winjum, Chairperson, c/o Gifford Pinchot National Forest, 500 West 12th Street, Vancouver, Washington 98660, 206-696-7570. Written statements may be filed with the Board before or after the meeting.

Dated: June 30, 1987.

**Chad C. Olsen,**

*Acting Regional Forester.*

[FR Doc. 87-15559 Filed 7-8-87; 8:45 am]

BILLING CODE 3410-11-M

### Soil Conservation Service

#### Finding of No Significant Impact; Sand Wash Watershed, Utah

**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 Sand Wash Watershed, Duchesne, Utah.

**FOR FURTHER INFORMATION CONTACT:** Francis T. Holt, State Conservationist, Soil Conservation Service, 125 South State Street, Salt Lake City, Utah 84147, telephone 801 524-5050.

**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, Francis T. Holt, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project concerns erosion control and improving water quality by reducing downstream sedimentation salt loading of the Colorado River system. It consists of accelerated conservation land treatment to reduce sheet and rill, gully, and concentrated flow erosion on rangeland. The components include 2,000 acres of contour furrowing, 110 fence type water spreaders, 150 gully plugs, 4,300 acres of brush management, 4,300 acres of range seeding, 18.5 miles of fence, 3 spring or seep developments, 26,000 feet of stockwater pipeline, 5 stockwater troughs, and implementation of a planned grazing system to achieve proper use. Brush management on upper slopes nearest the Pinyon-Juniper habitat type will be installed in 300 feet treatment strips with 200 feet leave areas as a buffer for wildlife.

The Notice of a 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 Francis T. Holt, State Conservationist.

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

Norman W. Priest,  
Deputy State Conservationist.  
July 1, 1987.

[FR Doc. 87-15591 Filed 7-8-87; 8:45 am]

BILLING CODE 3410-16-M

## DEPARTMENT OF COMMERCE

### Agency Form Under Review by the Office of Management and Budget (OMB)

DOC has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: International Trade Administration  
Title: Caribbean Basin Initiative Investment Survey  
Form number: Agency—ITA-734P; OMB—N/A

Type of request: New Collection  
Burden: 200 respondents; 67 reporting hours

Needs and uses: The Caribbean Basin Initiative (CBI) was proposed to promote economic development and political stability in Central America and the Caribbean islands. This survey of companies that have made equity investments in CBI beneficiary countries will be used to evaluate the impact and effectiveness of the program.

Affected public: Businesses or other for-profit institutions; small businesses or organizations

Frequency: One-time only  
Respondent's obligation: Voluntary  
OMB desk officer: John Griffen, 395-7340

Copies of the above information collection proposal can be obtained by calling or writing DOC Clearance Officer, Edward Michals, (202) 377-3271, Department of Commerce, Room 6622, 14th and Constitution Avenue NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to John Griffen, OMB Desk Officer, Room 3228, New Executive Office Building, Washington, DC 20503.

Dated: July 2, 1987.  
Edward Michals,  
Departmental Clearance Officer, Office of Management and Organization.  
[FR Doc. 87-15546 Filed 7-8-87; 8:45 am]  
BILLING CODE 3510-CW-M

### Presidential Board of Advisors on Private Sector Initiatives; Open Meeting

**AGENCY:** Office of the Secretary, Office of the General Counsel and Office of Business Liaison, Commerce.

**SUMMARY:** The Presidential Board of Advisors on Private Sector Initiatives will hold a meeting on July 23, 1987.

Committee meetings will also be held on this date. Public comment is welcome.

Time and Place: Presidential Board of Advisors on Private Sector Initiatives: Thursday, July 23, 1987, 3:00 p.m.—4:00 p.m., at the American Red Cross National Headquarters, Board of Governors Room 17 & E Streets NW., Washington, DC 20006

#### Committee Meetings

Thursday, July 23, 1987, 2:00 p.m.—3:00 p.m., at the American Red Cross, National Headquarters, Rooms to be Posted, 17 & E Streets, NW., Washington, DC 20006

**FOR FURTHER INFORMATION CONTACT:** The Committee Control Officer, Mr. Robert H. Brumley, Deputy General Counsel, U.S. Department of Commerce, (202/377-4772) or the Alternate Control Officer, Nancy J. Olson, Director, Office of Business Liaison, U.S. Department of Commerce, (202/377-3942), Main Commerce Building, Washington, DC 20230.

Dated: July 2, 1987.  
Robert H. Brumley,  
Deputy General Counsel.  
[FR Doc. 87-15592 Filed 7-8-87; 8:45 am]  
BILLING CODE 3510-BP-M

### International Trade Administration

[A-122-047]

### Preliminary Results of Antidumping Duty Administrative Review and Tentative Determination To Revoke in Part; Elemental Sulphur From Canada

**AGENCY:** International Trade Administration, Import Administration, Commerce.

**ACTION:** Notice of Preliminary Results of Antidumping Duty Administrative Review and Tentative Determination to Revoke in Part.

**SUMMARY:** In response to requests by the respondents, the Department of Commerce has conducted an administrative review of the antidumping finding on elemental sulphur from Canada. The review covers 10 producers and/or exporters of this merchandise and the periods January 1, 1979 through November 30, 1981 and December 1, 1983 through November 30, 1984. The review indicates the existence of dumping margins for certain firms during the periods.

Interested parties are invited to comment on these preliminary results and tentative determination to revoke in part.

**EFFECTIVE DATE:** July 9, 1987.

**FOR FURTHER INFORMATION CONTACT:**

Joseph A. Fargo or Maureen Flannery, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 377-5255.

**SUPPLEMENTARY INFORMATION:** On

December 17, 1986, the Department of Commerce ("the Department") published in the *Federal Register* (51 FR 45152) the final results of its last administrative review of the antidumping finding on elemental sulphur from Canada (38 FR 35655, December 17, 1973). We began the current review of the finding under our old regulations. After the promulgation of our new regulations, ten respondents requested in accordance with 19 CFR 353.53a(a) that we complete the administrative review. We published a notice of initiation on July 9, 1986 (51 FR 24883). The Department has now conducted that administrative review in accordance with section 751 of the tariff Act of 1930 ("the Tariff Act").

**Scope of the Review**

The United States has developed a system of tariff classification based on the international harmonized system of Customs nomenclature. Congress is considering legislation to convert the United States to this Harmonized System ("HS") by January 1, 1988. In view of this, we will be providing both the appropriate *Tariff Schedule of the United States Annotated* ("TSUSA") item numbers and the appropriate HS item numbers with our product descriptions on a test basis, pending Congressional approval. As with the TSUSA, the HS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

We are requesting petitioners to include the appropriate HS item number(s) as well as the TSUSA item number(s) in all new petitions filed with the Department. A reference copy of the proposed Harmonized System schedule is available for consultation at the Central Records Unit, Room B-099, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230. Additionally, all Customs offices have reference copies, and petitioners may contact the Import Specialist at their local Customs office to consult the schedule.

Imports covered by the review are shipments of elemental sulphur, currently classifiable under TSUSA item 415.4500. These products are currently classifiable under HS item numbers 2503.10.00, 2503.90.00 and 2802.00.00.

The review covers 10 producers and/or exporters of Canadian elemental sulphur to the United States and the periods January 1, 1979 through November 30, 1981 and December 1, 1983 through November 30, 1984.

**United States Price**

In calculating United States price the Department used purchase price, as defined in section 772 of the Tariff Act. Purchase price was based on the ex-factory price to unrelated purchasers in the United States. No deductions were claimed or allowed.

**Foreign Market Value**

In calculating foreign market value, the Department used home market price, as defined in section 773 of the Tariff Act, when sufficient quantities of such or similar merchandise were sold in the home market to provide a basis of comparison. When there were no sales of such or similar merchandise in the home market or to third countries, the Department used constructed value, as defined in section 773 of the Tariff Act. Home market price was based on the ex-factory price to unrelated purchasers in the home market. Constructed value was calculated as the sum of materials, fabrication costs, general expenses, and profit. Because actual general expenses were less than the statutory minimum of ten percent of the sum of materials and fabrication costs, the Department used the statutory minimum. The Department used actual profit rates because they were higher than the statutory minimum of eight percent of the sum of the costs of materials, fabrication, and general expenses. No deductions were claimed or allowed.

**Preliminary Results of the Review**

As a result of our comparison of United States price to foreign market value, we preliminarily determine that the following margins exist:

Manufacturer/exporter	Period of review	Margin (percent)
B.P. Resources Canada, Ltd.	12/01/83— 11/30/84	5.56
Cities Service Oil and Gas Corp.	12/01/83— 11/30/84	0
Drummond Oil & Gas Ltd.	12/01/83— 11/30/84	0
Imperial Oil Limited	12/01/83— 11/30/84	0
Koch Industries, Inc.	12/01/83— 11/30/84	26.95
Mobil Oil Canada, Ltd.	01/01/79— 11/30/84	0
Real International	12/01/83— 11/30/84	0
Suncor Inc.	12/01/83— 11/30/84	26.95
Union Texas (Allied)	12/01/83— 11/30/84	28.90
Texaco Canada, Ltd.	12/01/83— 11/30/84	0

<sup>1</sup> No shipments During the Period.

Interested parties may submit written comments on these preliminary results within 30 days of the date of publication of this notice, may request disclosure within 5 days of the date of publication, and may request a hearing within 8 days of the date of publication. Any hearing, if requested, will be held 30 days after the date of publication or the first workday thereafter. Any request for an administrative protective order must be made no later than 5 days after the date of publication. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

Cities Service Oil & Gas Corp., Imperial Oil Limited and Texaco Canada, Ltd. requested revocation of the finding and, as provided for in § 353.54(e) of the Commerce Regulations, have agreed in writing to an immediate suspension of liquidation and reinstatement in the finding under circumstances specified in the written agreement. These firms made all sales at not less than fair value or had *de minimis* margins for two years.

Therefore, we tentatively determine to revoke the antidumping finding on elemental sulphur from Canada with respect to Cities Service Oil & Gas Corp., Imperial Oil Limited and Texaco Canada, Ltd. If this partial revocation is made final, it will apply to all unliquidated entries of this merchandise exported by Cities Service Oil & Gas Corp., Imperial Oil Limited and Texaco Canada, Ltd. and entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions on each exporter directly to the Customs Service.

The above margins shall not change the current rates for cash deposits of estimated antidumping duties.

This administrative review, tentative determination to revoke in part, and notice are in accordance with sections 751(a)(1) and (c) of the Tariff Act (19 U.S.C. 1675(a)(1), (c)), and 19 CFR 353.53a, 353.54.

Dated: July 1, 1987.

**Gilbert B. Kaplan,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 87-15624 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-DS-M

[A-122-701]

**Postponement of Preliminary Antidumping Duty Determination; Potassium Chloride From Canada****AGENCY:** International Trade Administration, Import Administration, Commerce.**ACTION:** Notice.

**SUMMARY:** This notice informs the public that we have received a request from the petitioners in this investigation to postpone the preliminary determination as permitted by section 733(c)(1)(A) of the Tariff Act of 1930, as amended (the Act). Based on this request, we are postponing our preliminary determination of whether sales of potassium chloride from Canada have occurred at less than fair value until not later than August 7, 1987.

**EFFECTIVE DATE:** July 9, 1987.**FOR FURTHER INFORMATION CONTACT:**

Michael Ready, (202) 377-2613 Office of Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:** On March 5, 1987 (52 FR 6336), we published a notice of initiation of an antidumping duty investigation to determine whether potassium chloride from Canada is being, or is likely to be, sold in the United States at less than fair value. The notice stated that we would issue our preliminary determination by July 20, 1987.

As detailed in the notice, the petition alleged that imports of potassium chloride from Canada are being, or are likely to be, sold in the United States at less than fair value. On June 26, 1987, counsel for petitioners, Lundberg Industries, Ltd., and New Mexico Potash Corporation, requested that the Department extend the period for the preliminary determination until not later than 178 days after the date of receipt of the petition in accordance with section 733(c)(1)(A) of the Act. Accordingly, the period for determination in this case is hereby extended. We intend to issue a preliminary determination not later than August 7, 1987.

This notice is published pursuant to section 733(c)(2) of the Act.

**Gilbert B. Kaplan,**

*Deputy Assistant Secretary for Import Administration.*

July 1, 1987.

[FR Doc. 87-15635 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-DS-M

[A-337-001]

**Final Results of Antidumping Duty Administrative Review; Sodium Nitrate From Chile****AGENCY:** International Trade Administration, Import Administration, Commerce.**ACTION:** Notice of Final Results of Antidumping Duty Administrative Review.

**SUMMARY:** On March 3, 1987, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on sodium nitrate from Chile. The review covers one exporter of this merchandise to the United States and two periods from March 1, 1984 through February 28, 1986.

We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments we received, we have not changed the final results from those presented in the preliminary results of reviews.

**EFFECTIVE DATE:** July 9, 1987.**FOR FURTHER INFORMATION CONTACT:**

Linda L. Pasden or Robert J. Marenick, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 377-5255.

**SUPPLEMENTARY INFORMATION:**

On March 3, 1987, the Department of Commerce ("the Department") published in the *Federal Register* (52 FR 6365) the preliminary results of its administrative review of the antidumping duty order on sodium nitrate from Chile (48 FR 12580, March 25, 1983). The Department has now completed its review in accordance with section 751 of the Tariff Act of 1930 ("the Tariff Act").

**Scope of the Review**

Imports covered by the review are shipments of industrial grade sodium nitrate (98 percent or more pure), currently classifiable under item 480.2500 of the Tariff Schedules of the United States Annotated. The review covers Sociedad Quimica y Miners de Chile, S.A. ("SQM"), the only exporter of this merchandise to the United States, and two periods from March 1, 1984 through February 28, 1986.

**Analysis of Comments Received**

We gave interested parties an opportunity to comment on the preliminary results. We received comments from the respondent, SQM, and the petitioner, the Olin Corporation.

*SQM's Comments*

*Comment 1:* SQM argues that because it consistently acted in a responsible and cooperative manner in responding to questionnaires and participating in verifications, and, because it took steps to eliminate the margins since the Department's original determination, it should not be penalized because of an inadvertent error.

*Department's Position:* We disagree. The result of the current review is not affected by SQM's efforts to eliminate margins in the previous reviews. The result of the current review is based on SQM's failure to report certain sales information which caused the Department's inability to verify the response.

*Comment 2:* SQM argues that 33.4 percent is the worst information available because it is based on data that is over five years old and because it disregards the very low and de minimis that the Department found in the two reviews subsequent to the original investigation.

*Department's Position:* We disagree. Section 776 of the Act requires the Department to verify all information to be relied upon for revocation. The Act grants the Department broad discretion in choosing the best information to be used when the Department is unable to verify the accuracy of the information. The term "best" information does not mean the information most favorable to the respondent. Failure to report certain sales information and the Department's inability to verify the response in this review, justifies the use of the most adverse information and precludes using the favorable information from the two previous reviews.

*Comment 3:* SQM argues that § 353.51(b) of the Commerce Regulations requires the Department to give them an opportunity to submit new computer printouts and to conduct reverification.

*Department's Position:* We disagree. Section 353.51(b) states that "Whenever information cannot be satisfactorily verified . . . the submitter will be notified and the affected determination will be made on the basis of the best information then otherwise available . . ."

Prior to verification, the Department identified apparent inadequacies in SQM's response and notified the company of those inadequacies. In addition to the missing sales data, we also found at verification many other serious discrepancies such as incorrect amounts for ocean freight and insurance, incorrect entry numbers, etc. The correction of these discrepancies

would have necessitated a new response and computer tapes as well as a new verification. This is contrary to § 353.51(b) of the Commerce Regulations and the Department's policy of not accepting complete new data after verification and its policy on not conducting reverifications.

*Comment 4:* SQM claims that during the first period only 3.28 percent and during the second period only 1.60 percent of the sales in the United States of commercial grade nitrates were not included in its response and these omissions would not have appreciably affected the Department's analysis.

*Departments Position:* The Department was unable to complete its price analysis because of the omission of an undeterminable number of U.S. sales and a substantial number of other deficiencies found at verification. The purpose of verification is to confirm the accuracy of the data submitted; the Department is not authorized to use verification for the purpose of supplementing the information originally missing from the response and investigating these unreported sales. Failure to include certain sales information in the original response meant that the Department was not able to conduct verification.

*Petitioner's Comment:* Olin asserts that it is incumbent on the respondent to ensure that no mistakes or omissions such as unreported U.S. sales should occur. Therefore, the Department should not change its preliminary results.

*Departments Position:* We agree. Refer to the Department's position for Comment 2.

#### Final Results of the Review

The final results of our review are the same as those presented in the preliminary results of review, and we determine that a margin of 33.4 percent exists for the two periods from March 1, 1984 through February 28, 1986.

The Department will instruct the Customs Service to assess antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service.

Further, as provided for in section 751(a) of the Tariff Act, a cash deposit of estimated antidumping duties based on the above margin shall be required.

For any future entries of this merchandise from a new exporter not covered by this or prior administrative reviews, whose first shipments occurred after February 28, 1986 and who is unrelated to any reviewed firm, no cash deposit shall be required. These deposit requirements are effective for all shipments of sodium nitrate from Chile,

entered or withdrawn from warehouse, for consumption on or after the date of publication of this notice.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53a of the Commerce Regulations (19 CFR 353.53a).

Dated: July 2, 1987.

**Gilbert B. Kaplan,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 87-15625 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-DS-M

#### [Application No. 83-3A023]

#### Issuance of an Amended Export Trade Certificate of Review; United Export Trading Assn.

**SUMMARY:** The Department of Commerce has issued an amendment to the export trade certificate of review of United Export Trading Association, Inc. ("UETA"). This notice summarizes the amendment which has been granted.

**FOR FURTHER INFORMATION CONTACT:** George Muller, Acting Director, Office of Export Trading Company Affairs, International Trade Administration, 202-377-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 ("the Act") (Pub. L. 97-290) authorizes the Secretary of Commerce to issue export trade certificates of review. The regulations implementing Title III are found at 15 CFR Part 325 (50 FR 1804, January 11, 1985).

The Office of Export Trading Company Affairs is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a certificate in the **Federal Register**. Under section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

#### Description of Amended Certificate

##### Export Trade Products

Pursuant to U.S. Customs regulations and under Customs bond, tax-free and duty-free alcoholic beverages, tobacco, and tobacco products that are handled in bond exclusively for export to persons exiting the United States across the United States-Mexico land border ("Covered Products").

#### Related Services

Financing, transportation, insurance, accounting, and legal services related to the purchase and sale of Covered Products for export.

#### Export Trade Activities and Methods of Operation

UETA may:

(a) Enter into exclusive purchase agreements with Suppliers of Covered Products;

(b) Resell the purchased Covered Products exclusively for export, through its Regional Distribution Subsidiaries and duty-free shops;

(c) Establish and implement policy through its Board of Directors and officers covering all matters relating to the purchase, handling, and sale of Covered Products for export through its Regional Distribution Subsidiaries and duty-free shops, including:

(1) Prices at which Covered Products will be sold in duty free shops for export,

(2) Quantities of Covered Products to be sold for export,

(3) Allocation of territories or customers among Regional Distribution Subsidiaries and duty free shops,

(4) The types and the mix of Covered Products purchased by UETA,

(5) Warehousing of the Covered Products prior to delivery through Regional Distribution Subsidiaries to duty-free shops,

(6) Financing, transportation, insurance, accounting, and legal services related to the purchase and sale of Covered Products for export,

(7) Inventory levels of the Covered Products for export,

(8) Distribution of profits and/or losses incurred by UETA,

(9) Hours of operation of sales outlets, and

(10) Terms and conditions for sale of Covered Products, or provision of Related Services, to Unrelated Entities.

(d) Prescribe conditions for sale and issuance of stock of UETA;

(e) Collect information from, and discuss and communicate information with, directors, officers, and employees of UETA, its Regional Distribution Subsidiaries, and its duty-free shops, regarding competitive conditions or other facts relevant to the sale of the Covered Products in the Export Market. Such communications may occur either in person or during telephone calls or in any other manner. For purposes of this certificate of review, competitive conditions and other facts are:

(1) Any conditions relating to past, present, or possible future supply or

demand in the Export Market for the Covered Products in order to formulate UETA's general business and expansion plans;

(2) Any past, present, or possible future price of the Covered Products for the Export Market;

(3) Any past, current, or possible future cost factors of UETA relating specifically to the sale of the Covered Products for the Export Market;

(4) Any marketing strategy or activity in the Export Market of any Regional Distribution Subsidiary or duty-free shop of UETA, any Unrelated Entity, or any Supplier of the Covered Products to the Export Market, such as opening, closing, or expansion of export outlets and similar plans and developments relevant to the formulation of UETA's business plans;

(5) Any information regarding past, present, or possible future inventories and turnover of Covered Products in order to establish inventory requirements for UETA.

#### Members

Each entity listed below is a "member" within the meaning of § 325.2(1) of the Regulations:

International Bonded Warehouses, Inc.  
Ayoub's Exports, Inc.  
Hidalgo Custom Bonded Warehouse, Inc. d/b/a Brady's  
Universal Bonded Stores, Inc.  
Capin's Duty Free Warehouse  
States Import-Export, Inc.  
Hugo's International Liquors d/b/a Hugo's, Pan American  
King Mart Export, Inc.  
UETA of Texas, Inc.  
UETA of Arizona, Inc.  
UETA of California, Inc.

A copy of the amended certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: July 6, 1987.

George Muller,

Acting Director, Office of Export Trading Company Affairs.

[FR Doc. 87-15627 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-DR-M

[A-405-071]

#### Final Results of Antidumping Duty Administration Review; Viscose Rayon Staple Fiber From Finland

**AGENCY:** International Trade Administration, Import Administration, Commerce.

**ACTION:** Notice of Final Results of Antidumping Duty Administrative Review.

On January 9, 1987, the Department of Commerce published the preliminary results of its administrative review of the antidumping finding on viscose rayon staple fiber from Finland. The review covers Kemira Oy Sateri and two periods from March 1, 1983 through February 28, 1986.

We gave interested parties an opportunity to comment on our preliminary results. We received comments from the petitioner and the respondent. Based on our analysis of comments received, we have changed the margins from those presented in the preliminary results.

**EFFECTIVE DATE:** July 9, 1987.

**FOR FURTHER INFORMATION CONTACT:** Barbara Victor or David P. Mueller, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 377-5222/2923.

**SUPPLEMENTARY INFORMATION:**

#### Background

On January 9, 1987, the Department of Commerce ("the Department") published in the *Federal Register* (52 FR 828) the preliminary results of its administrative review of the antidumping finding on viscose rayon staple fiber from Finland (44 FR 17156, March 21, 1979). We began this review under our old regulations. After the promulgation of our new regulations, the petitioner requested in accordance with § 353.53(a) of the Commerce Regulations that we complete the administrative review. We have now completed the administrative review in accordance with section 751 of the Tariff Act of 1930 ("the Tariff Act").

#### Scope of the Review

Imports covered by the review are shipments of viscose rayon staple fiber, except solution dyed, in noncontinuous form, not carded, not combed and not otherwise proceeded, wholly of filaments (except laminated filaments and plexiform filaments), currently classifiable under items 309.4320 and 309.4325 of the Tariff Schedules of the United States Annotated. The review covers Kemira Oy Sateri and two periods from March 1, 1983 through February 28, 1986.

#### Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. Both the petitioner and the respondent submitted written comments.

*Comment 1:* The petitioner questions whether it is necessary to make an adjustment for packing costs between sales in the United States and the home market.

*Department's Position:* The Department clarified from the respondent that packing costs are identical for sales to the United States and the home market. Therefore, no adjustment for packing needs to be made.

*Comment 2:* The petitioner asks whether any loading charges were incurred at the dock in Finland and whether an adjustment should be made for these charges.

*Department's Position:* Kemira Oy states that all loading charges have been included in their amount claimed for foreign inland freight. Therefore, the Department does not need to make any further adjustment for these charges.

*Comment 3:* The petitioner claims that an adjustment should be made for differences in credit expenses between the United States and the Finnish home market, since payment takes longer on U.S. sales.

*Department's Position:* We agree and have made an adjustment for the difference in credit expenses.

*Comment 4:* The petitioner points out that the foreign inland freight costs submitted in the Finnish response are shown in U.S. dollars rather than Finnish marks. The Department should determine if these amounts were converted into dollars using the proper exchange rates.

*Department's Position:* The Department asked Kemira Oy to explain why the foreign inland freight appeared in their response in dollars. Kemira responded that the foreign inland freight was charged to them in dollars. Therefore, the Department is satisfied that the correct amounts were reported.

*Comment 5:* Kemira Oy questioned our comparison between home market price and U.S. price. Kemira alleges that the home market sales the Department chose for comparison were not of a similar or identical type sold to customers in the United States.

*Department's Position:* We disagree. While the Department recognizes that the merchandise under review is sold in the home market and the United States market to customers classed according to its further processing, the Department finds no reason to make comparisons based on the end use of the product, since there is no indication that the fiber itself is other than identical on all sales.

The Department has, however, reviewed our calculations from the preliminary determination. In that

calculation the Department used the highest quarterly price in Finland as a starting price rather than a weighted-average price. The Department has corrected its calculations using weighted-average starting prices.

#### Final Results of Review

As a result of the comment received and further review of our original calculations, we have revised our preliminary results for Kemira Oy Sateri and we determine that the following weighted-average margins exist for the period March 1, 1983 through February 28, 1986:

Manufacturer/Exporter	Time period	Margin (percent)
Kemira Oy Sateri	3/1/83-2/28/85	0
	3/1/85-2/28/86	0.07

The Department will instruct the Customs Service to assess antidumping duties on all appropriate entries. Individual differences between United States prices and foreign market value may vary from the percentage stated above. The Department will issue appraisal instructions directly to the Customs Service.

Since the margins for Kemira Oy Sateri are less than 0.5 percent and, therefore, *de minimis* for cash deposit purposes, the Department shall not require a cash deposit for this firm.

For any entries from a new exporter not covered by this review, whose first shipments occurred after February 28, 1986 and who is unrelated to any reviewed firm, no cash deposit shall be required. This deposit requirement is effective for all shipments of Finnish viscose rayon staple fiber entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice and shall remain in effect until publication of the final results of the next administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53a of the Commerce Regulations (19 CFR 353.53a).

Dated: July 1, 1987.

Gilbert B. Kaplan,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 87-15626 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-DS-M

#### National Bureau of Standards

##### National Bureau of Standards' Visiting Committee; Meeting

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is hereby given that the National Bureau of Standards' Visiting Committee will meet Tuesday, July 14, 1987, from 8:30 a.m. to 5:30 p.m., and Wednesday, July 15, 1987, from 8:30 a.m. to 11:30 a.m., in Lecture Room A, Administration Building, National Bureau of Standards, Gaithersburg, Maryland, from 2:00 p.m. to 3:00 p.m. in Room 5854, Department of Commerce, Washington, DC.

The NBS Visiting Committee is composed of five members prominent in the fields of science and technology and appointed by the Secretary of Commerce.

The purpose of the meeting is to review the efficiency of the Bureau's scientific work and the condition of its equipment in order to assist the Committee in reporting to the Secretary of Commerce as required by law.

The public is invited to attend, and the Chairman will entertain comments or questions at an appropriate time during the meeting. Any person wishing to attend the meeting should inform Peggy Webb, Office of the Director, National Bureau of Standards, Gaithersburg, MD 20899, telephone 301-975-2411.

Dated: July 1, 1987.

Ernest Ambler,

Director.

[FR Doc. 87-15552 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-13-M

#### National Oceanic and Atmospheric Administration

##### North Pacific Fishery Management Council; Amended Meeting Notice

**AGENCY:** National Marine Fisheries Service, NOAA, Commerce.

The date and time as published in the Federal Register (52 FR 25050, July 2, 1987) for the public meeting of the North Pacific Fishery Management Council's Bycatch Committee has been changed as follows:

From

July 21, 1987, at 9 a.m., continuing to July 24.

To

July 14 at 1 p.m. continuing to July 17, Room 2079, Building 4, National Marine Fisheries Service, Northwest and Alaska Fisheries Center, 7600 Sand Point Way

NE., Seattle, Washington. The original agenda remains unchanged.

**FOR FURTHER INFORMATION CONTACT:** Terry Smith, North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510; telephone: (907) 274-4563.

Dated: July 2, 1987.

Richard B. Roe,

Director, Office of Fisheries Management National Marine Fisheries Service.

[FR Doc. 87-15576 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-22-M

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

##### Announcement of Import Restraint Level for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Costa Rica

July 6, 1987.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on July 10, 1987. For further information contact Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of this limit, please refer to the Quota Status Reports which are posted on the bulletin boards of each Customs port. For information on embargoes and quota re-openings, please call (202) 377-3715.

#### Background

On March 18, 1987, a notice was published in the Federal Register (52 FR 8497) which established an import restraint limit for cotton and man-made fiber textile products in Category 340/640, produced or manufactured in Costa Rica and exported during the ninety-day period which began on February 2, 1987 and extends through May 2, 1987.

The United States Government has decided, inasmuch as consultations held with the Government of Costa Rica, April 7-8, 1987, did not reach a mutually satisfactory solution concerning this category, to control imports of cotton and man-made fiber textile products in Category 340/640, produced or manufactured in Costa Rica and exported during the prorated period which began on May 3, 1987 and extends through December 31, 1987.

Accordingly, in the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry into the United States for consumption, or withdrawal from warehouse for consumption, of cotton and man-made fiber textile products in Category 340/640, during the prorated period which began on May 3, 1987 and extends through December 31, 1987, in excess of the designated level of restraint.

Textile products in Category 340/640 shipped in excess of the ninety-day limit previously established will be subject to the limit established in the directive published below. Charges will be made as the data become available.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the *Federal Register* on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983, (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782), July 14, 1986 (51 FR 25386), July 29, 1986 (51 FR 27068) and in Statistical Headnote 5, Schedule 3 of the Tariff Schedules of the United States Annotated (1987).

Adoption by the United States of the Harmonized Commodity Code (HCC) may result in some changes in the categorization of textile products covered by this notice. Notice of any necessary adjustments to the limits affected by adoption of the HCC will be published in the *Federal Register*.

Ronald I. Levin,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

**Committee for the Implementation of Textile Agreements**

July 6, 1987.

Commissioner of Customs,  
*Department of the Treasury, Washington, DC 20229.*

Dear Mr. Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as further extended on July 31, 1986; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of February 7 and 8, 1984, as amended, between the Governments of the United States and Costa Rica; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on July 10, 1987, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton and man-made fiber textile products in Category 340/640, produced or manufactured in Costa Rica and exported

during the prorated period which began on May 3, 1987 and extends through December 31, 1987, in excess of 326,385 dozen.<sup>1</sup>

Textile products in Category 340/640 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448 (b) or 1484(a)(A) prior to the effective date of this directive shall not be denied entry under this directive.

In carrying out this directive, entries of textile products in Category 340/640, produced or manufactured in Costa Rica, which have been exported to the United States during the ninety-day period which began on February 2, 1987 and extended through May 2, 1987, shall, to the extent of any unfilled balance, be charged to the level established for that period. In the event the limit established for that period has been exhausted by previous entries, such goods shall be subject to the levels set forth in this directive.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Sincerely,

Ronald I. Levin,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. 87-15623 Filed 7-8-87; 8:45 am]

BILLING CODE 3510-DR-M

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Public Information Collection Requirement Submitted to OMB for Review**

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information:

- (1) Type of submission;
- (2) Title of Information Collection and applicable OMB Control Number and Form Number;
- (3) Abstract statement of the need for and the uses to be made of the information collected;
- (4) Type of Respondent;
- (5) An estimate of the number of responses;
- (6) An estimate of the total number of hours needed to provide the information;
- (7) To whom comments regarding the information collection are to be forwarded; and

<sup>1</sup> The limit has not been adjusted to account for any imports exported after May 2, 1987.

(8) The point of contact from whom a copy of the proposed information collection may be obtained.

This information collection is as follows:

(1) Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection;

(2) "Request for Verification of Manufacturer's Part Number," 0704-0066, DD Forms 1982;

(3) The Defense Logistics Agency, Office of the Secretary of Defense uses the DD Form 1982, "Request For Verification Of Manufacturers Part Number," to verify manufacturers part numbers. Contractors that do business with the Government are asked to verify parts numbers whether they are assigned a National Stock Number or not. The National Stock Number is required by Chapter 145, Title 10 of the U.S. Code. This form is used by government to request information on manufacturers part numbers that are used by a Military Service/Agency where no technical information (drawing, blueprint, commercial catalog, or the like) are available for complete identification. The form also requests technical data for the purpose of preparing a Federal Item Identification;

- (4) Businesses;
- (5) Current responses of 6,000. No change in responses;
- (6) Current burden hours of 18,000. No change in burden;

**ADDRESSES:** (7) Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

**FOR FURTHER INFORMATION CONTACT:** (8) A copy of the information collection proposal may be obtained from Mr. Vitiello, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

Linda M. Lawson,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15599 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

**Public Information Collection  
Requirement Submitted to OMB for  
Review**

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

**New Collection**

*Requirements as Part of the CHAMPUS  
DRG-Based Payment System*

The Office of Civilian Health and Medical Program of the Uniformed Services needs data regarding hospitals' incurred costs for capital and direct medical education. This data will be used to reimburse hospitals for these costs under the CHAMPUS DRG-Based System. The information will be required from each hospital subject to the CHAMPUS System.

Business or Other For-profit, Non-profit Institutions, Small Businesses Organizations.

Responses 5,600.

Burden Hours 5,600.

**ADDRESSES:** Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD Clearance Officer, WHS/DIOR, Suite 1204, 1215 Jefferson Davis Highway, Arlington, VA 22202-4302, telephone (703) 746-0664.

**SUPPLEMENTAL INFORMATION:** A copy of the information collection proposal may be obtained from Ms. Jane Bomgardner, OCHAMPUS, Aurora, Colorado 80045-6900, telephone (303) 361-3509.

Linda M. Lawson,

*OSD Federal Register Liaison Officer,  
Department of Defense.*

July 6, 1987.

[FR Doc. 87-15600 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

**Public Information Collection  
Requirement Submitted to OMB for  
Review**

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information:

- (1) Type of submission;
- (2) Title of Information Collection and applicable OMB Control Number and Form Number;
- (3) Abstract statement of the need for and the uses to be made of the information collected;
- (4) Type of Respondent;
- (5) An estimate of the number of responses;
- (6) An estimate of the total number of hours needed to provide the information;
- (7) To whom comments regarding the information collection are to be forwarded; and
- (8) The point of contact from whom a copy of the proposed information collection may be obtained.

This information collection is as follows:

- (1) Reopening for public comment an approved OMB collection;
- (2) "Information Collection in Support of DoD Acquisition Process and DoD FAR Supplement 8.404-2(a) (70), Required Sources of Supply and Services," 0704-0187, DD Forms 1155, 1155C-1, 1155R, 1155R-1, & 1665;
- (3) This information is collected from contractors who respond to government solicitations. The information is used by the government to evaluate contractors proposals. This collection is approved by OMB for three years as of December 19, 1986. This submission will give the public another opportunity to address its comments to OMB on this collection;
- (4) Businesses;
- (5) Current responses of 13,297,000. No change in responses;
- (6) Current burden hours of 90,470,000. No change in burden;

**ADDRESSES:** (7) Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

**FOR FURTHER INFORMATION CONTACT:**

(8) A copy of the information collection proposal may be obtained from Mr. Vitiello, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington,

Virginia 22202-4302, telephone 202/746-0933.

Linda M. Lawson,

*Alternate OSD Federal Register Liaison  
Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15601 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

**Public Information Collection  
Requirement Submitted to OMB for  
Review**

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information:

- (1) Type of submission;
- (2) Title of Information Collection and applicable OMB Control Number and Form Number;
- (3) Abstract statement of the need for and the uses to be made of the information collected;
- (4) Type of Respondent;
- (5) An estimate of the number of responses;
- (6) An estimate of the total number of hours needed to provide the information;
- (7) To whom comments regarding the information collection are to be forwarded; and
- (8) The point of contact from whom a copy of the proposed information collection may be obtained.

This information collection is as follows:

- (1) Existing collection in use without an OMB control number;
- (2) "Uniform Administration Requirements for Grants & Cooperative Agreements to State & Local Governments," SF Forms 269, 270, 272, & 424;
- (3) The conditions for receiving a Federal grant or cooperative agreement from the Department of Defense are under a common rule issued by the Executive Departments. The information collected from state and local governments are pre-award, post-award, and after-the-fact information which is used by the government to award grants, to ensure minimum fiscal control and accountability for Federal funds, and to deter fraud, waste, and abuse;
- (4) State and local governments;
- (5) Current responses of 16;
- (6) Current burden hours of 3,200;

**ADDRESSES:** (7) Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503

and Mr. Daniel J. Vitiello, DoD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

**FOR FURTHER INFORMATION CONTACT:** (8)

A copy of the information collection proposal may be obtained from Mr. Vitiello, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

July 6, 1987.

[FR Doc. 87-15602 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

**FOR FURTHER INFORMATION CONTACT:**

A copy of the information collection proposal may be obtained from Mr. Vitiello, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

July 6, 1987.

[FR Doc. 87-15606 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

**FOR FURTHER INFORMATION CONTACT:** A

copy of the information collection proposal may be obtained from Mr. Vitiello, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

Linda M. Lawson,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

July 6, 1987.

[FR Doc. 87-15607 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

**Public Information Collection Requirement Submitted to OMB for Review; Defense Mapping Agency**

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

Extension of an existing collection  
Oceanic Sounding Report, DMAHTC  
Form 8053-1; 0704-0208

The Defense Mapping Agency, under Title 10, U.S.C. 2791, and Title 32 CFR, Part 360, is authorized to ensure and improve maritime safety. The DMAHTC Form 8053.1, "Oceanic Sounding Report," is used by the DMA Hydrographic/Topographic Center to obtain significant data from navigators. The information collected is used to construct and improve the accuracy of current navigational charts.

Maritime Industry  
Responses 400  
Burden Hours 400

**ADDRESSES:** Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD

**Public Information Collection Requirement Submitted to OMB for Review; Defense Mapping Agency**

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

Extension of an existing report  
Port Information Report, DMAHTC  
Form 8330-1; 0704-0210

The Defense Mapping Agency (DMA) under 10 U.S.C. 2791 and 32 CFR, Part 360, is authorized to improve maritime safety. The DMA Hydrographic/Topographic Center (HTC) uses DMAHTC Form 8330-1 to obtain significant data from the maritime industry through consultation with appropriate navigators. The form is used to compile data from the navigators regarding conditions of port entry, berthing port services and operating.

Maritime Industry  
Responses 400  
Burden Hours 400

**ADDRESSES:** Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD

**Public Information Collection Requirement Submitted to OMB for Review; Defense Mapping Agency**

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

Extension of an existing collection  
Notice to Mariners Information Report  
and Suggestion Sheet; 0704-0211

The Defense Mapping Agency (DMA) under 10 U.S.C. 2791, 44 U.S.C., Section 1336 and 32 CFR, Part 360, is authorized to ensure and improve navigation and maritime safety. The DMA Hydrographic/Topographic Center uses the convenient reporting form provided in the back of Notice to Mariners to obtain data from navigators. Mariners are requested to cooperate in the corrective maintenance of navigational charts and publications by reporting discrepancies between published information and conditions actually observed or encountered, and by recommending appropriate additions, deletions, or improvements.

Maritime Industry & Navigators  
Current responses of 3,000. No change in responses.

Current burden hours of 750. No change in burden.

**ADDRESSES:** Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DoD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

**FOR FURTHER INFORMATION CONTACT:** A copy of the information collection proposal may be obtained from Mr. Vitiello, WHA/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone 202/746-0933.

Linda M. Lawson,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15608 Filed 7-18-87; 8:45 am]

BILLING CODE 3810-01-M

#### Public Information Collection Requirement Submitted to OMB for Review

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number, if applicable; (3) Abstract statement of the need for and the use to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact from whom a copy of the information proposal may be obtained.

#### Extension

Air Force Academy Precandidate Questionnaire (USFA Form 149) (OMB No. 0701-0087).

USFA Form 149 is used to collect information from prospective candidates for admission to the Air Force Academy. The information will be used to conduct a preliminary assessment of the applicants' prospects for admission to the Academy. Results are also furnished to individual applicants to enable them to better understand their chances for

appointment and to correct any deficiencies before final selections are made.

Sixteen to twenty-one year old youths.

Responses 50,000

Burden hours 20,000

**ADDRESSES:** Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DOD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone number (202) 746-0933.

#### SUPPLEMENTARY INFORMATION:

A copy of the information collection proposal may be obtained from Major McFarland, Director of Enrollment Services, USAF Academy, CO 80840, telephone (303) 472-2180.

Linda M. Lawson,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15603 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-10-M

#### Public Information Collection Requirement Submitted to OMB for Review

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) An estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact for whom a copy of the information proposal may be obtained.

#### New

Army ROTC Referral Information: TRADOC Form 186-R

Goldminers are ROTC recruiters who provide referrals from quality high schools of prospective students who are interested in pursuing a commission in the U.S. Army at a college with a Senior

Reserve Officers' Training Corps Program.

Individuals or households.

Responses: 16,800

Burden Hours: 4,200

**ADDRESSES:** Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DOD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone number (202) 746-0933.

**SUPPLEMENTARY INFORMATION:** A copy of the information collection proposal may be obtained from Ms. Angela R. Petrarca, SAIS-ADR, Room 1C638, The Pentagon, Washington, DC 20310-0107, telephone (202) 694-0754.

Linda M. Lawson,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15604 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

#### Public Information Collection Requirement Submitted to OMB for Review

**SUMMARY:** The Department of Defense has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Each entry contains the following information: (1) Type of submission; (2) Title of Information Collection and Form Number if applicable; (3) Abstract statement of the need for and the uses to be made of the information collected; (4) Type of Respondent; (5) an estimate of the number of responses; (6) An estimate of the total number of hours needed to provide the information; (7) To whom comments regarding the information collection are to be forwarded; and (8) The point of contact for whom a copy of the information proposal may be obtained.

#### New

Individual Enlistment Decision Survey  
The data collected by this survey will be used to assess how young adults make career decisions, particularly ones involving enlistment in military service.

Individuals or households.

Responses: 4,200

Burden Hours: 2,000

**ADDRESSES:** Comments are to be forwarded to Mr. Edward Springer, Office of Management and Budget, Desk

Officer, Room 3235, New Executive Office Building, Washington, DC 20503 and Mr. Daniel J. Vitiello, DOD Clearance Officer, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302, telephone number (202) 746-0933.

**SUPPLEMENTARY INFORMATION:** A copy of the information collection proposal may be obtained from Ms. Angela R. Petrarca, SAIS-ADR, Room 1C638, The Pentagon, Washington, DC 20310-0107, telephone (202) 694-0754.

Linda M. Lawson,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15605 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

### Office of the Secretary

#### DOD Advisory Group on Electron Devices; Advisory Committee Meeting

**SUMMARY:** Working Group B (Microelectronics) of the DoD Advisory Group on Electron Devices (AGED) announces a closed session meeting.

**DATE:** The meeting will be held at 9:00 am, Tuesday, 28 July and 8:00 am Wednesday, 29 July 1987.

**ADDRESS:** The meeting will be held at the National Bureau of Standards, 325 Broadway, Room 3012, Boulder, Colorado 80303-3328.

**FOR FURTHER INFORMATION CONTACT:** Becky Terry, AGED Secretariat, 2011 Crystal Drive, Arlington, Virginia 22202.

**SUPPLEMENTARY INFORMATION:** The mission of the Advisory Group is to provide the Under Secretary of Defense for Acquisition, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group B meeting will be limited to review of research and development programs which the military propose to initiate with industry, universities or in their laboratories. The Microelectronics area includes such programs as integrated circuits, charge coupled devices and memories. The review will include classified program details throughout.

In accordance with section 10(d) of Pub. L. No. 92-463, as amended, (5 U.S.C. App. II 10(d) (1982)), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1982), and that

accordingly, this meeting will be closed to the public.

Patricia H. Means,

*OSD Federal Register Liaison Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15608 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

#### Department of Defense Wage Committee; Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, the Federal Advisory Committee Act, notice is hereby given that a meeting of the Department of Defense Wage Committee will be held on Tuesday, August 4, 1987; Tuesday, August 11, 1987; Tuesday, August 18, 1987; and Tuesday, August 25, 1987; at 10:00 a.m. in Room 1E801, The Pentagon, Washington, DC.

The Committee's primary responsibility is to consider and submit recommendations to the Assistant Secretary of Defense (Force Management and Personnel) concerning all matters involved in the development and authorization of wage schedules for federal prevailing rate employees pursuant to Pub. L. 92-392. At this meeting, the Committee will consider wage survey specifications, wage survey data, local wage survey committee reports and recommendations, and wage schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92-463, meetings may be closed to the public when they are "concerned with matters listed in 5 U.S.C. 552b." Two of the matters so listed are those "related solely to the internal personnel rules and practices of an agency" (5 U.S.C. 552b(c)(2)), and those involving "trade secrets and commercial or financial information obtained from a person and privileged or confidential" (5 U.S.C. 552b(c)(4)).

Accordingly, the Deputy Assistant Secretary of Defense (Civilian Personnel Policy) hereby determines that all portions of the meeting will be closed to the public because the matters considered are related to the internal rules and practices of the Department of Defense (5 U.S.C. 552b(c)(2)), and the detailed wage data considered by the Committee during its meetings have been obtained from officials of private establishments with a guarantee that the data will be held in confidence (5 U.S.C. 552b(c)(4)).

However, members of the public who may wish to do so are invited to submit material in writing to the chairman concerning matters believed to be deserving of the Committee's attention.

Additional information concerning this meeting may be obtained by writing the Chairman, Department of Defense Wage Committee, Room 3D264, The Pentagon, Washington, DC 20301.

Patricia H. Means,

*OSD Federal Register Liaison Officer, Department of Defense.*

July 6, 1987.

[FR Doc. 87-15610 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

### Department of the Air Force

#### USAF Scientific Advisory Board; Meeting

The USAF Scientific Advisory Board Peacekeeper Intercontinental Ballistic Missile (ICBM) Guidance System Study will conduct a closed meeting at the Pentagon, Washington, DC on July 23, 24, and 27 through 31, 1987 from 8:00 a.m. to 5:00 p.m. each day.

The purpose of this meeting is to review, discuss and evaluate the testing procedures of the guidance system for the Peacekeeper ICBM.

This meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly, will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (202) 697-8845.

Patsy J. Conner,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 87-15600 Filed 7-7-87; 4:18 am]

BILLING CODE 3910-01-M

### Department of the Army

#### Privacy Act of 1974; Amendments to Systems of Records Notice

**AGENCY:** Department of the Army, DOD.

**ACTION:** Notice of an amendment to system of records.

**SUMMARY:** The Army proposes to amend one notice for a system of records subject to the Privacy Act of 1974. The specific changes to the notice being amended are set forth below followed by the system notice, as amended, published in its entirety.

**DATES:** This proposed action will be effective without further notice on August 10, 1987 unless comments are received which would result in a contrary determination.

**ADDRESS:** Send comments to the system manager identified in the system notice.

**FOR FURTHER INFORMATION CONTACT:** Mr. Cliff Jones, AS-OPS-MRI, Room

1138, Hoffman Building I, Alexandria, VA 22331-0301. Telephone: (202) 325-6044, Autovon 221-6044.

**SUPPLEMENTARY INFORMATION:** The Army's systems of records notices inventory to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published to date in the *Federal Register* as follows:

FR. Doc. 85-10237 (50 FR 22090) May 29, 1985 (Compilation)  
FR. Doc. 86-14667 (51 FR 23576) June 30, 1986  
FR. Doc. 86-19534 (51 FR 30900) August 29, 1986  
FR. Doc. 86-25274 (51 FR 40479) November 7, 1986  
FR. Doc. 86-27580 (51 FR 44361) December 9, 1986  
FR. Doc. 87-8140 (52 FR 11847) April 13, 1987  
FR. Doc. 87-11379 (52 FR 18798) May 19, 1987

The proposed amendment is not within the purview of the provisions of 5 U.S.C. 552a(o) which requires the submission of an altered system report.

Linda M. Lawson,  
Alternate OSD Federal Register Liaison  
Officer, Department of Defense.  
July 6, 1987.

#### Amendment—A0704.04bMEPCOM

##### System Name:

U.S. Military Entrance Processing Reporting System (50 FR 22174, May 29, 1985).

##### Changes:

Line 1 change "A0704.04bMEPCOM" to "A0704.04bUSMEPCOM".

##### System Name:

Line 2 and 3 change "Military Entrance Processing Reporting Files" to "U.S. Military Entrance Processing Reporting Files".

##### System Location:

Lines 5, 6, and 7 change "US Military Enlistment Processing Command, US Naval Training Center, Great Lakes, IL 60088" to "U.S. Military Entrance Processing Command (USMEPCOM), 2500 Green Bay Road, North Chicago, IL 60064-3094".

Line 11 change "Stations in the United States" to "Stations (MEPS) in the United States".

##### Categories of Records in the System:

Line 19 add "Various personnel data, such as".

##### Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses:

Line 39 add "Information may also be disclosed to local and state Government agencies for compliance with laws and regulations governing control of

communicable diseases and National Guard for performance of its duties."

##### Retrievability:

Line 45 change "By SSN" to "By SSN and by name".

##### Safeguards:

Lines 46 through 59 change to read "All data are retained in locked files rooms/compartments with access limited to personnel designated as having official need therefor. Access to computerized data is by use of a valid user ID and password code assigned to the individual video display terminal (VDT) operator and is changed periodically to avoid compromise. Data entry is transmitted to the host computer files is controlled by keys known only to USMEPCOM personnel assigned to data base management."

##### Retention and Disposal:

Lines 60 through 78 change to read "Each Military Entrance Processing Station retains a copy of the Reporting System Source Documents for each enlistee for 60 days after shipment or 10 months from date of enlistment, whichever comes first, after which they are destroyed. For all other applicants, each station retains, if applicable, a copy of the Report of Medical Examination with supporting documentation, the Report of Medical History, and any other reporting system source documents, for a period not to exceed 2 years, after which they are destroyed. Originals or copies of document are filed permanently in the Official Military Personnel Files for acceptable applicants and transferred to the gaining Armed Service. Information relating to individuals who become seriously ill or are injured while at the MEPS or were found disqualified for a condition considered dangerous to the individual's health if left untreated are retained for 7 years.

##### Systems Manager(s) and Address:

Lines 79, 80, 81, and 82 change: "Commander, US Military Enlistment Processing Command, US Naval Training Center, Great Lakes, IL 60088." to "Commander, U.S. Military Entrance Processing Command, 2500 Green Bay Road, North Chicago, IL 60064-3094."

##### Notification Procedure:

Line 89 change "Military Enlistment Processing Station" to "Military Entrance Processing Station".

Lines 109 and 110 change "Systems exempted from certain provisions of the Act" to "Exemptions claimed for the System".

#### A0704.04bUSMEPCOM

##### SYSTEM NAME:

U.S. Military Entrance Processing Reporting System.

##### SYSTEM LOCATION:

Primary system is located at the U.S. Military Entrance Processing Command (USMEPCOM), 2500 Green Bay Road, North Chicago, IL 60064-3094. Segments exist at 73 locations at Military Entrance Processing Command sector headquarters and individual Military Entrance Processing Stations (MEPS) in the United States. Addresses may be obtained from the System Manager.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All individuals who report to a Military Entrance Processing Station to be aptitudinally tested and/or physically examined to determine their fitness for entry into one of the Armed Services.

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Various personnel data, such as individual's name, SSN, date and place of birth, home address and telephone number, results of aptitude tests, physical examination, and relevant documentation concerning individual's acceptance/rejection for military service.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C., sections 505, 511; 50 U.S.C., sections 451-473; E.O. 9397.

##### PURPOSE(S):

To determine qualifications of applicants for the Armed Forces through aptitude testing, medical examination, and administrative processing; to determine patterns and trends in the military population, and for statistical analyses.

##### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information is disclosed to the Selective Service System to update the SSS registrant data base. Information may also be disclosed to local and state Government agencies for compliance with laws and regulations governing control of communicable diseases and National Guard for performance of its duties.

##### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

Paper records, magnetic tapes/discs.

**RETRIEVABILITY:**

By SSN and by name.

**SAFEGUARDS:**

All data are retained in locked files rooms/compartments with access limited to personnel designated as having official need therefor. Access to computerized data is by use of a valid user ID and password code assigned to the individual video display terminal (VDT) operator and is changed periodically to avoid compromise. Data entry is accomplished via VDT on-line with each station's central processor. Data is transmitted to the host computer daily via telephonic communications. Physical access to computer files is controlled by keys known only to USMEPCOM personnel assigned to data base management.

**RETENTION AND DISPOSAL:**

Each Military Entrance Processing Station retains a copy of Reporting System Source Documents for each enlistee for 60 days after shipment or 10 months from date of enlistment, whichever comes first, after which they are destroyed. For all other applicants, each station retains, if applicable, a copy of the Report of Medical Examination with supporting documentation, the Report of Medical History, and any other reporting system source documents, for a period not to exceed 2 years, after which they are destroyed. Originals or copies of documents are filed permanently in the Official Military Personnel Files for acceptable applicants and transferred to the gaining Armed Service. Information relating to individuals who become seriously ill or are injured while at the MEPS or were found disqualified for a condition considered dangerous to the individual's health if left untreated are retained for 7 years.

**SYSTEM MANAGER(S) AND ADDRESS:**

Commander, U.S. Military Entrance Processing Command, 2500 Green Bay Road, North Chicago, IL 60064-3094.

**NOTIFICATION PROCEDURE:**

Individuals desiring to know whether this system of records contains information on them should write to the System Manager, furnishing their full name, SSN, date and location of the Military Entrance Processing Station where the testing or examination occurred, and signature.

**RECORD ACCESS PROCEDURES:**

Individuals desiring access to records concerning them should write to the System Manager, furnishing information identified under "Notification procedure". On personal visits,

individual should provide acceptable identification such as valid driver's license, employer identification card, building pass, etc.

**CONTESTING RECORD PROCEDURES:**

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340-21 (32 CFR Part 505).

**RECORD SOURCE CATEGORIES:**

From the individual, physicians, results of tests, Federal/State/local law enforcement activities/agencies.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 87-15611 Filed 7-8-87; 8:45 am]

BILLING CODE 3810-01-M

**Corps of Engineers, Department of the Army****Intent To Prepare a Draft Supplement IV to the Final Environmental Impact Statement; Sacramento River Bank Protection Project, CA**

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

**ACTION:** Notice of Intent to prepare a Draft Environmental Impact Statement (DEIS).

**SUMMARY:** 1. Proposed Action: The Sacramento River Bank Protection Project is a continuing construction project authorized by the 1960 Flood Control Act. The Act authorized construction of 430,000 linear feet (LF) of bank protection works along the Sacramento River and its tributaries from Collinsville at river mile (RM) 0 to just beyond the Glenn and Butte County line at RM 176 on the east bank and just upstream of the Ord Ferry Bridge at RM 184.5 on the west bank. Construction of this First Phase work was completed in 1975. In 1974, Congress authorized a Second Phase bank protection program of 405,000 LF. In 1982, Congress extended the project authorization to include bank protection in the Butte Basin upstream to Chico Landing at RM 194 to further protect the project levees. In 1973 a FEIS was filed to cover environmental impacts of this project. This document was supplemented in 1979 with SEIS I and in 1985 with SEIS II to the FEIS. The April 1985 Record of Decision allowed construction of 15,000 LF of bank protection in 1985 and directed that an SEIS III be prepared prior to completing further work in the Butte Basin reach. This document is also being prepared at this time.

The Corps' reason for supplementing previous environmental documentation is to update information about newly listed endangered species and species of concern. The Reclamation Board of the State of California is the non-Federal sponsor of the Federal project. The Reclamation Board is preparing a draft environmental impact report (EIR) pursuant to the California Environmental Quality Act. The two documents will be jointly published as a draft SEIS IV/EIR.

2. Alternatives: The alternatives discussed in this joint SEIR IV/EIR will include a Without Project Alternative, a Rock Revetment Alternative, A Setback Levee Alternative, as well as an updated discussion of all alternatives discussed in the previous FEIS and supplements.

3. Scoping of the Draft SEIS IV/EIR: Close coordination was maintained with Federal, State, and local agencies, conservation organizations, and concerned individuals. Information was provided to interested parties concerning studies which evaluate potential impacts to fishery resources, endangered species, past mitigation measures, wildlife resources and riparian vegetation. The impacts on wildlife and riparian resources will be analyzed using habitat evaluation procedures jointly with California Department of Fish and Game, U.S. Fish and Wildlife Service, and the Corps. A preliminary cultural resources reconnaissance has been conducted for the project area, and detailed evaluations will be conducted on a site by site basis as construction areas are identified.

4. Scoping Comments and Meetings: A scoping meeting was held on 8 January 1987 to discuss these environmental concerns. Comments received at the meeting, in letters and in meetings with agencies and concerned citizens, have been used to identify and evaluate significant resources in the project area.

5. Estimated date of the SEIS IV/EIR: The draft SEIS IV/EIR is scheduled to be circulated for public review and comment in July 1987.

**ADDRESS:** Correspondence concerning this project and the SEIS IV/EIR should be addressed to Colonel Wayne J. Scholl, District Engineer, Sacramento District Corps of Engineers, 650 Capitol Mall, Sacramento, California 95814. Questions concerning the proposed action and the draft document can be

answered by Michael Welsh at (916) 551-1861 or (FTS) 460-1861.

Walter L. Cloyd, III,

Lieutenant Colonel, Corps of Engineers,  
Acting District Engineer.

[FR Doc. 87-1556 Filed 7-8-87; 8:45 am]

BILLING CODE 3710-GH-M

## DEPARTMENT OF ENERGY

### Economic Regulatory Administration

[ERA Docket No. 87-28-NG]

#### Application To Import Canadian Natural Gas and Withdrawal of Pending Application; Tennessee Gas Pipeline Co.

**AGENCY:** Economic Regulatory Administration, DOE.

**ACTION:** Notice of Application to Import Canadian Natural Gas and Notice of Withdrawal of a Pending Application.

**SUMMARY:** The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice of receipt on May 22, 1987, of an application from Tennessee Gas Pipeline Company (Tennessee) to import up to 125,000 Mcf per day of Canadian natural gas from November 1, 1987 until October 31, 2002. The natural gas would be sold to Tennessee by KannGaz Producers Ltd. (KannGaz) and would be delivered to Tennessee through an existing interconnection with TransCanada PipeLines Limited located near Niagara Falls, New York.

In connection with this request, a previous application submitted by Tennessee pursuant to agreements to purchase Canadian natural gas from KannGaz and another Canadian producer, filed in ERA Docket No. 82-10-NG, has been withdrawn. Tennessee has served all parties to that docket with notice of withdrawal and with copies of the new application.

The application is filed with the ERA pursuant to Section 3 of the Natural Gas Act and DOE Delegation Order No. 0204-111. Protests, motions to intervene, notices of intervention and written comments are invited.

**DATE:** Protests, motions to intervene or notices of intervention, as applicable, and written comments are to be filed no later than 4:30 p.m., on August 10, 1987.

**FOR FURTHER INFORMATION CONTACT:** Ed Peters, Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration, U.S. Department of Energy, Forrestal Building, Room GA-076, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-8162

Diane Stubbs, Natural Gas and Mineral Leasing, Office of General Counsel, U.S. Department of Energy, Forrestal Building, Room 6E-042, 1000 Independence Avenue, SW., (202) 586-6667

#### SUPPLEMENTARY INFORMATION:

Tennessee, a division of Tenneco Inc., is a Delaware corporation engaged in the business of producing, purchasing, transporting, and selling natural gas. Tennessee would purchase natural gas from KannGaz pursuant to a gas purchase contract which provides for the following purchase schedule:

Period	Daily contract quantity in Mcf
November 1, 1987 to October 31, 1988	5,000
November 1, 1988 to October 31, 1989	29,900
November 1, 1989 to October 31, 1990	79,700
November 1, 1990 to October 31, 2002	125,000

The daily contract quantity may be adjusted by the parties but cannot exceed 125,000 Mcf.

No new facilities would be needed in order for Tennessee to receive the initial contract quantity of 5,000 Mcf per day. Tennessee has pending an application to the Federal Energy Regulatory Commission for authorization to construct and operate additional facilities on Tennessee's Niagara spur, which would be required to allow Tennessee to receive the anticipated eventual daily contract quantity of 125,000 Mcf.

The proposed purchase contract provides that Tennessee will, on a monthly basis, take or pay for 20% of the contract quantity in effect during the month. There are various other contractual provisions allowing Tennessee opportunities to recover its take-or-pay costs.

Tennessee's precedent agreement provides that it will contract with KannGaz for the above volumes of natural gas at a price structured as a two-part rate. The demand charge will be the sum of the monthly demand toll per Mcf on TransCanada PipeLines Ltd. (TransCanada) system as determined by Canada's National Energy Board and in effect on the first day firm gas is transported by TransCanada for this import and the monthly demand toll per Mcf as billed to KannGaz by NOVA, an Alberta corporation, for its transportation of that gas to TransCanada's system. The base commodity rate for the minimum monthly quantity will be determined by Tennessee's weighted average cost of gas (WACOG) per MMBtu purchased from producers in the field as reflected in its Purchased Gas Adjustment (PGA)

filing with the Federal Energy Regulatory Commission on the first day of the month in which gas is delivered under this arrangement. According to the latest PGA filing, for example, Tennessee's WACOG is \$1.7455/MMBtu. The minimum monthly quantity is defined as for any given calendar month a volume of gas equal to 20% of the daily contract quantity in effect for the month times the days of such month. For any gas taken in excess of the minimum monthly quantity, a negotiated commodity rate is to be established by negotiation between the parties prior to the month of delivery.

Tennessee has requested that the ERA expeditiously issue this notice and shorten the comment period. Tennessee justifies its request by stating that KannGaz's authorization to export natural gas from Canada is conditioned on Tennessee receiving the necessary U.S. import authorization by November 1, 1987, and that KannGaz must file by August 31, 1987, any request for an extension of the November deadline. Tennessee also points out that all the intervenors in the previous ERA docket, now withdrawn, in which Tennessee requested import authorization for natural gas to be purchased from KannGaz, have been served with copies of the new application.

ERA administrative procedures require a 30-day notice period except in emergency circumstances. Tennessee has not identified any emergency circumstances that would justify shortening the comment period. The contractual relationship between Tennessee and KannGaz is complex and interested parties are entitled to ample time to analyze and respond to the application. Also, it cannot be assumed that only intervenors in the previous Tennessee/KannGaz docket will have a legitimate interest in the present application. Therefore, Tennessee's request for a shortened comment period is denied.

The decision on this application will be made consistent with DOE's gas import policy guidelines, under which the competitiveness of an import arrangement in the markets served is the primary consideration in determining whether it is in the public interest (49 FR 6684, February 22, 1984). Parties that may oppose this application should comment in their responses on the issue of competitiveness as set forth in the policy guidelines. The applicant asserts that his import arrangement is competitive. Parties opposing the arrangement bear the burden of overcoming this assertion.

**Public Comment Procedures**

In response to this notice, any person may file a protest, motion to intervene, or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have written comments considered as the basis for any decision on the application must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the application. All protests, motions to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulations in 10 CFR Part 590. They should be filed with the Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration, Room GA-076, RG-23, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9478. They must be filed no later than 4:30 p.m., e.s.t., August 10, 1987.

The Administrator intends to develop a decisional record on the application through responses to this notice by parties, including the parties's written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided, such as additional written comments, an oral presentation, a conference, or a trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law, or policy at issue, show that it is material and relevant to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, the ERA will provide notice to all parties. If no party requests additional procedures, a final opinion and order may be issued based on the official record, including the application

and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

A copy of Tennessee's application is available for inspection and copying in the Natural Gas Division Docket Room, GA-076, at the above address. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, on July 2, 1987.

**Robert L. Davies,**

*Director, Office of Fuels Programs, Economic Regulatory Administration.*

[FR Doc. 87-15582 Filed 7-8-87; 8:45 am]

BILLING CODE 6450-01-M

**Federal Energy Regulatory Commission**

[Docket Nos. QF85-718-002 et al.]

**Small Power Production and Cogeneration Facilities; Qualifying Status; Certificate Applications, etc.; Koppers Co. et al.**

Comment date: August 10, 1987, in accordance with Standard Paragraph E at the end of this notice. July 2, 1987.

Take notice that the following filings have been made with the Commission.

**1. Koppers Company, Inc.**

[Docket No. QF85-718-002]

On June 22, 1987, Koppers Company, Inc. (Applicant), of 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219 submitted for filing an application for recertification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility was originally certified for 6600 KW on November 20, 1985 (Docket No. QF85-718-001, 33 FERC ¶ 62,343 (1985)). The application for recertification requests that the net electric power production capacity of the facility be increased to 8850 KW. All other details and descriptions of the facility described in the original application remain essentially the same.

**2. SynGas, Inc.**

[Docket No. QF87-467-000]

On June 4, 1987, SynGas, Inc. (Applicant), of 300 Tamal Plaza, Suite 190, Corte Madera, California 94925 submitted for filing an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been

made that the submittal constitutes a complete filing.

The small power production facility will be located in Hicksville, New York. The facility will consist of two (2) fifty (50) ton per day each air blown downdraft wood gasifiers, and turbosuper-charged internal combustion engine-generators. The net electric power production capacity will be 5 megawatts. The primary energy source will be biomass in the form of wood chips. Approximately 6% natural gas or diesel fuel will be used as pilot fuel and unanticipated equipment outages. Such fossil fuel uses, however, will not exceed 25% of the total energy input to the facility during any calendar year period.

**3. Town of Wells**

[Docket No. QF87-495-000]

On June 19, 1987, Town of Wells (Applicant), c/o Allen L. Hunt, Town Supervisor, Hamilton County, Wells, New York 12190 submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The 663 KW hydroelectric facility (FERC P. 7274) will be located on the Sacandaga River in the town of Wells, New York.

A separate application is required for a hydroelectric project license, preliminary permit or exemption from licensing. Comments on such applications are requested by separate public notice. Qualifying status serves only to establish eligibility for benefits provided by PURPA, as implemented by the Commission's regulations, 18 CFR Part 292. It does not relieve a facility of any other requirements of local, State or Federal law, including those regarding siting, construction, operation, licensing and pollution abatement.

**4. Westinghouse Electric Corporation**

[Docket No. QF87-492-000]

On June 18, 1987, Westinghouse Electric Corporation (Applicant), of Resource Energy Systems Division, 2400 Ardmore Boulevard, Pittsburgh, Pennsylvania 15221 submitted for filing an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The small power production facility will be located in Chester, Pennsylvania. The facility will consist of two (2) waterwall steam generators and one

steam turbine generator. The maximum net electric power production capacity of the facility will be 75 megawatts. The primary energy source will be biomass in the form of municipal solid waste. Approximately .13% oil, natural gas and other fossil fuels will be used for ignition, start-up, testing, flame stabilization, and temperature control. Such fossil fuel uses, however, will not exceed 25% of the total energy input to the facility during any calendar year period. Construction of the facility is expected to begin in November 1987.

#### Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. 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. 87-15550 Filed 7-8-87; 8:45 am]

BILLING CODE 6717-01-M

### FEDERAL COMMUNICATIONS COMMISSION

#### Public Information Collection Requirements Submitted to Office of Management and Budget for Review

June 30, 1987.

The Federal Communications Commission has submitted the following information collection requirements to the Office of Management and Budget for review and clearance under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

Copies of the submissions may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037. For further information on these submissions contact Jerry Cowden, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on these information collections should contact J. Timothy

Sprehe, Office of Management and Budget, Room 3235 NEOB, Washington, DC 10503, (202) 395-4814.

OMB Number: 3060-0324

Title: Section 15.236, Labelling and identification requirements for a cordless telephone

Action: Extension

Respondents: Manufacturers of cordless telephones

Frequency of Response: On occasion

Estimated Annual Burden: 150

Responses; 150 Hours

Needs and Uses: The labelling requirement for cordless telephones informs consumers of the features that protect against telephone calls being made by persons other than the owner. This helps consumers in selecting cordless telephones with features designed to protect against misbilling as appropriate for their needs.

OMB Number: 3060-0372

Title: Section 15.623, Information to user (cable terminal devices)

Action: New collection

Respondents: Manufacturers or suppliers of cable system terminal devices

Frequency of Response: On occasion

Estimated Annual Burden: 10 Responses; 40 Hours

Needs and Uses: To ensure that cable system terminal devices are correctly installed, the Commission is requiring that all pertinent information concerning the interference potential of the devices, and simple measures to take to correct such interference, be provided to consumers by manufacturers or suppliers of such devices.

OMB Number: 3060-0251

Title: Section 74.833, Temporary authorizations

Action: Extension

Respondents: Licensees of AM, FM, and television stations

Frequency of Response: On occasion

Estimated Annual Burden: 1 Response; 2 Hours

Needs and Uses: An AM, FM, or television station desiring to operate a low power auxiliary station on a temporary basis must submit an informal application to the Commission requesting a temporary authorization. The information submitted is used by FCC staff to ensure compliance with current Commission rules and regulations.

Federal Communications Commission.

**William J. Tricarico,**

*Secretary.*

[FR Doc. 87-15538 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

### Applications for Consolidated Hearing; Richard P. Bott, II, et al.

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city, and state	File No.	MM Docket No.
A. Richard P. Bott, II, Blackfoot, ID.	BPH-850711MM.....	87-223
B. Radio Representatives, Inc. Blackfoot, ID.	BPH-850711MO.....	
C. Clare Marie Ferguson, Blackfoot, ID.	BPH-850712MS.....	
D. Michelle Anderson, Blackfoot, ID.	BPH-850712MV.....	
E. Sandra Lee Walton, Blackfoot, ID.	BPH-850712MX.....	
F. Rebecca A. Fulton and Kathleen D. Walker d/b/a Rebecca Radio of Idaho, Blackfoot, ID.	BPH-850711MN.....	(Dismissed.)
G. Q-Prime, Inc., Blackfoot, ID.	BPH-850712MW.....	(Dismissed.)

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 F. R. 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 and Applicants

1. Air Hazard, A, C
2. Comparative, A-E
3. Ultimate, A-E

26. It is further ordered, that the petitions for leave to amend filed by the following applicants are granted, and the corresponding amendments are accepted to the extent indicated herein: Bott, RRI, Ferguson

27. It is further ordered, that the Federal Aviation Administration is made a party to this proceeding with respect to the air hazard issue only.

28. It is further ordered, that in addition to the copy served on the Chief, Hearing Branch, a copy of each amendment filed in this proceeding subsequent to the date of adoption of this Order shall be served on the Chief, Data Management Staff, Audio Services Division, Mass Media Bureau, Room 350, 1919 M St., NW., Washington, DC 20554.

29. It is further ordered, that, to avail themselves of the opportunity to be

heard, the applicants and any party respondent herein shall, pursuant to 47 CFR 1.221(c), in person or by attorney, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for hearing and to present evidence on the issues specified in this Order.

30. It is further ordered, that the applicants herein shall, pursuant to 47 U.S.C. 311(a)(2) and 47 CFR 73.3594, give notice of the hearing within the time and in the manner therein prescribed, and shall advise the Commission of the publication of such notice as required by 47 CFR 73.3594(g).

Federal Communications Commission.

W. Jan Gay,

Assistant Chief, Audio Services Division,  
Mass Media Bureau.

[FR Doc. 87-15539 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### Applications for Consolidated Hearing; Key Broadcasting Corp., et al.

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant city, and State	File No.	MM Docket No.
A. Key Broadcasting Corporation, Fenwick Island, DE.	BPH-850709MK	87-236
B. Barbara B. Bennis, Fenwick Island, DE.	BPH-850710NG	
C. Vacation Radio, Inc., Fenwick Island, DE.	BPH-850711PH	
D. Ethel L. Crouse, Fenwick Island, DE.	BPH-850712YZ	
E. Silver Rocket Broadcasting, L.P., Fenwick Island, DE.	BPH-850712ZA	
F. Seashore Broadcasting Company, Fenwick Island, DE.	BPH-850712ZB	
G. Fenwick Island Broadcast Corporation & Leonard P. Berger d/b/a Fenwick Island Broadcast Limited Partnership I, Fenwick Island, DE.	BPH-850712ZD	
H. Fenwick Island Communications, Inc., Fenwick Island, DE.	BPH-850712ZE	
I. Eastern Shore Broadcasting Corp., Fenwick Island, DE.	BPH-850712ZF	
J. Leigh Sandoz Leverrier, Fenwick Island, DE.	BPH-850712ZG	

Applicant city, and State	File No.	MM Docket No.
K. Gloria J. Fernandez-Pereyo Merryman, Fenwick Island, DE.	BPH-850712Z1	
L. The John Hopkins Broadcasting Foundation, Inc., Fenwick Island, DE.	BPH-850712ZC	Dismissed.

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 and applicants

1. Comparative, A11
2. Ultimate, A11

3. 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 (202) 857-3800).

W. Jan Gay,

Assistant Chief, Audio Services Division,  
Mass Media Bureau.

[FR Doc. 87-15540 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### Applications for Consolidated Hearing; Lancaster Broadcasters, Inc., et al.

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant, City, and State	File No.	MM Docket No.
A. Lancaster Broadcasters, Inc., Lancaster, Ky.	BPH-860303ML	87-221
B. Hometown Broadcasting of Lancaster, Inc., Lancaster, Ky.	BPH-860314MM	

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 Applicant(s)

1. Environmental Impact, A
2. Comparative, A, B
3. Ultimate, A, B

3. 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 (202) 857-3800).

W. Jan Gay,

Assistant Chief, Audio Services Division,  
Mass Media Bureau.

[FR Doc. 87-15541 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### Applications for Consolidated Hearing; Susan Lundborg and Eureka Christian Broadcasting, Inc.

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city and State	File No.	MM Docket No.
A. Susan Lundborg; Eureka, California.	BPH-850712TF	87-222
B. Eureka Christian Broadcasting, Inc.; Eureka, California.	BPH-850712Z7	

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 and Applicant

1. Comparative, A,B.
2. Ultimate, A,B.

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).

W. Jan Gay,

*Assistant Chief, Audio Services Division,  
Mass Media Bureau.*

[FR Doc. 87-15542 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### Applications for Consolidated Hearing; Virginia Beach Educational Broadcasting Foundation and Family Stations, Inc.

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city and State	File No.	MM Docket No.
A. Virginia Beach Educational Broadcasting Foundation, Virginia Beach, Va.	BPED-831103AE	87-220
B. Family Stations, Inc., Virginia Beach, Va.	BPED-840217AW	

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 and Applicant

1. Comparative—Noncommercial Educational FM, A.B.
2. Ultimate, A.B.

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 (202) 857-3800).

W. Jan Gay,

*Assistant Chief, Audio Services Division,  
Mass Media Bureau.*

[FR Doc. 87-15543 Filed 7-8-87; 8:45 am]

BILLING CODE 6712-01-M

#### FEDERAL DEPOSIT INSURANCE CORPORATION

##### Information Collection Submitted to OMB for Review

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Notice of Information Collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of Information Collection:  
Capital Adequacy Plan (OMB No. 3065-0075).

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a request for OMB review for the Information collection system identified above.

**ADDRESS:** Written comments regarding the submission should be addressed to Robert Fishman, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 and to John Keiper, Assistant Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429.

Comments: Comments on this collection of information should be submitted on or before August 10, 1987.

**FOR FURTHER INFORMATION CONTACT:** Requests for a copy of the submission should be sent to John Keiper, Assistant Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429, telephone (202) 898-3810.

**SUMMARY:** The FDIC is submitting for OMB review and approval a request to extend, for a three-year period, the collection of information entitled *Capital Adequacy Plan*. Under Part 325 of FDIC's Rules and Regulations (12 CFR Part 325), insured state nonmember banks must maintain primary and total capital ratios of at least 5.5 and 6 percent, respectively. When a bank's capital falls below these levels, the institution must develop a written capital plan which describes the means and timing by which the bank will achieve the minimum capital requirements. In certain instances, annual plan updates must be submitted

each year until the bank reaches the capital minimums. It is estimated that the current annual burden on banks that prepare capital plans is 2,120 hours, collectively.

Dated: July 1, 1987.

Federal Deposit Insurance Corporation  
Hoyle L. Robinson,

*Executive Secretary.*

[FR Doc. 87-15578 Filed 7-8-87; 8:45 am]

BILLING CODE 6714-01-M

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-790-DR]

##### Major-Disaster Declaration; Massachusetts

**AGENCY:** Federal Emergency Management Agency.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster for the Commonwealth of Massachusetts (FEMA-790-DR), dated April 18, 1987, and related determinations.

**DATED:** July 1, 1987.

##### FOR FURTHER INFORMATION CONTACT:

Sewall H. E. Johnson, Disaster Assistance Programs, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3616.

Notice: The notice of a major disaster for the Commonwealth of Massachusetts, dated April 18, 1987, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 18, 1987: The communities of Shirley and Wayland in Middlesex County for Public Assistance. (Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Dave McLoughlin,

*Deputy Associate Director, State and Local Programs and Support, Federal Emergency Management Agency.*

[FR Doc. 87-15551 Filed 7-8-87; 8:45 am]

BILLING CODE 6718-02-M

#### FEDERAL HOME LOAN BANK BOARD

##### Appointment of Receiver; United Federal Savings and Loan Association, Durant, OK

Notice is hereby given that pursuant to the authority contained in section 5(d)(6) of the Home Owners' Loan Act of 1933, as amended, 12 U.S.C. 1464(d)(6) (1982), the Federal Home Loan Bank

Board appointed the Federal Savings and Loan Insurance Corporation as sole receiver for United Federal Savings and Loan Association, Durant, Oklahoma, on June 29, 1987.

Dated: July 6, 1987.

By the Federal Home Loan Bank Board.

John F. Ghizzoni,

Assistant Secretary.

[FR Doc. 87-15571 Filed 7-8-87; 8:45 am]

BILLING CODE 6720-01-M

#### Appointment of Receiver; Western Savings Association, Dallas, TX

Notice is hereby given that pursuant to the authority contained in section 406(c)(1)(B)(i)(I) of the National Housing Act, 12 U.S.C. 1729(c)(1)(B)(i)(I) (1982), the Federal Home Loan Bank Board duly appointed the Federal Savings and Loan Insurance Corporation as sole receiver for Western Savings Association, Dallas, Texas, on September 12, 1986.

Dated: July 6, 1987.

John F. Ghizzoni,

Assistant Secretary.

[FR Doc. 87-15572 Filed 7-8-87; 8:45 am]

BILLING CODE 6720-01-M

[No. AC-636]

#### Approval of Conversion Application; Harleysville Savings Association, Harleysville, PA

Dated: June 26, 1987.

Notice is hereby given that on June 25, 1987, the Office of the General Counsel of the Federal Home Loan Bank Board, acting pursuant to the authority delegated to the General Counsel or his designee, approved the application of Harleysville Savings Association, Harleysville, Pennsylvania, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Office of the Secretariat at the Federal Home Loan Bank Board, 1700 G Street NW., Washington, DC 20552 and at the Office of the Supervisory Agent at the Federal Home Loan Bank of Boston, One Financial Center, 20th Floor, Boston, Massachusetts 02110.

By the Federal Home Loan Bank Board.

John F. Ghizzoni,

Assistant Secretary.

[FR Doc. 87-15573 Filed 7-8-87; 8:45 am]

BILLING CODE 6720-01-M

[No. AC-637]

#### Approval of Conversion Application; Pennview Savings Association, Souderton, PA

Dated: June 26, 1987.

Notice is hereby given that on June 26, 1987, the Office of the General Counsel of the Federal Home Loan Bank Board, acting pursuant to the authority delegated to the General Counsel or his designee, approved the application of Pennview Savings Association, Souderton, Pennsylvania for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Office of the Secretariat at the Federal Home Loan Bank Board, 1700 G Street NW., Washington, DC 20552 and at the Office of the Supervisory Agent at the Federal Home Loan Bank of Pittsburgh, One Riverfront Center, Twenty Stanwix Street, Pittsburgh, Pennsylvania 15222-4893.

By the Federal Home Loan Bank Board.

John F. Ghizzoni,

Assistant Secretary.

[FR Doc. 87-15574 Filed 7-8-87; 8:45 am]

BILLING CODE 6720-01-M

### FEDERAL RESERVE SYSTEM

#### Agency Forms Under Review

July 2, 1987.

#### Background

Notice is hereby given of the submission of proposed information collection(s) to the Office of Management and Budget (OMB) for its review and approval under the Paperwork Reduction Act (Title 44 U.S.C. Chapter 35) and under OMB regulations on Controlling Paperwork Burdens on the Public (5 CFR Part 1320). A copy of the proposed information collection(s) and supporting documents is available from the agency clearance officer listed in the notice. Any comments on the proposal should be sent to the OMB desk officer listed in the notice. OMB's usual practice is not to take any action on a proposed information collection until at least ten working days after notice in the *Federal Register*, but occasionally the public interest requires more rapid action.

#### FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nancy Steele—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202-452-3822)

OMB Desk Officer—Robert Fishman—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, DC 20503 (202-395-7340)

#### Request for OMB Approval to Extend Without Revision

1. *Report title:* Annual Report of International Fiduciary Activities  
*Agency form number:* FFIEC 006  
*OMB Docket number:* 7100-0160  
*Frequency:* Annual  
*Reporters:* State member banks and foreign banking affiliates  
*Annual reporting hours:* 204  
Small businesses are not affected

#### General description of report:

This information collection is mandatory [12 U.S.C. 248(a)(1), 325, 334, 602, 625, and 1844] and is given confidential treatment [5 U.S.C. 552(b)(8)].

This report provides the only available known source of the volume of trust or fiduciary activities of foreign banking affiliates of U.S. banking organizations. The information reported is used for supervisory purposes.

2. *Report title:* Foreign Branch Report of Condition

*Agency form number:* FFIEC 030  
*OMB Docket number:* 7100-0071  
*Frequency:* Annual

*Reporters:* State member banks  
*Annual reporting hours:* 444

Small businesses are not affected.

#### General description of report:

This information collection is mandatory [12 U.S.C. 321, 324 and 602] and is given confidential treatment [5 U.S.C. 552(b)(8)].

This report contains detailed asset and liability information for foreign branches of U.S. banks and is required for regulatory and supervisory purposes. The information is used to analyze foreign operations of U.S. banks.

Board of Governors of the Federal Reserve System, July 2, 1987.

William W. Wiles,

Secretary of the Board.

[FR Doc. 87-15526 Filed 7-8-87; 8:45 am]

BILLING CODE 6210-01-M

#### Applications; Kenton Stewart et al.

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set

forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they 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 indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than July 23, 1987.

**A. Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Kentan Stewart*, James Stewart, and Patrick J. Regan, all of Wichita, Kansas; to acquire an additional 11.26 percent of the voting shares of Harper Bancshares, Inc., Harper, Kansas, and thereby indirectly acquire First National Bank in Harper, Harper, Kansas.

Board of Governors of the Federal Reserve System, July 6, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-15621 Filed 7-8-87; 8:45 am]

BILLING CODE 6210-01-M

#### Applications; Sun Bancorp, Inc., et al.

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 July 31, 1987.

**A. Federal Reserve Bank of Philadelphia** (Thomas K. Desch, Vice

President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:

1. *Sun Bancorp, Inc.*, Selinsgrove, Pennsylvania; to acquire 100 percent of the voting shares of The Watsontown National Bank, Watsontown, Pennsylvania.

B. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *National Enterprise Bancorp Inc.*, McLean, Virginia; to become a bank holding company by acquiring 100 percent of the voting shares of National Enterprise Bank of Virginia (In Organization), McLean, Virginia, a *de novo* bank.

C. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Continental Illinois Corporation*, Chicago, Illinois; to acquire 100 percent of the voting shares of Norris Bancorp, Inc., St. Charles, Illinois, and thereby indirectly acquire State Bank of St. Charles, St. Charles, Illinois, and the First National Bank of Batavia, Batavia, Illinois. Comment on this application must be received by July 16, 1987.

D. **Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Hancock Bancorp, Inc.*, Hawesville, Kentucky; to become a bank holding company by acquiring at least 80 percent of the voting shares of Hancock Bank and Trust Company, Hawesville, Kentucky.

E. **Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *Westamerica Bancorporation*, San Rafael, California; to acquire 100 percent of the voting shares of Bank of Lake County, National Association (In Organization), Lakeport, California, a *de novo* bank.

2. *Westamerica Bancorporation*, San Rafael, California; to acquire 100 percent of the voting shares of Bank of Mendocino County, National Association (In Organization), Ukiah, California, a *de novo* bank.

3. *Westamerica Bancorporation*, San Rafael, California; to acquire 100 percent of the voting shares of Gold Country Bank, National Association (In Organization), Grass Valley, California, a *de novo* bank.

Board of Governors of the Federal Reserve System, July 6, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-15622 Filed 7-8-87; 8:45 am]

BILLING CODE 6210-01-M

#### FEDERAL TRADE COMMISSION

##### Granting a 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 GRANTED EARLY TERMINATION BETWEEN: 06/11/87 AND 06/30/87

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
(1) Thomson S.A. The Dun & Bradstreet Corp. D&B Computing Services, Inc.	87-1686	06/11/87
(2) The Pullman Co. Clevite Industries, Inc. Clevite Industries, Inc.	87-1691	06/11/87
(3) Freeport-McMoRan Energy Partners, Ltd. Freeport-McMoRan, Inc. American Royalty Trust	87-1699	06/11/87
(4) R. Quintus Anderson The Stanley Works Stanley Steel and Strapping Division and Stanley	87-1700	06/11/87
(5) The Pullman Co. Clevite Industries, Inc. Clevite Industries, Inc.	87-1706	06/11/87
(6) The Pullman Co. Clevite Industries, Inc. Clevite Industries, Inc.	87-1707	06/11/87
(7) PacifiCorp Thomas Nationwide Computer Corp. Thomas Nationwide Computer Corp.	87-1713	06/11/87
(8) E. I. du Pont de Nemours and Co. Freeport-McMoRan, Inc. Freeport-McMoRan, Inc.	87-1717	06/11/87
(9) Westmoreland Coal Co. Bethlehem Steel Corp. Coal land assets of Bethlehem	87-1718	06/11/87
(10) National Fuel Gas Company Argo Petroleum Corp. Argo Petroleum Corp.	87-1727	06/11/87
(11) Eryl Industries, Inc. Allied Grape Growers ISC Wines of California	87-1728	06/11/87
(12) Valor PLC	87-1732	06/11/87

TRANSACTION GRANTED EARLY TERMINATION  
BETWEEN: 06/11/87 AND 06/30/87—Con-  
tinued

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
Roxboro Investments (1976) Ltd. NuTone Inc. and Yale Security Inc.		
(13) Freepoint-McMoRan Energy Partners, Ltd. Freepoint-McMoRan, Inc. American Royalty Trust	87-1745	06/11/87
(14) The Prospect Group, Inc. Flowers Industries, Inc. Flowers Industries, Inc.	87-1650	06/12/87
(15) Wal-Mart Stores, Inc. Super Saver Warehouse Club, Inc. Super Saver Warehouse Club, Inc.	87-1693	06/12/87
(16) Bell Atlantic Corp. National Medical Enterprises, Inc. National Funding Corp.	87-1704	06/12/87
(17) Allied-Signal Inc. KDI Corp. KDI Composite Technology, Inc.	87-1636	06/15/87
(18) The Philip Co. Trust Forrest L. Wood Wood Manufacturing Co., Inc.	87-1655	06/15/87
(19) Shimizu Construction Co., Ltd. Dillingham Associates, L.P. Dillingham Construction Corp.	87-1698	06/15/87
(20) Cookson Group plc. Georgetown Industries, Inc. VHI, Inc.	87-1665	06/16/87
(21) Cooper Industries, Inc. LPL Investment Group, Inc. Underwriters Safety Device Division of Amphenol	87-1681	06/16/87
(22) CRI Hotel Income Partners, L.P. Days Inns Corp. Days Inns Corp.	87-1692	06/16/87
(23) Ronald R. White The Centennial Group, Inc. The Centennial Group, Inc.	87-1730	06/18/87
(24) John B. Joseph The Centennial Group, Inc. The Centennial Group, Inc.	87-1731	06/18/87
(25) Avis Industrial Corp., Leland E. Boren/T. Doerner Crankshaft Machine Co. Crankshaft Machine Co.	87-1739	06/18/87
(26) Bernard R. Simmons Ingersoll Rand Co. Mining Machinery Group	87-1742	06/18/87
(27) Form-Scaff Holdings (Proprietary) Limited Anac Holding Corp. Waco Parent Corp.	87-1744	06/18/87
(28) Lone Star Technologies, Inc. Allegheny International, Inc. John Zink Co.	87-1752	06/18/87
(29) The Centennial Partnerships The Centennial Group, Inc. The Centennial Group, Inc.	87-1777	06/18/87
(30) Williams Holdings PLC Reed International P.L.C. Frazee Industries, Parker Paint Mfg. & Reed Trading.	87-1781	06/18/87
(31) The Coca-Cola Co. J. Frank Harrison Coca-Cola Bottling Co. Consolidated	87-1632	06/19/87
(32) Robert E. Riordan Time Inc. Time Inc.	87-1688	06/19/87
(33) Kraft, Inc. Arthur U. Boone Frostex Foods, Inc.	87-1686	06/19/87
(34) Carena Holdings Limited Bramalea Ltd. Bramalea Ltd.	87-1721	06/19/87
(35) Kraft, Inc. General Host Corp. The All American Gourmet Co.	87-1733	06/19/87

TRANSACTION GRANTED EARLY TERMINATION  
BETWEEN: 06/11/87 AND 06/30/87—Con-  
tinued

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
(36) Kraft, Inc. General Host Corp. General Host Corp.	87-1734	06/19/87
(37) Kraft, Inc. General Host Corp. The All American Gourmet Co.	87-1743	06/19/87
(38) Fleet Financial Group, Inc. Westinghouse Electric Corp. Leasing Service Division	87-1738	06/22/87
(39) Goldome FSB Colt Industries Inc. Colt Industries Credit Corp. and Colt Industries	87-1749	06/22/87
(40) TNT Limited American West Airlines, Inc. American West Airlines, Inc.	87-1757	06/22/87
(41) Masco Industries, Inc. C & C Inc. C & C Inc.	87-1701	06/23/87
(42) H. J. Heinz Co. Campbell Soup Co. Champion Valley Farms, Inc.	87-1764	06/23/87
(43) Leif Lundblad L. B. Foster Co. LeFabure Corp.	87-1787	06/24/87
(44) Walton Monroe Mills, Inc. American Cotton Growers Textile Mill Division	87-1726	06/24/87
(45) Mathew Spagat Morton M. Lapidus Macke Laundry Services, Inc.	87-1740	06/24/87
(46) Fuqua Industries, Inc. Arthur Tesser Magnicolor Photo Labs, Inc., Magnicolor-Dallas Photo Corp.	87-1741	06/24/87
(47) American Home Products Corp. Grand Metropolitan Public Limited Co. Express Foods Inc.	87-1753	06/24/87
(48) The News Corporation Ltd. America West Airlines, Inc. America West Airlines, Inc.	87-1759	06/24/87
(49) Sears, Roebuck and Co. Eye Care Centers of America, Inc. Eye Care Centers of America, Inc.	87-1779	06/24/87
(50) Edison Brothers Stores, Inc. The United States Shoe Corp. J. Riggings Division	87-1660	06/25/87
(51) Murray H. Goodman AmeriFirst Federal Savings and Loan Association AmeriFirst Development Corp.	87-1678	06/25/87
(52) Estate of Dr. Albert Reimann, Executor Dr. Martin Gruber Ecolab Inc. Ecolab Marketing Inc.	87-1729	06/25/87
(53) Citicorp. Great Western Financial Corp. Great Western Credit Corp and Great Western	87-1772	06/25/87
(54) Werner K. Rey Network Security Corp. Network Security Corp.	87-1776	06/25/87
(55) American General Corp. Inasco Ltd. Genstar Corp.	87-1782	06/25/87
(56) Xerox Corp. John J. Mehalchin Highline Financial Services, Inc.	87-1785	06/25/87
(57) American Exploration Co. Britoil plc Britoil U.S. Holdings Inc.	87-1790	06/25/87
(58) John Growther Group plc Reginald F. Lewis TLC Group, Inc. & TLC Pattern, Inc.	87-1792	06/25/87
(59) Energy Development Partners, Ltd. Craig Hall May Petroleum Inc.	87-1801	06/25/87

TRANSACTION GRANTED EARLY TERMINATION  
BETWEEN: 06/11/87 AND 06/30/87—Con-  
tinued

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
(60) John Crowther Group plc. Joint Venture Corp. Joint Venture Corp.	87-1808	06/25/87
(61) Mason Best Co. Ensource, Inc. Ensource Inc.	87-1810	06/25/87
(62) OPSM Industries, Ltd. Dr. Richard S. Bartley and Alycia J. Bartley Bartley Optical Group	87-1817	06/25/87
(63) Daughters of Charity Health Systems, Inc. LA Societe Francaise De Bienfaisance Mutuelle LA Societe Francaise De Bienfaisance Mutuelle	87-1677	06/26/87
(64) SDC Limited Partnership Edwin V. Boneau The Boneau Co.	87-1894	06/26/87
(65) Continental Information Systems Corp. CMI Holding Co. CMI Holding Co.	87-1736	06/26/87
(66) Tucson Electric Power Co. Citadel Holding Corp. Citadel Holding Corp.	87-1746	06/26/87
(67) Torchmark Corp. CMI Holding Co. CMI Holding Co.	87-1747	06/26/87
(68) Bear, Stearns & Co. Carlos Musso, Jr. Unisa International, Inc.	87-1806	06/26/87
(69) The Walt Disney Co. GenCorp Inc. GTH-102, Inc.	87-1527	06/27/87
(70) Sandvik AB General Electric Co. Carboloy Systems Product Operation	87-1670	06/29/87
(71) XTRA Corp. Rowland T. Tackbary Avalico Systems, Inc.	87-1703	06/29/87
(72) XTRA Corp. Fruehauf Corp. Fruehauf Corp.	87-1711	06/29/87
(73) United States Leasing International, Inc. Railcar Associates Railcar Associates	87-1766	06/29/87
(74) Adventist Health System West, a Calif. religious Corp. San Joaquin Community Hospital Corp. San Joaquin Community Hospital Corp.	87-1760	06/30/87
(75) CooperVision, Inc. Cooper Development Co. Cooper Technicon, Inc.	87-1770	06/30/87
(76) Majestic Wine Warehouse, Ltd. SSI Associates, L.P. Safeway Stores 25, Inc., Safeway Stores 65, Inc.	87-1784	06/30/87

**FOR FURTHER INFORMATION CONTACT:**  
Sandra M. Peay, Contact  
Representative, Premerger Notification  
Office, Bureau of Competition, Room  
301, Federal Trade Commission,  
Washington, DC 20580, (202) 326-3100.

By direction of the Commission.

Emily H. Rock,

Secretary.

[FR Doc. 87-15523 Filed 7-8-87; 8:45 am]

BILLING CODE 6750-01-M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### Statement of Organization, Functions and Delegations of Authority; Office of Finance

Part A, (Office of the Secretary) of the Statement of Organization, Functions and Delegations of Authority for the Department of Health and Human Services is amended to reflect a transfer of responsibilities within the Office of the Assistant Secretary for Management and Budget. Specifically, chapter AMN (Office of Finance) (as last published at 52 FR 7663 on March 12, 1987) is being amended to better align certain management responsibilities within the Office of Finance.

The changes are as follows: 1. Amend Chapter AMN, Office of Finance as follows:

a. Amend AMN 00, *Mission* by adding the following: In addition, the Office manages the Office of the Secretary (OS) Working Capital Fund on behalf of the Working Capital Fund Board of Governors.

b. Delete from AMN 10 *Organization* the following:

*Division of Accounting Operations (AMN 1)*

*Division of Accounting Systems and Procedures (AMN 2)*

*Division of Financial Policy and Operations (AMN 3)*

*Division of Financial Systems Applications (AMN 4)*

c. Amend AMN 10 *Organization* by adding the following:

*Office of Financial Operations*

*Office of Financial Policy*

*Office of Financial Systems*

*Budget Execution Staff*

*Working Capital Fund Financial Management Staff*

d. Delete from AMN 20 *Functions*, the following in their entirety:

1. *Division of Accounting Operations (AMN 1)*

2. *Division of Accounting Systems and Procedures (AMN 2)*

3. *Division of Financial Policy and Operations (AMN 3)*

4. *Division of Financial Systems Applications (AMN 4)*

e. Amend AMN 20 *Functions* by adding the following subparagraph (N) to read as follows: Manages the Office of the Secretary Working Capital Fund on behalf of the OS Board of Governors which consists of top management officials in the Department. As authorized by law, the Fund provides OS headquarters and regional

administrative/management services through a revolving fund financed by certain appropriations of the Department.

f. Amend AMN 2, *Functions* by adding the following sections:

#### 1. *Office of Financial Operations*

The Office is comprised of the following:

##### A. Division of Accounting Operations

a. Develops and maintains the accounting manual for the Office of the Secretary in conformance with the Departmental Accounting Manual.

b. Maintains the official accounting records and documents for the Office of the Secretary, the Office of Human Development Services and other Departmental components as determined by the Assistant Secretary for Management and Budget.

c. Operates the computerized accounting system including responsibility for the automatic data processing (ADP) support and maintenance of the system which provides for the computerized obligation records and accounts and financial and cost reports for the activities of the Office of the Secretary, the Office of Human Development Services, and other Departmental components as determined by the Assistant Secretary for Management and Budget.

d. Establishes and maintains financial controls over cash, accounts receivable, property and other assets.

e. Examines and pays vendors' invoices, transportation and other bills.

f. Examines and pays travel vouchers for employees.

g. Provides cashier services.

h. Provides billing services for reimbursable activities (other than the Departmental Working Capital Fund).

##### B. Division of Federal Assistance Financing

a. Operates and provides the automatic data processing (ADP) support and maintenance of the Departmental Payment Management System (PMS).

b. Assures timely payments to grantees and contractors and prescribes requirements for grantee and contractor reporting of expenditures and accountability of Federal cash received.

##### C. Division of Financial Systems Operations

a. Operates and provides the automatic data processing (ADP) support and maintenance of the Regional Accounting System (RAS) and insures the proper exchange of data with other automated systems; provides

technical assistance to regional personnel for operating the system.

b. Provides functional oversight and direction to the Regional Finance offices related to their accounting and financial management activities.

c. Operates and provides the automatic data processing (ADP) support and maintenance of a system for tracking and reporting awards and other obligations to meet the needs of the Financial Assistance Awards Data System (FAADS) reports and for preparing other geographic-based domestic assistance reports.

d. Develops policies and procedures and operates and provides the automatic data processing (ADP) support and maintenance of the Central Registry System (CRS) used throughout the Department in other data systems as a source of recipient identity, address and related information.

#### 2. *Office of Financial Policy*

a. Develops fiscal and accounting policy and procedures for Departmentwide application; promulgates these procedures as well as other Governmentwide financial procedures through the Department Staff Manual System.

b. Develops and executes policies and procedures relating to implementation and management of internal controls under Section 2 of the Federal Manager's Financial Integrity Act.

c. Provides advice and assistance to OPDIVs and STAFFDIVs on accounting and related fiscal matters.

d. Serves as principal staff advisers to the Office of Finance on accounting and related fiscal matters.

e. Reviews and drafts Departmental reports on Congressional bills affecting financial management.

f. Maintains liaison with the Office of Management and Budget, the Treasury Department, the General Accounting Office, and other agencies on matters involving accounting policy and procedures, internal controls (Section 2, FMFIA) and grantee and contractor expenditure reporting and accountability for Federal cash received.

g. Recommends policy and maintains a system for tracking and improving cash and credit management and debt collection throughout the Department.

h. Develops financial policy and maintains a system of fiscal reporting to meet the requirements of the General Accounting Office, Office of Management and Budget, the Treasury Department, and the General Services Administration that also includes (1) development and maintenance of the reports aspect of the Departmental

Accounting Manual; and (2) preparation of periodic reports.

i. Develops and maintains travel and fiscal voucher examination policies for Departmentwide application and publishes policies and procedures through the Department Staff Manual System.

j. Performs studies or analyses in any of these or related subjects singly or with outside organizations. Maintains continuous contact when necessary with the General Accounting Office, the Office of Management and Budget, the Treasury Department, the General Services Administration or other agencies.

### 3. Office of Financial Systems

Provides leadership and coordination in the development of HHS financial systems. Responsible for the establishment of Departmentwide standard financial data element definitions and data structures. Responsible for the administration of a data integrity and quality control program to insure compliance with Federal Directives, Departmental financial systems policy and automated financial data exchange requirements. Also provides advice on financial systems and serves as the focal point with Federal control agencies on financial systems matters. The Office is comprised of the following:

#### A. Division of Financial Systems Integrity

a. Conducts financial management studies and surveys to assist Department components in the design, implementation and improvement of their financial systems and operations.

b. Establishes and maintains a Departmentwide quality assurance program and functions as a data administrator for financial systems.

c. Develops and issues policies and procedures relating to evaluation of accounting and related systems for conformance with Comptroller General principles and standards under *Section 4 of the Federal Managers' Financial Integrity Act* and with related systems review guidelines of the Office of Management and Budget, the Treasury Department and the General Accounting Office.

d. Develops financial systems requirements and policy regarding data structure and interface techniques necessary to communicate between HHS financial systems and with Departmental systems.

e. Provides guidance and technical assistance for operation and development of financial management

information systems and other central systems.

f. Serves as principal staff adviser to the Office of Finance on all financial systems related matters.

g. Maintains liaison with the Office of Management and Budget, the Treasury Department, the General Accounting Office and other agencies on matters involving financial systems.

#### B. Division of Financial Systems Design and Analysis

a. Provides ADP expertise and guidance to the Office of Finance.

b. Performs systems analysis and design in the development of Office of Finance financial systems to include systems interfaces, distributed processing requirements and reporting capabilities.

c. Participates in the evaluation and selection of vendors and equipment. Serves as project officer and monitors performance of vendors supplying software services to the Office of Finance.

d. Provides technical assistance in the development of hardware, software, telecommunications and ADP service acquisitions for Office of Finance financial systems. This assistance includes the areas such as cost benefit analyses, requirements statements and performance criteria.

e. Utilizes the financial systems quality assurance program to review and analyze on-going Departmental operations (including the Office of Finance) for compliance with directives and to determine possible problem areas and resolutions thereto.

#### 4. Budget Execution Staff

a. Establishes and maintains a Departmental budget execution system based on uniform standards, classification and procedures, so as to apply resources consistent with Departmental policy and budget. Resolves questions regarding financial issues and proper authority and application of funds.

b. Establishes and maintains a Departmentwide system of outlay estimates in support of formulation and execution of the budget, including a tracking process for identifying variances and preparing reports.

c. In cooperation with the Office of Budget and other staff offices, recommends policy for activities and services authorized to continue in the absence of appropriations and for continuing Departmental operations during periods of Continuing Resolutions (CRs).

d. Reviews agency Treasury warrant requests and apportionment requests

and develops recommendations in cooperation with the Office of Budget for approval before submission to the Treasury Department and the Office of Management and Budget.

e. Maintains the Catalog of Federal Domestic Assistance and develops State tables of projected obligations for selected programs.

#### 5. Working Capital Fund Financial Management Staff

a. Conducts a day-to-day financial operations of the Fund.

b. Serves as principal adviser to the Deputy Assistant Secretary, finance and the Working Capital Fund Board of Governors.

c. Advises the WCF Board on the fiscal implications of its policies.

d. Reviews budgetary and financial policies and procedures of the various activities to determine compliance with HHS financial policies.

e. Directs formulation of the budget of the Fund which includes: (1) Developing the call for budget estimates from head of component activities of the Fund; (2) analyzing and evaluating estimates; (3) consolidating estimates and interpreting the impact of such estimates on appropriations; (4) referring Fund operating matters and budgets to the Board for administrative review and recommendations.

f. Monitors execution of the Funds' budget which includes review of operating budgets or financial plans submitted by Activity Managers to insure they are in accord with amounts approved by the Board.

h. Periodically reviews and analyzes operating reports related to costs and availability of funds to assure that costs are recaptured and that costs and revenues are properly charged to activity accounts.

g. When plans change, reviews proposed revisions to Fund allocations for presentation and consideration by the Board.

i. Periodically analyzes the basis for user charges for services and commodities and recommending needed changes to the Board.

j. Maintains the business records of the fund to include billings, collections, reserves and balances.

k. Prepares financial operating plans required by the budget execution process.

l. Conducts or arrange for analysis of WCF operations to force improvements in operations or to seek more cost efficient service arrangements (such as contract support or cross-servicing).

Dated: June 26, 1987.

S. Anthony McCann,

*Assistant Secretary for Management and Budget.*

[FR Doc. 87-15580 Filed 7-8-87; 8:45 am]

BILLING CODE 4150-04-M

## Centers for Disease Control

### Workplace Smoking Reduction Program Evaluation Program Announcement and Notice of Availability of Funds for Fiscal Year 1987

#### Introduction

The Centers for Disease Control (CDC) announces that competitive applications are being accepted to support a Cooperative Agreement for the evaluation of one workplace smoking reduction program. The CDC will assist in the development of the protocol and study design including monitoring quality control and quality assurance techniques and the statistical analysis of data.

#### Authority

This program is authorized under section 301 of the Public Health Service Act. The number in the Federal Domestic Assistance Catalog is 13.283.

#### Eligible Applicants

Eligible applicants are the official public health agencies of States, including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. Because the intent of this cooperative agreement between CDC and a public agency is to develop State capacity to assist communities in the evaluation of one workplace smoking reduction program, competition is restricted to official State and Territorial public health agencies. No other applications will be accepted.

#### Program Background and Objectives

The overall purpose of this project is to evaluate the effect of measuring a biochemical marker of smoke exposure, such as cotinine, in workplace anti-smoking efforts. Three specific objectives are to be included:

1. To add a biochemical marker as an element of an overall worksite smoking reduction effort and to evaluate its effect on individual and group smoking behavior.

2. To use a biochemical marker of environmental tobacco smoke exposure to assess the overall effectiveness of a

worksite program in decreasing exposure of workers to environmental tobacco smoke.

3. To evaluate the use of a biochemical marker of smoke exposure as a means of increasing awareness of the adverse effects of passive smoking to workers.

#### Availability of Funds

In Fiscal Year 1987, \$150,000 is expected to be available for the first year of a cooperative agreement. The award will be funded under a 12-month budget period and a 3-year project period. It is planned that \$150,000 are to be available each year. A continuation award within the project period will be made on the basis of (1) satisfactory progress in meeting project objectives and (2) availability of funds. The funding estimate may vary and is subject to change.

#### Application Submission and Deadline

The original and two copies of the application must be submitted on or before 4:30 p.m. (e.d.t.) on August 10, 1987, to:

Leo A. Sanders, Chief, Grants Management Branch, Procurement and Grants Office, Centers for Disease Control, 255 East Paces Ferry Rd., NE., Room 321, Atlanta, Georgia 30305.

More specific information regarding the deadline date for submission of an application is contained in the application kit.

#### Other Submission and Review Requirements

Applications are not subject to review as governed by Executive Order 12372, Intergovernmental Review of Federal Programs.

#### Where To Obtain Additional Information

Information on application procedures, application forms, and other material may be obtained from: Mr. Luther E. DeWeese, Grants Management Specialist, Procurement and Grants Office, Centers for Disease Control, 255 East Paces Ferry Road, NE., Room 321, Atlanta, Georgia 30305, telephone (404) 262-6756 or FTS 236-6756.

Dated: July 2, 1987.

Glenda S. Cowart,

*Acting Director, Office of Program Support, Centers for Disease Control.*

[FR Doc. 87-15524 Filed 7-8-87; 8:45 am]

BILLING CODE 4160-18-M

## National Institutes of Health

### National Institute of Arthritis and Musculoskeletal and Skin Diseases; Amended Notice of Meeting

Notice is hereby given of a change in the July 20, 1987, meeting of the National Arthritis Advisory Board, National Institute of Arthritis and Musculoskeletal and Skin Diseases, which was published in the *Federal Register* on June 26, 1987, 52 FR 24066.

This Board was to have met only on July 20, but has been changed to meet July 19 and 20 to allow the Board's workgroups to meet and report to the full Board. The meeting will be held at the Crystal Gateway Marriott, 1700 Jefferson Davis Highway, Arlington, Virginia 22032.

Further information, times and meeting locations of the workgroups may be obtained by contacting Mr. Raymond Kuehne, Acting Executive Director, National Arthritis Advisory Board, 1801 Rockville Pike, Suite 500, Rockville, Maryland 20852, (301) 496-6045.

Dated: July 2, 1987.

Betty J. Beveridge,

*NIH Committee Management Officer.*

[FR Doc. 87-15587 Filed 7-8-87; 8:45 am]

BILLING CODE 4140-01-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[UT-040-4322-14; 7-00152-ILM]

#### Availability of Draft Environmental Assessment on Proposed Spring Development Within Carcass Canyon Wilderness Study Area

**AGENCY:** Bureau of Land Management, Cedar City District, Interior.

**ACTION:** Draft EA on proposed spring development within a WSA.

**SUMMARY:** The Big Sage Cattle Company and the Bureau of Land Management are proposing to develop a spring which lies approximately 75 feet within the Carcass Canyon WSA in Township 38 South, Range 4 East, NWNE, Section 24. The spring development is to provide for better distribution of livestock and would reduce use within the WSA by holding cattle on a seeding located along the WSA boundary.

All work will be done by hand tools. No vehicle access, heavy equipment, or blasting will be required.

**DATE:** Interested persons may submit comments at the address listed below until Aug. 14, 1987.

**ADDRESS:** To obtain a copy of the draft EA, request additional information, or submit comments, contact Brent Spackman, Bureau of Land Management, P.O. Box 225, Escalante, Utah 84726 or telephone (801) 826-4291.

Dated: July 2, 1987.

Morgan S. Jensen,  
District Manager.

[FR Doc. 87-15565 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-DQ-M

[UT-050-06-4410-08]

### Amendment of the Management Framework Plan (MFP) for the Henry Mountain Planning Unit

**AGENCY:** Bureau of Land Management, Richfield, Utah, Interior.

**ACTION:** Notice is hereby given that the Utah BLM State Director has decided to implement a planning amendment to the Henry Mountain MFP.

**SUMMARY:** The amendment is in response to the Gilbert Badlands Resource Natural Area/Area of Critical Environmental Concern designation (RNA/ACEC). Pursuant to the authority in the Federal Land Policy and Management Act of 1982 [Sec. 202(c)(3)] and 43 CFR Part 1601, the following area is designated as a RNA/ACEC: The area lies in portions of sections 10, 11, 14, 15, 22, 23, 24, 25, 26, and 27 of T. 29 S., R. 9 E., Salt Lake Base Meridian (3,680 acres) as described in the Gilbert Badlands RNA/ACEC environmental assessment.

Any person who participated in the planning process and has an interest which may be adversely affected by the amendment of the MFP may protest approval of the amendment. A protest may raise only those issues which were submitted for the record to the BLM during the planning process. The protest shall be filed with the Director of BLM, Interior Building, 18th and C Street NW., Washington, DC 20240, within 30 days of publication of this notice. The protest shall contain: (1) The name, mailing address, telephone number, and interest of the person filing the protest; (2) a statement of the issue or issues being protested; (3) a statement of the part or parts of the plan being protested; (4) a copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and (5) a short concise statement explaining why the protestor believes that the State Director's decision is wrong. The Director will

issue a decision in writing on the protest.

The planning amendment is available at the Richfield District Office, 150 East 900 North, Richfield, Utah 84701.

For further information contact Duane DePaepe at (801) 896-8221.

Donald L. Pendleton,  
District Manager.

July 1, 1987.

[FR Doc. 87-15527 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-DQ-M

[WY-920-07-4111-15; W-105554]

### Proposed Reinstatement of Terminated Oil and Gas Lease

July 2, 1987.

Pursuant to the provisions of Pub. L. 97-451, 96 Stat. 2462-2466, and Regulation 43 CFR 3108.2-3 (a) and (b)(1), a petition for reinstatement of oil and gas lease W-105554 for lands in Weston County, Wyoming, was timely filed and was accompanied by all the required rentals accruing from the date of termination.

The lessee has agreed to the amended lease terms for rentals and royalties at rates of \$5 per acre, or fraction thereof, per year and 16% percent, respectively.

The lessee has paid the required \$500 administrative fee and \$125 to reimburse the Department for the cost of this Federal Register notice. The lessee has met all the requirements for reinstatement of the lease as set out in section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease W-105554 effective June 1, 1987, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Andrew L. Tarshis,  
Chief, Leasing Section.

[FR Doc. 87-15564 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-22-M

[CA-060-07-7122-10-1018; CA 20255]

### Exchange of Public and Private Lands Riverside County, CA

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of realty action CA 20255.

**SUMMARY:** The following described land in Riverside County has been determined to be suitable for disposal

by exchange under section. 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716);

San Bernardino Meridian, California.

T. 3S., R. 1E.

Sec. 30: SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ .

Containing 265 acres of public land, more or less.

In exchange for these lands, the United States will acquire the following described lands in Riverside County from the Nature Conservancy:

San Bernardino Meridian, California

T. 4S., R. 6E.

Sec. 13: E $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ .

Containing 530 acres of non-Federal lands, more or less.

**SUPPLEMENTARY INFORMATION:** The purpose of the exchange is to acquire a portion of the non-Federal land within the proposed 13,030 acre preserve for the Coachella Velly Fringe-toed lizard. The lizard is federally listed as threatened and State listed as endangered. The Bureau of Land Management's goal is to acquire approximately 6,700 acres within the preserve. The land being acquired does not constitute habitat for the lizard, but provides a sand source required for the continuing production of active sand dune areas that are critical habitat for the lizard. Other State or Federal agencies will acquire the remaining portion of the preserve. The public interest will be well served by this exchange.

The values of the lands to be exchanged are approximately equal; full equalization of value will be achieved through acreage adjustment, or by cash payment in an amount not to exceed 25 per cent of the value of the lands being transferred out of federal ownership.

Lands to be transferred from the United States will be subject to the following:

A reservation to the United States of a Right-of-Way for ditches and canals constructed by the authority of the United States; Act of August 30, 1890 (26 Stat. 391, 43 U.S.C. 945).

All mineral resources and related rights shall be reserved to the United States, together with the right to prospect for, mine and remove the minerals. A more detailed description of this reservation, which will be incorporated in the patent document is available for review at this BLM office.

Publication of this notice in the

Federal Register segregates the public lands from operation of the public land laws and the mining law, except for mineral leasing. The segregative effect will end upon issuance of patent or two years from the date of publication, whichever occurs first.

For detailed information concerning this exchange, including the planning documents, environmental assessment and land report, contact John Sullivan, (619) 323-4421.

For a period of 45 days after publication of this Notice in the Federal Register, interested parties may submit comments to the District Manager, California Desert District, 1695 Spruce Street, Riverside, California 92507. Any adverse comments will be evaluated by the State Director, who may vacate or modify this realty action and issue a final determination. In the absence of any adverse comments, by the State Director, this realty action will become the final determination of the Department of the Interior.

Dated: June 29, 1987.

H.W. Riecken,

Acting District Manager.

[FR Doc. 87-15566 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-40-M

[CO-942-06-4520-12]

### Colorado; Filing of Plats of Survey

June 29, 1987.

The plat of survey of the following described land, will be officially filed in the Colorado State Office, Bureau of Land Management, Lakewood, Colorado, effective 10:00 A.M., June 29, 1987.

The plat representing the dependent resurvey of portions of the Eleventh Auxiliary Guide Meridian West (west boundary) and the subdivisional lines, T. 4 S., R. 92 W., New Mexico Principal Meridian, Colorado, Group No. 857, was accepted June 25, 1987.

This survey was executed to meet certain administrative needs of this Bureau.

All inquiries about this land should be sent to the Colorado State Office, Bureau of Land Management, 2850 Youngfield Street, Lakewood, Colorado 80215.

Duane E. Olsen,

Acting Chief, Cadastral Surveyor for Colorado.

[FR Doc. 87-15567 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-JB-M

[UT-060-4410-02]

### Moab District Advisory Council; Meeting

June 30, 1987.

**AGENCY:** Bureau of Land Management, Moab, Interior.

**ACTION:** Moab District Advisory Council meeting.

**SUMMARY:** The Advisory Council will meet Wednesday, August 12, followed by a field trip on August 13.

Wednesday, August 12, 1987

- 10:00 a.m. Introduction of new members, Orientation to role of the Advisory Council (Laws, Regulations, Charter, etc.)
- 10:30 a.m. Organization: Call for nominations for terms expiring 12-31-87, Election of Officers, Organization of Committees (if desired).
- 11:00 a.m. Briefings on Issues: Planning (San Juan RMP, San Rafael RMP)
- 11:30 a.m. Grazing Management in Glen Canyon National Recreation Area
- 12:00 p.m. Lunch
- 1:00 p.m. State Inholdings Land Exchange
- 1:30 p.m. Wilderness Study Status
- 2:00 p.m. Known Geologic Structure (KGS) Status
- 2:15 p.m. New Business
- 3:00 p.m. Break
- 3:15 p.m. Public Comments to the Advisory Council
- 3:45 p.m. Finalization of Resolutions from the Council and adjourn

Thursday, August 13, 1987

- 8:00 a.m. Depart Moab District Office
- 9:30 a.m. Arrive Westwater Ranger Station, Orientation to Westwater Canyon (slide show and discussion) Briefing on River Etiquette, White Water Safety
- 10:30 a.m. Load personal gear and launch
- 11:15 a.m. Stop at Miner's Cabin (Discussion re: mining claims, mineral potential, etc.)
- 11:45 a.m. Lunch, Discussion on River Management
- 12:45 p.m. Launch, float to Little Dolores campsite
- 2:45 p.m. Brief hike up Little Dolores
- 3:15 p.m. Launch, run Westwater Canyon
- 6:15 p.m. Takeout, Cisco boat ramp, unload personal gear, return to Moab

All Advisory Council meetings are open to the public. Persons wishing to make a comment to the Council must notify the BLM by August 10. Depending on the number of people desiring to make a statement, a per-person time

limit may be established. Members of the public attending the Field Trip must provide their own transportation and lunch and BLM river permit to run Westwater Canyon. For further information, contact: Mary Plumb, Public Affairs Officer, P.O. Box 970, Moab, Utah 84532. Phone (801) 259-6111.

Gene Nodine,

District Manager.

[FR Doc. 87-15528 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-DQ-M

[UT-020-07-4322-02; 1784]

### Advisory Board Meeting; Salt Lake District

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given in accordance with Pub. L. 92-463 that the Salt Lake District Grazing Advisory Board will be meeting on August 18, 1987.

The Board will meet at 9:00 a.m. at the Salt Lake District, Bureau of Land Management office, at 2370 South 2300 West, Salt Lake City, Utah. The purpose of the meeting will be to review proposed range improvement projects for FY-88 and FY-89.

The meeting is open to the public and interested persons may make oral statements at the meeting between 9:00 a.m. and 10:00 a.m., or file a written statement for the Board's consideration. Persons wishing to make statements to the Board are requested to contact Glade Anderson at 524-5348 prior to August 7, so that time can be included on the agenda.

**FOR FURTHER INFORMATION CONTACT:** Glade W. Anderson, Range Conservationist, Bureau of Land Management, Salt Lake District Office, 2370 South 2300 West, Salt Lake City, Utah 84119 (801) 524-5348.

Deane H. Zeller,

Salt Lake District Manager.

[FR Doc. 87-15561 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-DQ-M

[ID-010-07-4332-10]

### Motor Vehicles, Off-Road Vehicle Designations; Idaho

**AGENCY:** Bureau of Land Management, Idaho, Interior.

**ACTION:** Notice of Off-Road Vehicle Designations for the Owyhee Resource Area.

**SUMMARY:** Approximately 540,000 acres within the Owyhee Resource Area have been designated as open to off road vehicle use. Limited designation have been established for 12 areas throughout the Resource Area totalling 812,000 acres, plus all perennial and ephemeral stream channels recognized as having riparian areas.

**ADDRESS:** For further information about the designations, contact either of the following Bureau of Land Management officials:

District Manager, Bureau of Land Management, Boise District Office, 3948 Development Avenue, Boise, Idaho 83705.

State Director (932), Bureau of Land Management, Idaho State Office, 3380 Americana Terrace, Boise, Idaho 83706, (208) 334-1748.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given relating to the use of off-road vehicles on public lands in the Owyhee Resource Area, Boise District, Idaho in accordance with the authority and requirements of Executive Order 11644 and 11989, and regulations contained in 43 CFR Part 8340. The following described lands under administration of the Bureau of Land Management are designated as open or limited to off-road motorized vehicle use. No lands are designated as closed to off-road motorized vehicle use.

The 1,352,000 acre area affected by the designations are contained in the Owyhee Resource Area located entirely in Owyhee County of southwest Idaho. These designations are a result of resource management decisions made in the 1981 Owyhee Management Framework Plan and the Owyhee ORV Plan Amendment of 1986. These designations are published as final today. Under 43 CFR 4.21, an appeal may be filed within 30 days with the Interior Board of Land Appeals.

#### A. Open Designation

Areas which are designated as open comprise approximately 540,000 acres. The open designation was determined to be appropriate for these public lands. Off-road vehicle use is essential for conducting authorized resource uses, particularly the juniper woodland harvest management program. Off-road vehicle use for recreation or other activities is not expected to significantly impact special concerns such as wildlife, primitive recreation, cultural, livestock, watershed, scenic nor natural values.

#### B. Limited Designations

Limited designations apply to 12 areas in the Owyhee Resource Area totalling 812,000 acres, plus to all perennial and

ephemeral stream channels recognized as having riparian areas.

a. *Murphy Hills ORV Area:* 123,000 acres.

*Owyhee Front:* 62,000 acres.

The Murphy Hills/Owyhee Front Area will be intensively managed for off-road vehicle recreation use in conjunction with continued livestock use and other resource uses. Management objectives will include:

(1) Enhancing ORV opportunities for motorcycles (two-wheel, three-wheel and four-wheel cycles).

(2) Mitigating recreation impacts to livestock grazing and ensuring the continued use of affected grazing lands for spring and winter range.

(3) Mitigating recreation impacts to affected watersheds, specifically stabilizing soil erosion trends.

(4) Mitigating recreation impacts to wildlife resources.

(5) Ensuring the public's safety.

All motorized vehicle use will be limited to existing roads, ways (two-wheel tracks), trails, and washes. Recreation management actions (informational/educational programs and facilities) will be provided as needed to deal with increasing ORV recreation use and a mitigate impacts to other resources which result from ORV use. Monitoring of ORV use in the area will be done to determine ongoing impacts to other resource values. Additional administrative restrictions would be imposed on ORV use and/or additional recreation facilities would be constructed if monitoring indicates problems.

b. *Snake River Birds of Prey Natural Area:* 9,000 acres.

Off-road vehicle use of this area is limited to designated roads year around. The limited designation is needed to protect wildlife and recreation resources.

c. *Snake River Birds of Prey Conservation Area:* 54,000 acres (including acreages outside the designated Conservation Area boundary).

Off-road vehicle use in this area is limited to existing roads, ways, trails and washes. The limited designation is needed to protect wildlife resources. Closure of the area to all ORV use could be authorized by the Area Manager if ORV use is interfering with spring reproduction activities (raptor courtship and nesting) or is deteriorating the habitat.

d. *Oregon Trail Area:* 7,000 acres.

Off-road vehicle use of this area is limited to designated roads, ways, and trails year around. The limited designation is needed to protect cultural resources and aesthetic qualities

surrounding the Oregon National Historic Trail. Closure of the area to all motor vehicle use may be authorized by the Area Manager if vehicle use is causing damage to the Trail.

e. *Silver City Area:* 30,000 acres.

Off-road vehicle use of this area is limited to existing roads, ways, and trails year around, except for winter snowmobile use. The limited designation is needed to protect cultural, scenic, and watershed resources. Closure of the area to all ORV use may be authorized by the Area Manager if vehicle use is causing damage to cultural or watershed resources.

f. *Boulder/Jordan Creek Crucial Mule Deer Winter/Spring Range:* 67,000 acres.

Off-road vehicle use of this area is limited to existing roads, ways, and trails year around, except for winter snowmobile use. Closures of the area to all ORV use could be authorized by the Area Manager if critical or adverse winter weather conditions exist or habitat is deteriorating due to ORV use. The limited designation is needed to protect wildlife resources.

g. *Boulder Creek Natural Area:* 10,000 acres; 3,000 acres of which lie outside the Boulder/Jordan Creek Crucial Mule Deer Winter/Spring Range.

Off-road vehicle use of the area is limited to existing roads, ways, and trails year around, except for winter snowmobile use, in order to protect the area's natural and wildlife resources. Closure restrictions imposed by the Boulder/Jordan Creek Crucial Mule Deer Winter/Spring Range also apply to protect wildlife resources.

h. *North Fork Owyhee Backcountry Area:* 57,000 acres.

Off-road vehicle use of this area is limited to existing roads, ways, and trails year around. The limited designation is needed to protect natural values and primitive recreation experiences. The wilderness study area (WSA) Interim Management Policy applies to this area (see m).

i. *Owyhee River Area of Critical Environmental Concern (ACEC):* 129,000 acres.

Off-road vehicle use of the plateau is limited to designated roads, ways, and trails year around. In the canyons, use is limited to designated roads year around. The limited designation is needed to protect bighorn sheep habitat, scenic values and natural values. The Owyhee River and South Fork Owyhee River within the ACEC are under consideration for wild river designation under the Wild and Scenic Rivers Act of 1968. The wilderness study area (WSA) Interim Management Policy applies to this area (see m).

j. *Red Basin Crucial Mule Deer Winter/Spring Range*: 70,000 acres; 37,000 acres of which lie outside of the Owyhee River ACEC.

Off-road vehicle use in this area is limited to existing roads, ways, and trails year around. Closure of the area to all ORV use could be authorized by the Area Manager if critical or adverse winter weather conditions exist or habitat is deteriorating due to ORV use. The limited designation is needed to protect wildlife resources.

k. *Other Wildlife Habitat Areas (Antelope and Sage Grouse wintering areas)*: 192,000 acres.

Off-road vehicle use in these areas is limited to existing roads, ways, and trails or washes. The use of washes will be permitted only along the Owyhee Front. Closure of the areas to all ORV use could be authorized by the Area Manager if critical or adverse conditions exist or if habitat is deteriorating due to ORV use. The limited designation is needed to protect wildlife resources.

l. *Riparian Areas*: not delineated as separate management units.

Off-road vehicle use of all riparian areas is restricted to established road, way and trail crossing. In the Murphy Hills/Owyhee Front Area, sand washes are not recognized as having riparian areas.

m. *Wilderness Study Areas (WSAs)*:

The WSA lands in the Owyhee Resource Area are designated as limited to ORV use. Off-road vehicle use is permitted in WSAs on existing roads, ways, and trails. Most WSA lands are affected by other overlapping administrative designations, including the North Fork Owyhee Backcountry Area, Owyhee River ACEC and Red Basin Crucial Mule Deer Winter/Spring Range; as such, most WSA lands are not identified separately. Only the Juniper Mountain WSA lands (42,000 acres) are identified as a separate management unit because they are not overlapped by other designations. WSA lands are designated as limited in order to ensure that a loss of naturalness does not impair the WSAs' suitability for wilderness designation. The limited designation for the Juniper Mountain WSAs is an interim action which will be changed to an open designation should the WSAs not be designated for wilderness preservation. Under this interim limited ORV designation, ORV use would be restricted to existing roads, ways and trails, except for winter snowmobile use.

These designations become effective upon publication in the Federal Register and will remain in effect until rescinded or modified by the authorized officer. The Owyhee for Off-Road Vehicle

Management Plan and an environmental assessment describing the impacts of these designations is available at the offices listed below:

Dated: July 1, 1987.

Daniel L. Arvizo,

Owyhee Area Manager.

[FR Doc. 87-15593 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-GG-M

[OR-115-07-4212-14: GP7-201; or 41039]

#### Realty Action; Jackson County, OR

AGENCY: Bureau of Land Management, Interior.

ACTION: Non-competitive sale of a land parcel in Jackson County, Oregon.

SUMMARY: This Notice of Realty Action cancels and replaces in its entirety the Notice of Realty Action for Non-Competitive Sale of Public Lands in Jackson County, Oregon published as FR Doc. 87-10901 appearing at page 18028 in the Federal Register of May 13, 1987.

The following described land is suitable for sale under section 203 (and 209) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713 (and 1719), at no less than the appraised fair market value.

Willamette Meridian

Jackson County, Oregon.

T. 34 S., R. 1 W.,

Sec. 17, a portion of the SW1/4SE1/4NW1/4 containing 1.2 acres as tentatively identified under survey group No. 1280, Oregon, not yet approved.

The above described land is hereby segregated from appropriation under the public land laws, including the mining laws, but not from sale under the above cited statute.

No significant resource values will be affected by this disposal. The sale is consistent with BLM's planning for the land involved and the public interest will be served by offering this land for sale.

Direct sale procedures are being used since a competitive sale is not appropriate and the public interest would best be served by the direct sale because it would resolve a non-willful unauthorized occupancy. Direct sale would recognize the existing improvement and avoid any unnecessary hardship on the owner.

The parcel identified by Serial No. OR 41039 is being offered to Wesely and Helene Kercher using direct sale procedures authorized under 43 CFR 2711.3-3. The land will be sold at fair market value to Wesely and Helene Kercher without competitive bidding. The prospective purchaser is required to

render a minimum deposit of twenty percent (20%) of the purchase price sixty (60) days after establishment of the value and the balance within 180 days of the sale date. If the deposit is not submitted or the full purchase price not rendered within 180 days of the sale date, the preference right is cancelled, the deposit will be forfeited, and the parcel will not be sold.

#### Terms and Conditions of the Sale

The terms, conditions, and reservations applicable to the sale are as follows:

1. The United States reserves all rights to oil and gas.
2. The remaining mineral interests being offered for conveyance have no known mineral value. The sale will also constitute an application for conveyance of the remaining mineral estate in accordance with Section 209 of the Federal Land Policy and Management Act, 43 U.S.C. 1719. The purchasers must include with their bid deposit a non refundable \$50.00 filing fee for the conveyance of the mineral estate.
3. Rights-of-way for ditches and canals will be reserved to the United States under 43 U.S.C. 945.
4. Patents will be issued subject to all valid existing rights and reservations of records.
5. The BLM may accept or reject any and all offers, or withdraw any land or interest in land from sale if, in the opinion of the authorized officer, consummation of the sale would not be fully consistent with the Federal Land Policy and Management Act or other applicable laws.
6. Patent will not be issued until after final plat of survey has been approved.

#### Comments

For a period of 45 days from the date of publication of this notice in the Federal Register, interested parties may submit comments to the District Manager, Bureau of Land Management, Medford District. Objections will be reviewed by the State Director who may sustain, vacate, or modify this realty action. In the absence of any objections, this realty action will become the final determination of the Department of the Interior.

Dated: June 19, 1987.

David A. Jones,

District Manager.

[FR Doc. 87-15594 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-33-M

[CO-942-06-4520-12]

**Filing of Plats of Survey; Colorado**

June 30, 1987.

The plats of survey of the following described land, will be officially filed in the Colorado State Office, Bureau of Land Management, Lakewood, Colorado, effective 10:00 a.m., June 30, 1987.

The plat representing the dependent resurvey of portions of the south and west boundaries and the subdivisional lines, the survey of the subdivision of section 31, and a metes-and-bounds survey in section 31, T. 14 S., R. 93 W., Sixth Principal Meridian, Colorado, Group No. 788, was accepted June 22, 1987.

The plat representing the dependent resurvey of a portion of the west boundary and a metes-and-bounds survey in section 6, T. 15 S., R. 93 W., Sixth Principal Meridian, Colorado, Group No. 788, was accepted June 22, 1987.

The plat representing the dependent resurvey of portions of the south and north boundaries, the subdivisional lines, and certain claim lines, and the survey of the subdivision of certain sections, T. 7 N., R. 98 W., Sixth Principal Meridian, Colorado, Group No. 778, was accepted June 22, 1987.

These surveys were executed to meet certain administrative needs of this Bureau.

All inquiries about this land should be sent to the Colorado State Office, Bureau of Land Management, 2850 Youngfield Street, Lakewood, Colorado 80215.

Jack A. Eaves,

Chief, Cadastral Surveyor for Colorado,  
[FR Doc. 87-15562 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-JB-M

**Fish and Wildlife Service****Receipt of Applications for Permits**

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT-719589

Applicant: Paul W. Asper, Lock Haven, PA.

The applicant requests a permit to import a trophy from a bontebok (*Damaliscus dorcas dorcas*) which was a member of a captive herd maintained by F. W. M. Bowker, Grahamstown, Republic of South Africa. The herd is maintained for the purpose of sport

hunting. The applicant contends that permission to import this trophy will enhance the likelihood of the continued maintenance of this herd and thereby enhance the likelihood of survival of the species.

PRT-719598

Applicant: Russell L. Schelkopf, Kingston, IL.

The applicant requests a permit to import a trophy from a bontebok (*Damaliscus dorcas dorcas*) which was a member of a captive herd maintained by D. J. Kotze, Ellisras, Republic of South Africa. The herd is maintained for the purpose of sport hunting. The applicant contends that permission to import this trophy will enhance the likelihood of the continued maintenance of this herd and thereby enhance the likelihood of survival of the species.

PRT-719590

Applicant: San Diego Zoological Society, San Diego, CA.

The applicant requests a permit to import two male and two female Fiji banded iguanas (*Brachylophus fasciatus*) that were captive born on the Orchid Island, Fiji for the purpose of captive breeding.

PRT-719434

Applicant: International Animal Exchange, Ferndale, MI.

The applicant requests a permit to purchase in foreign commerce from the Wellington Zoological Gardens, Wellington, New Zealand for sale and shipment to the Taipei Municipal Zoo, Taipei, Taiwan, two male and four female Parma wallabies (*Macropus parma*), captive born at the Wellington Zoo, for enhancement of the propagation and survival through captive breeding and conservation education.

PRT-719065

Applicant: Dallas Zoo, Dallas, TX.

The applicant requests a permit to export two wild caught Bornean orangutans (*Pongo pygmaeus pygmaeus*), one male and one female, for exhibition and captive breeding at the Riyadh Zoo, Saudi Arabia.

PRT-719808

Applicant: Andrew Phillips, Kerrville, TX.

The applicant requests a permit to import a trophy of a bontebok (*Damaliscus dorcas dorcas*) which was taken from a captive herd maintained by J. D'Alton, Bredasdorp, Republic of South Africa. The herd is maintained for the purpose of sport hunting. The applicant contends that permission to import this trophy will enhance the likelihood of the continued maintenance of this herd and thereby enhance the likelihood of the survival of the species.

PRT-719810

Applicant: John Lebolt, Skokie, IL.

The applicant requests a permit to import a trophy of a bontebok (*Damaliscus dorcas dorcas*) which was taken from a captive herd maintained by J. D'Alton, Bredasdorp, Republic of South Africa. The herd is maintained for the purpose of sport hunting.

The applicant contends that permission to import this trophy will enhance the likelihood of the continued maintenance of this herd and thereby enhance the likelihood of the survival of the species.

PRT-714713

Applicant: Knoxville Zoological Park, Knoxville, TN.

The applicant requests a permit to export four male and three female captive bred Puerto Rican boas (*Epicrates inornatus*) captive born at the Knoxville Zoo to the Reptile Breeding Foundation, Picton, Ontario, Canada for purposes of propagation and education.

PRT-719234

Applicant: Charles Snowdon, Madison, WI.

The applicant requests a permit to export 15 pairs of captive-bred cotton-top tamarins (*Saguinus oedipus*) captive-bred at the Wisconsin Regional Primate Center to Shanghai Laboratory Animal Research Center, Shanghai, People's Republic of China for the purpose of propagation.

PRT-714273

Applicant: New York Zoological Society, Bronx, NY.

The applicant requests a permit to import one male proboscis monkey (*Nasalis larvatus*) from Sepilok, Sabah, Malaysia for the purpose of enhancement of propagation.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) 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 any of these applications 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: July 6, 1987.

R.K. Robinson,

Chief, Branch of Permits, Federal Wildlife Permit Office.

[FR Doc. 87-15631 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-55-M

**Minerals Management Service****Outer Continental Shelf Operations;  
Current List of Notices to Lessees and  
Operators (NTL) Issued by Each OCS  
Region****AGENCY:** Minerals Management Service,  
Interior.**ACTION:** Notice.**SUMMARY:** This notice informs the  
public, industry, and other OCS Regions  
of NTL's that are current and effective in  
each OCS Region.**ADDRESSES:** Requests to obtain a copy  
of an NTL should be directed in writing  
or by telephone to the Regional Director  
at the following appropriate address.Alaska OCS Region, 949 East 36th  
Avenue, Anchorage, AK 99510, (907)  
261-4010Atlantic OCS Region, 1951 Kidwell  
Drive, Suite 601, Vienna, VA 22180,  
(703) 285-2165Gulf of Mexico OCS Region, 1420 South  
Clearview Parkway, New Orleans, LA  
70123-2394, (504) 736-2589Pacific OCS Region, 1340 West 6th  
Street, Suite 244, Los Angeles, CA  
90017, (213) 894-2048**FOR FURTHER INFORMATION CONTACT:**  
Herbert K. Schneider, Branch of Oil and  
Gas Development, Offshore Rules and  
Operations Division, Minerals  
Management Service, telephone (703)  
648-7832 or FTS 959-7832.**SUPPLEMENTARY INFORMATION:** The  
current NTL's for each OCS Region are  
as follows:

NTL No.	Effective date	Subject
<b>Alaska OCS Region</b>		
80-1	Feb. 5, 1980	Furnishing food, quarters, and transportation to USGS personnel.
80-2	June 13, 1980	Guidelines for preparing Outer Continental Shelf environmental reports. Note.—See additional guidelines prepared March 30, 1982, entitled "Guidelines for Outer Continental Shelf Exploration Plans, Environmental Reports, and Application for Permit to Drill Exploratory Wells."
82-1	Aug. 2, 1982	Interim minimum requirements for marking of equipment.
83-1	Apr. 14, 1983	Preliminary activities conducted on leased areas—Diapir Field (Sale 71).
83-5	Sept. 7, 1983	Minimum requirements, Shallow Hazards Survey.
84-4	Aug. 1, 1984	Preliminary activities conducted on leased areas—Gulf of Alaska/Cook Inlet.
85-2	Aug. 9, 1985	Preliminary activities conducted on leased areas—Bering Sea (Cancels NTL Nos. 83-2, 83-4, and 84-1).
86-1	Feb. 20, 1986	Submission of digitized well log data on magnetic tape.
86-2	Jan. 15, 1987	Preliminary activities conducted on leased areas—Beaufort Sea (Supersedes NTL Nos. 83-1 and 84-3).
86-3	Oct. 6, 1986	New form for designation of operator (MMS Form-1123).
86-4	(Proposed)	Preliminary and other activities conducted on leased areas—Chukchi Sea.
86-5	Nov. 17, 1986	District office hours and phone call procedures (Supersedes NTL Nos. 85-1 and 84-2).
<b>Atlantic OCS Region</b>		
78-8	Feb. 1, 1979	Establishment, modification, cancellation, and review of field drilling rules.
78-9	May 4, 1979	Requirements for submission of digitized well log data on magnetic tape.
	June 22, 1979	Ban on the use of halogenated phenols in OCS oil and gas operations. (Published in the FEDERAL REGISTER on July 3, 1979 (44 FR 39031).
80-7	Feb. 12, 1980	Furnishing food, quarters, and transportation to MMS personnel.
NA-80-10	May 6, 1980	Minimum criteria for training programs in fishing industry operations.
81-5	Sept. 29, 1981	Suspension of requirements for collection of meteorological, oceanographic, and vessel performance data (Supersedes NTL 78-5).
83-1	May 1, 1983	Proposals to conduct exploratory operations (Supersedes NTL 80-1).

NTL No.	Effective date	Subject
83-2.....	Sept. 7, 1983.....	Minimum requirements for site surveys for exploration activities (Supersedes NTL 78-2; NTL 78-2 South Atlantic Supplement 1; and NTL 80-2).
84-11.....	May 15, 1984.....	Rescission of interim minimum requirements for marking of equipment (Rescinds NTL 82-11).

## Gulf of Mexico OCS Region

72-9.....	Sept. 22, 1972.....	OCS operations safety alert notice No. 1, flash fire from liquid phase heat transfer unit.
72-11.....	Oct. 13, 1973.....	Request for information on well status (Shut-in Completions).
73-3.....	Feb. 16, 1973.....	The use of Polychlorinated Biphenyls (PCBs).
73-4.....	June 1, 1973.....	Special security handling of well logs and data.
73-7.....	Oct. 16, 1973.....	Submission of run tickets and allocation schedules. Amends previous instructions.
73-8.....	Oct. 29, 1973.....	Allocation of royalty oil.
74-1.....	Jan. 4, 1974.....	Applicability of OCS orders Nos. 2 and 4 to OCS leases issued off the coasts of Mississippi, Alabama, and Florida.
74-3.....	Apr. 18, 1974.....	OCS order No. 11 (w/o enclosure) (Supersedes NTL 72-3).
74-5.....	Feb. 7, 1974.....	Reasons for shut-in status of oil and gas wells (w/o enclosure).
74-8.....	Mar. 29, 1974.....	Potential unstable sediment conditions in the Mississippi Delta area.
74-23.....	Nov. 6, 1974.....	Change in area of jurisdiction for New Orleans district office, Metairie, LA.
74-25.....	Dec. 5, 1974.....	Addendum to NTL 74-19 (Relocation of Texas district office to Freeport, TX).
74-25.....	Dec. 5, 1974.....	Addendum to NTL 74-19 (Relocation of Texas district office, to Freeport, TX).
75-1.....	Jan. 2, 1975.....	Reporting of fires and serious accidents.
75-3.....	Jan. 20, 1975.....	Minimum geophysical survey requirements to protect cultural resources (Supersedes NTL 74-10). (See Revision 1, Oct 1, 1982).
75-4.....	Feb. 21, 1975.....	East flower garden bank monitoring requirements.
75-9.....	May 13, 1975.....	Guidelines related to OCS order No. 11 provisions on the flaring of casinghead gas.
75-14.....	Dec. 23, 1975.....	Acceptance of dipmeter directional surveys on vertical wells (Supersedes NTL 75-12).
76-2.....	Jan. 27, 1976.....	Price determination for natural gas sales authorized by FPC opinion 699-H.
79-10.....	Oct. 25, 1979.....	Relief from compliance with certain requirements of OCS order No. 13.
79-13.....	Dec. 21, 1979.....	Furnishing food quarters, and transportation to USGS personnel (Supersedes NTL 79-9).
80-8.....	July 30, 1980.....	Annual review of field rules (Supersedes NTL 73-2).
80-9.....	Oct. 6, 1980.....	Reporting of pipeline damage (Supersedes NTL 75-6).
81-5.....	Apr. 24, 1981.....	Minimum requirements for clearance of location after plugging and abandonment of wells.
82-5.....	Apr. 20, 1982.....	Suspension of the Failure and Inventory Reporting System (FIRS) program reporting requirements. The FIRS program rescinded by FR Notice on Apr. 30, 1982 (47 FR 18682). (Supersedes NTL 80-12).
82-7.....	Aug. 13, 1982.....	Clarification of requirements of subparagraph 5.7, <i>Safety Device Training</i> , of OCS order No. 5, "Production Safety Systems."
82-8.....	Aug. 30, 1982.....	Interim minimum requirements for marking of equipment. (Note.—NTL 82-8 is effective until paragraph 1 of OCS Order No. 1 is revised.)
75-3 Revision No. 1.	Oct. 1, 1982.....	OCS cultural resource requirements for the Gulf of Mexico OCS region (See NTL 75-3, January 20, 1975, for copy of Revision No. 1).
83-3.....	Sept. 7, 1983.....	OCS shallow hazards requirements for the Gulf of Mexico OCS region (Cancels NTL Nos. 75-8 and 80-5).
84-1.....	Feb. 10, 1984.....	Outer Continental Shelf development operations coordination documents (Supersedes NTL 77-4).
85-2.....	Feb. 4, 1985.....	Effect of drilling "Window" approvals.

NTL No.	Effective date	Subject
85-3	Feb. 14, 1985	Houma district office hours and phone call procedures (Supersedes NTL 84-4).
85-5	Apr. 15, 1985	Lake Jackson district address, office hours, and phone call procedures (Supersedes NTL 81-11, 79-3, 78-7, 76-3, 75-5, and 74-19).
85-6	Sept. 30, 1985	Submittal of electric, radioactive, and other well bore surveys.
85-7	Aug. 12, 1985	Lafayette district address, office hours, and phone call procedures (Supersedes NTL 85-1).
85-8	Nov. 26, 1985	Minimizing oil and gas structures in the Gulf of Mexico.
86-01	Apr. 3, 1986	Reporting of leases off production.
86-02	Apr. 25, 1986	Guidelines for preparing oil spill contingency plans in the Gulf of Mexico OCS region.
86-03	May 23, 1986	Gulf of Mexico OCS region relocation and reorganization (Supersedes NTL 82-4).
86-04	June 4, 1986	Corpus Christi district address, office hours, and phone call procedures (Supersedes NTL 85-9, 85-4, and 84-5).
86-05	June 18, 1986	New forms for designation of operator.
86-07	Aug. 21, 1986	Guidelines for application, approval, and administration of a suspension of production when net lease operating costs exceed revenues from production.
86-08	Sept. 10, 1986	Lake Charles district address, office hours, and phone call procedures (Supersedes NTL 84-3, September 12, 1984).
86-09	Oct. 13, 1986	Outer continental shelf environmental report/information guidelines for plans submitted in the Gulf of Mexico OCS region (Supersedes NTL 80-6).
86-10	Oct. 24, 1986	New Orleans district office hours, and phone call procedures (Supersedes NTL 86-6).
86-11	Nov. 17, 1986	Guidelines for reducing or eliminating trash and debris in the Gulf of Mexico.
86-12	Nov. 19, 1986	Guidelines for application for suspensions of operation for undrilled leases where lessees were unable to acquire NPDES permits.

**Pacific OCS Region**

77-3	Mar. 1, 1977	Minimum cultural survey requirements, OCS exploratory drilling.
78-1	Oct. 23, 1978	Minimum requirements for biological surveys (Supersedes NTL 77-4).
79-1	June 22, 1979	Group billing procedures for meals and lodgings (Amends NTL 78-2).
80-1	Feb. 13, 1980	Furnishing food, quarters, and transportation to USGS personnel.
80-2	Mar. 20, 1980	Minimum requirements for environmental reports.
82-1	Apr. 8, 1982	Suspension of the Failure and Inventory Reporting System (FIRS) program reporting requirements (Supersedes NTL 81-1).
82-3	May 28, 1982	Requirements for exploratory operations OCS California (Supersedes NTL 77-1).
82-4	Aug. 30, 1982	Interim minimum requirements for marking of equipment.
85-01	Feb. 4, 1985	Guidelines for shallow hazards survey for OCS exploratory drilling (Supersedes NTL 83-1).
85-02	do	Guidelines for shallow hazards survey for OCS development platforms.
85-03	do	Guidelines for shallow hazards survey for OCS pipeline routes (Supersedes NTL 82-2).
86-01	May 16, 1986	Submission of digitized well log data on magnetic tape (Supersedes NTL 80-4).
86-02	Aug. 6, 1986	Reporting of leases off production.
86-03	Aug. 21, 1986	Guidelines for application, approval, and administration of a suspension of production when net lease operating costs exceed revenues from production.
86-04	Aug. 18, 1986	New form for designation of operation.
87-01	Feb. 9, 1987	Ventura district office hours and phone call procedures.
87-02	do	Santa Maria district office hours and phone call procedures.

An updated NTL list will be published annually in the **Federal Register**.

Date June 26, 1987.

John B. Rigg,

Associate Director, Offshore Minerals Management.

[FR Doc. 87-15595 Filed 7-8-87; 8:45 am]

BILLING CODE 4310-MR-M

**DEPARTMENT OF JUSTICE****Membership of the Department of Justice's Senior Executive Service (SES) Performance Review Boards****AGENCY:** Department of Justice.**ACTION:** Notice of the Department of Justice's 1987 SES Performance Review Boards.

**SUMMARY:** Pursuant to the requirement of 5 U.S.C. 4314(c)(4), the Department of Justice announces the membership of its SES Performance Review Boards. The purposes of the Performance Review Boards are to provide fair and impartial review of Senior Executive Service performance appraisals and to make recommendations to the Deputy Attorney General regarding the ratings.

**FOR FURTHER INFORMATION CONTACT:** Mr. Warren Oser, Director, Personnel Staff, Justice Management Division, Department of Justice, Washington, DC 20530. Telephone: (202) 633-3221.

Paul W. Mathwin,

*Acting Executive Secretary, Senior Executive Resources Board.***Performance Review Board No. 1**

Offices of the Attorney General, Deputy Attorney General, and Associate Attorney General, Justice Management Division.

*Principal Members*

Mary C. Lawton (Board Chair), Counsel for Intelligence Policy, Office of Intelligence Policy and Review

Sandra P. Spooner, Deputy Director, Commercial Litigation Branch, Civil Division

Gerald M. Farkas, Associate Commissioner, Federal Prisons Industries, UNICOR, Bureau of Prisons

*Alternate Members*

Jack E. Perkins, Deputy Assistant Attorney General, Office of Legislative Affairs

Gilbert L. Ingram, Assistant Director for Correctional Programs, Bureau of Prisons

**Performance Review Board No. 2**

Criminal Division; Community Relations Service; Offices of Professional Responsibility, Intelligence Policy and Review, Legal Policy, Liaison Services, and Public Affairs; Executive Office for U.S. Attorneys.

*Principal Members*

Jon M. Joyce (Board Chair), Chief, Economic Litigation Section, Antitrust Division

Robert D. Schmidt, Assistant Director for Inspections, U.S. Marshals Service

Stephen G. Fuerth, Chief, Civil Trial Section, Western Region, Tax Division

*Alternate Members*

Delia B. Combs, Assistant Commissioner for Refugee, Asylum and Parole, Immigration and Naturalization Service

Anthony C. Moscato, Counselor to the Assistant Attorney General for Administration, Justice Management Division

**Performance Review Board No. 3**

Civil Division; Office of the Solicitor General; U.S. Marshals.

*Principal Members*

Richard E. Norton (Board Chair), Associate Commissioner for Examinations, Immigration and Naturalization Service

Jack A. Nadol, Comptroller, Office of Justice Programs

Charles S. Saphos, Chief, Narcotic and Dangerous Drug Section, Criminal Division

*Alternate Members*

B. Barry Grossman, Chief, Communications and Finance Section, Antitrust Division

Elizabeth Chase MacRae, Associate Commissioner for Information Systems, Immigration and Naturalization Service

**Performance Review Board No. 4**

Antitrust Division; Office of Legal Counsel; Office of Legislative Affairs; Executive Office for Immigration Review.

*Principal Members*

Adrian A. Curtis (Board Chair), Director, Budget Staff, Justice Management Division

D. Patrick Mullarkey, Chief, Civil Trial Section, Northern Region, Tax Division

Wade B. Houk, Jr., Assistant Director for Planning and Development, Bureau of Prisons

*Alternate Members*

William M. Cohen, Chief, General Litigation Section, Land and Natural Resources Division

James J. Graham, Deputy Chief, Fraud Section, Criminal Division

**Performance Review Board No. 5**

Immigration and Naturalization Service; Civil Rights Division.

*Principal Members*

William J. Kollins (Board Chair), Chief, Land Acquisition Section, Land and Natural Resources Division

Vincent M. Garvey, Deputy Director, Federal Programs Branch, Civil Division

Richard J. Krips, Director, Litigation Systems Staff, Justice Management Division

*Alternate Members*

C. Madison Brewer, Director, Office of Management Information Systems and Support, Executive Office for U.S. Attorneys

Anthony V. Nanni, Chief, Litigation I Section, Antitrust Division

**Performance Review Board No. 6**

Tax Division; Land and Natural Resources Division.

*Principal Members*

David L. Rose (Board Chair), Chief, Employment Litigation Section, Civil Rights Division

Joan C. Higgins, Assistant Commissioner for Detention and Deportation, Immigration and Naturalization Service

C. Bradley Cates, Director, Office of Asset Forfeiture, Criminal Division

*Alternate Members*

Patrick R. Kane, Deputy Assistant Director for Correctional Programs, Bureau of Prisons

John L. Euler, Deputy Director, Torts Branch, Civil Division

**Performance Review Board No. 7**

Bureau of Prisons; Office of Justice Programs

*Principal Members*

Robert L. Dennis (Board Chair), Assistant to the Director, Executive Office for Immigration Review

Stewart T. B. Oneglia, Chief, Coordination and Review Section, Civil Rights Division

Richard L. DeHaan, Director, Office of Administration and Review, Executive Office for U.S. Attorneys

*Alternate Members*

Gerald W. Jones, Chief, Voting Section, Civil Rights Division

Peter R. Steenland, Chief, Appellate Section, Land and Natural Resources Division

Mildred L. Seidman, Chief, Claims Court Section, Tax Division

[FR Doc. 87-15596 Filed 7-8-87; 8:45 am]

BILLING CODE 4410-01-M

**DEPARTMENT OF LABOR****Office of the Secretary****Agency Recordkeeping/Reporting Requirements Under Review by the Office of Management and Budget (OMB)****Background**

The Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. Chapter 35), considers comments on the reporting and recordkeeping requirements that will affect the public.

**List of Recordkeeping/Reporting Requirements Under Review**

As necessary, the Department of Labor will publish a list of the Agency recordkeeping/reporting requirements under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new collections, revisions, extensions, or reinstatements. The Departmental Clearance Officer will, upon request, be able to advise members of the public of the nature of the particular submission they are interested in.

Each entry may contain the following information:

The Agency of the Department issuing this recordkeeping/reporting requirement.

The title of the recordkeeping/reporting requirement.

The OMB and Agency identification numbers, if applicable.

How often the recordkeeping/reporting requirement is needed.

Who will be required to or asked to report or keep records.

Whether small businesses or organizations are affected.

An estimate of the total number of hours needed to comply with the recordkeeping/reporting requirements.

The number of forms in the request for approval, if applicable.

An abstract describing the need for and uses of the information collection.

**Comments and Questions**

Copies of the recordkeeping/reporting requirements may be obtained by calling the Departmental Clearance Officer, Paul E. Larson, telephone (202) 523-6331. Comments and questions about the items on this list should be directed to Mr. Larson, Office of Information Management, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-1301, Washington, DC 20210. Comments should also be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/

ESA/ETA/OLMS/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, Room 3208, Washington, DC 20503 (Telephone (202) 395-6680).

Any member of the public who wants to comment on a recordkeeping/reporting requirement which has been submitted to OMB should advise Mr. Larson of this intent at the earliest possible date.

**New Collection**

Bureau of Labor Statistics  
Test Survey of Employer Costs for Compensation

BLS 3038

One-time

Business or other for-profit, non-profit institutions; small business organizations

125 responses; 396.25 hours; 1 form  
Response of this survey will be used to evaluate the collection costs, data availability; and appropriate sample size for locality based benefit cost surveys needed for:

—Administering the Service Contract; Act and

—Improving BLS wage and benefit survey programs.

**New**

Employment or Training Administration  
Data Collection and Analyses of JTPA Evaluation Experiments

Other

Individuals or households

45,532 respondents; 15,402 hours; survey

JTPA mandates evaluation of the effectiveness of JTPA programs. Due to ambiguous results of prior evaluations, USDOL will carry out a classical field experiment in a sample of 20 locations to measure net impacts, and improve future quasiexperimental analyses. Approval is sought for information collections to support this evaluation.

**New**

Employment and Training  
Administration

Survey to Evaluate the Impact Of A Dislocated Worker Project

Single-time

Individuals or households

2,400 respondents; 2,400 hours; no forms

A survey is to be conducted among 2,400 workers dislocated by a plant closing and who are applying for assistance from a Dislocated Worker Program. Applicants will be randomly assigned to either the treatment group (i.e., receives services) or the control group. The survey will gather benchmark data on work history, wages, previous training, etc. A follow-up survey, conducted 18 months later, will gather information on the effects of the program.

**Extension**

Mine Safety and Health Administration  
Gamma Radiation Exposure Records  
1219-0039

**Quarterly**

Businesses or other for profit; small businesses or organizations

15 respondents; 240 hours

Requires that records be kept of cumulative individual gamma radiation exposure by operators of underground metal and nonmetal mines where radioactive ores are mined.

**Extension**

Mine Safety and Health Administration  
Alternative Mine Rescue Capability for Small and Remote Mines and Mines With Special Mining Conditions  
1219-0078

**On occasion**

Businesses or other for profit; small businesses or organizations

25 respondents; 50 hours

Provides that if an underground mine is small and remote or is operating under special mining conditions, the operator may apply for permission to provide alternative mine rescue capability.

Signed at Washington, DC, this 2nd day of July, 1987.

Marizetta L. Scott,

Acting Departmental Clearance Officer.

[FR Doc. 87-15558 Filed 7-8-87; 8:45 am]

BILLING CODE 4510-30-M

**Employment and Training Administration****Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under section 211(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the

subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 20, 1987.

Interested persons are invited to submit written comments regarding the

subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 20, 1987.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training

Administration, U.S. Department of Labor, 601 D Street, NW., Washington, DC 20213.

Signed at Washington, DC, this 22nd day of June 1987.

**Marvin M. Fooks,**  
Director, Office of Trade Adjustment Assistance.

## APPENDIX

Petitioner (union/workers/firm)	Location	Date received	Date of petition	Petition No.	Articles produced
A.O. Smith Electrical Products Co. (I.B.E.W.)	Mt. Sterling, KY	6/22/87	6/8/87	19,822	Electrical Motors.
Brookvale Manufacturing Co. (ACTWU)	Belle Vernon, PA	6/22/87	5/28/87	19,823	
Caterpillar, Inc. (UAW)	Davenport, IA	6/22/87	6/4/87	19,824	Parts for Engines & Tractors.
Caterpillar, Inc. (UAW)	Bettendorf, IA	6/22/87	6/4/87	19,825	Parts for Engines & Tractors.
Cooper Lighting Products (UAW)	Racine, WI	6/22/87	6/10/87	19,826	Lighting Fixtures.
G.H. Bass & Company (Company)	Berlin, NH	6/22/87	6/11/87	19,827	Shoes
Hay Bros., Inc. (Company)	Lake Charles, LA	6/22/87	6/15/87	19,828	Oil.
INTCO (Company)	Lakewood, NJ	6/22/87	6/11/87	19,829	Telephone Systems.
Mazer Corporation (GCIU)	Dayton, OH	6/22/87	6/10/87	19,830	Printed Material.
Metal Goods Division, Alcan Aluminum Corp. (Teamsters)	St. Louis, MO	6/22/87	6/12/87	19,831	Steel.
Midwest Carbide Corp. (Workers)	Keokuk, IA	6/22/87	6/16/87	19,832	Calcium.
Prompt Knitgoods (ILGWU)	Jersey City, NJ	6/22/87	6/16/87	19,833	Fabrics.
Randall Company (IAM)	South Haven, MI	6/22/87	4/29/87	19,834	Plastic Products.
United States Line (NMU)	Cranford, NJ	6/22/87	6/12/87	19,835	Shipping.

[FR Doc. 87-15557 Filed 7-8-87; 8:45 am]

BILLING CODE 4510-30-M

### Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 20, 1987.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 20, 1987.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 601 D Street, NW., Washington, DC 20213.

Signed at Washington, DC, this 29th day of June 1987.

**Marvin M. Fooks,**  
Director, Office of Trade Adjustment Assistance.

## APPENDIX

Petitioner (union workers/firm)	Location	Date received	Date of petition	Petition No.	Articles produced
American Penn Energy, Inc. (company)	Fairfield, TX	6/29/87	6/16/87	19,836	Oil & gas.
American Penn Energy, Inc. (company)	Padre Island, Padre, TX	6/29/87	6/16/87	19,837	Oil & gas.
Aynor Manufacturing, (workers)	Aynor, SC	6/29/87	5/27/87	19,838	Sportswear.
BWP Inc. (company)	Midland, TX	6/29/87	6/12/87	19,839	Oil gas.
Baker Packers (workers)	Houston, TX	6/29/87	6/8/87	19,840	Oil tools.
Better Belts, Inc. (UTWA)	W. New York, NJ	6/29/87	6/17/87	19,841	Belts.
Butler Manufacturing, Co. (IAMAW)	Fort Atkinson, WI	6/29/87	6/16/87	19,842	Products.
C & F Glenn Gas, Co. (company)	Wilburton, OK	6/29/87	6/12/87	19,843	Natural gas.
Canadian chains Inc. (workers)	Skowhegan, MA	6/29/87	6/22/87	19,844	Tire chains.
Chemical Express (workers)	Mary Neal, TX	6/29/87	5/29/87	19,845	Trucking company.
Columbus Auto Parts (UAW)	Columbus OH	6/29/87	6/19/87	19,846	Steering linkages.
De Med, Inc. (firm)	Freehold, NY	6/29/87	6/22/87	19,847	Distr. medical supplies.
E.F. Johnson, Co. (workers)	Waseca, MN	6/29/87	6/19/87	19,848	Short frequency radios.
E.I. du Pont Nemours Co., Inc. (company)	Old Hickory, TN	6/29/87	6/10/87	19,849	Fibers.
Fairbanks Morse Pump (company)	Kansas City, KS	6/29/87	6/19/87	19,850	Pumps.
Gent J. Mfg., Co. (company)	Plymouth, PA	6/29/87	6/24/87	19,851	Men's & women's apparel.
H.O. Mohr & Associates (workers)	Houston, TX	6/29/87	6/15/87	19,852	Oil.
Holly Dress, Co. (workers)	Naticoke, PA	6/29/87	6/22/87	19,853	Women's dresses.

## APPENDIX—Continued

Petitioner (union workers/firm)	Location	Date received	Date of petition	Petition No.	Articles produced
Houston Engineers, (IAM-AW)	Houston, TX	6/29/87	6/9/87	19,854	Oil tools.
Judith Michaels (company)	New York, NY	6/29/87	6/3/87	19,855	Women's sportswear.
Link Incorporation (workers)	Troy, OH	6/29/87	6/19/87	19,856	Racks.
MWJ Producing Co. (company)	Midland, TX	6/29/87	6/18/87	19,857	Oil & gas.
Mathewson Corporation (company)	Quincy, MA	6/29/87	6/16/87	19,858	Machinery.
Moyer Pants Co. (ACTUW)	Youngstown, OH	6/29/87	6/16/87	19,859	Men's pants & slacks.
Pacific Western Systems (workers)	Hillsboro, OR	6/29/87	6/4/87	19,860	Testing equipment.
Peak Products, Co., Inc. (workers)	Chicago, IL	6/29/87	6/12/87	19,861	Automotive supplies.
Prestolite Electric, Inc. (UAW)	Syracuse, NY	6/29/87	6/12/87	19,862	Motors.
Seimens Energy & Automation (workers)	Nonwood, OH	6/29/87	6/18/87	19,863	Motors.
Tamaqua Frocks (workers)	Tamaqua, PA	6/29/87	6/18/87	19,864	Apparel.
Technicolor (IATSE)	N. Hollywood, CA	6/29/87	6/8/87	19,865	Film.
Tew Formation Testing, Inc. (workers)	Tulsa, OK	6/29/87	6/18/87	19,866	Oil.
Totco Operating Corporation (workers)	Norman, OK	6/29/87	5/29/87	19,867	Instruments.
United Engineers & Constructors (workers)	Denver, CO	6/29/87	6/17/87	19,868	Engineering & constructions.
W.E. Stephens (workers)	Watertown, TN	6/29/87	6/22/87	19,869	Jeans & shorts.

[FR Doc. 87-15556 Filed 7-8-87; 8:45 am]

BILLING CODE 4510-30-M

### Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period June 22, 1987—June 26, 1987.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

#### Negative Determinations

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-19,759; *Cima Explortion, Inc.*, Midland, TX

TA-W-19,595; *Ingram Manufacturing Co.*, San Antonio, TX

TA-W-19,602; *Red Diamond Battery Co.*, Hot Spring, AR

TA-W-19,547; *Honeywell, Inc.*, Industrial Automation Systems Div., Phoenix, AZ

TA-W-19,580; *Bristol Steel Corp.*, St. Louis, MO

In the following cases the investigation revealed that criterion (3) has not been met for the reasons specified.

TA-W-19,646; *U.S. Steel Mining Co., Inc.*, Cumberland Mine, Kirby, PA

Increased imports did not contribute importantly to workers separations at the firm.

TA-W-19,682; *Stocket & Sitler, Inc.*, New Philadelphia, PA

U.S. imports of natural gas declined absolutely and relative to domestic shipment in 1986 compared to 1985.

TA-W-19,599; *L-Tec Welding & Cutting Systems*, Piscataway, NJ

Increased imports did not contribute importantly to workers separations at the firm.

TA-W-19,666; *Chevron Overseas Petroleum, Inc.*, San Ramon, CA

Increased imports did not contribute importantly to workers separations at the firm.

TA-W-19,586; *Drilco Industrial, Inc.*, Midland, TX

U.S. imports of oil field machinery including drilling tools are negligible.

TA-W-19,608; *Terra Resource, Inc.*, Tulsa, OK

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA-W-19,588; *Hammond Valve Corp.*, Hammond, IN

The investigation revealed that criterion (1) and (2) have not been met. Employment did not decline during the relevant period as required for certification. Sales or production did not

decline during the relevant period as required for certification.

#### Affirmative Determinations

TA-W-19,607; *Taylor Wilson Manufacturing Co.*, McKees Rocks, PA

A certification was issued covering all workers of the firm separated on or after April 16, 1986.

TA-W-19,744; *Scully Leatherwear, Inc.*, Los Angeles, CA

A certification was issued covering all workers of the firm separated on or after May 13, 1986.

TA-W-19,634; *Pennsylvania Industrial Fastener*, Donora, PA

A certification was issued covering all workers of the firm separated on or after April 30, 1986.

TA-W-19,587; *Essex Manufacturing Co.*, Fall River, MA

A certification was issued covering all workers of the firm separated on or after April 14, 1986.

TA-W-19,476; *Cricketeer Manufacturing Co.*, Harrodsburg, KY

A certification was issued covering all workers of the firm separated on or after March 27, 1986.

TA-W-19,559; *Sante Fe Minerals, Inc.*, Southwest Exploration District, Midland, TX

A certification was issued covering all workers of the firm separated on or after April 13, 1986.

TA-W-19,581; *Crucible Material Corp.*, Trent Tube Div., Carrollton, GA

A certification was issued covering all workers of the firm separated on or after April 16, 1986.

TA-W-19,787; *Operators, Inc.*, Subsidiary of Tenneco Oil Co., Houston, TX

A certification was issued covering all workers of the firm separated on or after May 13, 1986.

TA-W-19,787A; Operators, Inc.,  
Subsidiary of Tenneco Oil Co., San  
Antonio, TX

A certification was issued covering all workers of the firm separated on or after May 13, 1987.

TA-W-19,787B; Operators, Inc.,  
Subsidiary of Tenneco Oil Co.,  
Bakersfield, CA

A certification was issued covering all workers of the firm separated on or after May 13, 1987.

TA-W-19,787C; Operators, Inc.,  
Subsidiary of Tenneco Oil Co.,  
Oklahoma City, OK

A certification was issued covering all workers of the firm separated on or after May 13, 1986.

TA-W-19,787D; Operators, Inc.,  
Subsidiary of Tenneco Oil Co.,  
Lafayette, LA

A certification was issued covering all workers of the firm separated on or after May 13, 1987.

I hereby certify that the aforementioned determinations were issued during the period June 22, 1987-June 26, 1987. Copies of these determinations are available for inspection in Room 6434, U.S. Department of Labor 601 D Street, NW., Washington, DC 20213 during normal business hours or will be mailed to persons who write to the above address.

Dated: June 30, 1987.

Marvin M. Fooks,  
Director, Office of Trade Adjustment  
Assistance.

[FR Doc. 87-15555 Filed 1-8-87; 8:45 am]

BILLING CODE 4510-30-M

#### Mine Safety and Health Administration

[Docket No. M-86-48-C]

#### Petition for Modification of Application of Mandatory Safety Standard; Consolidation Coal Co.

Consolidation Coal Company, Consol Plaza, Pittsburgh, Pennsylvania 15241 has filed an amendment to a petition for modification. On March 17, 1986, Consolidation Coal Company, submitted a petition to modify the application of 30 CFR 75.1103-4 (automatic fire sensor and warning device systems; installation; minimum requirements) to its Dilworth Mine (I.D. No. 36-02681) located in Greene County, Pennsylvania. On April 17, 1986, MSHA published

notice of the petition in the **Federal Register** (51 FR 13114), allowing interested parties 30 days to submit comments. On December 5, 1986, the petition was granted with specific conditions. On January 16, 1987, petitioner submitted a request to amend the originally submitted petition for modification. The amendment is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that automatic fire sensor and warning device systems provide identification of fire within each belt flight.

2. As an alternate method, petitioner proposes to use the air in the belt entry to ventilate active working places and planned longwall panels. In support of this request, petitioner states that:

(a) The belt conveyor entry will be examined at least once during each coal-producing shift while persons are working;

(b) (1) A low-level carbon monoxide (CO) detection system will be installed in all belt entries used as intake aircourses and at each belt drive and tailpiece located in intake aircourses. The monitoring devices will be capable of giving warning of a fire for up to four hours should the power fail;

(2) The monitoring devices will be capable of providing both visual alert and audible alarm signals;

(3) The signals will be initiated at an attended surface location, and the person will be located so that the visual alert can be seen and the audible alarm can be heard, and will have two-way communication with all working sections;

(4) When the CO system gives either a visual or audible signal, the evaluation procedures outlined in an approved mine evacuation plan will be immediately instituted. A revised mine evacuation plan as required will be submitted to the district manager for approval prior to implementing the CO monitoring system as the primary means of belt monitoring;

(c) The CO system will be capable of identifying any activated sensor and for monitoring electrical continuity to detect any malfunctions;

(d) The CO system will be visually examined at least once each coal-producing shift and tested for functional operation weekly, to insure the monitoring system is functioning properly. The monitoring system will be calibrated with known concentrations of CO and air mixtures at least monthly; and

(e) If the CO monitoring system is deenergized for routine maintenance or for failure of a sensor unit, the belt conveyor will continue to operate and qualified persons will patrol and monitor the belt conveyor using hand-held CO detecting devices.

3. Petitioner states that the proposed alternate method will provide the same degree of safety for the miners affected as that afforded by the standard.

#### Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before August 10, 1987. Copies of the petition are available for inspection at that address.

Dated: June 23, 1987.

Patricia W. Silvey,

Associate Assistant Secretary for Mine  
Safety and Health.

[FR Doc. 87-15553 Filed 7-8-87; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-87-128-C]

#### Petition for Modification of Application of Mandatory Safety Standard; J.R.&H. Coal Co.

J.R.&H. Coal Company, HC 83, Box 664, Barbourville, Kentucky 40906 has filed a petition to modify the application of 30 CFR 75.313 (methane monitor) to its Mine No. 1 (I.D. No. 15-14826) located in Knox County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that a methane monitor be installed on any electric face cutting equipment, continuous miner, longwall face equipment and loading machine and shall be kept operative and properly maintained and frequently tested.

2. Petitioner states that no methane has been detected in the mine. The three wheel tractors were permissible DC powered machines, with no hydraulics. The bucket is a drag type, where approximately 20-40% of the coal is hand loaded. Approximately 20% of the time that the tractor is in use, it is used as a man trip and supply vehicle.

3. As an alternate method, petitioner proposes to use hand held continuous oxygen and methane monitors in lieu of methane monitors on three wheel tractors. In further support of this request, petitioner states that:

(a) Each three wheel tractor will be equipped with a hand held continuous monitoring and oxygen detector and all persons will be trained in the use of the detector;

(b) A gas test will be performed, prior to allowing the coal loading tractor in the face area, to determine the methane concentration in the atmosphere. The air quality will be monitored continuously after each trip, provided the elapse time between trips does not exceed 20 minutes. This will provide continuous monitoring of the mine atmosphere for methane to assure any undetected methane buildup between trips;

(c) If one percent of methane is detected, the operator will manually deenergize his/her battery tractor immediately. Production will cease and will not resume until the methane level is lower than one percent;

(d) A spare continuous monitor will be available to assure that all coal hauling tractors will be equipped with a continuous monitor;

(e) Each monitor will be removed from the mine at the end of the shift, and will be inspected and charged by a qualified person. The monitor will also be calibrated monthly; and

(f) No alterations or modifications will be made in addition to the manufacturer's specifications.

4. Petitioner states that the proposed alternate method will provide the same degree of safety for the miners affected as that afforded by the standard.

#### Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before August 10, 1987. Copies of the petition are available for inspection at that address.

Dated: June 29, 1987.

Patricia W. Silvey,

Associate Assistant Secretary for Mine Safety and Health.

[FR Doc. 87-15554 Filed 7-8-87; 8:45 am]

BILLING CODE 4510-43-M

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### Arts Education Research Center Project

**AGENCY:** National Endowment for the Arts.

**ACTION:** Notification of Request for Proposals to Conduct Arts Education Research.

**SUMMARY:** The Department of Education and the National Endowment for the Arts are planning jointly to fund a project on arts education research for public and private schools in kindergarten through twelfth grades. An announcement of the project and request for Statements of Qualifications was published in the *Federal Register* on May 13, 1987. This is a notification that the Program Solicitation, which requests proposals from nonprofit institutions of higher education to engage in this research, will be available approximately July 13, 1987. Proposals will be due by August 17, 1987.

**DATE:** Proposals must be submitted by August 17, 1987.

**ADDRESS:** Contracts Office, Room 217, National Endowment for the Arts, 1100 Pennsylvania Ave., NW, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** William I. Hummel, Contract Specialist, National Endowment for the Arts, 1100 Pennsylvania Ave., NW, Washington, DC 20506 (202/682-5482).

**SUPPLEMENTARY INFORMATION:** Program Solicitation PS 87-06 for an Arts Education Research Center Project is scheduled to be released July 13, 1987 with proposals due by August 17, 1987. As a result of responses to this solicitation, one or several Cooperative Agreements will be awarded to nonprofit institution(s) of higher education to fund Arts Education Research Center(s) for FY 1987. This project may be funded for a period up to three (3) years, subject to the availability of funds. Available funding for the current FY 1987 is \$500,000. The size of the award of the Cooperative Agreement(s) may be up to \$500,000. An awardee under this program will be known as a Center for Research on Learning and Teaching in the Arts. The initial award will be made by September 30, 1987. Every institution which submitted a Statement of Qualifications for this project in response to the notice in the *Federal Register* of May 13, 1987 will receive this Program Solicitation and need not submit a request for the Solicitation. Any other interested parties who wish to receive the Solicitation

should submit a request for Program Solicitation PS 87-06, together with two self addressed mailing labels, to: National Endowment for the Arts, Contracts Office, Room 217, 1100 Pennsylvania Avenue, NW., Washington, DC 20508. No verbal requests will be honored.

Peter J. Basso,

Deputy Chairman for Management, National Endowment for the Arts.

[FR Doc. 87-15545 Filed 7-8-87; 8:45 am]

BILLING CODE 7537-01-M

## NUCLEAR REGULATORY COMMISSION

### High-Level Nuclear Waste Repositories; Availability of Final Generic Technical Positions on Qualification of Existing Data and Peer Review

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Availability.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is announcing the availability of the "Generic Technical Position on Qualification of Existing Data for High-Level Nuclear Waste Repositories," the "Generic Technical Position on Peer Review of High-Level Nuclear Waste Repositories," and their respective comment response documents.

**ADDRESSES:** These documents are available for purchase through the NRC's Public Document Room, 1717 H Street, NW., Washington, DC, 202/634-3273.

**FOR FURTHER INFORMATION CONTACT:** Mr. James E. Kennedy, Section Leader, Quality Assurance Section, Operations Branch, Division of High-Level Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone 301/427-4786.

**SUPPLEMENTARY INFORMATION:** The Nuclear Waste Policy Act of 1982 (NWP) (Pub. L. 97-425) and the Commission regulation 10 CFR Part 60 promote interaction between the Department of Energy (DOE) and NRC prior to submittal of a license application for a geologic repository. These interactions are to fully inform DOE about the level of information that must be provided in a license application to allow a licensing decision to be made by NRC.

The principal mechanism for providing guidance to the DOE is completion by the NRC staff of Site Characterization Analyses (SCA) submitted according to the NWP and

10 CFR Part 60. Additional means have been developed to supplement the guidance provided in the SCA's. These include staff technical positions on both generic and site-specific issues. Generic Technical Positions (GTP) establish the staff's position on broad technical issues that would be applicable to any site. Site Technical Positions (STP) establish the staff's position on a site-specific technical issue. A number of GTP's will be developed by the staff to establish staff positions on generic issues or information requirements for sites being investigated by DOE.

These GTPs provide guidance to DOE on what the staff considers as appropriate methods of qualifying data not initially collected under a 10 CFR Part 60, Subpart G quality assurance program and on the definition of peer review, the areas where a peer review is appropriate, the acceptability of peers, and the conduct and documentation of a peer review.

On July 3, 1986, the NRC published the notice of availability for the two aforementioned GTP's and solicited public comments. As a result, approximately sixty-four comments were received from eleven different parties. Furthermore, a public meeting was held May 14, 1987 to discuss the GTPs and the NRC staff's responses to the public comments received. Representatives from the States, Tribes, industry, and the Department of Energy were in attendance and provided feedback to the NRC staff. Changes and clarifications have been made in the final GTPs as a result of this interaction.

Dated at Silver Spring, Maryland, this 30th day of June 1987.

For the Nuclear Regulatory Commission.

**John J. Linehan,**

*Acting Chief, Operations Branch, Division of High-Level Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 87-15630 Filed 7-8-87; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-237, 50-328]

#### **Withdrawal of Applications for Amendments to Facility Operating Licenses; Tennessee Valley Authority**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the requests of the Tennessee Valley Authority (TVA) to withdraw the following applications for proposed amendments to Facility Operating Licenses Nos. DPR-77 and DPR-79 for the Sequoyah Nuclear Plant, Units 1 and

2, located in Hamilton County, Tennessee.

(1) A portion of the August 16, 1982, application would have revised the Technical Specifications (TS) relating to the substitution of the use of design flow rates for the flow rate monitors in TS Table 3.3-13 and Surveillance Requirement 4.3-9. This is a convenience item to TVA.

(2) A portion of the July 21, 1983, application would have revised the TS relating to hydrogen igniter testing in TS Surveillance Requirement 4.5.4.3.6. This is a convenience item to TVA and will be resubmitted at a later date.

(3) The June 13, 1984, application, being withdrawn in its entirety, would have revised the TS relating to Table 3.6-2, to change the containment isolation signal for the containment radiation monitors from containment ventilation isolation to Phase B isolation. This is a convenience item to TVA. TVA is reworking this engineering change and will resubmit any required TS changes in accordance with 10 CFR 50.59.

(4) The October 22, 1984, application would have revised the TS relating to the list of secondary containment bypass penetrations in Table 3.6-1. Several potential errors have been identified in this submittal; therefore, TVA will reevaluate the request, modify it as necessary, and resubmit the TS change request prior to restart.

(5) A portion of the April 7, 1986, application would have deleted TS Table 3.3-11 on fire protection. TVA is preparing a revision to the Updated Final safety Analysis Report (UFSAR) to incorporate a description of the fire protection program following the guidance of Generic Letter 86-10. TVA will submit appropriate future changes to the TS, as recommended in Generic Letter 86-10, when the UFSAR changes are complete. This is a convenience item to TVA.

The Commission has issued Notices of Consideration of Issuance of Amendments to Licenses published in the *Federal Register* on December 31, 1984 (49 FR 50826), October 12, 1983 (48 FR 46460), September 28, 1984 (49 FR 38410), December 31, 1984 (49 FR 50826), and August 27, 1986 (51 FR 30581), respectively, for the above applications. By letter dated May 15, 1987, TVA requested to withdraw its applications for proposed amendments as described above. Pursuant to 10 CFR 2.107, the Commission has granted TVA's request.

For further details with respect to this action, see (1) the applications for amendment dated August 16, 1982, July 21, 1983, June 13, 1984, October 22, 1984,

and April 7, 1986 and (2) TVA's letter dated May 15, 1987, withdrawing the applications for license amendments. The above documents are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington D.C., and at the Local Public Document Room in the Chattanooga-Hamilton County Library, 1001 Broad Street, Chattanooga, Tennessee 37402.

Dated this 1st day of July 1987.

For the Nuclear Regulatory Commission.

**John A. Zwolinski,**

*Assistant Director for Projects, TVA Projects Division, Office of Special Projects.*

[FR Doc. 87-15589 Filed 7-8-87; 8:45 am]

BILLING CODE 7590-01-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: Statement of Authority to Act for Employee
- (2) Form(s) submitted: SI-10
- (3) Type of request: Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection
- (4) Frequency of use: On occasion
- (5) Respondents: Individuals or households, Businesses or other for-profit
- (6) Annual responses: 500
- (7) Annual reporting hours: 42
- (8) Collection description: Under 20 CFR 335.12, the RRB accepts claims for sickness benefits executed by other than the sick or injured employee, provided the RRB has the information needed to satisfy itself that the delegation should be made.

**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, Elaina Norden (202-395-7316), Office of

Management and Budget, Room 3002,  
New Executive Office Building,  
Washington, DC 20503.

Pauline Lohans,

Director of Information and Data  
Management.

[FR Doc. 87-15568 Filed 7-8-87; 8:45 am]

BILLING CODE 7905-01-M

## DEPARTMENT OF STATE

[Public Notice 1017]

### Public Information Collection Requirements Submitted to OMB for Review

**AGENCY:** Department of State.

**ACTION:** The Department of State has submitted the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511.

**SUMMARY:** The following summarizes the information collection proposals submitted to OMB.

#### 1. Title of Information Collection— Procurement Solicitations

**Purpose:** Issuance of solicitation documents for all acquisition actions over the small purchases limitation is required by the Federal Procurement Regulations and Federal Acquisition Regulations. This request has been prepared with a cognizance of the FAR and is intended to satisfy all requirements relating thereto.

Form numbers—N/A

Originating office—Bureau of  
Administration

Office of Supply, Transportation and  
Procurement

Type of request—Reinstatement

Frequency—On occasion

Respondents—Prospective Federal  
Government Contractors

Estimated number of responses—1,790

Estimated number of hours needed to  
respond—215,770

#### 2. Title of Information Collection— Overseas Schools Questionnaire

Form numbers—FS-573, A & B

Originating office—Office of Overseas  
Schools

Type of request—Extension

Frequency—Annual

Respondents—Overseas schools seeking  
assistance

Estimated number of responses—175

Estimated number of hours needed to  
respond—175

#### 3. Title of Information Collection— Request for Assistance

Form numbers—FS-574

Originating office—Office of Overseas  
Schools

Type of request—Extension

Frequency—Annual

Respondents—Overseas schools seeking  
assistance

Estimated number of responses—175

Estimated number of hours needed to  
respond—88

#### 4. Title of Information Collection— Approval of Funding to Support Educational Projects

Form numbers—JF-45

Originating office—Office of Overseas  
Schools

Type of request—Extension

Frequency—Annual

Respondents—Overseas schools seeking  
assistance

Estimated number of responses—175

Estimated number of hours needed to  
respond—44

#### 5. Title of Information Collection— Overseas Schools, Grant Status Report

Form numbers—JF-61

Originating office—Office of Overseas  
Schools

Type of request—Extension

Frequency—Quarterly

Respondents—Overseas schools seeking  
assistance

Estimated number of responses—283

Estimated number of hours needed to  
respond—212

Section 3504(h) of Pub. L. 96-511 does  
not apply.

**Additional Information or Comments:**  
Copies of the proposed form and  
supporting documents may be obtained  
from Gail J. Cook (202) 647-4086.  
Comments and questions should be  
directed to (OMB) Francine Picoult (202)  
395-7340.

Dated: June 30, 1987.

Donald J. Bouchard,

Assistant Secretary for Administration.

[FR Doc. 87-15628 Filed 7-8-87; 8:45 am]

BILLING CODE 4710-24-M

## TENNESSEE VALLEY AUTHORITY

### Information Collection Under Review by the Office of Management and Budget (OMB)

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Information Collection Under  
Review by the Office of Management  
and Budget (OMB).

**SUMMARY:** The Tennessee Valley  
Authority (TVA) has sent to OMB the  
following proposal for the collection of  
information under the provisions of the  
Paperwork Reduction Act of 1980 (44

U.S.C. Chapter 35), as amended by Pub.  
L. 99-591.

Requests for information, including  
copies of the information collection  
proposed and supporting  
documentation, should be directed to  
the Agency Clearance Officer whose  
name, address, and telephone number  
appear below. Questions or comments  
should be directed to the Agency  
Clearance Officer and also to Desk  
Officer for the Tennessee Valley  
Authority, Office of Information and  
Regulatory Affairs, Office of  
Management and Budget, Washington,  
DC 20503; Telephone: (202) 395-7313.

**Agency Clearance Officer:** Mark R.  
Winter, Tennessee Valley Authority, 100  
Lupton Building, Chattanooga, TN 37401;  
(615) 751-2524.

**Type of Request:** Regular submission.

**Title of Information Collection:** North  
American Electric Vehicle Market  
Survey.

**Frequency of Use:** On occasion.

**Type of Affected Public:** Businesses  
for other or-profit.

**Small Businesses or Organizations  
Affected:** No.

**Federal Budget Functional Category  
Code:** 271.

**Estimated Number of Annual  
Responses:** 300.

**Estimated Total Annual Burden  
Hours:** 75.

**Need For and Use of Information:**  
TVA is one of 37 participating utilities  
and one of 5 sponsoring utilities  
involved in the North American Electric  
Vehicle Market Survey to be conducted  
for the Electric Vehicle Development  
Corporation. This survey will provide  
each participating utility with electric  
vehicle market data and projections to  
support their planning for electric  
vehicle introduction and electricity  
demand resulting from electric van use  
in their service areas.

John W. Thompson,

Manager of Corporate Services, Senior  
Agency Official.

[FR Doc. 87-15597 Filed 7-8-87; 8:45 am]

BILLING CODE 8120-01-M

## DEPARTMENT OF TRANSPORTATION

### Aviation Proceedings; Agreements Filed During the Week Ending June 26, 1987

The following agreements were filed  
with the Department of Transportation  
under the provisions of 49 U.S.C. 408,  
409, 412, and 414. Answers may be filed  
within 21 days of date of filing.

**Docket No. 44958 R-1—R-4**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 22, 1987  
*Subject:* Expedited South Pacific Cargo Resolutions  
*Proposed Effective Date:* July 1, 1987

**Docket No. 44959**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 22, 1987  
*Subject:* 1987/88 South Atlantic Cargo Rates Structure  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44960**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 22, 1987  
*Subject:* SASC-TC1 via Nat'l co-rates: delete expy  
*Proposed Effective Date:* July 1, 1987

**Docket No. 44963 R-1—R-16**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* North Atlantic Africa Cargo Rates  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44964 R-1—R-23**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* Europe Africa Cargo Rates  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44965 R-1—R-11**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* Within TC2 Cargo Rates  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44966**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* South East Asia—TC1 Cargo Rates  
*Proposed Effective Date:* July 1, 1987

**Docket No. 44967**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* Increase Fares from US/Canada to Japan  
*Proposed Effective Date:* August 1, 1987

**Docket No. 44968 R-1—R-10**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* 1987/88 Europe to US Rate Structure  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44969 R-1—R-9**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* Europe to Canada Rate Structure  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44970 R-1—R-14**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 23, 1987  
*Subject:* Revise Various US-TC2 Cargo Rates  
*Proposed Effective Date:* July 1, 1987 / August 1, 1987

**Docket No. 44975**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 25, 1987  
*Subject:* Revise So-Am-SASC via Nat'l GCRs  
*Proposed Effective Date:* August 1, 1987

**Docket No. 44976 R-1—R-5**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 25, 1987  
*Subject:* 1987/88 US-SASC via Nat'l Rate Structure  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44977 R-1—R-5**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 25, 1987  
*Subject:* 1987/88 Japan-TC1 N/C Pac Rate Structure  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44978 R-1—R-7**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 25, 1987  
*Subject:* 1987/88 TC1 (W. Hemisphere) Rates Structure  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44979 R-1 & R-2**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 25, 1987  
*Subject:* Increase PPNG—Australia premium fares  
*Proposed Effective Date:* July 15, 1987

**Docket No. 44980**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 25, 1987  
*Subject:* Increase Fares to/from air for Airport Tax  
*Proposed Effective Date:* July 15, 1987 (amended from July 1)

**Docket No. 44981 R-1—R-3**

*Parties:* Members of International Air Transport Association

*Date Filed:* June 25, 1987

*Subject:* Increase Certain within Africa Fares  
*Proposed Effective Date:* July 25, 1987

**Docket No. 44982**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 25, 1987  
*Subject:* Revise within Europe Creative Fares  
*Proposed Effective Date:* July 25, 1987

**Docket No. 44983 R-1—R-10**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 26, 1987  
*Subject:* Cargo Rates TC1—South East Asia Korea  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44984 R-1—R-25**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 26, 1987  
*Subject:* Composite Cargo Resolutions  
*Proposed Effective Date:* October 1, 1987

**Docket No. 44985**

*Parties:* Members of International Air Transport Association  
*Date Filed:* June 26, 1987  
*Subject:* Japan/Korea—South East Asia Fares  
*Proposed Effective Date:* October 1, 1987

**Phyllis T. Kaylor,**

*Chief, Documentary Services Division.*  
 [FR Doc. 87-15633 Filed 7-8-87; 8:45 am]

BILLING CODE 4910-62-M

### Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed During the Week Ending June 26, 1987

The following applications for certificates of public convenience and necessity and foreign air carrier permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (see 14 CFR 302.1701 et seq.). The due date for answers, conforming application, or motion to modify scope are set forth below for each application. Following the answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

**Docket No. 44896**

*Date Filed:* June 24, 1987.  
*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* July 22, 1987.

*Description:* Amendment to the application of Air Atlantic Ltd. pursuant to section 402 of the Act and Subpart Q of the Regulations, requesting authorization to engage in foreign scheduled air transportation of persons, property and mail between Boston, Massachusetts and St. John, New Brunswick.

Phyllis T. Kaylor

Chief, Documentary Services Division.

[FR Doc. 87-15634 Filed 7-8-87; 8:45 am]

BILLING CODE 4910-62-M

## Coast Guard

[CGDONE 87-18]

### New York Harbor Traffic Management Advisory Committee Meeting

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of Meeting.

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I), notice is hereby given of a meeting of the New York Harbor Traffic Management Advisory Committee to be held on July 29, 1987, in the conference room, second floor, U.S. Coast Guard Marine Inspection Office, Battery Park, New York, New York, beginning at 10:00 a.m.

The agenda for this meeting of the New York Harbor Traffic Management Advisory Committee is as follows:

1. Introduction of Committee sponsor, Committee members, and Coast Guard officers.
2. A progress report on Charter/Membership renewal for the Advisory Committee.
3. A discussion on proposing construction standards for marinas.
4. A discussion on Advisory Committee correspondence concerning a seaplane docking structure at Pier 6 Manhattan.
5. A progress report from the Vessel Traffic Service on the installation of new television cameras at existing observation sites.
6. A report from the Corps of Engineers concerning the impact to vessels due to planned dredging of Kill Van Kull.
7. A discussion on issues associated with the widening of Ambrose Channel.
8. Other topics which might arise and the committee agrees should be addressed at that time.
9. Review of agenda topics and selection of date for next meeting.

The New York Harbor Traffic Management Advisory Committee has been established by Commander, First Coast Guard District to provide information, consultation, and advice

with regard to port development, maritime trade, port traffic, and other maritime interests in the harbor. Members of the Committee serve voluntarily without compensation from the Federal Government.

Attendance is open to the interested public. With advance notice to the Chairperson, members of the public may make oral statements at the meeting. Persons wishing to present oral statements should so notify the Executive Director no later than the day before the meeting. Any member of the public may present a written statement to the Committee at any time.

**FOR FURTHER INFORMATION CONTACT:** Commander W. Young, USCG, Executive Secretary, NY Harbor Traffic Management Advisory Committee, New York Vessel Traffic Service, Governors Island, New York, NY 10004; or by calling (212) 668-7954.

Dated: July 6, 1987.

R. L. Johanson,

Rear Admiral (Lower Half), U. S. Coast Guard Commander, First Coast Guard District.

[FR Doc. 87-15586 Filed 7-8-87; 8:45 am]

BILLING CODE 4910-14-M

## Federal Highway Administration

### Environmental Impact Statement; Santa Fe-Los Alamos Counties, NM

**AGENCY:** Federal Highway Administration (FHWA) DOT.

**ACTION:** Notice of Intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Santa Fe and Los Alamos Counties, New Mexico.

**FOR FURTHER INFORMATION CONTACT:** Mr. A.S. Ball, Program Development Engineer, Federal Highway Administration, 117 U.S. Court House, P.O. Box 1088, Santa Fe, New Mexico 87504-1088, telephone (505) 988-6254, or Mr. W.L. Taylor, Environmental Section, New Mexico State Highway and Transportation Department, 1129 Cerrillos Road, P.O. Box 1149, Santa Fe, New Mexico 87504-1149, telephone (505) 827-5232.

**SUPPLEMENTARY INFORMATION:** The FHWA in cooperation with the New Mexico State Highway and Transportation Department (NMSHTD) will prepare an environmental impact statement (EIS) on a proposal to construct an alternative highway between the communities of Santa Fe and Los Alamos in Santa Fe and Los Alamos Counties, New Mexico. It will

involve a roadway on a new alignment from Santa Fe to State Road 4 with a new highway bridge across the Rio Grande in the vicinity of White Rock.

Improvements to the corridor are considered necessary to improve safety conditions in the corridor, to relieve traffic congestion on existing State Road 4 and provide for safer hauling of nuclear waste from the Los Alamos National Laboratory. Alternatives under consideration include the no build alternative and three other alternatives all of which involve new alignments. Coordination in the preparation of the Environmental Impact Statement will be conducted with Federal, State, and local agencies, and private organizations and citizens who express interest in this proposal. The Bureau of Land Management, the Bureau of Indian Affairs, the U.S. Army Corps of Engineers, the U.S. Forest Service and the Department of Energy have been requested to participate in the EIS preparation as cooperating agencies.

A public hearing will be held after circulation of the Draft Environmental Impact Statement. The public hearing will be advertised by public notice with individual notices informing agencies, groups and individuals that have expressed particular concerns. The Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this project are addressed and that all significant issues are identified, comments and suggestions are invited from all interest parties. Comments or questions concerning this proposed project and the EIS should be addressed to the FHWA or NMSHTD at the addresses provided above.

Issued on: July 2, 1987.

Anthony L. Alonzo,

Division Administrator, Santa Fe, New Mexico.

[FR Doc. 87-15569 Filed 7-8-87; 8:45 am]

BILLING CODE 4910-22-M

## DEPARTMENT OF THE TREASURY

### Rechartering of Advisory Committee

The Department of the Treasury announces the rechartering of the Government and Federal Agencies Securities Committee of the Public Securities Association (PSA) advisory committee, in accordance with the Federal Advisory Committee Act (Pub. L. 92-463).

The purpose of the committee is to provide informed advice as representatives of the financial

community to the Secretary of the Treasury and his staff, upon his request, in carrying out federal financing and in the management of the public debt. The scope of the activity of the committee is to consider commercial and financial information relevant to its objectives and to consult with and advise the Secretary of the Treasury and his staff with respect to debt management operations, and to make reports and recommendations.

Meetings are closed to the public because the topics of discussions pertain to information exempt from disclosure under section 552(c)(4) and (9)(A) of title 5 of the United States Code, and that the public interest requires that such meetings be closed to the public.

The advice provided consists of commercial and financial information given and received in confidence. As such debt management advisory committee activities concern matters which fall within the exception covered by section 552(c)(4) of Title 5 of the United States Code for matters which are "trade secrets and commercial or financial information obtained from a person and privileged or confidential."

Although Treasury's final announcement of financing plans may not reflect the recommendation provided in reports of an advisory committee, premature disclosure of these reports would lead to significant financial speculation in the securities markets. Thus, these meetings also fall within the exemption covered by section 552 (b), (c)(9)(A) of title 5 of the United States Code.

In accordance with the Federal Advisory Committee Act the Department of the Treasury has rechartered the Government and Federal Agencies Securities Committee

of the Public Securities Association (PSA) and approved the following members to serve on the committee:

*Chairman:*

Gedale B. Horowitz, Managing Director, Salomon Brothers, Inc., One New York Plaza, New York, New York 10004

*Vice Chairman:*

Donald B. Riefler, Chairman, Sources & Uses of Funds Committee, Morgan Guaranty Trust Company, 23 Wall Street, New York, New York 10015

*Members:*

Daniel S. Ahearn, Senior Vice President, Wellington Management Company, 28 State Street, Boston, Massachusetts 02109

James A. Brickley, Chairman, Asset/Liability Management Committee, InterFirst Corporation, P.O. Box 83000, Dallas, Texas 75283/1042

Robert C. Brown, President, Norwest Capital Markets, Inc., Eighth & Marquette Avenue, Minneapolis, MN 55479

E. Michael Caulfield, Executive Vice President, Mellon Bank, One Mellon Bank Center, Pittsburgh, PA 15258-0001

Larry F. Clyde, Midland Montagu Capital Markets, 520 Madison Avenue—41 FL., New York, NY 10022

Jon S. Corzine, Partner, Goldman, Sachs & Co., 85 Broad Street, New York, NY 10004

Richard S. Davis, Managing Director, First Boston Corporation, 55 East 52 Street, New York, NY 10055

John B. Ford, Chairman of the Board, Aubrey G. Lanston & Co., Inc., 20 Broad Street, New York, NY 10005

Richard S. Fuld, Jr., Vice Chairman, Shearson Lehman Brothers, Inc., World Financial Center, American

Express Tower—9th Fl., New York, NY 10285

George H. Grimm, Executive Vice President & Managing Director, W.E. Pollock & Co., Inc., 160 Water Street, New York, NY 10038

Thomas S. Johnson, President, Chemical Bank, 277 Park Avenue, New York, NY 10172

Mark F. Kessenich, Jr., Executive Vice President, E.F. Hutton & Company, 31 West 52 Street, 3rd Fl., New York, NY 10019

Daniel T. Napoli, President & Trading Manager, Government Securities Dept., Merrill Lynch & Co., Inc., One Liberty Plaza, New York, NY 10080

Ralph F. Peers, Chairman of the Board, Discount Corporation of New York, 58 Pine Street, New York, NY 10005

H. Jack Runnion, Jr., Senior Executive Vice President, Wachovia Bank & Trust Company, N.A., P.O. Box 3099, Winston-Salem, NC 27150

Wolfgang Schoellkopf, Executive Vice President, Chase Manhattan Bank, N.A., 1 Chase Manhattan Plaza, New York, NY 10081

David G. Taylor, Vice Chairman, Irving Trust Company, One Wall Street, New York, NY 10015

John Tritz, Executive Vice President, Bankers Trust Company, P.O. Box 318, Church St. Station, New York, NY 10015

John R. Vella, Executive Vice President, Bank of America, NT & SA, World Banking Division-Financial Services, 555 California Street San Francisco, CA 94104

Effective Date: July 15, 1987

John F.W. Rogers,  
Assistant Secretary of the Treasury  
(Management).

[FR Doc. 87-15636 Filed 7-8-87, 8:45 am]

BILLING CODE 4810-25-M

# Sunshine Act Meetings

Federal Register

Vol. 52, No. 131

Thursday, July 9, 1987

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).

## FEDERAL ELECTION COMMISSION

**DATE AND TIME:** Tuesday, July 14, 1987, 2:00 p.m.

**PLACE:** 999 E. Street, NW., Washington, DC.

**STATUS:** This meeting will be closed to the public.

### ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. 437g.

Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

**DATE AND TIME:** Thursday, July 16, 1987, 10:00 a.m.

**PLACE:** 999 E. Street, NW., Washington, DC (Ninth Floor).

**STATUS:** This meeting will be open to the public.

### MATTERS TO BE CONSIDERED:

Setting of Dates for Future Meetings.

Correction and Approval of Minutes.

Eligibility Report for Candidates to Receive Presidential Primary Matching Funds.

Draft Advisory Opinion 1987-20—Timothy W. Jenkins on behalf of Connaught Laboratories, Inc.

Routine Administrative Matters.

### PERSON TO CONTACT FOR INFORMATION:

Mr. Fred Eiland, Information Officer, Telephone: 202-376-3155.

Marjorie W. Emmons,

Secretary of the Commission.

[FR Doc. 87-15654 Filed 7-7-87; 10:30 am]

BILLING CODE 6715-01-M

## FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS

**TIME AND DATE:** 10:00 a.m., Wednesday, July 15, 1987.

**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. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

### CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. 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: July 7, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-15700 Filed 7-7-87; 3:16 pm]

BILLING CODE 6210-01-M

## FEDERAL TRADE COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 52 FR, June 29, 1987, Page No. 24241.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 11:00 a.m., Tuesday, July 7, 1987.

**CHANGES IN THE AGENDA:** The Federal Trade Commission has deleted the following item from the agenda of its previously scheduled open meeting of Tuesday, July 7, 1987, 11:00 a.m., and rescheduled this item for Wednesday, July 29, 1987, 10:00 a.m.

Consideration of proposed amendments to Rule on Games of Chance in the Food Retailing and Gasoline Industries.

Emily H. Rock,

Secretary.

[FR Doc. 87-15661 Filed 7-7-87; 11:21 am]

BILLING CODE 6750-01-M

## NATIONAL CREDIT UNION ADMINISTRATION

The following item was deleted from the previously announced closed meeting (Federal Register, Vol. 52, No. 121, page 23758, June 24, 1987) of the

National Credit Union Administration on June 30, 1987.

Request for Exemption from § 701.21(h)(2)(ii) of the NCUA Rules and Regulations and Delegations of Authority. Closed pursuant to exemptions (2), (8), and (9)(A)(ii).

Earlier announcement of this change was not possible.

The previously announced items were:

1. Personnel Actions. Closed pursuant to exemptions (2) and (6).

The meeting was held at 11:00 a.m., in the Filene Board Room, 7th Floor, 1776 G Street, NW., Washington, DC.

**FOR MORE INFORMATION CONTACT:** Becky Baker, Secretary of the Board, Telephone (202) 357-1100.

Becky Baker,

Secretary of the Board.

[FR Doc. 87-15685 filed 7-7-87; 1:46 pm]

BILLING CODE 7535-01-M

## NATIONAL CREDIT UNION ADMINISTRATION

**TIME AND DATE:** 9:30 a.m., Wednesday, July 15, 1987.

**PLACE:** Voyager Room, Hotel Captain Cook, Fifth and K Streets, Anchorage, Alaska 55901, (907) 276-6000.

**STATUS:** CLOSED.

### MATTERS TO BE CONSIDERED:

1. Approval of Minutes of Previous Closed Meetings.

2. Credit Union Termination of Conservatorship. Closed pursuant to exemption (8).

3. Special Assistance under section 208 of the Federal Credit Union Act. Closed pursuant to exemptions (8), (9)(A)(ii), and (9)(B).

4. NCUA's FY88 and FY89 Budgets. Closed pursuant to exemptions (2) and (9)(B).

**RECESS:** 12:00 noon.

**TIME AND DATE:** 1:30 p.m., Wednesday, July 15, 1987.

**PLACE:** Aft Deck, Hotel Captain Cook, Fifth and K Streets, Anchorage, Alaska 55901, (907) 276-6000.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:**

1. Approval of Minutes of Previous Open Meetings.
2. Economic Commentary.
3. Insurance Fund Report.
4. Review of Central Liquidity Facility Lending Rate.
5. Proposed Conforming Amendments to Conflict of Interest Provisions of NCUA's Rules, Parts 701, 703 and 721.
6. Request for Comments on Federal Credit Union Investment in Mortgage Securities.
7. Semiannual Agenda of Regulations.
8. Final Freedom of Information Act Regulation.
9. Memorandum of Understanding between the Central Liquidity Facility and U.S. Central.
10. Memorandum of Understanding between the Central Liquidity Facility and the Corporate Credit Unions.
11. Board Briefings.

**FOR MORE INFORMATION CONTACT:** Becky Baker, Secretary of the Board, Telephone (202) 357-1100.

Becky Baker,

*Secretary of the Board.*

[FR Doc. 87-15686 Filed 7-7-87; 1:46 pm]

BILLING CODE 7535-01-M

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# Federal Register

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Thursday  
July 9, 1987

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## Part II

### Environmental Protection Agency

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40 CFR Parts 264 and 270  
List (Phase 1) of Hazardous Constituents  
for Ground-Water Monitoring; Final Rule

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 264 and 270

[FRL 3199-3]

#### List (Phase 1) of Hazardous Constituents for Ground-Water Monitoring

**AGENCY:** U.S. Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency is today amending its regulations concerning ground-water monitoring with regard to screening suspected contamination at land based hazardous waste treatment, storage, and disposal facilities. The amendments replace current requirements to analyze for all Appendix VIII constituents with new requirements to analyze for a specified core list of chemicals plus those chemicals specified by the Regional Administrator on a site-specific basis. The Agency proposed today's amendments on July 24, 1986.

**DATES:** These final regulations become effective on September 28, 1987 which is six months from the date of promulgation, as RCRA Section 3010(b) requires.

**ADDRESSES:** The official record for this rulemaking (Docket No. F-87-AX9F-FFFF) is located in the Room MLG100, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, and is available for viewing from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. Call (202) 475-9327 for appointments. The public may copy a maximum of 50 pages of material from any one regulatory docket at no cost. Additional copies cost \$.20/page.

#### FOR FURTHER INFORMATION CONTACT:

For general information about this rulemaking contact the RCRA Hotline, Office of Solid Waste (WH-562), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (800) 424-9346 (toll free) or (202) 382-3000 in the Washington, D.C. metropolitan area.

For information on specific aspects of this rule contact: Jerry R. Garman, Office of Solid Waste (WH-565E), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (202) 382-4658.

#### SUPPLEMENTARY INFORMATION:

##### Preamble Outline

##### I. Authority

##### II. Summary of Today's Final Rule

##### III. Background

##### A. Regulatory Framework

- B. Origin of Today's Final Rule
- IV. Issues Discussed in Proposed Rule
  - A. Borderline Chemicals
  - B. Dioxin
  - C. Ground-Water Chemistry
  - D. Discretionary Additions
  - E. Ordering of Appendix IX
  - F. Representatives of Categories
- V. Analytical Methods
- VI. Nature of List
- VII. State Authority
  - A. Applicability of Rules in Authorized States
  - B. Effect on State Authorization
- VIII. Effective Date
- IX. Executive Order No. 12291 and Regulatory Impact Analysis
- X. Regulatory Flexibility Act
- XI. Supporting Documents
- XII. List of Subjects in 40 CFR Part 264 and 270

#### I. Authority

These regulations are being promulgated under the authority of Sections 2002(a), 3001, 3004, and 3005 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912, 6921, 6924, and 6925 (commonly referred to as RCRA).

#### II. Summary of Today's Final Rule

Today's rule creates a new list of analytes for RCRA: Appendix IX to 40 CFR Part 264. This list is required only for ground-water monitoring at RCRA land based hazardous waste disposal units. This final rule, in concert with the regulations already in place, will require that an analysis of all the constituents in Appendix IX to Part 264 be performed on the ground water taken from wells surrounding those units. This analysis takes place when ground-water contamination is first detected, and then again once per year (see 40 CFR Part 264, Subpart F).

#### III. Background

##### A. Regulatory Framework

Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA) creates a comprehensive program for the safe management of hazardous waste. Section 3004 of RCRA requires owners and operators of facilities that treat, store, or dispose of hazardous waste to comply with standards established by EPA that are "necessary to protect human health and the environment." Section 3005 provides that owners and operators of certain facilities that apply for a permit and comply with applicable notice requirements may operate until a permit determination is made. Facilities in this category are said to be operating under "interim status". Owners and operators of interim status facilities also must comply with standards set under Section 3004.

EPA promulgated standards for protecting ground water from releases of hazardous wastes from treatment, storage, and disposal units at interim status facilities in 1980 (45 FR 33154 (May 19, 1980)), codified in 40 CFR Part 265, Subpart F, and permitted facilities in 1982 (47 FR 32274 (July 26, 1982)), codified in 40 CFR Part 264, Subpart F. Both programs require owners and operators to sample ground water at specified intervals to determine whether or not hazardous wastes or constituents from the facility are contaminating ground water. As explained in more detail below, these sampling procedures have generated criticism.

The regulations promulgated on May 19, 1980 set forth criteria for identifying "hazardous" waste. To assist in this identification process, EPA developed a list of chemicals ". . . that have been shown in reputable scientific studies to have toxic, carcinogenic, mutagenic, or teratogenic effects on humans or other life forms . . ." (45 FR 33107, May 19, 1980). This list was published as Appendix VIII to Part 261 of the regulations.

The Appendix VIII list is actually a composite of several other lists. It includes chemicals identified as priority pollutants under the Clean Water Act, chemicals identified by the Department of Transportation as hazardous to transport, chemicals for which EPA's Carcinogen Assessment Group (CAG) has laboratory evidence of carcinogenicity, and chemicals which the NIOSH Registry of Toxic Effects of Chemical Substances lists as having high acute toxicity (numerically low LD<sub>50</sub>).

The principal purpose of the list is to define a universe of chemicals of concern. Wastes would be matched against the list to see if they contained any chemicals from this universe. If so, they would be considered for listing as "hazardous".

Appendix VIII deliberately included many listings that are large categories of chemicals. Chemicals were listed on Appendix VIII as they would exist in a pure state, as opposed to the forms they would be expected to take after being dispersed in the environment. For waste identification purposes these characteristics of Appendix VIII may not present a problem. In looking for hazardous waste, EPA emphasized breadth of coverage. No attempt was made to examine factors such as amount of production or environmental fate in compiling Appendix VIII, although the hazardous waste listing regulations require EPA to consider such factors before listing a waste because it

contains an Appendix VIII chemical (see 40 CFR 261.11(a)(3)). As a result, Appendix VIII contains both prevalent, mobile, and toxic chemicals that present major risks in ground water at hazardous waste sites (e.g., trichloroethylene), as well as chemicals which do not present such risks (e.g., aflatoxins) because of factors such as low prevalence or instability in water.

On July 26, 1982, EPA promulgated RCRA regulations that implemented a strategy for ground-water protection for land-based hazardous waste management units operating under RCRA permits. Once ground-water contamination is suspected, the strategy requires an analysis to determine the nature of the contamination. This information is used to assess the problem, determine the appropriate remedy, determine when the remedy is effective, and insure that no new problems arise during the time the remedy is being applied. In an attempt to be comprehensive, the regulations required that contaminated ground water be analyzed for all constituents contained in Appendix VIII to Part 261.

While appropriate for hazardous waste listing purposes, the Appendix VIII list has presented a number of problems when used for purposes of ground-water monitoring. These include practical analytical problems such as listings which are large categories of chemicals, the dissociation or actual decomposition of many Appendix VIII constituents when placed in water, and the lack of analytical standards or analytical screening methods for many constituents.

EPA has been aware of potential analytical problems with "Appendix VIII analysis" for some time. At the time of promulgation of the 1982 regulations, EPA acknowledged that it lacked analytical methods for nine of the Appendix VIII constituents (see 47 FR 32296, July 26, 1982). When owners and operators of hazardous waste facilities began to attempt Appendix VIII analyses, however, EPA learned that analysis would be extremely difficult or impossible for a larger number of constituents.

EPA took several actions intended to mitigate the problems. For example, EPA recommended the use of enforcement discretion for some of the most intractable problems it had identified at the time. Also, in 1984, EPA proposed to eliminate 22 Appendix VIII constituents from the ground-water analysis requirements (see 49 FR 38786, October 1, 1984).

Comments on the October 1984 proposal raised questions about a number of additional analytical

problems. Also, EPA gathered further information from interactions between RCRA permitting authorities, RCRA facility owners and operators, and analytical laboratories. EPA's own experience with ground-water analyses for its ground-water monitoring task force and its analytical methods development work confirmed many of these problems. These experiences demonstrated to EPA that analytical problems with Appendix VIII were far more serious than previously believed. It became clear that a major change was required.

#### *B. Origin of Today's Final Rule*

In response to this need, EPA convened a meeting on December 10-13, 1985, of some 30 technical experts representing EPA and State offices and laboratories. Many of these experts had advanced degrees in chemistry and/or substantial laboratory experience. Over four days, they evaluated all of Appendix VIII with regard to the feasibility of analysis of the various constituents. They identified a list of specific chemicals, derived from Appendix VIII, which they considered generally suitable for ground-water analyses at all facilities. They recommended that 25 chemicals, routinely analyzed in ground water by the Superfund office, be added to the list for analysis.

The results of this meeting, and subsequent work by the Agency, were summarized in a Notice of Proposed Rulemaking on July 24, 1986 (see 40 CFR 26632). Today, EPA is finalizing that proposal. The reasoning behind the final rule is the same as that discussed in the proposal. Appendix IX to Part 264 is made up of those compounds on Appendix VIII to Part 261 for which it is feasible to analyze in ground-water samples, plus 17 chemicals routinely monitored in the Superfund program.

Fifteen of the 17 chemical entities included from the Superfund program are organic chemicals, the other 2 (tin and cobalt) are metals. These 17 exhibit varying, but significant, degrees of toxicity. All of them have the potential to adversely effect human health or the environment, and are therefore of value for monitoring at RCRA facilities. The docket for this rulemaking contains information, or references to publicly available information, that demonstrates the toxic or hazardous potential of these Superfund additions.

One of the Superfund compounds (benzoic acid) which was on the proposed Appendix IX is not on the final Appendix IX because there is currently no acceptable screening method for it. Benzoic acid requires a derivatization

before it will yield itself to gas chromatographic analysis. The rest of the Superfund additions to Appendix IX are readily amenable to analysis.

The other 7 Superfund items that were a part of the proposed Appendix IX and are not a part of the final Appendix, are relatively non-toxic inorganics. These are addressed below under "Ground-Water Chemistry".

The majority of the data evaluated for this rule are contained in background documents for the July 24, 1986, Proposed Rulemaking. However, during the public comment period of this proposed rulemaking, EPA received more data concerning the feasibility of analyzing certain Appendix VIII constituents in ground water. This data was evaluated on December 11, 1986, at a meeting of analytical experts. A list of the attendees of this meeting, the new data received by EPA since the proposal, and the group's decision concerning the feasibility of analysis, are contained in background documentation for this rule.

#### *IV. Issues Discussed in Proposed Rule*

In addition to soliciting comment on EPA's overall approach, the July 24, 1986 Notice of Proposed Rulemaking, raised six specific issues for comment. The following is a brief description of these issues, the comments received on each, and the Agency's response to those comments.

##### *A. Borderline Chemicals*

In the July 24, 1986 proposal EPA listed 48 chemicals for which the Agency had conflicting data pertaining to their analytical feasibility. A few commentators supplied new data or an opinion about these compounds. The new data was evaluated at the aforementioned December 11, 1986 meeting of analytical experts. A decision was made as to whether or not each chemical belonged on the final Appendix IX based on the criteria discussed in the proposal (see 51 FR 26635-36). In sum, five of the compounds not on the proposed Appendix IX, but listed as borderline, have been added to the final Appendix IX because it was determined that they were amendable to the analytical screening methodologies. Likewise, thirteen of the borderline chemicals that were on the proposed Appendix IX have been removed from the final list because new data had demonstrated that they were not suitable for screening analysis. The background documentation for this final rule elaborates upon those decisions.

### B. Dioxin

Although, the proposed Appendix IX contained polychlorinated dibenzo-p-dioxins, the proposed rulemaking questioned whether requiring the analysis of these dioxins presents a human health or environmental risk in itself. Several of the comments EPA received during the public comment period agreed that requiring these analyses did pose a threat to human health or the environment. However, none of the commentors supplied any new data concerning this issue. Therefore, given that dioxin analyses are currently performed in a number of laboratories with seemingly little adverse effects, and that numerous other highly toxic chemicals are commonly worked within laboratories, the Agency has concluded that requiring dioxin analysis probably does not constitute a significant environmental hazard in itself. Therefore, since it is feasible to analyze for these dioxins in ground water, they remain on Appendix IX. It should also be noted that many commentors thought that dioxins should not be on Appendix IX because they are rarely, if ever, found in ground water.

### C. Ground-Water Chemistry

In the July 24, 1986 proposal, EPA discussed the presence of some constituents on the proposed Appendix IX that were generally non-toxic. These chemical species were either derived from Appendix VIII (e.g., sodium from sodium cyanide) or were part of the Superfund additions. The Agency proposed to include these species on Appendix IX because their analyses provides information on ground-water chemistry and movement. Many commentors argued that such constituents should not be included on Appendix IX if they do not pose a significant hazard. The Agency agrees with these commentors on this issue and has deleted these constituents from Appendix IX. The following table contains those constituents that, while not part of Appendix IX, are valuable for the characterization of subsurface environmental chemistry. It is important to note that while these constituents are unlikely to pose a significant hazard in themselves, the Regional Administrator does have the authority to require monitoring for them on a case-by-case basis if such analyses are necessary to protect human health and the environment (see "Discretionary Additions", below).

TABLE I

Aluminum	Fluoride	Potassium
Bicarbonate/Carbonate	Hydrogen Ion (pH)	Silica
Boron	Iron	Sodium
Calcium	Magnesium	Strontium
Chloride	Manganese	Sulfate
	Nitrate	

The constituents in Table I are provided to aid in the evaluation of ground-water quality beneath a hazardous waste facility. Two important reasons for evaluating ground-water quality are: (1) to detect changes in the geochemistry at the facility and (2) to understand the local ground-water chemical environment.

Significant changes from the natural concentration of Table I constituents may indicate the escape of contaminants from the facility. Ground water is frequently classified by the relative abundance of dominant ions ( $\text{Na}^+$ ,  $\text{Mg}^{2+}$ ,  $\text{Ca}^{2+}$ ,  $\text{Cl}^-$ ,  $\text{HCO}_3^-$ ,  $\text{CO}_3^{2-}$ ,  $\text{SO}_4^{2-}$ , and  $\text{K}^+$ ). Concentrations that differ significantly from normal concentrations in the aquifer can signal chemical equilibrium shifts brought about by the interaction of contaminants and natural constituents. Such interaction may also generate new compounds. In some instances, the detection of concentration changes of the more mobile ions (e.g.,  $\text{Cl}^-$ ) may suggest that less mobile contaminants have entered the aquifer closer to the regulated unit. Concentration changes in other Table I constituents, such as nitrate, may be controlled by biochemical processes acting on subsurface contaminants.

The local ground-water chemistry may affect contaminant transport by modifying both the solubility of the Appendix IX constituents and the relevant concentration gradients. The solubility of a particular constituent is influenced by several parameters: temperature, pressure, pH, oxidation-reduction potential (Eh), and the concentration of other constituents. Iron and magnesium, which naturally occur in ground-waters, may cause otherwise low mobility organic substances to move more freely. The bicarbonate/carbonate system frequently regulates the pH of ground-water, and thus the solubility of contaminants.

Chemical concentration gradients, which may be determined partly by natural chemistry, become more important when ground-water velocities are low. The dispersion of contaminants in directions transverse to the ground-water flow path may be governed by prevailing concentration gradients.

### D. Discretionary Additions

EPA currently has the authority under 40 CFR 270.32(b)(2) and Section 3005(c)(3) of RCRA as amended in 1984, to require the analysis of chemicals outside Appendix IX where necessary to protect human health and the environment. In the July 24, 1986 proposal, an option to make the authority explicit in the Part 264 regulations was noted for public comment. A number of commentors expressed the opinion that site-specific additions to Appendix IX were acceptable if a suitable analytical method existed. The few commentors that directly addressed the issue of explicit authority were almost equally divided in their opinion on whether or not the authority should be made more explicit. EPA has decided that the above authorities for site-specific analyses are sufficient at this time to require additional analyses of chemicals outside of Appendix IX.

### E. Ordering of Appendix IX

The proposed Appendix IX was alphabetically ordered by systematic name. The Agency solicited comment on how the final list should be ordered. Of those organizations that commented on this issue, half desired ordering by systematic name, and half by common name. EPA has decided to order the list by alphabetic common name, in keeping with the form often used in other Agency lists. Appendix IX also contains the Chemical Abstract Service registry number and the Chemical Abstract Service index name.

### F. Representatives of Categories

In making the transition from Appendix VIII of Part 261 to Appendix IX of Part 264, EPA selected specific chemicals for inclusion on Appendix IX to replace the listings of categories of Appendix VIII. While few commentors addressed the listing of the specific chemical for this reason, in general, the comments EPA received were quite supportive of the Agency's decision on this issue. EPA stands by this earlier decision. The final Appendix IX contains a number of chemicals that, while not specifically included on Appendix VIII, are members of categories that are contained on that list.

### V. Analytical Methods

The fundamental concern of EPA in the formulation of Appendix IX was that all the constituents on the list be readily amenable to EPA standard analytical methods for screening, i.e., methods that determine whether hazardous

constituents are present in ground-water samples containing unknown amounts of unidentified chemicals. With this rule, EPA believes this goal has been met. In order to facilitate the analysis of these compounds, the Agency has included two additional columns in the regulatory list besides those columns that identify the constituent of concern. The fourth column contains some suggested methods from "Testing Methods for Evaluating Solid Waste" (SW-846). SW-846 is the general RCRA analytical methods manual that is currently in its third edition. It is important to note that some of the methods described in SW-846 are less appropriate for screening and are better suited to routine monitoring where the analyst is fairly sure which chemicals are present. Copies of the manual (order #:955-001-00000-1) are available from the U.S. Government Printing Office, Superintendent of Documents, Washington, DC 20402, (202) 783-3238. The list of suggested SW-846 methods is not part of the regulation; EPA does not require the use of these methods for Appendix IX analyses. The Agency believes that these methods will provide acceptable analytical results.

The fifth column in Appendix IX contains estimates of a practical quantitation limit for the particular constituent by a method. The "practical quantitation limit" (pql) is defined in SW-846. These pql's are EPA's current best estimate of the practical sensitivity of the applicable method for RCRA ground-water monitoring purposes. It should be noted that some listed pql values may be unattainable in some situations since they were based on general estimates for the method and not on data for the specific substance. Again, this column is included for guidance purposes and is not a regulatory requirement. In some cases, due to site and sample specific factors, these limits may not be reached. However, if a laboratory finds that it has large deviations from these limits, attempts should be made to identify the causes for these discrepancies.

It should be noted that the Suggested Methods column does not contain all applicable SW-846 methods. In some circumstances, other SW-846 methods may be preferred. Where more than one method is listed, the method with the lowest pql is usually to be preferred. Alternatively, in some cases it is possible to modify a method to achieve the lowest pql for the analyte.

Because of the ongoing nature of analytical methods development, not all of the chemicals on Appendix IX are specifically addressed in SW-846.

However, the Agency plans to rectify this situation in future updates to SW-846. Until that time, the fourth and fifth columns of Appendix IX should assist laboratories in performing the necessary analyses.

A background document for this rulemaking may also be of help to laboratories. The document, "Summary of Appropriate Methods for Appendix IX" lists those method(s) which are appropriate for each Appendix IX constituent, and references the applicable sections SW-846 or one of several methods development documents, as well as supplying some basic analytical data (e.g., retention time). This document is available in the docket for this rulemaking.

#### VI. Nature of List

EPA wishes to make it clear that Appendix IX, like other analyte lists, is a "living" list. That is, Appendix IX is likely to change over time. With the development and standardization of new technologies and methods, Appendix IX will likely require revision. Moreover, the basis for Appendix IX to Part 264 is Appendix VIII to Part 261. Changes to Appendix VIII may require modifications to Appendix IX. EPA is open, at anytime, to new data and information that may affect these decisions.

With this rule EPA completes the first phase of a two phase effort. While Appendix IX essentially solves the problem of requiring monitoring for only those constituents for which it is possible to analyze, it does not address the question of what are the most appropriate analytes for this purpose. This question will be dealt with in future rulemakings.

#### VII. State Authority

##### A. Applicability of Rules in Authorized States

Under Section 3006 of RCRA, EPA may authorize qualified States to administer and enforce the RCRA program within the State. (See 40 CFR Part 271 for the standards and requirements for authorization.) Following authorization, the Agency retains enforcement authority under Sections 3008, 7003 and 3013 of RCRA, although authorized States have primary enforcement responsibility.

Prior to the Hazardous and Solid Waste Amendments of 1984 (HSWA), a State with final authorization administered its hazardous waste program entirely in lieu of the Federal program. The Federal requirements no longer applied in the authorized State, and the Agency could not issue permits

for any facilities in a State where the State was authorized to permit. When new, more stringent Federal requirements were promulgated or enacted, the State was obligated to enact equivalent authority within specified time frames. New federal requirements did not take effect in an authorized State until the State adopted the requirements as State law.

In contrast, under Section 3006(g) of RCRA, 42 U.S.C. 6926(g), new requirements and prohibitions imposed by HSWA take effect in authorized States at the same time that they take effect in nonauthorized States. The Agency is directed to carry out those requirements and prohibitions in authorized States, including the issuance of permits, until the State is granted authorization to do so. While States must still adopt HSWA-related provisions as State law to retain final authorization, the HSWA applies in authorized States in the interim.

##### B. Effect on State Authorization

Today's rule promulgates standards that are not effective in authorized States since the requirements are not being imposed pursuant to Hazardous and Solid Waste Amendments of 1984. Thus, the requirements will be applicable only in those States that do not have final authorization. In authorized States, the requirements will not be applicable until the State revises its program to adopt equivalent requirements under State law. Since states may always impose requirements which are more stringent or have greater coverage than EPA's programs, States will not be required to revise their regulations to reflect the deletions of constituents from the current monitoring requirements, although they may choose to do so. Regulations which are broader in scope, however, may not be enforced as part of the Federally-authorized RCRA program.

40 CFR 271.21(e)(2) requires States that have final authorization to modify their programs to reflect Federal program changes, and to subsequently submit the modification to EPA for approval. The deadline by which the State must modify its program to adopt today's rule is July 1988. These deadlines can be extended in exceptional cases (40 CFR 271.21(e)(3)). Once EPA approves the revision, the State requirements become Subtitle C RCRA requirements.

States with authorized RCRA programs may already have requirements similar to those in today's rule. These State requirements have not been assessed against the Federal

regulations being promulgated today to determine whether they meet the tests for authorization. Thus, a State is not authorized to carry out these requirements in lieu of the Agency until the State requirements are approved. Of course, States with existing standards may continue to administer and enforce their standards as a matter of State law.

States that submit official applications for final authorization less than 12 months after the effective date of these standards are not required to include standards equivalent to these standards in their application. However, the State must modify its program by the deadlines set forth in §271.21(e). States that submit official applications for final authorization 12 months after the effective date of those standards must include standards equivalent to these standards in their application. 40 CFR 271.3 sets forth the requirements a State must meet when submitting its final authorization application.

#### VIII. Effective Date

Pursuant to Section 3010(b) of RCRA, today's amendments will be effective six months after promulgation.

#### IX. Executive Order No. 12291 and Regulatory Impact Analysis

Under Executive Order 12291, the Agency must judge whether a regulation is "major" and, therefore, subject to the requirement of a Regulatory Impact Analysis. As stated in the proposed rule on July 24, 1986, the Agency does not believe these conforming changes will result in an annual effect on the economy of \$100 million or more; a major increase in costs of prices of consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or in domestic or export markets. The Agency believes that today's rule is not a major rule under Executive Order 12291 and therefore, has not prepared a Regulatory Impact Analysis (RIA). This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

#### X. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, (5 U.S.C. 601 et seq.), the Agency must prepare a regulatory flexibility analysis

for all regulations that may have a significant impact on a substantial number of small entities. The Agency conducted such an analysis on the land disposal regulations and published a summary of the results in the *Federal Register*, Vol. 48, No. 15 on January 21, 1983. Today's conforming regulation does not impose significant additional burdens. In addition, they do not impose any requirements beyond those required for permitting facilities under Part 264. Therefore, pursuant to 5 U.S.C. 601(b), I certify that this regulation will not have a significant economic impact on a substantial number of small entities.

#### XI. Supporting Documents

The docket (see "Addresses") for this rulemaking contains the new data EPA received concerning the analytical feasibility of these compounds since the time the proposed rule was published in the *Federal Register*. The docket also contains a chemical-by-chemical summary of any compounds that were re-examined since the time of the proposal, as well as a report of the aforementioned December 11, 1986 meeting of analytical experts. The background document "Summary of Appropriate Methods for Appendix IX" (see "Analytical Methods") is also available in the docket.

#### XII. Lists of Subjects in 40 CFR Parts 264 and 270

Hazardous materials, Reporting and Recordkeeping Requirements, Waste Treatment and Disposal, and Water Supply, Administrative Practice and Procedure, Ground Water, Environmental Monitoring.

Dated: June 19, 1987.

Lee M. Thomas,  
Administrator.

For the reasons set out in the preamble, Title 40 of the Code of Federal Regulations is amended as follows:

#### PART 264—AMENDED

1. The authority citation for Part 264 is revised to read as follows:

**Authority:** Secs. 1006, 2002(a), 3001, 3004, and 3005 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6905, 6912(a), 6924 and 6925.

2. Section 264.98 is amended by revising paragraphs (h)(2), (h)(3)

introductory text and (h)(4)(i) introductory text to read as follows:

#### § 264.98 Detection monitoring program.

\* \* \* \* \*

(h) \* \* \*

(2) Immediately sample the ground water in all monitoring wells and determine whether constituents identified in the list in Appendix IX of Part 264 are present and, if so, at what concentration.

\* \* \* \* \*

(3) Establish a background value for each constituent that has been found at the compliance point under paragraph (h)(2) of this section, as follows:

\* \* \* \* \*

(4) \* \* \*

(i) An identification of the concentration of each constituent found in the ground water at each monitoring well at the compliance point:

\* \* \* \* \*

3. Section 264.99 is amended by revising paragraph (f) to read as follows:

#### § 264.99 Compliance monitoring program.

\* \* \* \* \*

(f) The owner or operator must analyze samples from all monitoring wells at the compliance point to determine whether constituents identified in the list in Appendix IX to Part 264 of this chapter are present and, if so, at what concentration. The analysis must be conducted at least annually to determine whether additional Appendix IX constituents are present in the uppermost aquifer. If the owner or operator finds constituents from Appendix IX in the ground water that are not already identified in the permit as monitoring constituents, the owner or operator must report the concentration of these additional constituents to the Regional Administrator within seven days after completion of the analysis.

\* \* \* \* \*

#### Appendix VII and VIII [Reserved]

4. A new Appendix V II and Appendix VIII are added to Part 264 and reserved as follows:

Appendix VII (reserved)  
Appendix VIII (reserved)

5. A new Appendix IX is added to Part 264 as follows:

APPENDIX IX—GROUND-WATER MONITORING LIST<sup>1</sup>

Common name <sup>2</sup>	CAS RN <sup>3</sup>	Chemical abstracts service index name <sup>4</sup>	Sug- gested meth- ods <sup>5</sup>	PQL ( $\mu\text{g/L}$ ) <sup>6</sup>
Acenaphthene.....	83-32-9	Acenaphthylene, 1,2-dihydro.....	8100 8270	200 10
Acenaphthylene.....	208-96-8	Acenaphthylene.....	8100 8270	200 10
Acetone.....	67-64-1	2-Propanone.....	8240	100
Acetophenone.....	98-86-2	Ethanone, 1-phenyl.....	8270	10
Acetonitrile; Methyl cyanide.....	75-05-8	Acetonitrile.....	8015	100
2-Acetylaminofluorene; 2-AAF.....	53-96-3	Acetamide, N-9H-fluoren-2-yl.....	8270	10
Acrolein.....	107-02-8	2-Propenal.....	8030 8240	5 5
Acrylonitrile.....	107-13-1	2-Propenenitrile.....	8030 8240	5 5
Aldrin.....	309-00-2	1,4:5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro- 1,4,4a,5,8,8a-hexahydro- (1 $\alpha$ ,4 $\alpha$ ,4a $\beta$ ,5 $\alpha$ ,8 $\alpha$ ,8a $\beta$ )-	8080	0.05
Allyl chloride.....	107-05-1	1-Propene, 3-chloro.....	8270 8010	10 5
4-Aminobiphenyl.....	92-67-1	[1,1'-Biphenyl]-4-amine.....	8240 8270	100 10
Aniline.....	62-53-3	Benzenamine.....	8270	10
Anthracene.....	120-12-7	Anthracene.....	8100 8270	200 10
Antimony.....	(Total)	Antimony.....	6010 7040 7041	300 2,000 30
Aramite.....	140-57-8	Sulfurous acid, 2-chloroethyl 2-[4-(1,1- dimethylethyl)phenoxy]-1-methylethyl ester	8270	10
Arsenic.....	(Total)	Arsenic.....	6010 7060 7061	500 10 20
Barium.....	(Total)	Barium.....	6010 7080	20 1,000
Benzene.....	71-43-2	Benzene.....	8020 8240	2 5
Benzo[a]anthracene; Benzanthracene.....	56-55-3	Benzo[a]anthracene.....	8100 8270	200 10
Benzo[b]fluoranthene.....	205-99-2	Benzo[e]acephenanthrylene.....	8100 8270	200 10
Benzo[k]fluoranthene.....	207-08-9	Benzo[k]fluoranthene.....	8100 8270	200 10
Benzo[ghi]perylene.....	191-24-2	Benzo[ghi]perylene.....	8100 8270	200 10
Benzo[a]pyrene.....	50-32-8	Benzo[a]pyrene.....	8100 8270	200 10
Benzyl alcohol.....	100-51-6	Benzenemethanol.....	8270	20
Beryllium.....	(Total)	Beryllium.....	6010 7090	3 50
alpha-BHC.....	319-84-6	Cyclohexane, 1,2,3,4,5,6-hexachloro-(1 $\alpha$ ,2 $\alpha$ ,3 $\beta$ ,4 $\alpha$ ,5 $\beta$ ,6 $\beta$ )-	8080 8250	0.05 10
beta-BHC.....	319-85-7	Cyclohexane, 1,2,3,4,5,6-hexachloro-(1 $\alpha$ ,2 $\beta$ ,3 $\alpha$ ,4 $\beta$ ,5 $\alpha$ ,6 $\beta$ )-	8080 8250	0.05 40
delta-BHC.....	319-86-8	Cyclohexane, 1,2,3,4,5,6-hexachloro-(1 $\alpha$ ,2 $\alpha$ 3 $\alpha$ ,4 $\beta$ ,5 $\alpha$ ,6 $\beta$ )-	8080 8250	0.1 30
gamma-BHC; Lindane.....	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-(1 $\alpha$ ,2 $\alpha$ ,3 $\beta$ ,4 $\alpha$ ,5 $\alpha$ ,6 $\beta$ )-	8080 8250	0.05 10
Bis(2-chloroethoxy)methane.....	111-91-1	Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-.....	8270	10
Bis(2-chloroethyl)ether.....	111-44-4	Ethane, 1,1'-oxybis[2-chloro-.....	8270	10
Bis(2-chloro-1-methylethyl) ether; 2,2'-Di- chlorodiisopropyl ether.....	108-60-1	Propane, 2,2'-oxybis[1-chloro-.....	8010 8270	100 10
Bis(2-ethylhexyl) phthalate.....	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl)ester.....	8060 8270	20 10
Bromodichloromethane.....	75-27-4	Methane, bromodichloro-.....	8010	1
Bromoform; Tribromomethane.....	75-25-2	Methane, tribromo-.....	8240 8010	5 2
			8240	5

APPENDIX IX—GROUND-WATER MONITORING LIST<sup>1</sup>—Continued

Common name <sup>2</sup>	CAS RN <sup>3</sup>	Chemical abstracts service index name <sup>4</sup>	Sug- gested meth- ods <sup>5</sup>	PQL ( $\mu\text{g/L}$ ) <sup>6</sup>
4-Bromophenyl phenyl ether.....	101-55-3	Benzene, 1-bromo-4-phenoxy.....	8270	10
Butyl benzyl phthalate; Benzyl butyl phthalate	85-68-7	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester.....	8060	5
Cadmium.....	(Total)	Cadmium.....	8270	10
			6010	40
			7130	50
			7131	1
Carbon disulfide.....	75-15-0	Carbon disulfide.....	8240	5
Carbon tetrachloride.....	56-23-5	Methane, tetrachloro.....	8010	1
			8240	5
Chlordane.....	57-74-9	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro- 2,3,3a,4,7,7a-hexahydro.....	8080	0.1
			8250	10
p-Chloroaniline.....	106-47-8	Benzenamine, 4-chloro.....	8270	20
Chlorobenzene.....	108-90-7	Benzene, chloro.....	8010	2
			8020	2
			8240	5
Chlorobenzilate.....	510-15-6	Benzeneacetic acid, 4-chloro- $\alpha$ -(4-chlorophenyl)- $\alpha$ -hydroxy- ethyl ester.....	8270	10
p-Chloro-m-cresol.....	59-50-7	Phenol, 4-chloro-3-methyl.....	8040	5
			8270	20
Chloroethane; Ethyl chloride.....	75-00-3	Ethane, chloro.....	8010	5
			8240	10
Chloroform.....	67-66-3	Methane, trichloro.....	8010	0.5
			8240	5
2-Chloronaphthalene.....	91-58-7	Naphthalene, 2-chloro.....	8120	10
			8270	10
2-Chlorophenol.....	95-57-8	Phenol, 2-chloro.....	8040	5
			8270	10
4-Chlorophenyl phenyl ether.....	7005-72-3	Benzene, 1-chloro-4-phenoxy.....	8270	10
Chloroprene.....	126-99-8	1,3-Butadiene, 2-chloro.....	8010	50
			8240	5
Chromium.....	(Total)	Chromium.....	6010	70
			7190	500
			7191	10
Chrysene.....	218-01-9	Chrysene.....	8100	200
			8270	10
Cobalt.....	(Total)	Cobalt.....	6010	70
			7200	500
			7201	10
Copper.....	(Total)	Copper.....	6010	60
			7210	200
m-Cresol.....	108-39-4	Phenol, 3-methyl.....	8270	10
o-Cresol.....	95-48-7	Phenol, 2-methyl.....	8270	10
p-Cresol.....	106-44-5	Phenol, 4-methyl.....	8270	10
Cyanide.....	57-12-5	Cyanide.....	9010	40
2,4-D; 2,4-Dichlorophenoxyacetic acid.....	94-75-7	Acetic acid, (2,4-dichlorophenoxy).....	8150	10
4,4'-DDD.....	72-54-8	Benzene 1,1'-(2,2-dichloroethylidene)bis[4-chloro- ethyl].....	8080	0.1
			8270	10
4,4'-DDE.....	72-55-9	Benzene 1,1'-(dichloroethylidene)bis[4-chloro- ethyl].....	8080	0.05
			8270	10
4,4'-DDT.....	50-29-3	Benzene 1,1'-(2,2,2-trichloroethylidene)bis[4-chloro- ethyl].....	8080	0.1
			8270	10
Diallate.....	2303-16-4	Carbamothioic acid, bis(1-methylethyl)-, S- (2,3-dichloro-2- propenyl) ester.....	8270	10
Dibenz[a,h]anthracene.....	53-70-3	Dibenz[a,h]anthracene.....	8100	200
			8270	10
Dibenzofuran.....	132-64-9	Dibenzofuran.....	8270	10
Dibromochloromethane; Chlorodibromo- methane.....	124-48-1	Methane, dibromochloro.....	8010	1
			8240	5
1,2-Dibromo-3-chloropropane; DBCP.....	96-12-8	Propane, 1,2-dibromo-3-chloro.....	8010	100
			8240	5
			8270	10
1,2-Dibromoethane; Ethylene dibromide.....	106-93-4	Ethane, 1,2-dibromo.....	8010	10
			8240	5
Di-n-butyl phthalate.....	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester.....	8060	5
			8270	10
o-Dichlorobenzene.....	95-50-1	Benzene, 1,2-dichloro.....	8010	2
			8020	5
			8120	10
			8270	10

APPENDIX IX—GROUND-WATER MONITORING LIST <sup>1</sup>—Continued

Common name <sup>2</sup>	CAS RN <sup>3</sup>	Chemical abstracts service index name <sup>4</sup>	Sug- gested meth- ods <sup>5</sup>	PQL (µg/L) <sup>6</sup>
m-Dichlorobenzene.....	541-73-1	Benzene, 1,3-dichloro-.....	8010 8020 8120 8270	5 5 10 10
p-Dichlorobenzene.....	106-46-7	Benzene, 1,4-dichloro-.....	8010 8020 8120 8270	2 5 15 10
3,3'-Dichlorobenzidine.....	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-.....	8270	20
trans-1,4-Dichloro-2-butene.....	110-57-6	2-Butene, 1,4-dichloro-, (E)-.....	8240	5
Dichlorodifluoromethane.....	75-71-8	Methane, dichlorodifluoro-.....	8010 8240	10 5
1,1-Dichloroethane.....	75-34-3	Ethane, 1,1-dichloro-.....	8010 8240	1 5
1,2-Dichloroethane; Ethylene dichloride.....	107-06-2	Ethane, 1,2-dichloro-.....	8010 8240	0.5 5
1,1-Dichloroethylene; Vinylidene chloride.....	75-35-4	Ethene, 1,1-dichloro-.....	8010 8240	1 5
trans-1,2-Dichloroethylene.....	156-60-5	Ethene, 1,2-dichloro-, (E)-.....	8010 8240	1 5
2,4-Dichlorophenol.....	120-83-2	Phenol, 2,4-dichloro-.....	8040 8270	5 10
2,6-Dichlorophenol.....	87-65-0	Phenol, 2,6-dichloro-.....	8270	10
1,2-Dichloropropane.....	78-87-5	Propane, 1,2-dichloro-.....	8010 8240	0.5 5
cis-1,3-Dichloropropene.....	10061-01-5	1-Propene, 1,3-dichloro-, (Z)-.....	8010 8240	20 5
trans-1,3-Dichloropropene.....	10061-02-6	1-Propene, 1,3-dichloro-, (E)-.....	8010 8240	5 5
Dieldrin.....	60-57-1	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-, (1α,2β,2α,3β,6β,6α,7β,7α)-.....	8080 8270	0.05 10
Diethyl phthalate.....	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester.....	8060 8270	5 10
O,O-Diethyl O-2-pyrazinyl phosphorothioate; Thionazin Dimethoate.....	297-97-2 60-51-5	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester..... Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester.....	8270 8270	10 10
p-(Dimethylamino)azobenzene.....	60-11-7	Benzenamine, N,N-dimethyl-4-(phenylazo)-.....	8270	10
7,12-Dimethylbenz[a]anthracene.....	57-97-6	Benz[a]anthracene, 7,12-dimethyl-.....	8270	10
3,3'-Dimethylbenzidine.....	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-.....	8270	10
alpha, alpha-Dimethylphenethylamine.....	122-09-8	Benzenethanamine, α,α-dimethyl-.....	8270	10
2,4-Dimethylphenol.....	105-67-9	Phenol, 2,4-dimethyl-.....	8040 8270	5 10
Dimethyl phthalate.....	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester.....	8060 8270	5 10
m-Dinitrobenzene.....	99-65-0	Benzene, 1,3-dinitro-.....	8270	10
4,6-Dinitro-o-cresol.....	534-52-1	Phenol, 2-methyl-4,6-dinitro-.....	8040 8270	150 50
2,4-Dinitrophenol.....	51-28-5	Phenol, 2,4-dinitro-.....	8040 8270	150 50
2,4-Dinitrotoluene.....	121-14-2	Benzene, 1-methyl-2,4-dinitro-.....	8090 8270	0.2 10
2,6-Dinitrotoluene.....	606-20-2	Benzene, 2-methyl-1,3-dinitro-.....	8090 8270	0.1 10
Dinoseb; DNBP; 2-sec-Butyl-4,6-dinitrophenol.....	88-85-7	Phenol, 2-(1-methylpropyl)-4,6-dinitro-.....	8150 8270	1 10
Di-n-octyl phthalate.....	117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester.....	8060 8270	30 10
1,4-Dioxane.....	123-91-1	1,4-Dioxane.....	8015	150
Diphenylamine.....	122-39-4	Benzenamine, N-phenyl-.....	8270	10
Disulfoton.....	298-04-4	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)-ethyl]ester.....	8140 8270	2 10
Endosulfan I.....	959-98-8	6,9-Methano-2,4,3-benzodioxathiepin, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide, (3α,5αβ,6α,9α,9αβ)-.....	8080 8250	0.1 10

APPENDIX IX—GROUND-WATER MONITORING LIST<sup>1</sup>—Continued

Common name <sup>2</sup>	CAS RN <sup>3</sup>	Chemical abstracts service index name <sup>4</sup>	Sug- gested meth- ods <sup>5</sup>	PQL (µg/L) <sup>6</sup>
Endosulfan II	33213-65-9	6,9-Methano-2,4,3-benzodioxathiepin, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide, (3α,5α,6β,9β,9α)-	8080	0.05
Endosulfan sulfate	1031-07-8	6,9-Methano-2,4,3-benzodioxathiepin, 6,7,8,9,10,10-hexachloro-1,5,5a,6,9,9a-hexahydro-, 3,3-dioxide.	8080 8270	0.5 10
Endrin	72-20-8	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-, (1α,2β,2aβ,3α,6α,6aβ,7β,7α)-	8080 8250	0.1 10
Endrin aldehyde	7421-93-4	1,2,4-Methenocyclopenta[cd]pentalene-5-carboxaldehyde, 2,2a,3,3,4,7-hexachlorodecahydro-, (1α,2β,2aβ,4β,4aβ,5β,6aβ,6bβ,7R*)-	8080 8270	0.2 10
Ethylbenzene	100-41-4	Benzene, ethyl-	8020	2
Ethyl methacrylate	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester	8240 8015 8240 8270	5 10 5 10
Ethyl methanesulfonate	62-50-0	Methanesulfonic acid, ethyl ester	8270	10
Famphur	52-85-7	Phosphorothioic acid, O-[4-[(dimethylamino)sulfonyl]phenyl]-O,O-dimethyl ester	8270	10
Fluoranthene	206-44-0	Fluoranthene	8100 8270	200 10
Fluorene	86-73-7	9H-Fluorene	8100 8270	200 10
Heptachlor	76-44-8	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-	8080 8270	0.05 10
Heptachlor epoxide	1024-57-3	2,5-Methano-2H-indeno[1,2-b]oxirene, 2,3,4,5,6,7,7-heptachloro-1a,1b,5,5a,6,6a-, hexahydro-, (1α,1bβ,2α,5α,5aβ,6β,6aα)	8080 8270	1 10
Hexachlorobenzene	118-74-1	Benzene, hexachloro-	8120 8270	0.5 10
Hexachlorobutadiene	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-	8120 8270	5 10
Hexachlorocyclopentadiene	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-	8120 8270	5 10
Hexachloroethane	67-72-1	Ethane, hexachloro-	8120 8270	0.5 10
Hexachlorophene	70-30-4	Phenol, 2,2'-methylenebis[3,4,6-trichloro-	8270	10
Hexachloropropene	1888-71-7	1-Propene, 1,1,2,3,3,3-hexachloro-	8270	10
2-Hexanone	591-78-6	2-Hexanone	8240	50
Indeno(1,2,3-cd)pyrene	193-39-5	Indeno[1,2,3-cd]pyrene	8100 8270	200 10
Isobutyl alcohol	78-83-1	1-Propanol, 2-methyl-	8015	50
Isodrin	465-73-6	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a hexahydro-(1α,4α,4aβ,5β,8β,8aβ)-	8270	10
Isophorone	78-59-1	2-Cyclohexen-1-one, 3,5,5-trimethyl-	8090 8270	60 10
Isosafrole	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-	8270	10
Kepone	143-50-0	1,3,4-Metheno-2H-cyclobuta-[cd]pentalen-2-one, 1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-	8270	10
Lead	(Total)	Lead	6010 7420 7421	40 1,000 10
Mercury	(Total)	Mercury	7470	2
Methacrylonitrile	126-98-7	2-Propenenitrile, 2-methyl-	8015 8240	5 5
Methapyrilene	91-80-5	1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'-(2-thienylmethyl)-	8270	10
Methoxychlor	72-43-5	Benzene, 1,1'-(2,2,2-trichloroethylidene)bis[4-methoxy-	8080 8270	2 10
Methyl bromide; Bromomethane	74-83-9	Methane, bromo-	8010 8240	20 10
Methyl chloride; Chloromethane	74-87-3	Methane, chloro-	8010 8240	1 10
3-Methylcholanthrene	56-49-5	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-	8270	10
Methylene bromide; Dibromomethane	74-95-3	Methane, dibromo-	8010 8240	15 5
Methylene chloride; Dichloromethane	75-09-2	Methane, dichloro-	8010 8240	5 5

APPENDIX IX—GROUND-WATER MONITORING LIST<sup>1</sup>—Continued

Common name <sup>2</sup>	CAS RN <sup>3</sup>	Chemical abstracts service index name <sup>4</sup>	Sug- gested meth- ods <sup>5</sup>	PCL (µg/L) <sup>6</sup>
Methyl ethyl ketone; MEK.....	78-93-3	2-Butanone.....	8015 8240	10 100
Methyl iodide; Iodomethane.....	74-88-4	Methane, iodo.....	8010 8240	40 5
Methyl methacrylate.....	80-62-6	2-Propenoic acid, 2-methyl-, methyl ester.....	8015 8240	2 5
Methyl methanesulfonate.....	66-27-3	Methanesulfonic acid, methyl ester.....	8270	10
2-Methylnaphthalene.....	91-57-6	Naphthalene, 2-methyl.....	8270	10
Methyl parathion; Parathion methyl.....	298-00-0	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester.....	8140 8270	0.5 10
4-Methyl-2-pentanone; Methyl isobutyl ketone.....	108-10-1	2-Pentanone, 4-methyl.....	8015 8240	5 50
Naphthalene.....	91-20-3	Naphthalene.....	8100 8270	200 10
1,4-Naphthoquinone.....	130-15-4	1,4-Naphthalenedione.....	8270	10
1-Naphthylamine.....	134-32-7	1-Naphthalenamine.....	8270	10
2-Naphthylamine.....	91-59-8	2-Naphthalenamine.....	8270	10
Nickel.....	(Total)	Nickel.....	6010 7520	50 400
o-Nitroaniline.....	88-74-4	Benzenamine, 2-nitro.....	8270	50
m-Nitroaniline.....	99-09-2	Benzenamine, 3-nitro.....	8270	50
p-Nitroaniline.....	100-01-6	Benzenamine, 4-nitro.....	8270	50
Nitrobenzene.....	98-95-3	Benzene, nitro.....	8090 8270	40 10
o-Nitrophenol.....	88-75-5	Phenol, 2-nitro.....	8040 8270	5 10
p-Nitrophenol.....	100-02-7	Phenol, 4-nitro.....	8040 8270	10 50
4-Nitroquinoline 1-oxide.....	56-57-5	Quinoline, 4-nitro-, 1-oxide.....	8270	10
N-Nitrosodi-n-butylamine.....	924-16-3	1-Butanamine, N-butyl-N-nitroso.....	8270	10
N-Nitrosodiethylamine.....	55-18-5	Ethanamine, N-ethyl-N-nitroso.....	8270	10
N-Nitrosodimethylamine.....	62-75-9	Methanamine, N-methyl-N-nitroso.....	8270	10
N-Nitrosodiphenylamine.....	86-30-6	Benzenamine, N-nitroso-N-phenyl.....	8270	10
N-Nitrosodipropylamine; Di-n-propylnitrosamine	621-64-7	1-Propanamine, N-nitroso-N-propyl.....	8270	10
N-Nitrosomethyl ethylamine.....	10595-95-6	Ethanamine, N-methyl-N-nitroso.....	8270	10
N-Nitrosomorpholine.....	59-89-2	Morpholine, 4-nitroso.....	8270	10
N-Nitrosopiperidine.....	100-75-4	Piperidine, 1-nitroso.....	8270	10
N-Nitrosopyrrolidine.....	930-55-2	Pyrrolidine, 1-nitroso.....	8270	10
5-Nitro-o-toluidine.....	99-55-8	Benzenamine, 2-methyl-5-nitro.....	8270	10
Parathion.....	56-38-2	Phosphorothioic acid, O,O-diethyl-O-(4-nitrophenyl) ester	8270	10
Polychlorinated biphenyls; PCBs.....	See Note 7	1,1'-Biphenyl, chloro derivatives.....	8080 8250	50 100
Polychlorinated dibenzo-p-dioxins; PCDDs.....	See Note 8	Dibenzo[b,e][1,4]dioxin, chloro derivatives.....	8280	0.01
Polychlorinated dibenzofurans; PCDFs.....	See Note 9	Dibenzofuran, chloro derivatives.....	8280	0.01
Pentachlorobenzene.....	608-93-5	Benzene, pentachloro.....	8270	10
Pentachloroethane.....	76-01-7	Ethane, pentachloro.....	8240 8270	5 10
Pentachloronitrobenzene.....	82-68-8	Benzene, pentachloronitro.....	8270	10
Pentachlorophenol.....	87-86-5	Phenol, pentachloro.....	8040 8270	5 50
Phenacetin.....	62-44-2	Acetamide, N-(4-ethoxyphenyl).....	8270	10
Phenanthrene.....	85-01-8	Phenanthrene.....	8100 8270	200 10
Phenol.....	108-95-2	Phenol.....	8040 8270	1 10
p-Phenylenediamine.....	106-50-3	1,4-Benzenediamine.....	8270	10
Phorate.....	298-02-2	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester	8140 8270	2 10
2-Picoline.....	109-06-8	Pyridine, 2-methyl.....	8240 8270	5 10
Pronamide.....	23950-58-5	Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-.....	8270	10
Propionitrile; Ethyl cyanide.....	107-12-0	Propanenitrile.....	8015 8240	60 5
Pyrene.....	129-00-0	Pyrene.....	8100 8270	200 10
Pyridine.....	110-86-1	Pyridine.....	8240 8270	5 10

APPENDIX IX—GROUND-WATER MONITORING LIST<sup>1</sup>—Continued

Common name <sup>2</sup>	CAS RN <sup>3</sup>	Chemical abstracts service index name <sup>4</sup>	Sug- gested meth- ods <sup>5</sup>	PQL (µg/L) <sup>6</sup>
Safrole.....	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-.....	8270	10
Selenium.....	(Total)	Selenium.....	6010	750
			7740	20
			7741	20
Silver.....	(Total)	Silver.....	6010	70
			7760	100
Silvex; 2,4,5-TP.....	93-72-1	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-.....	8150	2
Styrene.....	100-42-5	Benzene, ethenyl-.....	8020	1
			8240	5
Sulfide.....	18496-25-8	Sulfide.....	9030	10,000
2,4,5-T; 2,4,5-Trichlorophenoxyacetic acid.....	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-.....	8150	2
2,3,7,8-TCDD; 2,3,7,8-Tetrachlorodibenzo- p-dioxin.....	1746-01-6	Dibenzo[b,e][1,4]dioxin, 2,3,7,8-tetrachloro-.....	8280	0.005
1,2,4,5-Tetrachlorobenzene.....	95-94-3	Benzene, 1,2,4,5-tetrachloro-.....	8270	10
1,1,1,2-Tetrachloroethane.....	630-20-6	Ethane, 1,1,1,2-tetrachloro-.....	8010	5
			8240	5
1,1,2,2-Tetrachloroethane.....	79-34-5	Ethane, 1,1,2,2-tetrachloro-.....	8010	0.5
			8240	5
Tetrachloroethylene; Perchloroethylene; Tetrachloroethene.....	127-18-4	Ethene, tetrachloro-.....	8010	0.5
			8240	5
2,3,4,6-Tetrachlorophenol.....	58-90-2	Phenol, 2,3,4,6-tetrachloro-.....	8270	10
Tetraethyl dithiopyrophosphate; Sulfotepp.....	3689-24-5	Thiodiphosphoric acid [(HO) <sub>2</sub> P(S)] <sub>2</sub> O, tetraethyl ester	8270	10
Thallium.....	(Total)	Thallium.....	6010	400
			7840	1,000
			7841	10
Tin.....	(Total)	Tin.....	7870	8,000
Toluene.....	108-88-3	Benzene, methyl-.....	8020	2
			8240	5
o-Toluidine.....	95-53-4	Benzenamine, 2-methyl-.....	8270	10
Toxaphene.....	8001-35-2	Toxaphene.....	8080	2
			8250	10
1,2,4-Trichlorobenzene.....	120-82-1	Benzene, 1,2,4-trichloro-.....	8270	10
1,1,1-Trichloroethane; Methylchloroform.....	71-55-6	Ethane, 1,1,1-trichloro-.....	8240	5
1,1,2-Trichloroethane.....	79-00-5	Ethane, 1,1,2-trichloro-.....	8010	0.2
			8240	5
Trichloroethylene; Trichloroethene.....	79-01-6	Ethene, trichloro-.....	8010	1
			8240	5
Trichlorofluoromethane.....	75-69-4	Methane, trichlorofluoro-.....	8010	10
			8240	5
2,4,5-Trichlorophenol.....	95-95-4	Phenol, 2,4,5-trichloro-.....	8270	10
2,4,6-Trichlorophenol.....	88-06-2	Phenol, 2,4,6-trichloro-.....	8040	5
			8270	10
1,2,3-Trichloropropane.....	96-18-4	Propane, 1,2,3-trichloro-.....	8010	10
			8240	5
O,O,O-Triethyl phosphorothioate.....	126-68-1	Phosphorothioic acid, O,O,O-triethyl ester.....	8270	10
sym-Trinitrobenzene.....	99-35-4	Benzene, 1,3,5-trinitro-.....	8270	10
Vanadium.....	(Total)	Vanadium.....	6010	80
			7910	2,000
			7911	40
Vinyl acetate.....	108-05-4	Acetic acid, ethenyl ester.....	8240	5
Vinyl chloride.....	75-01-4	Ethene, chloro-.....	8010	2
			8240	10
Xylene (total).....	1330-20-7	Benzene, dimethyl-.....	8020	5
			8240	5
Zinc.....	(Total)	Zinc.....	6010	20
			7950	50

<sup>1</sup> The regulatory requirements pertain only to the list of substances; the right hand columns (Methods and PQL) are given for informational purposes only. See also footnotes 5 and 6.

<sup>2</sup> Common names are those widely used in government regulations, scientific publications, and commerce; synonyms exist for many chemicals.

<sup>3</sup> Chemical Abstracts Service registry number. Where "Total" is entered, all species in the ground water that contain this element are included.

<sup>4</sup> CAS index names are those used in the 9th Cumulative Index.

<sup>5</sup> Suggested Methods refer to analytical procedure numbers used in EPA Report SW-846 "Test Methods for Evaluating Solid Waste", third edition, November 1986. Analytical details can be found in SW-846 and in documentation on file at the agency. CAUTION: The methods listed are representative SW-846 procedures and may not always be the most suitable method(s) for monitoring an analyte under the regulations.

<sup>6</sup> Practical Quantitation Limits (PQLs) are the lowest concentrations of analytes in ground waters that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating conditions. The PQLs listed are generally

stated to one significant figure. CAUTION: The PQL values in many cases are based only on a general estimate for the method and not on a determination for individual compounds; PQLs are not a part of the regulation.

<sup>7</sup> Polychlorinated biphenyls (CAS RN 1336-36-3); this category contains congener chemicals, including constituents of Aroclor-1016 (CAS RN 12674-11-2), Aroclor-1221 (CAS RN 11104-28-2), Aroclor-1232 (CAS RN 11141-16-5), Aroclor-1242 (CAS RN 53469-21-9), Aroclor-1248 (CAS RN 12672-29-6), Aroclor-1254 (CAS RN 11097-69-1), and Aroclor-1260 (CAS RN 11096-82-5). The PQL shown is an average value for PCB congeners.

<sup>8</sup> This category contains congener chemicals, including tetrachlorodibenzo-p-dioxins (see also 2,3,7,8-TCDD), pentachlorodibenzo-p-dioxins, and hexachlorodibenzo-p-dioxins. The PQL shown is an average value for PCDD congeners.

<sup>9</sup> This category contains congener chemicals, including tetrachlorodibenzofurans, pentachlorodibenzofurans, and hexachlorodibenzofurans. The PQL shown is an average value for PCDF congeners.

**PART 270—AMENDED**

1. The authority citation for Part 270 is revised to read as follows:

Authority: Secs. 1006, 2002(a), 3001, 3004, and 3005, of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6905, 6912(a), 6924 and 6925.

2. Section 270.14 is amended by revising paragraph (c)(4)(ii) to read as follows:

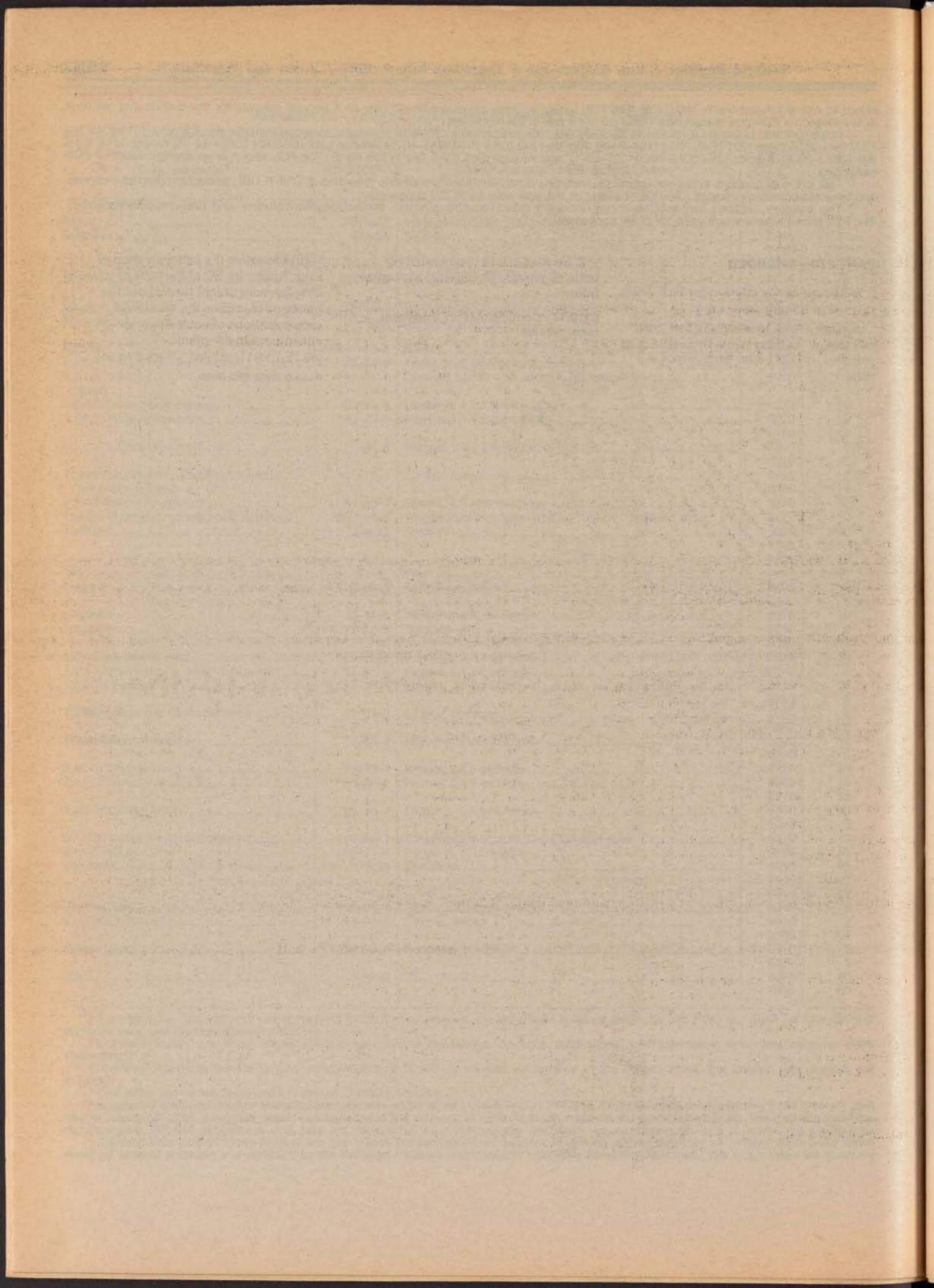
**§ 270.14 Contents of Part B: general requirements.**

- \* \* \* \* \*
- (c) \* \* \*
- (4) \* \* \*

(ii) Identifies the concentration of each Appendix IX, of Part 264 of this chapter, constituent throughout the plume or identifies the maximum concentrations of each Appendix IX constituent in the plume.

[FR Doc. 87-14658 Filed 7-8-87; 8:45 am]

BILLING CODE 6560-50-M



# **federal register**

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Thursday  
July 9, 1987

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## **Part III**

### **Department of the Interior**

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#### **Minerals Management Service**

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**Southern California Lease Sale; Call for  
Information and Nominations and Intent  
to Prepare an Environmental Impact  
Statement; Notice**

Information submitted in response to this Call will be used for several purposes. First, responses will be used to identify the areas of potential for oil and gas development. Second, comments on possible environmental effects and potential use conflicts will be used in the analysis of environmental conditions in and near the Call area. Together, these two considerations will allow a preliminary determination of the potential advantages and disadvantages of oil and gas exploration and development to the region and the Nation. Thus, it may be possible to make key decisions in connection with the next step in the planning process--Area Identification--to further resolve conflicts by deleting additional blocks where there is sufficient information to justify that action. However, the Area Identification represents only a preliminary step to select the area to be analyzed in the environmental impact statement (EIS). The Area Identification is tentatively scheduled for September 1987. A third purpose for this Call is to use the comments collected to initiate the scoping process for the EIS and to identify and analyze alternatives to the proposed action. The Notice of Intent to Prepare an EIS which includes a description of the scoping process is located later in this document. There will be a series of public meetings as part of EIS scoping. These will be announced at a future date in the Federal Register and by press release. Fourth, comments may be used in developing lease terms and conditions to ensure safe offshore operations. Fifth, comments may be used to point out potential conflicts between offshore oil and gas activities and California coastal zone management policies as established by the California Coastal Act of 1976, as amended, and approved local coastal plans.

The DOI made a commitment in the new 5-year program to provide environmental protection offshore California similar to the levels provided in OCS Lease Sales 73, Central California, and 80, Southern California, held in November 1983 and October 1984, respectively. The mitigating measures to be developed and analyzed during the prelease process for proposed OCS Lease Sale 95, Southern California, will address such issues as: air quality, transportation of hydrocarbons, oil spills, fisheries, hazardous waste dumps, biological resources, timing of operations, navigational safety, archaeological resources, military conflicts (including the hold and save harmless, the operational controls, and the evacuation clauses), water use, drilling discharges, onshore oil processing, sea otters, and marine biota. The MMS will consider in the more detailed scoping review conducted for proposed OCS Lease Sale 95 the stipulations included in the separate proposals of California Governor Deukmejian, Congressman Regula, and Congressman Panetta on the 5-year program.

2

4310-MR

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
MINERALS MANAGEMENT SERVICE

Southern California  
OCS Lease Sale 95

Call for Information and Nominations  
and

Notice of Intent to Prepare an Environmental Impact  
Statement

CALL FOR INFORMATION AND NOMINATIONS

Purpose of Call for Information and Nominations

The purpose of the Call is to assist the Secretary of the Interior in carrying out his responsibilities under the Outer Continental Shelf Lands Act (OCSLA) (43 U.S.C. 1331-1356 (1982)), as amended by the Outer Continental Shelf Lands Act Amendments of 1985 (100 Stat. 147), and the regulations issued thereunder (30 CFR Part 256) with regard to proposed OCS Lease Sale 95 in the Southern California Planning Area tentatively scheduled for September 1989.

This initial information gathering step is important for ensuring that all interests and concerns are communicated to the Department of the Interior (DOI) for future decision points in the leasing process. This Call does not indicate a preliminary decision to lease in the area described below.

The 5-Year OCS Oil and Gas Leasing Program for Mid-1987 through Mid-1992 eliminates specific subareas within the Southern California Planning Area from consideration for leasing during the 5-year period it covers. These areas are described below. As a preliminary step to this process, the Minerals Management Service (MMS) published a Request for Information in the Federal Register on January 17, 1985, requesting geological information and company interest concerning oil and gas prospects in the Southern California Planning Area. A number of companies provided information. In addition, a number of companies supplied supplementary information in response to an informal survey conducted in September 1985. This information was used during the development of the new 5-year program and will be used along with the information provided in response to this Call in proceeding further with the lease sale process.

Additionally, special attention will be focused on the resolution of any remaining military conflicts. This will be carried out under the procedures of the 1983 Memorandum of Agreement between DOI and the Department of Defense (DOD) and may involve further block deferrals and the adoption of special protective measures.

#### Description of Area

The general area of this Call is offshore southern California from 3 to 130 miles from shore. The area is shown in general on the map at the end of this Call. A more detailed map of the Call for Information and Nominations area (hereinafter referred to as the Call map) is available free of charge from the Regional Supervisor, Office of Leasing and Environment, MMS, Pacific OCS Region, at the address listed at the end of this section.

The Southern California Planning Area is defined as follows:

West along a line extending from the territorial sea at approximately 35 degrees 47' latitude to approximately 124 degrees W longitude thence south to approximately 34 degrees 58' N latitude thence east to approximately 122 degrees W longitude thence south to approximately 32 degrees 55' N latitude thence east to approximately 121 degrees 40' W longitude thence south to approximately 32 degrees 40' N latitude thence east to approximately 120 degrees 20' W longitude thence south to approximately 32 degrees 10' N latitude thence east to 120 degrees W longitude thence south to the U.S.-Mexico Provisional Maritime Boundary thence northeastward along the U.S.-Mexico Provisional Maritime Boundary to the 3-geographical mile line thence northward and westward along the 3-geographical mile line to the point of origin.

Ten Federal OCS lease sales have been held since 1963 in the Southern California Planning Area. Of the 318 leases awarded in this area, 66 discoveries have been designated by MMS Order No. 4 determinations. As of June 1987, there were 156 active leases, 15 units, 16 producing leases, 21 platforms installed, and 6 additional platforms proposed.

Not included in the Call are areas that the Secretary of the Interior deferred from leasing in the new 5-year program. These areas are the deepwater areas (generally beyond the 900-meter isobath) off southern California; Channel Islands National Marine Sanctuary; Santa Barbara Federal Ecological Preserve and Buffer Zone; San Nicolas Basin (the DOD Coordinated Anti-Submarine Warfare Area); the area offshore Santa Monica Bay from Point Dume to Point Fermin; the area offshore San Diego; and several coastal buffers offshore Areas of Special Biological Significance (ASBS)

including the coastal buffer overlapping the southern portion of the sea otter range and adjacent to the mouth of Salton Creek ASBS; Newport Beach, Irvine Coast, and San Diego Marine Life Refuges; Heisler Park ASBS, San Diego-La Jolla Ecological Reserve ASBS, Santa Catalina Island ASBS's, and San Clemente Island ASBS.

Additionally, large areas within the Southern California Planning Area continue to be excluded from consideration for leasing because of DOD concerns. Blocks falling within a submarine transit lane with the terminus at San Diego are deferred from this Call. Additional consideration will be given to adjusting two other submarine transit lanes pending comments received as a result of this Call. (Discussion regarding these two transit lanes may be found below). Operating areas offshore Camp Pendleton and Encinitas have been included in the new 5-year program for phased leasing. The analysis and decisions resulting from the new 5-year program will be considered during all the decision points for proposed OCS Lease Sale 95.

Almost all of the areas requested by DOD for deferral in OCS Lease Sales 73 and 80 for DOD concerns are deferred from this Call. In addition, a part of the Pacific Missile Test Center (PMTTC) which extends west of the area studied for Sale 80 is deferred from this Call. In several cases, military operating areas not deferred in OCS Lease 80 are the subject of continued discussions with DOD regarding joint use, and thus are included in the Call. The DOI and DOD are also discussing the possible adoption of special protective measures for certain blocks in military operating areas. A more detailed description of the considerations for various military operating areas for the Call on proposed OCS Lease Sale 95 are detailed below. Consideration will also be given to views of the U.S. Coast Guard at subsequent lease sale decision points.

Based on requests made by the State, and as announced in April, blocks within buffer zones extending 6 statute miles beyond the shoreline of Begg Rock and San Nicolas Island ASBS's are not included in this Call. These areas were deferred in OCS Lease Sale 80 primarily due to DOD concerns.

The following list identifies the OCS Leasing Maps and Official Protraction Diagrams and blocks which comprise the Call area. Existing leases are included in the Call since they may expire or be relinquished before the proposed sale. For blocks that overlap the Channel Islands National Marine Sanctuary, the Call includes only those portions outside the Sanctuary. Also, for blocks that overlap deferral areas and those that overlap State boundaries, the Call includes only those nondeferred portions in Federal waters. The maps and diagrams may be purchased

for \$2.00 each from the Regional Supervisor, Office of Leasing and Environment, Pacific Region, MMS, 1340 West 6th Street, Los Angeles, California 90017, telephone (213) 894-7107. The purpose of these maps and diagrams is not to delineate the Call area (the Call map mentioned above serves the purpose of delineating the Call area) but to more clearly show small blocks.

OCS Leasing Map 6A

(Revised October 25, 1984) Blocks:  
 3673-3675, 3772-3775, 3872-3876,  
 3972-3977, 4072-4073, 4076-4079,  
 4177-4180, 4278-4282, 4381-4382,  
 4772-4777, 4784-4785, 4872-4878,  
 4884-4886, 4972-4987, 5072-5087,  
 5172-5187, 5272-5288, 5372-5389,  
 5474-5479, 5481-5489, and 5582-5589.

OCS Leasing Map 6B

(Revised October 25, 1984) Blocks:  
 3040-3041, 3140-3142, 3240-3243,  
 3247-3252, 3340-3353, 3440-3454,  
 3540-3555, 3643-3655, 3670, 3744-3755,  
 3769-3770, 3844-3855, 3869-3871,  
 3944-3954, 3970-3971, 4045-4055,  
 4057-4058, 4070-4071, 4146-4155,  
 4158-4159, 4248-4255, 4257-4259,  
 4350-4357, 4453-4457, 4556-4558,  
 4657-4662, 4758-4768, 4859-4871,  
 4959-4971, 5060-5065, 5068-5071,  
 5162-5165, 5170-5171, 5263, 5270-5271,  
 and 5371.

OCS Leasing Map 6C

(Revised October 25, 1984) Blocks:  
 1521-1531, 1622-1632, 1722-1732,  
 1828-1832, 1928-1932, 2022-2032,  
 2122-2132, 2228-2232, 2328-2339,  
 2427-2433, 2526-2539, 2625-2639,  
 2725-2736, 2827-2839, 2928-2939,  
 3030-3039, 3132-3139, 3232-3239,  
 3333-3339, 3434-3439, 3535-3539,  
 and 3636.

OCS Leasing Map 6D

(Revised October 25, 1984) Blocks:  
 1053-1060, 1154-1160, 1254-1260,  
 1355-1360, 1455-1460, 1556-1560,  
 1657-1658, 1758, 2040-2043, 2140-2143,  
 2240-2244, 2340-2347, 2440-2450,  
 2540-2549, 2642-2647, 2745-2746, 2846,  
 2940, and 2946.

OCS Leasing Map 6E

(Revised October 25, 1984) Blocks:  
 458-460, 558-560, 658-660, 758-760,  
 858-860, and 958-960.

NH 11-1, Bushnell Knoll

(Approved December 12, 1979) Blocks:  
 15-33, 59-77, 106-121, and 150-165.

NI 10-3, San Luis Obispo

(Revised May 11, 1983) Blocks:  
 181-187, 225-231, 269-276, 313-320,  
 357-367, 401-411, 447-458, 491-502,  
 535-549, 580-593, 625-637, 670-680,  
 714-725, 758-770, 803-815, 847-861,  
 892-905, 936-949, and 981-993.

NI 10-6, Santa Maria

(Approved March 26, 1976) Blocks:  
 12-24, 56-68, 101-113, 146-157, 191-201,  
 235-245, 280-289, 325-333, 370-376,  
 415-421, 460-467, and 504-506.

NI 11-10, San Clemente

(Revised February 8, 1985) Blocks:  
 418-433, 462-477, 506-521, 550-565,  
 594-609, 638-653, 679-697, 723-741,  
 767-785, 811-829, 854-873, 898-917,  
 943-961, and 987-1005.

#### Instructions on Call

Respondents are requested to nominate any or all of the Federal blocks within the Call area for inclusion in proposed OCS Lease Sale 95. Although the identities of those submitting nominations become a matter of public record, the individual indications of interest are considered to be proprietary and confidential information.

Those indicating such interest are required to do so on the Call map by listing block numbers or outlining the area(s) of interest along block lines. As stated in paragraph 1 under "Description of Area", the Call map is available free from the Regional Supervisor, Office of Leasing and Environment, MMS, Pacific OCS Region, at the address stated under "Description of Area."

Respondents may submit a detailed list of whole and partial blocks nominated (by OCS Leasing Map numbers and Official Protraction Diagram designations) to ensure correct interpretation of their nominations. The telephone number and name of a person to contact in the respondent's organization for additional information should be included.

Respondents should rank areas in which they have expressed interest according to priority of their interest (e.g., priority 1 (high), 2 (medium), or 3 (low)). We encourage respondents to be specific in listing blocks by priority. This information is very helpful in assessing the area to be identified for further study at future sale decision points. Blanket nominations on large areas are not as useful in providing information pertinent to analysis of industry interest. Areas where interest has been indicated but which have no specified priorities will be considered priority 3. Information concerning both location and priority of interest submitted by individual respondents will be held proprietary and confidential and will help determine the area upon which the EIS analysis will be focused. In addition to indications of interest by respondents, further consideration of areas for analysis in the EIS will be based on hydrocarbon potential and environmental, economic, and multiple-use (including military use) conditions.

The Call map highlights the MMS interpretation of the promising acreage area (the area of hydrocarbon potential). Comments are requested within the entire Call area. Such nominations and comments will be considered at the Area Identification stage for identification of the proposal to be analyzed in the EIS.

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As of June 1987, there were 156 active leases in the Southern California Planning Area. Respondents are encouraged to review these leased blocks in the event the leases are terminated prior to the issuance of the final Notice of Sale and could, therefore, be offered in proposed OCS Lease Sale 95.

In addition to nominations (indications of interest), comments are sought from all interested parties about particular geologic, environmental, biological, archaeological, or socioeconomic conditions or conflicts, or other information which might bear upon potential OCS leasing and development in the Call area. Comments are also sought on potential conflicts that may result from the proposed sale between future OCS oil and gas activities and California coastal zone management policies as established by the California Coastal Act and approved local coastal management plans. If possible, these comments should identify specific California Coastal Management plan policies of concern, the nature of the conflict foreseen, and steps that MMS can take to avoid or mitigate the potential conflict. Comments may either be in terms of broad areas or restricted to particular blocks of concern. Those submitting comments are requested to list block numbers or outline the subject area on the Call map.

Nominations and comments must be received no later than 45 days following publication of this document in the Federal Register in envelopes labeled "Nominations for proposed Southern California OCS Lease Sale 95," or "Comments on the Call for Information and Nominations for proposed Southern California OCS Lease Sale 95," as appropriate. The original Call map showing indications of interest and/or comments must be submitted to the Regional Supervisor, Office of Leasing and Environment, MMS, Pacific OCS Region, at the address stated under "Description of Area", and a copy of the Call map showing indications of interest and a copy of any comments are to be sent to the Chief, Offshore Leasing Management Division, Department of the Interior, Minerals Management Service, Room 4230, 18th and C Streets, NW., Washington, D.C. 20240.

#### Special Measures for Joint Use with Military Operations

Nominations and comments are requested on specific blocks which are in military operating areas and are being considered for possible joint use by DOI and DOD for proposed OCS Lease Sale 95.

Joint use may be facilitated if special protective measures can be developed for relevant blocks. The measures which are being considered include various controls on exploration, development, and production on potential leases within military operating areas.

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A commitment was made in the new 5-year program regarding the Camp Pendleton Amphibious Assault Area (CPAAA) and the Encinitas Naval Electronics Test Area (ENETA)--DOD operating areas. This agreement provides that each of the areas would be divided into two sectors; active leases would be allowed in only one sector of each at any one time. In the ENETA area, only one of two tracts nearest shore in a sector could be leased at one time. For proposed OCS Lease Sale 95, the first sale in the Southern California Planning Area since approval of the new 5-year program, the area north of the CPAAA corridor and the northern half of ENETA are included in the Call. The area south of the CPAAA corridor and the southern half of ENETA will be considered for inclusion in the Call for proposed OCS Lease Sale 138, the second Southern California OCS Lease Sale on the new 5-year program (scheduled for June 1992), and would be offered for lease only if there are no active leases in the northern areas. A map depicting these areas can be found at the end of this Call.

Commitments have not been made with regard to the other areas described below by either the DOI or DOD at this time. Areas shown on the Call map as areas subject to further discussion with DOD should be considered included in the Call. Therefore, interested parties are requested to comment or indicate nominations in these areas, if appropriate.

With the exception of the discussion regarding proposed measures for the PMTC (item 1. below), the following restrictions have been developed and are printed here only to elicit further comment and help focus further discussions with DOD on joint use pursuant to the July 20, 1983, Memorandum of Agreement between the DOD and DOI. No further comments regarding PMTC are requested at this time since that area was the subject of a February 1987 Federal Register Notice.

#### 1. PMTC

The MMS published a Federal Register Notice (Vol. 52, No. 25) on February 6, 1987, requesting comments on possible mitigating measures in conjunction with the PMTC to allow for the joint use of the OCS within portions of the Pacific Missile Test Center Sea Test Range (PMTCSR). The affected blocks for these measures would include the following blocks in OCS Leasing Map 6B: 4057, 4058, 4155, 4158, 4159, 4255, 4257, 4258, 4259, 4355, 4356, 4357, 4455, 4456, 4457, 4556, 4557, 4558, and 4657. The first measure which is being proposed is identical to parts (a) and (b) of a military stipulation used in OCS Lease Sales 73 and 80. The second measure is a new stipulation for operational coordination and controls within the identified portion of the PMTCSTR. The

third measure is identical to the "Hold Harmless" stipulation used in Sales 73 and 80. The other measures would preclude surface occupancy within 6 nautical miles of the Meteorological Rocket Launch Facility at PMTC and require subsea completions on the remaining portions of the blocks identified above within the PMTCSTR.

The MMS is evaluating the comments received as a result of that Notice. Discussions with DOD are continuing regarding this area. A copy of the Notice may be obtained by contacting the Regional Supervisor at the address stated under "Description of Area" above.

#### 2. CPAAA

The new 5-year program provided for phased leasing in the CPAAA. For proposed OCS Lease Sale 95, the area north of the CPAAA corridor is included in the Call. However, those portions of the blocks which lie inside the corridor would be considered for leasing with no surface occupancy conditions. The area south of the CPAAA corridor will be considered for inclusion in the Call for proposed OCS Lease Sale 138 in the Southern California Planning Area (this sale is scheduled for June 1992), but will be offered for lease only if there are no active leases in the northern area.

The following blocks, all on OCS Leasing Map 6C, will have the no surface occupancy provision applied as indicated:

For blocks 2328, 2427, 2526, and 2625, no surface occupancy will be permitted east of a line from the southwest corner of the block to the northeast corner.

For blocks 2128 and 2228, no surface occupancy will be permitted east of the line defining the CPAAA corridor.

For block 2127, no surface occupancy will be permitted west of a line from the southwest corner of the block to the northeast corner.

The commitment made in the new 5-year program regarding CPAAA is also shown on the maps at the end of this Call.

#### 3. ENETA

The new 5-year program provided for phased leasing in the ENETA operating area. For proposed OCS Lease Sale 95, the northern half of ENETA is included in the Call. The southern half of ENETA will be considered for inclusion in the Call for proposed OCS Lease Sale 138 but will be offered for lease only if there are no active leases in the northern area.

The blocks, all in OCS Leasing Map 6C, and the portions which are included in this Call are as follows:

Blocks 2022, 2023, 2024, 2024, 2025, 2026, 2027, 2122, 2123, 2124, 2125, 2126, and 2127.

This area is shown on the maps at the end of this Call.

#### 4. FLETA-COLD Training Area

Blocks in this operating area on OCS Leasing Map 6C are being included in the Call. Pending further discussions with the military, if these blocks are offered, stipulation language that could restrict density and timing of oil and gas activities may be applied to leases. The relevant blocks are 1722, 1723, 1724, 1725, 1726, 1728, 1729, 1622, 1623, 1624, 1625, 1626, 1628, 1629, 1521, 1522, 1523, 1524, 1525, 1528, and 1529.

#### 5. Submarine Transit Lanes

The Call includes the following blocks within two of four submarine transit lanes which run through the Southern California Planning Area. The Navy may consider adjusting submarine routes pending review of industry interest information as a result of this Call and during the subsequent prelease process.

Official Protraction Diagram NI 11-10, San Clemente: 426-433, 470-477, 513-521, 556-565, 599-604, 606-609, 642-647, 650-653, 685-690, 694-697, 728-733, 738-741, 772-777, 782-785, 815-820, 826-829, 854-863, 870-873, 898-906, 914-917, 943-949, 958-961, 987-992, and 1002-1005.

Official Protraction Diagram NH 11-1, Bushnell Knoll: 30-33, 74-77, 118-121, and 162-165.

#### 6. U.S. Air Force and National Aeronautics and Space Administration (NASA)

Blocks included in this Call are located in areas jointly used by the U.S. Air Force and NASA as a solid rocket booster fallout area. The DOI is planning to include a similar information to Lessees (ITL) clause used in the Southern California OCS Lease Sale 80 final Notice of Sale in future OCS Lease Sale 95 Notices

to describe the area affected and restrictions which will be applied to relevant leases. The blocks involved are as follows:

OCS Leasing Map No. 6D: 1053-1060, 1154-1160, 1254-1260, 1355-1360, 1455-1460, 1556-1558, and 1657-1658.

OCS Leasing Map No. 6E: 458-460, 558-560, 658-660, 758-760, 858-860, and 958-960.

Official Protraction Diagram NI 11-10, San Clemente: 418-424, 462-468, 506-512, 550-555, 594-598, 638-641, 682-684, 723-727, 767-770, 811-814, and 857.

For a copy of the proposed ITL with a revised block list for proposed OCS Lease Sale 95, please contact the Regional Supervisor, Office of Leasing and Environment, MMS, Pacific OCS Region at (213) 894-7107.

#### Tentative Schedule

Final delineation of the area for possible leasing will be made at a later date only after compliance with established Departmental procedures and applicable laws including all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and the OCSLA, as amended.

If a decision to offer blocks is made, a final Notice of Sale will be published in the Federal Register detailing areas to be offered for competitive bidding, stating the terms and conditions for leasing, and announcing the location, date, and time bids will be received and opened.

The following is a list of tentative milestones which will precede this sale, proposed for September 1989.

Comments Due on the Call	-- August 1987
Area Identification	-- September 1987
Draft EIS Published	-- July 1988
Public Hearings on Draft EIS	-- August 1988
Final EIS Published	-- February 1989
Proposed Notice of Sale Issued	-- April 1989
Governor's Comments Due on Proposed Notice	-- June 1989
Final Notice of Sale Published	-- August 1989
Sale	-- September 1989

#### Existing Information

Information already available on the Call area includes that gathered during the EIS process for the 1982 Final Program (1982 to 1987) and the 5-Year OCS Oil and Gas Leasing Program for

NOTICE OF INTENT TO PREPARE AN EIS

Mid-1987 through Mid-1992 and for OCS Lease Sales 35, 48, 53, 68, RS-2, 73, and 80. Also, DOI has received extensive information from Congress and industry during negotiations over OCS leasing off California during development of the new 5-year program. In addition, comments previously received by the DOI from State and local governments, other Federal Agencies, environmental groups, and the oil and gas industry concerning past OCS actions will be considered. The following is a list of additional information which will be available to the DOI for consideration regarding proposed OCS Lease Sale 95.

Pacific OCS Region Summary Reports and IndicesSummary Reports

May 1980  
May 1982  
December 1982  
September 1983  
July 1984  
April 1985  
May 1986

Indices

October 1980  
June 1981  
March 1983  
October 1984

Summary Reports and Indices are available for review at the MMS, Pacific OCS Region (see address under "Description of Area"). Also available for review are technical and geologic reports. For more information, please contact Ms. Frieda Star of that office at (213) 894-2062. Copies of the Pacific OCS Region Summary Reports and Indices may also be obtained from the following:

OCS Information Program  
Office of Offshore Information and Publications  
Minerals Management Service  
1951 Kidwell Drive, Suite 601  
Vienna, VA 22180

Environmental Studies - Southern California Planning Area

A list of completed, active, and proposed environmental studies conducted by the MMS Environmental Studies Program in the Southern California Planning Area is available. Completed study reports may be reviewed at the MMS, Pacific OCS Region, at the address listed under "Description of Area" and at many depositories throughout the State. Also, many reports may be purchased from the National Technical Information Service (NTIS). For a list of studies, depositories, or to obtain an NTIS phone number, please contact Ms. Ora Woods, Environmental Studies Section, MMS, Pacific OCS Region at (213) 894-6626.

Pursuant to the regulations implementing the procedural provision of the National Environmental Policy Act of 1969 (42 U.S.C. 4321), the MMS is announcing its intent to prepare an EIS regarding the oil and gas leasing proposal known as Southern California OCS Lease Sale 95. The Notice of Intent also serves to announce the scoping process which will be followed for this EIS. Throughout the scoping process, Federal, State, and local governments and other interested parties aid the MMS in determining the significant issues and alternatives to be analyzed in the EIS. The public may present comments and recommendations at scoping meetings which will be held in appropriate locations for the purpose of obtaining additional comments and information regarding the scope of the EIS following a decision on Area Identification. In addition, comments and recommendations may be submitted in writing to the Regional Supervisor, Pacific Region, at the address listed under "Description of Area" above. Written scoping comments are due by October 9, 1987. Four scoping meetings will be held during October 1987 in the vicinity of San Luis Obispo/Santa Maria, Santa Barbara/Ventura, Long Beach/Newport Beach, and San Diego. The specific times and locations of these scoping meetings will be announced at a future date in the Federal Register and by press release.

The EIS analysis will focus on the potential environmental effects of leasing, exploration, and development of the blocks included in the area defined in the Area Identification procedure as the proposed area of the Federal action and on potential mitigating measures such as those included in OCS Lease Sales 73 and 80. Alternatives to the proposal which may be considered are to delay the sale, cancel the sale, or modify the sale.

Approved:

Mm. D. Bettenberg

Director, Minerals Management Service

Assistant Secretary - Land and Minerals Management

J. Steven Griles

JUL 2 1987

Date

Note: The page-size maps cited in this Call contained so much detail that clear reproduction in the Federal Register was not feasible. However, the Call map, providing all the referenced information, is available at no charge from the Regional Supervisor (address mentioned above).

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Federal Register

Vol. 52, No. 131

Thursday, July 9, 1987

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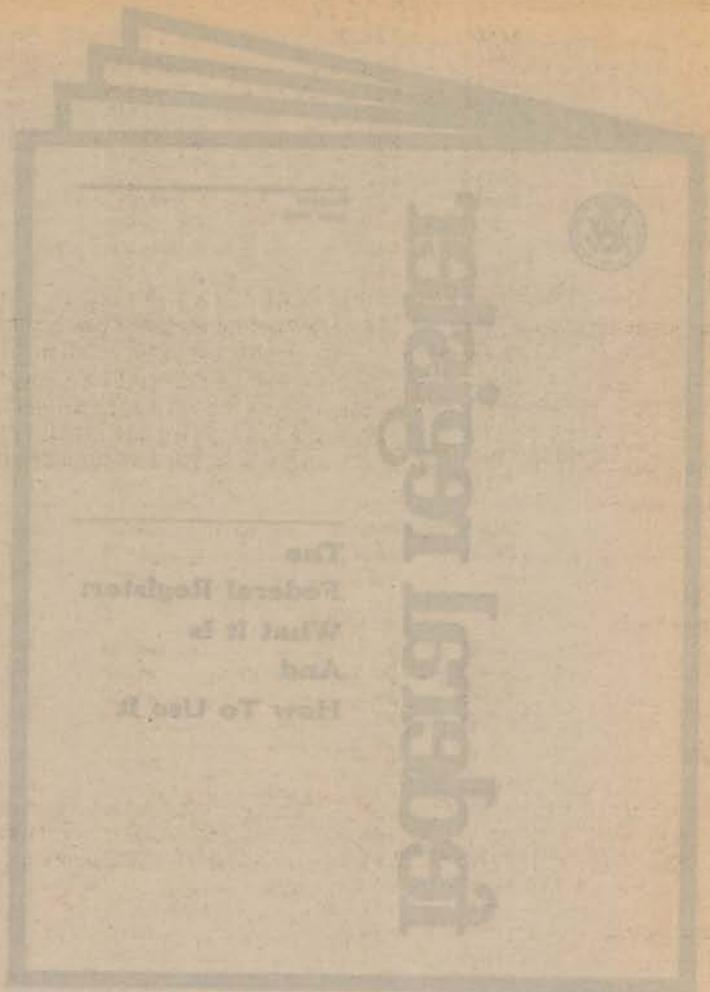
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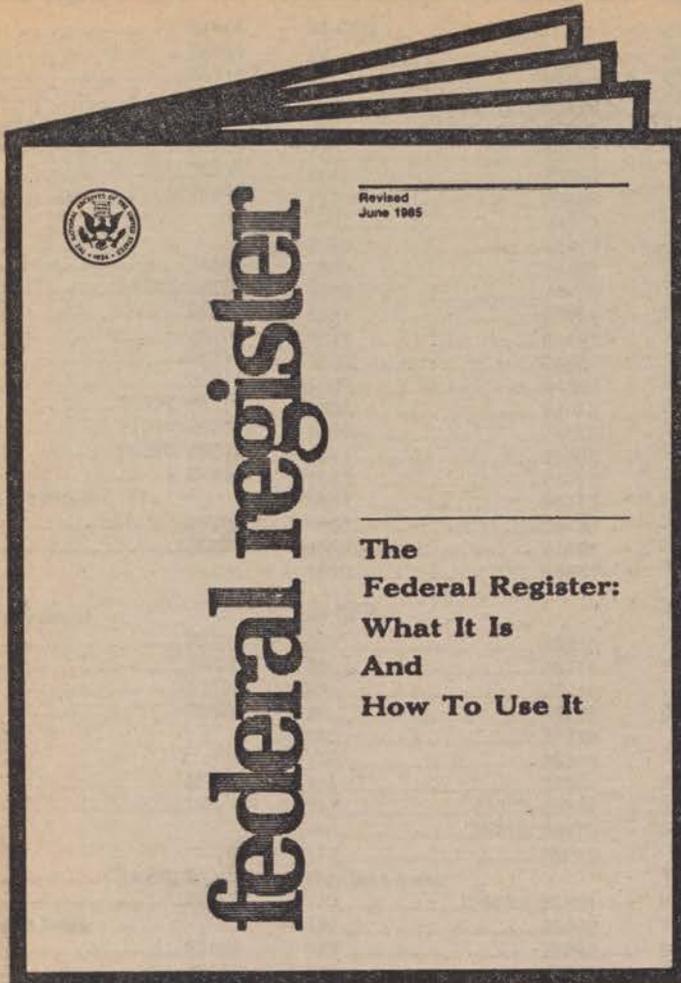
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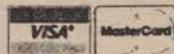
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