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TUESDAY, DECEMBER 20, 1977



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Monday	Tuesday	Wednesday	Thursday	Friday
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Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

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[6325–01]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Commerce

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amendment of Part 213 (1) changes the title of the Schedule C position of Confidential Assistant to the Chief Economist to Special Assistant to the Chief Economist because it reflects more appropriately the duties of the position; and (2) reestablishes under Schedule C the position of Special Assistant to the Deputy Assistant Secretary for Economic Development because it is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202–632–4533.

Accordingly, 5 CFR 213.3314(a)(23) is amended and (q)(8) is added as set out below:

§ 213.3314 Department of Commerce.

(a) *Office of the Secretary.* * * *

(23) One Confidential Assistant and one Special Assistant to the Chief Economist.

* * * * *

(q) *Office of the Assistant Secretary for Economic Development.* * * *

(8) One Special Assistant to the Deputy Assistant Secretary.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36143 Filed 12-19-77;8:45 am]

[6325–01]

PART 213—EXCEPTED SERVICE

Executive Office of the President

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: All positions in grades GS–7 through GS–15 assigned to the staff of the Domestic Council Committee on the Right of Privacy are no longer excepted under Schedule A because the Committee was terminated and the positions abolished.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202–632–4533.

Accordingly, 5 CFR 213.3103(e) is amended as set out below:

§ 213.3103 Executive Office of the President.

* * * * *

(e) *Office of Telecommunications Policy.* * * *

(2) [Revoked]

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36144 Filed 12-19-77;8:45 am]

[6325–01]

PART 213—EXCEPTED SERVICE

Federal Judicial Center

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: One Secretary (Stenography) to the Director, Federal Judicial Center, is excepted under Schedule C because it is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202–632–4533.

Accordingly, 5 CFR 213.3311(b) is added as set out below:

§ 213.3311 Federal Judicial Center.

* * * * *

(b) One Secretary (Stenography) to the Director.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36100 Filed 12-19-77;8:45 am]

[6325–01]

PART 213—EXCEPTED SERVICE

Department of State

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amendment (1) changes the title of one Special Assistant to the Coordinator for Human Rights and Humanitarian Affairs to Special Assistant to the Assistant Secretary for Human Rights and Humanitarian Affairs to reflect the current title of the superior; (2) revokes the position of Supervisory Foreign Affairs Officer under the automatic revocation system because it has been vacant for more than 60 days; and (3) excepts under Schedule C one position of Public Information Specialist to the Director, Secretariat of the U.S. National Commission for UNESCO because it is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202–632–4533.

Accordingly, 5 CFR 213.3304 (a) (30) and (h)(3) are revoked and (h)(6) and (bb)(2) are added as set out below:

§ 213.3304 Department of State.

(a) *Office of the Secretary.* * * *

(30) (Revoked)

* * * * *

(h) *Bureau of International Organization Affairs.* * * *

(3) (Revoked) * * *

(6) One Public Information Specialist to the Director, Secretariat of the U.S. National Commission for UNESCO.

* * * * *

(bb) *Office of the Assistant Secretary for Human Rights and Humanitarian Affairs.* * * *

(2) One Special Assistant to the Assistant Secretary.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36101 Filed 12-19-77;8:45 am]

[6325–01]

PART 213—EXCEPTED SERVICE

Department of Transportation

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amendment excepts from the competitive service under Schedule C one position of Associate Administrator for Policy Development and

Review, Federal Aviation Administration, Department of Transportation because the position is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION ON POSITION AUTHORITY CONTACT:

Dean Bollman, Civil Service Commission, 202-632-7676.

FOR FURTHER INFORMATION ON POSITION AUTHORITY CONTENT CONTACT:

Thomas M. McKenna, Chief, Executive Staffing Branch, Department of Transportation, 202-426-4122.

Accordingly, 5 CFR 213.3394(h)(9) is added as set out below:

§ 213.3394 **Department of Transportation.**

* * * * *

(h) *Federal Aviation Administration.* * * *

(9) Associate Administrator for Policy Development and Review.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954-1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36099 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Department of Agriculture

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amendment to Part 213 (1) excepts under Schedule C the position of Special Assistant to the Secretary because it is confidential in nature; and (2) changes the title of one position of Confidential Assistant to the Deputy Under Secretary to Confidential Assistant to the Deputy Secretary to reflect the current title of the superior.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3313(a)(16) is added and (c)(13) is amended as set out below:

§ 213.3313 **Department of Agriculture.**

(a) *Office of the Secretary* * * *

(16) One Special Assistant to the Secretary.

* * * * *

(c) *Office of the Deputy Secretary.* * * *

(13) One Confidential Assistant to the Deputy Secretary.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954-1958 Comp. p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant.

[FR Doc.77-36278 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Department of Energy

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: The purpose of this amendment is to change the title of the position of Confidential Secretary to the Assistant Secretary for Intergovernmental and Institutional Relations to Confidential Assistant (Secretary) to the Assistant Secretary for Intergovernmental and Institutional Relations. The new title describes the duties of the position more appropriately.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3331(m)(1) is amended to read as follows:

§ 213.3331 **Department of Energy.**

* * * * *

(m) *Office of the Assistant Secretary for Intergovernmental and Institutional Relations.*

(1) One Confidential Assistant (Secretary) to the Assistant Secretary.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954-1958 Comp., p. 218.)

UNITES STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36280 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amends the student cooperative education program to increase from 90 days to 120 days the period during which agencies may convert student appointments to career or career-conditional appointments, and to include, under Schedule B of Part 213, students working towards Graduate Degrees and Associate Degrees. The program currently applies only to students working towards a Bachelor's Degree. This amendment implements the provisions of Executive Order 12015.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

James R. Poole, 202-632-5678.

Accordingly, 5 CFR 213.3202 is amended to read as follows:

§ 213.3202 **Entire executive civil service.**

The positions established under paragraphs (a) through (c) are authorized under provisions of Executive Order 12015 and support career-related work-study programs.

(a) Student positions established in connection with a bachelor's degree cooperative education program which provide for a formally arranged scheduled of attendance at an institution of higher learning combined with at least 26 weeks, or 1040 hours, of study-related work in a Federal agency. The periods of work and study together must satisfy requirements for a bachelor's degree and must provide the experience necessary for a career or career-conditional appointment to administrative, professional or technical positions in the Federal career service upon the student's graduation.

(b) Student positions established in support of cooperative education programs for graduate students which provide for scheduled periods of attendance at a graduate school combined with at least 16 weeks or 640 hours of study-related work in a Federal agency. The periods of work and study must satisfy requirements for the graduate degree and provide experience necessary for career or career-conditional appointment in the Federal career service upon the student's graduation.

(c) Student positions established in connection with associate degree cooperative education programs which provide for formally arranged schedules of attendance at a recognized 2-year educational institution combined with at least 26 weeks or 1040 hours of study-related work in a Federal agency. The periods of work and study together must satisfy the requirements for graduation and must provide the experience necessary for career or career-conditional appointment in selected occupations in the Federal career service upon the student's graduation.

The Commission's requirements relating to appointments under this section will be published in the Federal Personnel Manual. Further, appointments under this section are subject to all the requirements and conditions governing career or career-conditional appointments, including investigation by the Commission to establish an appointee's qualifications and suitability. Appointments of participants may be converted to career or career-conditional at any time within a 120-day period after sat-

isfactory completion of a career-related work-study program.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36283 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Federal Home Loan Bank Board

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amendment to Part 213 (1) reestablishes under Schedule C and changes the title of one Secretary to the Director, Office of the Federal Home Loan Banks, to one Secretary (Stenography) to the Director, Office of the Federal Home Loan Banks. The revocation of this position was never published; however, the position had been revoked since it had been vacant for more than 60 days. This change in title is appropriate in order to more accurately reflect the duties of the position. (2) Excepts under Schedule C one position of Secretary (Steno) to the Congressional Liaison because it is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3354 is amended and (n) is added as set out below:

§ 213.3354 Federal Home Loan Bank Board.

* * * * *

(k) One Secretary (Stenograph) to the Director, Office of the Federal Home Loan Banks.

* * * * *

(n) One Secretary (Steno) to the Congressional Liaison.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36281 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: The following positions are excepted under Schedule C because they are confidential in nature: (1) one position of Associate Deputy Commissioner for Indian Education; (2) one position of Special Assistant to the Assistant Commissioner for Policy Studies; and (3) one position of Special Assistant to the Director, Office of State and Community Affairs.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3316(c) (17), (18) and (i) (19) are added as set out below:

§ 213.3316 Department of Health, Education, and Welfare.

* * * * *

(c) *Office of Education.* * * *

(17) One Associate Deputy Commissioner for Indian Education.

(18) One Special Assistant to the Assistant Commissioner for Policy Studies.

* * * * *

(n) *Office of the Assistant Secretary for Human Development.* * * *

(19) One position of Special Assistant to the Director, Office of State and Community Affairs.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36282 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Department of Justice

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This amends Part 213 by (1) changing the title of the position of Confidential Secretary to the Director, Office of Public Information to Staff Assistant (Stenography) to the Director, Office of Public Information because the new title reflects the duties of the position more appropriately; and (2) excepts from the competitive service under Schedule C one position of Confidential Assistant to the Commissioner, Immigration and Naturalization Service, because the position is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3310 (a) (11) and (j) (2) are amended as set out below:

§ 213.3310 Department of Justice.

(a) *Office of the Attorney General.* * * *

(11) Staff Assistant (Stenography) to the Director, Office of Public Information.

(j) *Immigration and Naturalization Service.* * * *

(2) Two Confidential Assistants to the Commissioner.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp. p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36276 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Department of Labor

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: One Special Assistant to the Assistant Secretary for Employment Standards is excepted under Schedule C because it is confidential in nature.

EFFECTIVE DATE. December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3315(a) (66) is added as set set out below:

§ 213.3315 Department of Labor.

(a) *Office of the Secretary.* * * *

(66) One Special Assistant to the Assistant Secretary for Employment Standards.

(5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp. p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36279 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Department of the Treasury

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: This addition excepts from the competitive service under Schedule C one position of Special Assistant to the Under Secretary for Monetary Affairs because the position is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3305(a)(26) is amended to read as follows:

§ 213.3305 Department of the Treasury.

(a) *Office of the Secretary.* * * *

(26) One Confidential Assistant and one Special Assistant to the Under Secretary for Monetary Affairs.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36277 Filed 12-19-77;8:45 am]

[6325-01]

PART 213—EXCEPTED SERVICE

Executive Office of the President

AGENCY: Civil Service Commission.

ACTION: Final rule.

SUMMARY: One position of Confidential Assistant to the Deputy Special Representative for Trade Negotiations is excepted under Schedule C because it is confidential in nature.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

Accordingly, 5 CFR 213.3303(d)(6) is added as set out below:

§ 213.3303 Executive Office of the President.

* * * * *

(d) *Office of the Special Representative for Trade Negotiations.* * * *

(6) One Confidential Assistant to the Deputy Special Representative for Trade Negotiations.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.77-36342 Filed 12-19-77;8:45 am]

[3410-34]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER D—EXPORATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Traveltime Allowances

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends administrative instructions prescribing commuted traveltime. This amendment establishes commuted traveltime periods as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which an employee of Veterinary Services performs overtime or holiday duty when such travel is performed solely on account of overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Inspection Service.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. E. R. Mackery, USDA, APHIS, VS, Federal Building, Room 870, Hyattsville, Md. 20782, 301-436-8695.

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions 9 CFR 97.2 (1977 ed.), as amended April 26, 1977 (42 FR 21269), May 27, 1977 (42 FR 27218), July 5, 1977 (42 FR 34276), October 28, 1977 (42 FR 56719), and November 15, 1977 (42 FR 59062), prescribing the commuted traveltime that shall be included in each period of overtime or holiday duty, and hereby amended by adding to the respective list therein as follows:

§ 97.2 Administrative instructions prescribing the commuted travel-time.

* * * * *

OUTSIDE METROPOLITAN AREA

THREE HOURS

Torrance, California (served from Lawndale, California). (64 Stat. 561 (7 U.S.C. 2260)).

It is to the benefit of the public that this instruction be made effective at the earliest practicable date. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this instruction are impracticable, unnecessary, and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 14th day of December 1977.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

R. I. BROWN,
Acting Deputy Administrator, Veterinary Services.

[FR Doc.77-36206 Filed 12-19-77;8:45 am]

[3410-34]

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS; ORGANISMS AND VECTOES

PART 101—DEFINITIONS

Miscellaneous Amendments

AGENCY: Animal and Plant Health Inspection Service (APHIS).

ACTION: Final rule.

SUMMARY: These amendments will delete references to special license. Special licenses are no longer issued, and when they were discontinued, an effort was made to eliminate all references to them. These amendments will correct an oversight made at that time.

EFFECTIVE DATE: These amendments become effective December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. R. J. Price, 301-436-8245.

SUPPLEMENTARY INFORMATION: On October 8, 1976, there was published in the FEDERAL REGISTER (41 FR 44358) a promulgation of final regulations relating to licenses for biological products. Issuance of special licenses was discontinued at that time and known references to special licenses were deleted from the regulations.

References to special licenses appearing in §§ 101.3 and 101.4 of the current regulations were overlooked at that time. These amendments correct that oversight.

1. In § 101.3, paragraphs (a) and (b) are revised to read:

§ 101.3 Biological products and related terms.

* * * * *

(a) *Licensed biological product.* A biological product prepared within a licensed establishment by a person holding an unexpired, unsuspended, and unrevoked product license for such product.

(b) *Experimental biological product.* A biological product which is being evaluated to substantiate an application for a product license or permit.

* * * * *

2. In § 101.4, paragraph (d) is revised to read:

§ 101.4 Labeling Terminology.

* * * * *

(d) *True name.* The name entered on the product license or permit at the time of issuance to differentiate the biological product from others: *Provided,* That, the principal part of such name shall be emphasized on such license or permit by being more prominently lettered than descriptive terms which may be necessary to complete the differentiation.

* * * * *

(21 U.S.C. 151 and 154; 37 FR 28477, 28646; 38 FR 19141.)

These amendments make administrative changes to correct an oversight without making other substantive changes in

the regulations. In order for them to be of maximum benefit, they must be made effective immediately.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure concerning these amendments are impracticable and unnecessary, and good cause is found for making these amendments effective less than 30 days after publication in the FEDERAL REGISTER.

The foregoing amendment shall become effective upon issuance. Done at Washington, D.C., this 14th day of December, 1977.

NOTE.—The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

R. I. BROWN,
Acting Deputy Administrator, Veterinary Services.

[FR Doc.77-36205 Filed 12-19-77;8:45 am]

[4110-03]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER C—DRUGS: GENERAL

[Docket No. 77N-0068]

PART 250—SPECIAL REQUIREMENTS FOR SPECIFIC HUMAN DRUGS

New Drugs Containing Hexachlorophene

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This rule will amend drug regulations to prohibit marketing of certain hexachlorophene-containing new drugs. The prohibition will apply at the time the Director of the Bureau of Drugs issues a notice of opportunity for hearing on a proposal to refuse to approve a new drug application for such drug or on January 31, 1978, whichever comes first. This action is being taken because manufacturers of new drugs containing hexachlorophene have had approximately 5 years within which to submit adequate information upon which a new drug application can be approved.

EFFECTIVE DATE: January 19, 1978.

ADDRESSES: Written objections to the Hearing Clerk (HFC-20), Food and Drug Administration, Room 4-65, 5600 Fishers Lane, Rockville, Md. 20857.

FOR FURTHER INFORMATION CONTACT:

Paul O. Fehnel, Bureau of Drugs (HFD-30), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-6490.

SUPPLEMENTARY INFORMATION: In the FEDERAL REGISTER of April 19, 1977 (42 FR 20313), FDA proposed to amend § 250.250 (21 CFR 250.250) to prohibit the marketing of new drugs containing hexachlorophene for indications listed in § 250.250(c)(3) after a notice of opportunity for hearing is issued on a proposal by the Director of the Bureau of Drugs to refuse to approve such new drug application (NDA) or after September 30, 1977, whichever comes first. In response to the proposal, comments were received from three manufacturers and the Institute for Public Interest Representation. A summary of the significant comments and the Commissioner's conclusions are as follows:

1. One comment from a manufacturer of a drug product that contains hexachlorophene as a preservative assumed that the manufacturer's product was not covered by the proposal because of the small amount of hexachlorophene used and because it is used as a preservative only, but asked for clarification on this point.

The Commissioner advises that the April 19 proposal pertained only to NDA's for drug products that contain hexachlorophene as an active ingredient for use as a surgical scrub and for topical application as specified in § 250.250(c)(3)(i). It did not propose to change, nor does this final rule change, the provisions of § 250.250 (c)(5) and (d), which indicate that the use of hexachlorophene as a preservative at a level not to exceed 0.1 percent will not in itself require the submission of an NDA. Hexachlorophene may be used only as part of a preservative system, however, and only where no other preservatives are available.

2. One comment suggested that the effective date be changed from September 30, 1977, to June 30, 1978. The comment argued that the extra time is needed to comply with FDA's requirements.

The Commissioner rejects this comment because it neither explains why the additional time is necessary to meet the FDA requirements, nor does it explain why the information could not have been submitted during the time that elapsed after the requirement for an NDA was published in the FEDERAL REGISTER of September 27, 1972 (37 FR 20160). Because the final regulation is being published later than expected, the proposed effective date of September 30, 1977 is being changed. The Commissioner is making the effective date 30 days after the date of publication in the FEDERAL REGISTER and is establishing January 31, 1978 as the date after which drug products containing hexachlorophene may not be marketed without an approval NDA.

3. One comment objected to the statement in the preamble of the proposal that manufacturers have had approximately 5 years within which to submit the necessary data in support of their NDA's. The comment said that a change in the efficacy guidelines was brought to the manufacturers' attention in July 1975 and contended that the reason some NDA's remain unapproved is because of the deficiencies in the review process, the change in guidelines, and the difficulty in meeting arbitrarily set guidelines.

The "glove juice" test, i.e., the procedure used to determine the effectiveness of surgical scrubs, has since 1973 been part of the guidelines of the Division of Anti-infective Drug Products, Bureau of Drugs, for evaluating surgical scrubs. This test was adopted, with some modification, by the OTC Antimicrobial I Panel during its deliberations in 1973 and was published as part of the Panel's report in the FEDERAL REGISTER of September 13, 1974 (39 FR 33103). The OTC Antimicrobial I Panel was appointed by the Commissioner to review the data and information submitted to FDA and to prepare a report on the safety, effectiveness, and labeling of OTC products containing antimicrobial ingredients for topical human use. This test, therefore, has been in effect virtually from the time that NDA's have been required for hexachlorophene products.

With respect to the alleged deficiencies in the review process, all applications for surgical scrubs have been expeditiously reviewed by the Bureau of Drugs. Staff members of FDA have had numerous meetings with manufacturers to explain procedures, interpret conclusions, review statistical analyses, suggest changes in instructions for use of the product to improve its effectiveness, and explain the approval criteria. All applicants for NDA's for hexachlorophene-containing products have been required to conduct the same tests for specified label indications. Most of the NDA's submitted in response to the 1972 regulation have already been approved, which suggests that not all firms have found it difficult to meet the guidelines.

The Commissioner disagrees with the statement that the guidelines have been arbitrarily set, considering the nature of hexachlorophene surgical scrubs. Any product used as a surgical scrub should produce the highest possible reduction of microbial flora and should suppress the count in the surgical glove over a 6-hour period. If surgical scrubbing is going to be performed, the ideal product would remove all transient flora and reduce the resident flora to as low a level as possible. The product must also be acceptable to the user and not irritate the user's hands. It is widely recognized, however, that hexachlorophene scrubs do not produce a high initial reduction, but with constant repeated use will be effective in reducing resident flora and in suppressing the count in the user's glove during the wearing time. Because no alternative product giving high initial reduction and prolonged microbial suppression was marketed in 1972, at the time of the FDA action on hexachlorophene, the Panel recommended and the Commissioner agreed that hexachlorophene products should continue to be marketed as surgical scrubs and for handwashing as part of patient care. As products combining both attributes become available, the Commisioner believes that the criteria for evaluating a

surgical scrub product should be reexamined in the light of risk-benefit judgments.

4. One comment argued that the glove-juice test is not the proper test for hexachlorophene products because hexachlorophene is a bacteriostatic rather than a bactericidal agent. Further, it was contended that the 1-log reduction in bacterial count required by the glove-juice test is an arbitrary requirement. The comment said a proper test to determine the efficacy of a surgical scrub containing hexachlorophene would include the test product, a positive and a vehicle control, and studies in parallel in the same laboratory.

The definitions of bacteriostatic and bactericidal activity are not uniformly agreed upon. As the use of adequate neutralizers has been introduced into the testing procedures for antimicrobial chemicals, the ease with which the separation of these definitions is usually made has become significantly less. Acceptable kill curves and D-values have been required and determined for what have been generally accepted to be bactericidal and bacteriostatic chemical agents. It is obvious from historical data that a single scrub with a hexachlorophene-containing product does have an antimicrobial (bacteriostatic and/or bactericidal) effect on the skin microflora.

As stated in the response to comment 3 above, a product used as a surgical scrub should produce the highest possible reduction of microbial flora and suppress the count in the surgical glove over a 6-hour period. Therefore, any product that is used as a surgical scrub should meet a standard for initial reduction. The 1-log reduction referred to in the comment is therefore accepted as only the minimal level of reduction for a suitable surgical scrub in a handwashing test. In fact, this criterion can be met by some generally available antimicrobial bar soaps when tested under controlled conditions.

The glove-juice test is designed to test surgical scrubs formulated with chemicals of differing activity including, as part of the test, an objective assessment of initial reduction of microbial flora, action in suppressing growth of organisms while wearing the surgical glove, and the product's substantive activity. A substantive antimicrobial chemical is one that binds to the outermost layer of the skin cells. So that this substantive activity can be determined, the test is designed to extend over a 5-day testing period. Because of limitations of numbers of test subjects and the use of the opposite hand as a control, however, it is not possible to also run a vehicle and/or positive control in the same test. Certainly, other individual tests of these elements, including both vehicle and positive controls, can and should be designed. One option would be to run sequential tests on the same group. Obviously, the Commissioner would not discourage the development of such new tests. However, it is desirable to have a test for products, particularly hexachlorophene-containing products, that allows judgment of the elements enumerated above for each product and comparisons between various antimicrobial chemicals to define the activity of surgical scrubs. Any agent which on initial or single use did no better than ordinary soap and water would not be acceptable as a surgical scrub.

The glove-juice test has been designed to eliminate as much variation as possible because tests with fewer subjects have not proven to be statistically valid. The procedures used in the test, the statistical evaluation procedures, and the criteria for definition as a surgical scrub were reviewed by several experts prior to use by FDA and adoption by the OTC Antimicrobial I Panel. The data submitted for the numerous hexachlorophene-containing products have clearly shown the value of this test in identifying products that are effectively formulated and products whose instructions do not allow sufficient exposures to the product to be effective. Collaborative studies are often time consuming and ultimately may merely show an already recognized interlaboratory variation.

Because of the unusual situation that hexachlorophene products were already being marketed when they were declared to be "new drugs," the number of tests required for an effective NDA is significantly fewer than for a new material being tested for safety and effectiveness. Certainly, further studies comparing a product to a vehicle control or a nonantimicrobial soap are desirable. In certain instances where the vehicle, e.g., alcohol, has obvious activity, vehicle controls have been requested.

5. One comment noted that the glove-juice test is based on a protocol proposed by the OTC Antimicrobial I Panel in the FEDERAL REGISTER of September 13, 1974, as part of the panel's proposed monograph for OTC topical antimicrobial products. It pointed out that, to date, neither the final monograph nor the comments on the proposed test has been published.

The Commissioner recognizes that the tentative final monograph has not been published, but, as indicated above, the glove-juice test has been required for surgical scrubs since 1973 and was adopted, with some changes, by the OTC Antimicrobial I Panel. The comments submitted on the proposed monograph concerning the glove-juice test dealt primarily with details of the test and its analysis and generally not with the criteria involved. As a result of these comments, some statistical changes in analysis are expected to appear in the tentative final monograph, but the test is expected to remain the same. Of course, all the comments received in response to the proposed monograph are on file with the Hearing Clerk, Food and Drug Administration, and are available for inspection.

6. One comment argued that for FDA to classify an already marketed drug as a new drug and then allow it to stay on the market before its NDA is approved is contrary to the provisions of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355). It also alleged that the preamble statement that the legality of transitional treatment of newly classified new drugs was recognized by the United States District Court for the District of Columbia in *Hoffmann-LaRoche, Inc. v. Weinberger*, (Civil Action No. 75-0270 filed July 29, 1975), was entirely unfounded. Therefore, FDA should not finalize the proposed regulation, but should immediately prohibit the further marketing of new drugs containing hexachlorophene that are not the subject of an NDA.

The Commissioner rejects this comment because transitional treatment of newly classified new drugs was recognized and accepted by the court in "Hoffmann-LaRoche." On October 31, 1975, June L. Green, U.S. District Judge, United States District Court for the District of Columbia, granted an FDA motion to amend and clarify the July 29, 1975 Order. The plaintiff (Hoffmann-LaRoche, Inc.) concurred in this motion. The October 31 Order contained a typographical error, which was corrected by a revised Order reissued on November 3, 1975. The Court's Order of November 3, 1975 is as follows:

> *Further ordered*, That the Court's Order of July 29, 1975, be amended to add the following separte final paragraph:
>
> *Ordered* that nothing in the foregoing provisions of this Order shall prevent defendants, upon making and pulishing in the FEDERAL REGISTER a determination that prescription new drugs in the following categories are medically necessary, from allowing such drugs to continue to be marketed pending completion of scientific studies required for an evaluation of their safety and effectiveness: (a) Drugs covered by approved new drug applications with respect to which new information causes defendants to initiate proceedings to withdraw approvals of applications pursuant to provisions of 21 U.S.C. 355 (e), and (b) drugs not previously declared as new drugs and not covered by effective new drug applications, which, upon the basis of new information, the defendants have classified as new drugs.
>
> Dated: November 3, 1975.
>
> JUNE L. GREEN,
> *District Judge.*

This amendment to the Order of July 29, 1975, published in the FEDERAL REGISTER of March 2, 1976 (41 FR 9001), was cited in the preamble to the proposed regulation.

7. One comment objected, as an unduly restrictive regulatory approach, to the portion of the proposal that would prohibit the marketing of a new drug containing hexachlorophene upon the issuance of a notice of opportunity for hearing on a proposal to refuse to approve the NDA. It alleged that this would penalize a manufacturer who aggressive-defended his product and would prevent the manufacturer from marketing a product earlier than another manufacturer who passively awaits the cut-off date. The comment also alleged that such a procedure appeared to be in conflict with § 314.200(a) (1) and (2) (21 CFR 314.200(a) (1) and (2)).

The condition that marketing would have to cease upon the publication of a

notice of opportunity for hearing was included in the proposal because a notice of opportunity for hearing constitutes the final decision of the Bureau of Drugs with respect to the application. After such a determination it would be contrary to the public interest to continue to permit the product to be shipped in interstate commerce pending final agency action on the application. A notice of opportunity for hearing would be published only if the manufacturer requests that the application be filed over protest. Such a request means that the manufacturer has completed studies and believes that sufficient data have been submitted for the application to be approved. Because the manufacturer contemplates no further studies, and the Bureau of Drugs has found the submitted studies unsatisfactory, it would be contrary to the provisions in "Hoffmann-LaRoche" (see paragraph 6) to allow continued marketing.

Although the comment alleged that the proposed procedure appears to be in conflict with § 314.200(a) (1) and (2), it offered no explanation or discussion of how the proposal conflicted. The Commissioner has reviewed these provisions and, finding nothing in them that conflicts with the proposed regulations, rejects this comment.

8. One comment recommended that FDA promulgate regulations establishing the circumstances under which transitional treatment is appropriate and a maximum 6-month period during which a new drug may be allowed to continue in a transitional status.

Although it is beyond the scope of the proposed regulation, the Commissioner has reviewed this comment. The Court's revised Order of November 3, 1975 in "Hoffmann-LaRoche," set out in paragraph 6 above, establishes that FDA can only employ the transitional treatment approach by publishing a determination in the FEDERAL REGISTER that the drug involved is medically necessary. This is the criterion to be followed by FDA, and there is no need to elaborate on it in a regulation.

The Commissioner also rejects the recommendation to establish 6 months as the maximum time to leave a drug in the transitional status. While it would be contrary to the spirit of "Hoffmann-LaRoche" to allow a transitional period to continue indefinitely, a time period of 6 months may be too short for some products. Thus, rather than set a time period applicable to all products, the Commissioner advises that in each FEDERAL REGISTER publication proposing transitional treatment of a newly classified new drug, he will propose a time limitation that is considered reasonable for that particular drug product.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052–1053, as amended (21 U.S.C. 355)) and under authority delegated to the Commissioner (21 CFR 5.1), § 250.250 is amended by revising the introductory text of paragraph (c)(4) to read as follows:

§ 250.250 Hexachlorophene, as a component of drug and cosmetic products.

* * * * *

(c) * * *

(4) Marketing of products for the indications listed in paragraph (c)(3) of this section may be continued without an approved new drug application (or required supplement thereto) either until a notice of opportunity for hearing is issued on a proposal by the Director of the Bureau of Drugs to refuse to approve such new drug application (or required supplement) or until January 31, 1978, whichever comes first, if all the following conditions were met after September 27, 1972:

* * * * *

Effective date: This amendment becomes effective on January 19, 1978.

(Sec. 505, 52 Stat. 1052–1053 (21 U.S.C. 355))

Dated: December 13, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.77-36173 Filed 12-19-77;8:45 am]

[4110-03]

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 510—NEW ANIMAL DRUGS

SUBPART G—SPONSORS OF APPROVED APPLICATIONS

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

Primidone Tablets

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The animal drug regulations are amended to reflect approval of a new animal drug application (NADA) filed by Bolar Pharmaceutical Co., Inc., providing for use of a 250-milligram primidone tablet for treating dogs for certain forms of epilepsy, distemper, and hardpad disease.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Henry C. Hewitt, Bureau of Veterinary Medicine (HFV-112), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3430.

SUPPLEMENTARY INFORMATION: Bolar Pharmaceutical Co., Inc., 130 Lincoln St., Copiague, N.Y. 11726, filed a NADA (107-397V) providing for use of a 250-milligram primidone tablet for the control of convulsions associated with idiopathic epilepsy, epileptiform convulsions, viral encephalitis, distemper, and hardpad disease that occurs as a clinically recognizable lesion in certain entities in dogs.

In accordance with the freedom of information regulations and § 514.11(e)(2)(ii) of the animal drug regulations (21 CFR 514.11(e)(2)(ii)), a summary of safety data and information submitted to support approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk (HFC-20), Room 4-65, 5600 Fishers Lane, Rockville, Md. 20857, from 9 a.m. to 4 p.m., Monday through Friday, except on Federal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Parts 510 and 520 are amended as follows:

1. In Part 510, § 510.600 is amended by adding a new sponsor alphabetically to paragraph (c)(1) and numerically to paragraph (c)(2) to read as follows:

§ 510.600 Names, addresses, and code numbers of sponsors of approved applications.

* * * * *

(c) * * *

(1) * * *

Firm name and address:	*Drug listing No.*
* * * * *	
Bolar Pharmaceutical Co., Inc., 130 Lincoln St., Copiague, N.Y. 11726.	000725
* * * * *	

(2) * * *

Drug listing No.:	*Firm name and address*
* * * * *	
000725.....	Bolar Pharmaceutical Co., Inc., 130 Lincoln St., Copiague, N.Y. 11726.
* * * * *	

2. In Part 520, § 520.1900 is amended by revising paragraph (b) to read as follows:

§ 520.1900 Primidone tablets.

(a) * * *

(b) *Sponsor.* See No. 000046 for use of 50- and 250-milligram tablets and No. 000725 for use of 250-milligram tablets in § 510.600(c) of this chapter.

* * * * *

Effective date: This regulation is effective December 20, 1977.

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

Dated: December 9, 1977.

FRED J. KINGMA,
Acting Director, Bureau of Veterinary Medicine.

[FR Doc.77-36098 Filed 12-19-77;8:45 am]

[4410-01]

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

PART 2—PAROLE, RELEASE, SUPERVISION AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

Paroling, Recommitting and Supervising Federal Prisoners

AGENCY: The United States Parole Commission.

ACTION: Final rule.

SUMMARY: Certification of release-readiness by the Surgeon General (and appropriate drug treatment) is required prior to initial release on parole in the case of all prisoners serving Narcotic Addict Rehabilitation Act sentences. The regulation herein adopted eliminates the requirement for a re-certification by the Surgeon General in a case where the parole applicant is a returned parole violator whose parole was revoked for reasons other than involvement with drugs. The Commission has found that further drug treatment would not advance the statutory purpose where it would not be relevant to the behavior problem which caused the revocation.

EFFECTIVE DATE: February 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Michael A. Stover, Office of the General Counsel, U.S. Parole Commission, 320 First St., N.W., Washington, D.C. 20537, phone: 202-724-3092.

SUPPLEMENTARY INFORMATION: This will become effective for all re-parole consideration proceedings held on February 1, 1978, or thereafter. No re-certification will then be required for an applicant for re-parole under a NARA sentence when the findings upon which his revocation was based do not include any drug-related violations (use, possession, sale, etc.) while on parole.

Accordingly, pursuant to the provisions of 18 U.S.C. 4203(a)(1) and 4204(a)(6), 28 CFR Chapter I, Part 2, is amended as set forth below, effective February 1, 1978.

Dated: December 14, 1977.

CECIL C. MCCALL,
Chairman,
U.S. Parole Commission.

§ 2.3 Same; Narcotic Addict Rehabilitation Act.

A Federal prisoner committed under the Narcotic Addict Rehabilitation Act may not be released on parole prior to completion of a least 6 months in treatment, not including any period of time for study prior to final judgment of the court. Before parole is ordered by the Commission, the Surgeon General or his designated representative must certify that the prisoner has made sufficient progress to warrant his release and the Attorney General or his designated representative must also report to the Commission whether the prisoner should be released. Recertification by the Surgeon General prior to reparole consideration is not required unless the revocation of parole was based on drug-related violations. (18 U.S.C. 4254.)

[FR Doc. 77-36171 Filed 12-19-77; 8:45]

[4810-25]

Title 31—Money and Finance: Treasury

CHAPTER I—MONETARY OFFICES, DEPARTMENT OF THE TREASURY

PART 103—FINANCIAL RECORDKEEPING AND REPORTING OF CURRENCY AND FOREIGN TRANSACTIONS

Modification of Reporting Requirement

AGENCY: Department of the Treasury.

ACTION: Final rule.

SUMMARY: Each person having a financial interest in, or signature authority over a foreign financial account is required to report such relationship on his Federal income tax return and to provide such information concerning each such account as shall be specified in a special form to be filed by such persons. This amendment: (1) Alters the method of filing the report; and (2) exempts persons having a financial interest in 25 or more accounts from providing detailed information concerning each account unless so requested by the Secretary or his delegate. The regulation is being amended to that the required report will no longer be made in conjunction with filing tax return information, and to minimize the practical difficulties of reporting a large number of accounts by taxpayers having extensive International interests.

EFFECTIVE DATE: January 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Robert J. Stankey, Assistant to the Director (Financial Crimes and Frauds), Office of Law Enforcement, Department of the Treasury, Washington, D.C. 20220, 202-566-5630.

SUPPLEMENTARY INFORMATION: New Treasury Form 90-22.1, Report of Foreign Bank, Securities, and Other Financial Accounts will be filed with the Treasury Department on or before June 30th of each calendar year beginning with 1978 with respect to accounts maintained during the preceding calendar year.

Moreover, persons having a financial interest in 25 or more foreign accounts will be required to provide detailed information concerning each account only when so requested by the Secretary or his delegate. This modification in filing procedure is designed to minimize the practical difficulties of reporting a large number of accounts by taxpayers having extensive international interests. On August 15, 1977 Treasury permitted this procedures to be used for returns filed in 1977 and stated that the report form would be revised before it is time to file reports due in 1978. This amendment carries out that pledge.

The Department finds that since each of these changes is a modification or liberalization of existing requirements, notice and public procedure with respect to these amendments is unnecessary under the provisions of 5 U.S.C. 553(b) and that good cause exists for making it effective less than 30 days after publication.

Accordingly, effective January 1, 1978, § 103.24 of Title 31 of the Code of Federal Regulations is amended to read as follows:

§ 103.24 Reports of foreign financial accounts.

Each person subject to the jurisdiction of the United States (except a foreign subsidiary of a U.S. person) having a financial interest in, or signature or other authority over, a bank, securities or other financial account in a foreign country shall report such relationship to the Secretary for each year in which such relationship exists, and shall provide such information as shall be specified in a reporting form prescribed by the Secretary to be filed by such persons. Persons having a financial interest in 25 or more foreign financial accounts need only note that fact on the form. Such persons will be required to provide detailed information concerning each account when so requested by the Secretary or his delegate.

Dated: December 8, 1977.

BETTE B. ANDERSON,
Under Secretary
of the Treasury.

[FR Doc.77-36164 Filed 12-19-77;8:45 am]

Title 32—National Defense

CHAPTER I—OFFICE OF THE SECRETARY OF DEFENSE

SUBCHAPTED M—MISCELLANEOUS

PART 242a—PUBLIC MEETING PROCEDURES OF THE BOARD OF REGENTS, UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

Change in Definition

AGENCY: Uniformed Services University of the Health Sciences.

ACTION: Final rule.

SUMMARY: This rule changes the definition of meeting by changing the number of Regents whose deliberations constitute a meeting of the Board. The change is necessary to conform to the definition of quorum in the Board's General Procedures and Delegations.

EFFECTIVE DATE: January 19, 1978.

ADDRESS: Legal Counsel, Uniformed Services University of the Health Sciences, 4301 Jones Bridge Road, Bethesda, Md. 20014.

FOR FURTHER INFORMATION CONTACT:

Merel Glaubiger, Legal Counsel, 202-295-2113.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-6615 published in the FEDERAL REGISTER on March 7, 1977 (42 FR 12853), the Uniformed Services University of the Health Sciences published its rules implementing the Government in the Sunshine Act (5 U.S.C. 552b). The Board is adopting General Procedures and Delegations. The purpose of this amendment is to conform the definition of meeting in the Public Meeting Procedures to the definition of quorum in the Board's General Procedures and Delegations.

Because this rule relates solely to matters of University organization and procedure, notice of proposed rulemaking and public participation in the rulemaking are not required by Section 553 of Title 5 of the United States Code.

Accordingly, pursuant to the Government in the Sunshine Act, the Uniformed Services Health Professions Revitalization Act, and Sections 552 and 553 of Title 5 of the United States Code, the Board of Regents of the Uniformed Services, University of the Health Sciences amends Part 242a, Chapter I, Title 32, Code of Federal Regulations, by revising the introductory text of § 242a.2(e) as follows:

§ 242a.2 Definitions.

* * * * *

(e) "Meeting" means the deliberations of at least a majority of all Regents in being or for committees, the deliberations of at least the number of individual voting members of the Board required to take action on behalf of the Board, where such deliberations determine or result in the joint conduct or disposition of official business of the Board, but does not include:

* * * * *

MEREL P. GLAUBIGER,
Legal Counsel, Uniformed Services, University of the Health Sciences.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

DECEMBER 14, 1977.

[FR Doc.77-36170 Filed 12-19-77;8:45 am]

[3810-70]

PART 242b—GENERAL PROCEDURES AND DELEGATIONS OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

AGENCY: Uniformed Services University of the Health Sciences.

ACTION: Final rule.

SUMMARY: Congress established the basic organization of the Board of Regents of the Uniformed Services University of the Health Sciences. These rules complete the organizational framework and establish the Board's rules of procedure.

EFFECTIVE DATE: January 19, 1978.

ADDRESS: Legal Counsel, Uniformed Services University of the Health Sciences, 4301 Jones Bridge Road, Bethesda, Md. 20014.

FOR FURTHER INFORMATION CONTACT:

Merel Glaubiger, Legal Counsel, 202-295-2113.

SUPPLEMENTARY INFORMATION: On September 21, 1972, the Congress of the United States in the "Uniformed Services Health Professions Revitalization Act," 10 U.S.C. 2112-17, created the Uniformed Services University of the Health Sciences. The Act provides for a Board of Regents to conduct the business of the University. Section 2113 provides for the number, manner of selection, terms of office, powers and duties and compensation of the Regents, and for the selection of the Chairman of the Board of Regents. These rules complete the organizational framework of the Board. They establish the offices of the Vice Chairman and Executive Secretary and describe their duties; provide for meetings, and notice of meetings; establish quorum requirements; determine voting procedures, establish sub-committees, and assign functions; provide for the officers of the University and delineate their responsibilities; describe methods of amending the rules, and establish the parliamentary rules of order that will be used at Board meetings.

Because these rules relate solely to matters of University organization and procedure, notice of proposed rulemaking and public participation in the rulemaking are not required by Section 553 of Title 5 of the United States Code.

Accordingly, pursuant to the Uniformed Services Health Professions Revitalization Act, and Sections 552 and 553 of Title 5 of the United States Code, 32 CFR Part 242b is issued as set forth below:

Sec.

242b.1 Regents.
242b.2 Meetings of the Board.
242b.3 Notice.
242b.4 Quorum.
242b.5 Voting.
242b.6 Committees.
242b.7 Officers of the University.
242b.8 Amendment of Procedures—Rules of Order.

AUTHORITY: Uniformed Services Health Professions Revitalization Act, 10 U.S.C. 2112-17.

§ 242b.1 Regents.

(a) *History and name.* The Congress of the United States in the Uniformed Services Health Professions Revitalization Act of 1972, 10 U.S.C. § 2112-17 (1972) created a collective body to conduct the business of the Uniformed Services University of the Health Sciences, and designated this body "the Board of Regents of the Uniformed Services University of the Health Sciences," referred to in these procedures as "the Board."

(b) *Number, duties.* Section 2113 of Title 10, United States Code, provides:

(1) the number of Regents on the Board;

(2) the manner of selection of the Regents;

(3) the terms of office of the Regents;

(4) the powers and duties of the Regents;

(5) the manner of selection of a Chairman of the Board;

(6) the compensation of the Regents.

(c) *Officers—(1) Designation—term—vacancies.* (i) The officers of the Board shall consist of a Chairman and a Vice Chairman.

(2) *Chairman of the Board.* (i) The Chairman of the Board shall preside at all meetings of the Board in accordance with these procedures.

(ii) The Chairman of the Board shall have the power to execute on behalf of the Board all instruments in writing which have been authorized by the Board and shall exercise such other powers as may be conferred upon him or her from time to time by the Board.

(3) *Vice Chairman of the Board.* (i) The Board of Regents shall elect from their own members a Vice Chairman.

(ii) The Vice Chairman shall serve for a term of one year or until a successor is elected.

(iii) The term of office of the Vice Chairman shall commence immediately upon election.

(iv) If the Chairman is absent or unable to act, the Vice Chairman shall exercise the powers and perform the duties of the Chairman.

(v) The Vice Chairman shall perform such other duties as may be directed from time to time by the Chairman and the Board.

(vi) If both the Chairman and Vice Chairman are absent or unable to act, the Board shall elect a member Acting Chairman.

(4) *Executive Secretary.* (i) The Board shall appoint an Executive Secretary, referred to in these Procedures as "the Secretary."

(ii) The Secretary shall have the power to perform such duties as generally pertain to the office and as may be conferred from time to time by the Board.

(iii) The Secretary shall notify the Regents of the time and place of all meetings of the Board, in accordance with these Procedures, and shall keep a complete record of its proceedings.

(iv) The Secretary shall furnish to every Regent prior to each meeting of the Board a copy of the Minutes of the preceding meeting.

(v) The Secretary shall give notice of the time and place of committee meetings, and if desired by the committee or its chairman, the Secretary or an assistant shall attend the meeting and keep a record of the meeting.

(vi) The Secretary shall prepare and distribute expeditiously the minutes of all meetings of standing committees to all Regents.

(vii) The Secretary shall keep at the office of the University a copy of these

General Procedures and Delegations, and the Public Meeting Procedures of the Board of Regents as periodically amended.

(viii) During the Secretary's absence or inability to act, an Assistant Secretary, appointed by the Chairman, shall act in the Secretary's place.

§ 242b.2 Meetings of the Board.

(a) *Regular meetings.* (1) The Board shall hold at least four (4) meetings in each annual period from October 1 to September 30.

(2) Unless otherwise determined by the Board, meetings shall be held at the offices of the University, 4301 Jones Bridge Road, Bethesda, Md. 20014.

(b) *Additional meetings.* (1) Additional meetings shall be called by the Secretary upon the written request of three or more Regents, delivered to the Secretary, or upon the direction of the Chairman or of the Dean of the University (President).

(2) Additional meetings of the Board shall be held at such times and places as shall be specified in the notice of meeting.

§ 242b.3 Notice.

(a) Notice of all meetings of the Board shall be sent by the Secretary to each Regent by mail, telegraph, or telephone.

(b) Mailing a notice not less than 7 days before any meeting, or sending a telegram not less than twenty-four hours before a meeting, addressed to each Regent at his or her residence or place of business; or actual notice by telephone to such person not less than twenty-four hours before the meeting, shall be sufficient notice of any meeting. The recital by the Secretary in the minutes that notice was given shall be sufficient evidence of the fact.

(c) A Regent may waive in writing notice of any meeting either prior to or subsequent to the holding of the meeting.

(d) Public announcement of meetings shall conform to the Public Meeting Procedures of the Board of Regents, 32 CFR § 242a.5.

§ 242b.4 Quorum.

A majority of all Regents in being shall constitute a quorum of the Board.

§ 242b.5 Voting.

(a) The concurrence of a majority of the Regents present at a meeting shall be necessary for the transaction of business.

(b) Unless a written ballot is required by a Regent, no actions taken by the Board need be by written ballot.

(c) The Chairman of the Board and of each Committee is entitled to move, second, vote, and participate fully in any session to the same extent as if not a presiding officer.

(d) At the direction of the Chairman, action may be taken by a majority of the Regents by notation voting, by voting on material circulated to Regents individually or serially, or by polling of Regents individually or collectively by telephone or by telegram, or by similar procedure. Such action shall be reported by the Secretary at the next Board meeting.

§ 242b.6 Committees.

(a) *Standing committees.* (1) The regular standing committees of the Board shall be:

(i) the Educational Affairs Committee;

(ii) the Administrative Affairs Committee;

(iii) the Gifts Committee;

(iv) the Executive Committee.

(2) The Committees on Educational Affairs and Administrative Affairs shall, unless otherwise directed by the Committee Chairman, meet prior to each regular meeting of the Board.

(3) The Gifts Committee, and the Executive Committee shall meet at the call of the Committee Chairman.

(4) Permanent minutes of all meetings shall be kept, and shall be open for inspection to all Regents.

(b) *Special committees.* (1) The Special Committees of the Board shall be:

(i) the Nominations Committee;

(ii) the Rules Committee. Each shall meet at the call of its chairman.

(c) *Meetings on request.* The chairman of any committee shall call a meeting upon the request of one member of the committee.

(d) *Number and appointment of members.* (1) Except for the Executive Committee, the members of each committee and a chairman for each committee shall be appointed by the Chairman.

(2) The Chairman shall report any committee membership or chairmanship appointment to the Board at the regular meeting following the appointment.

(e) *Terms.* (1) Except as otherwise provided herein, the term of office of any chairman or other member of a committee shall run from the date of his or her appointment by the Chairman for one year following such appointment, or until a successor is appointed.

(2) A majority of the Regents present at a meeting may remove any committee member or committee chairman at any time.

(f) *Quorum.* Unless otherwise provided, a majority of the members of any committee shall constitute a quorum.

(g) *Educational Affairs Committee.* This Committee shall make recommendations to the Board on matters concerned with the administration of student and faculty academic affairs, and on matters referred to the Committee by the Chairman of the Board.

(h) *Administrative Affairs Committee.* (1) This Committee shall have supervision of the budgets and all other matters relating to the fiscal and general business management of the University.

(2) This Committee shall supervise the planning for and general development of the University and the construction, maintenance and repair of the buildings, grounds and utilities of the University, consistent with the general policies of the Board as established from time to time.

(i) *Gifts Committee.* This Committee shall make recommendations to the Board regarding donations of gifts.

(j) *The Executive Committee.* (1) This Committee shall be composed of: (i) The Chairman of the Board; (ii) The Vice Chairman of the Board; (iii) The Secretary of Defense or his designee; (iv) The Dean of the University (President); and (v) A member of the Board appointed by the Chairman.

The Dean of the University shall be a non-voting member whose presence shall not be counted for the purpose of determining a quorum at any Executive Committee meeting.

(2) The Executive Committee shall possess all powers of the Board of Regents except the power:

(i) To change the General Procedures and Delegations;

(ii) To appoint or remove the Dean of the University (President), Dean of the School of Medicine, Chairpersons of Departments and tenured faculty;

(iii) To amend the tenure policy of the University;

(iv) To establish post doctoral, postgraduate, and technological institutes;

(v) To establish programs in continuing medical education;

(vi) To agree to utilize federal medical resources on a reimbursable basis;

(vii) To affiliate with other universities.

(k) *Nominating Committee.* (1) This Committee shall from time to time review a list of persons who possess the necessary qualifications to serve as Regents and shall make recommendations to the Board for presentation to the President of the United States.

(2) The Committee shall at all times welcome suggestions of names to be considered for inclusion in this list from any individual or group interested in the University.

(l) *Committee on Rules.* This Committee shall have general supervision of all matters arising under the General Procedures and Delegations and those concerning Rules of Order, and shall advise the Chairman and the Board with respect to all questions connected with these matters.

§ 242b.7 Officers of the University.

(a) *Dean of the University.* (1) The Regents shall appoint a Dean of the University who shall also be known as the President.

(2) The President shall be appointed or removed only by an affirmative vote of a majority of the Regents.

(3) At meetings of the Board of Regents, the President shall be counted for the purpose of determining the presence of a quorum but shall not vote.

(4) At committee meetings other than the Executive Committee, the President shall be counted for the purpose of determining the presence of a quorum, and shall vote.

(5) The President shall be responsible for the management of the University and all its departments.

(6) The President shall report to the Board at each regular meeting on problems and progress of the University, and shall make recommendations for action.

(7) To assist in the performance of his or her duties, the President, with the approval of the Board, shall appoint, to act under the President's authority and direction;

(i) A Dean of the School of Medicine;

(ii) An Associate Dean of the School of Medicine; and

(iii) A Director of Administrative Affairs.

(8) The President, with the approval of the Board, may appoint and prescribe the powers and duties of other officers, as he or she may deem proper.

(9) If there is no one holding the office of President, the Board may appoint an Acting President to perform the duties of the President for such period of time as the Board may determine. If the Acting President is also a Regent, he or she shall retain the powers and duties of a Regent while so acting.

(b) *Duties of Officers*—(1) *Dean of the School of Medicine.* (i) The Dean of the School of Medicine shall be responsible for planning and directing the activities of the School of Medicine.

(ii) He or she shall recommend to the President and to the Board personnel for faculty appointments and will perform such duties as may be directed from time to time by the Board or the President.

(2) *Associate Dean of the School of Medicine.* (i) The Associate Dean shall assist the Dean of the School of Medicine in planning, developing, and directing the activities and functions of the personnel, departments, divisions, and programs in the School of Medicine.

(ii) In the absence of the Dean he or she shall act for the Dean.

(3) *Director of Administrative Affairs.* (i) The Director of Administrative Affairs shall be responsible for the preparation of budget estimates and program submission presentations for the approval of the Board.

(ii) He or she shall be responsible for:

(A) The management of the University property and facilities;

(B) Administrative support of the University educational and research programs;

(C) Accounting and financial management; and

(D) Personnel management.

(iii) He or she shall make all books, records, and vouchers available for the inspection of any member of the Board and shall report at each meeting of the Administrative Affairs Committee regarding matters of importance in the University's administrative affairs.

§ 242b.8 Amendment of procedures—Rules of Order.

(a) *Amendments.* These General Procedures and Delegations may be amended at any meeting of the Board of Regents by the affirmative vote of two-thirds (⅔) of the Regents present at the meeting; provided, however, that notice of proposed amendments and the text of such amendments have been distributed at the preceding meeting and have accompanied the notice of the current meeting, or there is a duly completed waiver of notice.

(b) *Order of business.* The order of business shall be at the discretion of the Chairman unless otherwise specified by the Board.

(c) *Rules of order.* In the determination of all questions of parliamentary usage, the decision of the presiding officer shall be based upon the latest available revision of *Robert's Rules of Order.*

MEREL P. GLAUBIGER,
Legal Counsel, Uniformed Services University of the Health Sciences.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

DECEMBER 14, 1977.

[FR Doc.77-36169 Filed 12-19-77;8:45 am]

[3410–11]

Title 36—Parks, Forests, and Public Property

CHAPTER II—FOREST SERVICE, DEPARTMENT OF AGRICULTURE

PART 223—SALE AND DISPOSAL OF TIMBER

Transfer of Purchaser Credit

AGENCY: Forest Service, USDA.

ACTION: Final rule.

SUMMARY: This rule sets forth the revised procedure for handling transfers of purchaser credit between timber sales.

EFFECTIVE DATE: January 1, 1978.

FOR FURTHER INFORMATION CONTACT:

George Leonard or Peter Wagner, Timber Management, Forest Service, Department of Agriculture, P.O. Box 2417, Washington, D.C. 20013, 202–447–4051.

SUPPLEMENTARY INFORMATION: On June 28, 1977, the Secretary of Agriculture published a proposed rule (42 FR 124) which would revise the procedures for transfer of purchaser credit between timber sales. The final rule is essentially the same as the proposed rule except that the proposed effective date of October 1, 1977, has been changed to an actual effective date of January 1, 1978.

SUMMARY OF COMMENTS

There was very little comment on the proposed rule. The public comment centered on two suggestions: (1) Expand the provisions to permit transfer of purchaser credit between National Forests and (2) do not eliminate the requirement for consultation with the countries. A third suggestion, which came from within the Forest Service, was to change the definition of National Forest from "proclaimed" to "administrative." This would allow expanded transfers and, therefore, by inference, was supported by several of the public comments.

The suggestion for transfer of purchaser credit between National Forests cannot be used because the law does not provide for such transfers. The act authorizing transfer of purchaser credit (Pub. L. 94–154) specifically limits such transfers to "the same National Forest."

It was suggested that a requirement for consultation with counties be retained. A consultation requirement was included in the original regulation on purchaser credit transfer in order to assure that transfers would not result in serious disruption of essential county programs through reductions in "twenty-five percent funds." Changes in the basis for calculating county receipts provided by the National Forest Management Act eliminate the potential impact of transfers on payments to counties. Therefore, consultation for this purpose is no longer needed. The need for close coordination of National Forest activities with local governments is recognized Forest Service officials will continue to consult with local governments.

The suggestion to use "administrative" National Forest in lieu of "proclaimed" National Forest was not accepted because the Senate and House Reports on Pub. L. 94–154 define National Forests as either a proclaimed National Forest or one which retains a separate entity with respect to distribution of county receipts. Both of these definitions are consistent with the definition in the proposed regulation. Neither would be consistent with an "administrative" National Forest definition.

Therefore, 36 CFR 223.3(m) is deleted, and the following is substituted for it.

§ 223.3 Contract conditions.

* * * * *

(m)(1) The Forest Service may permit transfer of unused effective purchaser credit earned after December 16, 1975, from one timber sale account to another timber sale account of the same purchaser within the same National Forest, provided the sale contracts provide procedures for the use of purchaser credit. Approval for transfer shall not be granted for amounts needed to satisfy unfulfilled payment obligations or claims for damages due the United States. Purchaser credit transferred under this paragraph is subject to such additional restrictions as may be necessary for its orderly use. The amount of purchaser credit which may be transferred into a given sale shall be limited to the difference between remaining current contract value and the total of:

(i) Remaining base rate value needs,

(ii) Salvage sale fund needs plus sale area improvement needs in excess of base rate value needs, and

(iii) Total purchaser credit limit on the given sale.

This calculation shall be made as of the date of sale award for sales made on or after January 1, 1978. For sales made prior to January 1, 1978, the calculation shall be made as of December 31, 1977, except that if the amount actually transferred in as of December 31, 1977, exceeds the calculated limit, the actual

transfers as of that date shall be the established limit. Purchaser credit earned on a sale and subsequently transferred out may be replaced without regard to the transfer in limit. Sale area improvement needs shall be based on the original sale area betterment plan or revisions thereto approved prior to July 1, 1976. Salvage sale fund needs shall be based on the original salvage sale fund plan.

(2) To assure protection of the United States in connection with implementation of this regulation, contract provisions shall not prevent the Forest Service from carrying out collection rights, authorized by the Federal Claims Collection Act of 1966 (80 Stat. 309), between contracts involved in the transfer of purchaser credit. Such claims against the contract receiving the transferred purchaser credit shall be limited to the amount transferred.

(3) As used in paragraph (m), the term "Purchaser" includes any single individual, corporation, company, firm, partnership, joint venture, or other business entity or the successor in interest of any of the foregoing business entities having timber sale contracts on the same National Forest. The term "National Forest" shall be considered as a unit of the National Forest System, regardless of how it was established, which maintains a separate identity with respect to the distribution of receipts earned thereon to the States and counties. The term "Effective purchaser credit" means unused purchaser credit which does not exceed current contract value minus base rate value. The term "base rate value" is the sum of the products of base rates and estimated remaining unscaled (unreported on tree measurement contracts) volumes by species of timber included in a timber sale contract.

(Pub. L. 94-154, 89 Stat. 823 (16 U.S.C. 535).)

RICHARD L. DUESTERHAUS,
Acting Deputy Assistant Secretary.

DECEMBER 15, 1977.

[FR Doc.77-36274 Filed 12-19-77;8:45 am]

[1410-03]

Title 37—Patents, Trademarks, and Copyrights

CHAPTER II—COPYRIGHT OFFICE, LIBRARY OF CONGRESS

[Docket RM 77-10]

PART 201—GENERAL PROVISIONS

Nondramatic Literary Works; Voluntary License To Permit Reproduction Solely for Use of the Blind and Physically Handicapped

AGENCY: Library of Congress, Copyright Office.

ACTION: Final Regulation.

SUMMARY: This notice is issued to advise the public that the Copyright Office of the Library of Congress is adopting a new regulation to implement section 710 of the Act for General Revision of the Copyright Law. That section directs the Register of Copyrights to establish procedures by which the owner of copyright in nondramatic literary works may, at the time of copyright registration, grant the Library of Congress a license to reproduce and distribute the work for the use of the blind and physically handicapped. The new regulation establishes the terms and conditions of these licenses.

EFFECTIVE DATE: January 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Jon Baumgarten, General Counsel, Copyright Office, Library of Congress, Washington, D.C. 20559, 703-557-8731.

SUPPLEMENTARY INFORMATION: One of the major programs of the Library of Congress is to provide Braille editions and special sound recordings of readings of works for the eclusive use of the blind and physically handicapped. In an effort to simplify and speed up the copyright procedures that are a necessary part of this program, section 710 of the first section of Pub. L. 95-553 (90 Stat. 2541) provides for the establishment of a voluntary licensing system to to be tied in with copyright registration. The license would permit the Library of Congress "to reproduce the work by means of Braille or similar tactile symbols, or by fixation of a reading of the work in a phonorecord, or both, and to distribute the resulting copies and phonorecords solely for use of the blind and physically handicapped".

On October 4, 1977 the Copyright Office published in the FEDERAL REGISTER (41 FR 53980) a proposal to adopt a new regulation § 201.15 establishing the form, duration, terms and conditions of the license. Ten initial and reply comments were received in response to the Notice of Proposed Rulemaking. While virtually all of the comments agreed in principle with the proposal, several suggested some modification. After careful consideration we have decided to promulgate proposed § 201.15 substantially without change. A discussion of the major substantive comments follows:

1. EXTENSION OF SCOPE OF THE LICENSE

Several comments were received from organizations which provide services to blind and physically handicapped persons. Three comments urged that the final regulations allow reproduction and distribution by organizations other than the Library of Congress. These suggestions are beyond the authority of the Copyright Office. Section 710 of the Act refers only to a grant to the Library of Congress and does not include other organizations. This restriction is reflected in paragraphs (c) (1) and (3) of the regulations as proposed and adopted. Of course, nothing in the Act or regulations precludes such organizations from entering into licensing arrangements with copyright owners.

2. AUTHORITY TO GRANT LICENSE

The Authors League of America, Inc., and the Association of American Publishers, Inc. expressed concern that the party granting the license may not own the rights granted. Licenses under section 710 can be granted by "the copyright owner". The Act provides that copyright in a work belongs initially to the author of the work (including, in the case of a work made for hire, the employer or other person for whom the work was prepared). Thus, the person or organization entitled to grant a license to the Library of Congress is either the author of the work or a person or organization that has obtained ownership of the rights covered by the license from the author. There appears to be no need to state this in the regulations. As a matter of practice the Library of Congress will take appropriate steps to clear rights with all owners involved if there is any question as to the authority of the person signing the application.

3. NONEXCLUSIVE LICENSE

We have adopted the suggestion of The Authors League of America, Inc., that § 201.15(c)(6) make clear that a license granted under the regulations does not preclude the copyright owner from granting other exclusive licenses for the same purpose, on condition they are subject to the nonexclusive license granted to the Library of Congress.

The proposed regulation is adopted with the single change noted and is set forth below.

Dated: December 15, 1977.

BARBARA RINGER,
Register of Copyrights.

Approved:

DANIEL J. BOORSTIN,
Librarian of Congress.

Part 201 of 37 CFR, Chapter II is amended by adding a new § 201.15 to read as follows:

§ 201.15 Voluntary license to permit reproduction of nondramatic literary works solely for use of the blind and physically handicapped.

(a) *General.* (1) The "blind and physically handicapped" are persons eligible for special loan services of the Library of Congress, as designated by section 135a of title 2 of the United States Code as amended by Pub. L. 89-552 and regulations of the Library of Congress issued under that section.

(2) This section, and any license granted or exercised under this section, applies only to nondramatic literary works which have previously been published with the consent of the copyright owner.

(b) *Form.* The Copyright Office provides the following form as part of applications for registration of claim to

copyright in nondramatic literary works (Form TX):

REPRODUCTION FOR USE OF BLIND OR PHYSICALLY HANDICAPPED PERSONS

Signature of this form at space 10 and a check in one of the boxes here in space 8, constitutes a nonexclusive grant of permission to the Library of Congress to reproduce and distribute solely for the blind and physically handicapped and under the conditions and limitations prescribed by the regulations of the Copyright Office: (1) copies of the work identified in space 1 of this application in Braille (or similar tactile symbols); or (2) phonorecords embodying a fixation of a reading of that work; or (3) both.

---- Copies only; ---- Phonorecords only; ---- Copies and phonorecords.

(c) *Terms and conditions.* A copyright owner who consents to the use of a copyrighted work by the Library of Congress for the use of the blind and physically handicapped may accomplish this purpose by checking the appropriate box on the application form, by signing the application form as a whole, and by submitting the application for copyright registration to the Copyright Office. The copyright owner thereby grants a nonexclusive license to the Library of Congress with respect to the work identified in the application, under the terms and conditions set forth in this section.

(1) The work may be reproduced only by or on behalf of the Library of Congress.

(2) The work may not be reproduced in any other form than Braille (or similar tactile symbols), or by a fixation of a reading of the work in phonorecords specically designed for use of the blind and physically handicapped, or both, as designated by the copyright owner on the application form.

(3) Such copies and phonorecords of the work may be distributed by the Library of Congress solely for the use of the blind and physically handicapped under conditions and guidelines provided by the Division for the Blind and Physically Handicapped of the Library of Congress.

(4) In the case of any conflict with any other right or license given by the copyright owner to the Library of Congress pertaining to the work, the terms and conditions most favorable to the Library of Congress for the benefit of the blind and physically handicapped shall govern.

(5) Copies and phonorecords reproduced and distributed under this license will contain identification of the author and publisher of the work, and copyright notice, as they appear on the copies or phonorecords deposited with the application.

(6) This license is nonexclusive, and the copyright owner is in no way precluded from granting other nonexclusive licenses with respect to reproduction for the use of the blind and physically handicapped, or exclusive licenses for the same purpose on condition they are subject to the nonexclusive license granted to the Library of Congress, or other exclusive or nonexclusive licenses or transfers with respect to reproduction or distribution for other purposes.

(7) All responsibility for the clearing and exercise of the rights granted is that of the Library of Congress.

(d) *Duration of license.* (1) The license is effective upon the effective date of registration for the work and, subject to the conditions and procedures stated in paragraph (d)(2) of this section, continues for the full term of copyright in the work provided in section 302 of title 17 of the United States Code as amended by Pub. L. 94-553.

(2) Termination of the license may be accomplished by the copyright owner at any time by submitting a written statement of intent to terminate, signed by the copyright owner or by the duly authorized agent of the copyright owner, to the Division for the Blind and Physically Handicapped of the Library of Congress. Termination will become effective 90 days after receipt of the written statement, or at a later time set forth in the statement. Upon the effective date of termination the Library of Congress will be prohibited from reproducing additional copies of phonorecords of the work, or both, without the consent of the copyright owner, but copies or phonorecords, or both, reproduced under authority of the license before the effective date of termination may continue to be utilized and distributed under the terms of the license after its termination.

[FR Doc.77-36199 Filed 12-19-77;8:45 am]

[1410-03]

[Docket RM 77-4]

PART 201—GENERAL PROVISIONS

Recordation and Certification of Coin-Operated Phonorecord Players

AGENCY: Library of Congress, Copyright Office.

ACTION: Final Regulation.

SUMMARY: This regulation is issued to implement section 116(b) of the Act for General Revision of the Copyright Law. Section 116(b) prescribes conditions under which operators of coin-operated phonorecord players may obtain a compulsory license for the public performance of nondramatic musical works. The effect of the regulation is to establish requirements governing the application for a compulsory license and to prescribe certain matters pertaining to the certificate to be affixed to licensed players.

EFFECTIVE DATE: January 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Susan Aramayo, Chief, Licensing Division, U.S. Copyright Office, Library of Congress, Washington, D.C. 20557, 703-557-8730.

SUPPLEMENTARY INFORMATION: Section 116 of the first section of Pub. L. 94-553 (90 Stat. 2541) establishes conditions under which operators of coin-operated phonorecord players—commonly referred to as "jukeboxes"—may obtain a compulsory license for the public performance of nondramatic musical works.

A compulsory license permits the use of a copyrighted work without the consent of the copyright owner, if certain conditions are met and royalties paid. Conditions of the compulsory license for coin-operated phonorecord players are set forth in section 116(b)(1) as follows:

(A) Before or within one month after such performances are made available on a particular phonorecord player, and during the month of January in each succeeding year that such performances are made available on that particular phonorecord player, the operator shall file in the Copyright Office, in accordance with requirements that the Register of Copyrights, after consultation with the Copyright Royalty Tribunal (if and when the Tribunal has been constituted), shall prescribe by regulation, an application containing the name and address of the operator of the phonorecord player and the manufacturer and serial number or other explicit identification of the phonorecord player, and deposit with the Register of Copyrights a royalty fee for the current calendar year of $8 for that particular phonorecord player. If such performances are made available on a particular phonorecord player for the first time after July 1 of any year, the royalty fee to be deposited for the remainder of that year shall be $4.

(B) Within twenty days of receipt of an application and a royalty fee pursuant to subclause (A), the Register of Copyrights shall issue to the applicant a certificate for the phonorecord player.

(C) On or before March 1 of the year in which the certificate prescribed by subclause (B) of this clause is issued, or within ten days after the date of issue of the certificate, the operator shall affix to the particular phonorecord player, in a position where it can be readily examined by the public, the certificate, issued by the Register of Copyrights under subclause (B), of the latest application made by such operator under subclause (A) of this clause with respect to that phonorecord player.

Section 116(b)(1) thus requires the Register of Copyrights to prescribe regulations governing the compulsory license application and to develop a form of certificate to be affixed to licensed phonorecord players.

On March 30, 1977 the Office published in the FEDERAL REGISTER (42 FR 16838) an Advance Notice of Proposed Rulemaking in this matter. After considering the comments received in response to the Advance Notice, on October 11, 1977 we published a proposed regulation (42 FR 54840) and, on October 25, 1977, we held a public hearing on the proposal. After considering the comments made at the hearing and in supplemental filings, we have decided to make several changes in the proposed regulation. A discussion of the major issues raised at the hearing follows:

1. DATE OF EXPIRATION

At the October 25 hearing, we raised the possibility of including a February 28 expiration date on the certificate to be issued for licensed players. However, all comments urged the Copyright Office to

adopt December 31st of the year of issuance of the certificate as the expiration date. As this time-period is most consistent with the statute, the comments have been accepted and the regulation (§ 201.16(c)(1)) has been revised accordingly.

2. Elements of Identification

Section 201.16(b)(2) of the proposed regulation required that, if a serial number is not present on a player, the following additional information be given in the application for that player: (i) its model number; (ii) its model year and name, if known; (iii) type of sound system; (iv) its record capacity; and (v) the charge per play.

Representatives of jukebox operators and manufacturers argued that we should require only the model number and name (if any) and record capacity of players which lack serial numbers. These parties asserted that as the charge per play and type of sound system could be changed, they would not uniquely identify a licensed player. Representatives of performing rights societies endorsed the elements required by proposed § 201.16(b)(2), but suggested that they be supplied for all players.

After further consideration, we have decided to adopt this section of the regulation essentially as proposed. We believe that the charge per play and type of sound system will assist in the identification of players having no serial numbers. In order to avoid any question as to the validity of a license where the charge or sound system is changed during the period of license, we have modified the proposed regulation to specify that this information shall be given as of "the time the application is signed".

The suggestion that the elements of § 201.16(b)(2) be required for all players has not been adopted. The statutory requirements of manufacturer and serial number appear to provide sufficient identification. To require supplementary information for all players would be inconsistent with the language of the Act, place an undue burden on operators, and result in additional operating costs to be deducted from royalties available to copyright owners.

3. Location

Representatives of performing rights societies urged that operators be required by regulation to record a list of places where licensed players are located, and the number of players at any location with more than one. This list would be updated monthly to show any additions or deletions of locations, or variations in the number of players. It was asserted that such lists are necessary to enforce the compulsory licenses. Representatives of jukebox operators and manufacturers argued that such a requirement could not be justified under the Act, would be unduly burdensome since players are moved frequently, and would prejudice the confidentiality of business locations.

Upon further consideration of this issue, we do not believe that a location list requirement can be imposed by the Copyright Office under its limited authority to license particular phonorecord players. This conclusion is not in any way intended to affect any arguments as to whether the Copyright Royalty Tribunal may or may not have such authority under section 116(c)(5) of the Act.

4. Format of Certificate

Much of the discussion at the hearing related to the size of the certificate to be issued by the Copyright Office. We adhere to the position we have earlier expressed: the size and format of the certificate must necessarily be a matter of administrative discretion, to be determined principally by the nature of the information it must include and the practical considerations of data input and processing and paperwork handling. After full consideration of various possibilities, we have decided to adopt a certificate consisting of two parts. Each part will be 1" x 3" in size so that the entire certificate may be placed in the record selection (title strip) panel of a licensed player. Section 201.16(c)(2) specifies that both parts of the certificate must be clearly visible for examination by the public.

5. "Wall Boxes"

Our Notice of Proposed Rulemaking invited comment on the possible adoption of special provisions for coin-operated phonorecord systems employing multiple "wall boxes" operating from a remote master unit. All parties appearing at the hearing agreed that these systems constitute one player under the Act, requiring only one royalty payment. We agree with the view that these systems constitute only one player for the purpose of the statute. Only one certificate will be issued for such a system since separate certificates for each box would be costly and are not required by statute. A new paragraph (c)(3) has been added to the proposed regulation to specify that:

(3) A certificate issued for a player with auxiliary selectors (wall boxes) shall be affixed to the master control player if the certificate, when so affixed, can be readily examined by the public. If a certificate affixed to the master control player cannot be readily examined by the public, it shall be affixed to one of the auxiliary selectors in a position where it can be so examined.

6. Miscellaneous Changes

For the purpose of clarity, a number of other changes have been made in the proposed regulation. These include requirements that, where the operator is a partnership, the name of at least one individual partner shall be given in the application, that certain information accompany the signature on an application, and that separate applications must be submitted for players covered by half-year ($4) fees.

Final Regulation

Part 201 of 37 CFR Chapter II is amended by adding a new § 201.16 to read as follows:

§ 201.16 Recordation and Certification of Coin-Operated Phonorecord Players.

(a) *General.* This regulation prescribes the procedures to be followed by operators of coin-operated phonorecord players who wish to obtain a compulsory license for the public performance of nondramatic musical works, and by the Copyright Office in issuing certificates, under section 116 of title 17 of the United States Code as amended by Pub. L. 94-553. The terms "operator" and "coin-operated phonorecord player" have the meanings given to them by paragraph (e) of that section.

(b) *Form and content of application.* (1) Each application for a compulsory license under this section shall be on a form prescribed by the Copyright Office and shall contain the following information:

(i) The legal name of the operator, together with any fictitious or assumed name used by the operator for the purpose of conducting the business relating to the coin-operated phonorecord player for which the application is made. If the operator is a partnership, the name of at least one individual partner shall also be given;

(ii) The full address of the operator's place of business, including a specific number and street name or rural route. A post office box number or similar designation will not be accepted;

(iii) The name or a specified designation of the manufacturer of the coin-operated phonorecord player for which the application is made;

(iv) The serial number on the coin-operated phonorecord player for which the application is made. If a serial number does not appear on that player, all the information required by paragraph (b)(2) of this section shall be given;

(v) The name, address, and telephone number of an individual who may be contacted by the Copyright Office for further information about the application; and

(vi) The handwritten signature of the operator or the duly authorized agent of the operator. If a business entity is identified as the operator, the signature should be that of an officer if the entity is a corporation or of a partner if the entity is a partnership. The signature shall be accompanied by: (A) a certification that the statements made in the application are correct to the best of the signing person's knowledge; (B) the typed or printed name (and title if the operator is a corporation or partnership) of that person; and (C) the date of signature.

(2) If a serial number is not present on the coin-operated phonorecord player for which the application is made, the application shall also contain the following information for that player:

(i) Its model number;

(ii) Its model year and name, if known;

(iii) Whether the sound system employed in the player at the time the ap-

plication is signed is monaural, stereophonic, quadraphonic, or other;

(iv) The maximum number of phonorecords it is capable of holding; and

(v) The charge to the public for each play at the time the application is signed.

(3) Each application shall be accompanied by a fee of $8 or $4, as prescribed by statute, in the form of a certified check, cashier's check, or money order.

(4) A single application may be submitted for multiple players owned or controlled by a particular operator if all the identifying information is given for each player and the proper aggregate fee is submitted for all players covered by the application. *However*, separate applications must be filed for players covered by $8 fees and players covered by $4 fees.

(5) The form prescribed by the Copyright Office for the foregoing purposes is designated "Application for Recordation of Coin-Operated Phonorecord Players (Form JB)". Copies of the form are available free upon request to the Licensing Division, United States Copyright Office, Library of Congress, Washington, D.C. 20557.

(c) *Certificate.* (1) After receipt of the prescribed form and fee, the Copyright Office will issue a certificate containing the information set forth in paragraphs (b)(1)(i) through (iv) and (b)(2) of this section, together with the date of issuance of the certificate and the date of expiration of the license. The date of expiration of the license will be December 31st of the year in which the certificate is issued. Certificates issued upon payment of a $4 fee will be valid only after July 1 of the year in which they are issued and will be so identified.

(2) Each certificate will consist of two parts. The certificate may be affixed in the record selection (title strip) panel of a player or in another position on the player where it can be readily examined by the public, but in any case both parts must be clearly visible.

(3) A certificate issued for a player with auxiliary selectors (wall boxes) shall be affixed to the master control player if the certificate, when so affixed, can be readily examined by the public. If a certificate affixed to the master control player cannot be readily examined by the public, it shall be affixed to one of the auxiliary selectors in a position where it can be so examined.

(d) *Replacement Certificates.* In the case of the loss or destruction of a certificate issued for a particular coin-operated phonorecord player, a replacement certificate may be obtained upon submission of a fee of $4 in the form of a certified check, cashier's check or money order, and an affidavit under the official seal of any officer authorized to administer oaths within the United States, or a statement in accordance with section 1746 or title 28 of the United States Code, and and signed by an operator or agent in accordance with paragraph (b)(1)(vi) of this section. The affidavit or statement shall describe the circumstances of the loss or destruction and give all the information required by paragraphs (b)(1)(i) through (v) and (b)(2) of this section pertaining to the player for which a replacement certificate is desired. A replacement certificate will be identified by an asterisk following the name of the manufacturer.

(e) *Sale or transfers.* The sale or transfer of a coin-operated phonorecord player during a period for which the certificate has been issued will not require a new application.

(17 U.S.C. 107; and under the following sections of Title 17 of the U.S. Code as amended by Pub. L. 94-553: 116; 702; 708(11).)

Dated: December 14, 1977.

BARBARA RINGER,
Register of Copyrights.

Approved:

DANIEL J. BOORSTIN,
Librarian of Congress.

[FR Doc.77-36198 Filed 12-19-77;8:45 am]

[7715-01]

Title 39—Postal Service

CHAPTER III—POSTAL RATE COMMISSION

[Docket No. RM78-1; Order No. 188]

PART 3002—ORGANIZATION

Establishment of Position of Personnel Officer; Order Amending Organizational Description of Administrative Office of Postal Rate Commission

DECEMBER 12, 1977.

AGENCY: Postal Rate Commission.

ACTION. Final rule.

SUMMARY: This rule amends the organizational description of the Administrative Office of the Postal Rate Commission to reflect the recent establishment of the position of Personnel Officer within that Office.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

David F. Harris, Chief Administrative Officer, U.S. Postal Rate Commission, 2000 L Street, NW., Suite 500, Washington, D.C. 20268, 202-254-3880.

Under the authority granted by 39 U.S.C. 3604, the Chairman of the Postal Rate Commission has established within the Commission's Administrative Office the position of Personnel Officer, effective November 10, 1977. The rule to be adopted hereby amends the description of the Commission's Administrative Office (39 CFR 3002.3) to indicate that the position of Personnel Officer is located within that Office.

Because the amendment made herein involves matters of agency organization and management, the notice requirements of the Administrative Procedure Act do not apply, (5 U.S.C. 553(a)(2).) Accordingly, under the authority of section 3603 of the Postal Reorganization Act (39 U.S.C. 3603), it is ordered that, effective December 20, 1977, Part 3002 of the Commission's Regulations (39 CFR Part 3002) is hereby amended as follows:

Section 3002.3 is revised to read as follows:

§ 3002.3 Administrative office.

(a) The incumbent head of the office is responsible for exercising two executive functions of the Commission and utilizes the title of either "Secretary" or "Chief Administrative Officer," as appropriate.

(b) As Secretary of the Commission, the incumbent head shall have custody of the Commission's seal, the minutes of all action taken by the Commission, its rules and regulations, its administrative and other orders, and records. All orders and other actions of the Commission shall be authenticated or signed by the Secretary or any such other person as may be authorized by the Commission.

(c) As Chief Administrative Officer the incumbent head is also responsible, subject to the policy guidelines of the Commission, for: Development, implementation, and administration of the Commission's financial management system and accounting activities including those relating to the budget and the payroll; development and administration (in conjunction with the Personnel Officer) of a personnel program designed to meet the needs of the Commission and its employees; provision of facilities and operating and support services essential to the efficient and effective conduct of operations; acquisition, planning and assignment of office space; procurement and supply; serving as the contracting officer for the Commission and controlling the obligation of Commission funds, as authorized by the Commission.

(d) The personnel management functions set out above are the immediate responsbility of the Personnel Officer, whose position is located in the Administrative Office.

By the Commission.

DAVID F. HARRIS,
Secretary.

[FR Doc.77-36168 Filed 12-19-77;8:45 am]

[6560-01]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 832-7]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Oklahoma

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This rule approves the State submitted revision to the Oklahoma Air Quality Implementation Plan in the form of Consent Agreements from existing companies for hydrocarbon emission reductions creditable as offsets for General Motors Corporation's new

automobile assembly plant in Oklahoma City, Oklahoma.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Oscar Cabra, Jr., Chief, Technical Support Section, Air & Hazardous Materials Division, EPA—Region VI, Dallas, Tex. 75270, 214-749-3837.

SUPPLEMENTARY INFORMATION: On March 28, 1977 the Governor of Oklahoma submitted to the Environmental Protection Agency (EPA), for incorporation in the Oklahoma Air Quality Implementation Plan (SIP), letters of consent from existing sources to reduce their hydrocarbon emissions. These Consent Agreements were obtained by the State to satisfy the EPA's requirements under the Interpretative Ruling published December 21, 1976 at FR 55524, in which a major new source may locate in an area with air quality worse than a national standard only if the following conditions are met:

(1) The new source's emissions will be controlled to the lowest achievable rate.

(2) More than equivalent offsetting emission reductions will be obtained from existing sources.

(3) There will be progress towards attainment of the standards.

The Consent Agreements for hydrocarbon emission offsets consist of the extension of requirements under section 15.211 of Oklahoma Air Pollution Control Regulation No. 15 (adopted January 23, 1972) to eight existing crude oil and gasoline storage tanks. The hydrocarbon reductions total 5,180 tons per year. These reductions were submitted as offsets for a proposed General Motors Corporation automobile assembly plant in Oklahoma City, Oklahoma having a lowest achievable hydrocarbon emission rate of 3,240 tons per year.

The State met all requirements of 40 CFR 51.4 and 51.6 for notice and public hearings on State Implementation Plan revisions.

The EPA published notice of proposed approval of the State submitted revision to the Oklahoma Air Quality Implementation Plan in the FEDERAL REGISTER on August 4, 1977 at FR 39415. Comments were requested by September 6, 1977. No comments were received.

CURRENT ACTION

The EPA is promulgating revisions to the Oklahoma Air Quality Implementation Plan which consists of Consent Agreements from existing hydrocarbon sources to reduce their emissions. These emission reductions are creditable as hydrocarbon offsets, under the EPA's Interpretative Ruling of December 21, 1976, for General Motors Corporation's automobile assembly plant in Oklahoma City, Oklahoma.

The revisions are promulgated as proposed with the addition of a statement declaring that the action by companies of reducing emission, creditable for offsets, in no way relieves the companies from compliance with any other applicable Oklahoma SIP regulation or requirements under the Federal Clean Air Act.

This final rulemaking is issued under the authority of section 110(a) of the Clean Air Act as amended (42 U.S.C. 1857c-5(c) and 1857g).

Dated: December 9, 1977.

DOUGLAS M. COSTLE,
Administrator.

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

Subpart LL—Oklahoma

1. In § 52.1920, paragraph (c) is amended by adding paragraph (10) as follows:

§ 52.1920 **Identification of plan.**

* * * * *

(c) * * *

(10) Consent agreements creditable as emission offsets were submitted by the Governor on March 28, 1977 as Addendum 1 to Chapter IV of the Oklahoma Air Quality Implementation Plan.

2. Section 52.1931 is added to read as follows:

§ 52.1931 **Petroleum Storage Tank Controls.**

(a) Notwithstanding any provisions to the contrary in the Oklahoma implementation plan, the petroleum storage tanks listed in paragraphs (b) through (e) of this section shall be subject to the requirements of § 15.211 of the Oklahoma Air Pollution Control Regulations and to the monitoring, inspection, reporting, and other procedural requirements of the Oklahoma implementation plan and the Clean Air Act. The owner or operator of each affected facility shall secure compliance with § 15.211 in accordance with the schedule set forth below.

(b) Tanks 121 and 122 for crude oil storage at the Sun Oil Company refinery at Duncan, Oklahoma, shall be in compliance with § 15.211 no later than August 1, 1979.

(c) Tanks 118 and 119 for gasoline storage at the Apco Oil Corporation refinery at Cyril, Oklahoma, shall be in compliance with § 15.211 no later than February 1, 1979.

(d) Tank 286 for crude oil storage at the Continental Pipe Line Company property in Oklahoma County, Oklahoma (Section 32-12N-2W) shall be in compliance with § 15.211 no later than February 1, 1979.

(e) The three 80,000 barrel capacity crude oil storage tanks at the Champlin Petroleum Company, Noble Station, 13th and Bryan Streets, Oklahoma City, Oklahoma, shall be in compliance with § 15.211 no later than September 1, 1979.

(f) Action on the part of Sun Oil Company, Apco Oil Corporation, Continental Pipe Line Company and Champlin Petroleum Company of controlling hydrocarbon emissions creditable as offsets for General Motors Corporation, Oklahoma City, Oklahoma, in no way relieves these companies from meeting all requirements under the Oklahoma Air Quality Implementation Plan or under the Federal Clean Air Act as amended.

[FR Doc.77-36266 Filed 12-19-77;8:45 am]

[6560-01]

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 832-2; OPP-300013A]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Exemptions from Requirement of a Tolerance for Certain Inert Ingredients in Pesticide Formulations

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes an exemption from the requirement of a tolerance for certain additional inert (or occasionally active) ingredients. The exemption requests were submitted by various firms. This amendment to the regulations will permit the use of additional inert (or occasionally active) ingredients in pesticide formulations.

EFFECTIVE DATE: Effective on December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. David L. Ritter, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street, SW., Washington, D.C., 202-426-2680.

SUPPLEMENTARY INFORMATION: On September 21, 1977, the EPA published a notice of proposed rulemaking in the FEDERAL REGISTER (42 FR 47566) to amend 40 CFR 180.1001 by exempting certain pesticide chemicals which are additional inert (or occasionally active) ingredients in pesticide formulations from tolerance requirements under provisions of Section 408(e) of the Federal Food, Drug, and Cosmetic Act. No comments in objection or requests for referral to an advisory committee were received by the Agency with regard to this notice. It has been concluded that the amendment will protect the public health and, therefore, that the amendment to the regulations should be adopted as proposed.

Any person adversely affected by this regulation may, on or before January 19, 1978, file written objections with the Hearing Clerk, EPA, Room 1019, East Tower, 401 M St., SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by the grounds

legally sufficient to justify the relief sought.

Effective on December 20, 1977, Part 180, Subpart D, § 180.1001 is amended as set forth below.

Dated: December 13, 1977.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

(Sec. 408(e), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)).)

Part 180, Subpart D, § 180.1001 is amended by alphabetically inserting new items in paragraphs (c) and (e) as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(c) * * *

Inert ingredients	Limits	Uses
* * * * *		
Butane		Propellant.
* * * * *		
Propane		Propellant.
* * * * *		
Soybean oil-derived fatty acids.		Solvent, cosolvent.
* * * * *		

(e) * * *.

Inert ingredients	Limits	Uses
* * * * *		
Butane		Propellant.
* * * * *		
Propane		Propellant.
* * * * *		
Rhodamine B		Dye.
* * * * *		

[FR Doc.77-36267 Filed 12-19-77;8:45 am]

[6560-01]

Title 41—Public Contracts and Property Management

CHAPTER 15—ENVIRONMENTAL PROTECTION AGENCY

[FRL 810-8]

PART 15-1—GENERAL

Miscellaneous Amendments

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The procurement regulations of the Environmental Protection Agency (EPA) are being revised to provide additional and corrected material. During the time since the regulations were originally published changes in statutes and other governing regulations have been made. The intended effect of this revision is to bring the regulations up to date and to make appropriate corrections.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

David S. Taylor, Contracts Policy and Review Branch, Contracts Management Division (PM-214), Environmental Protection Agency, Washington, D.C. 20460, 202-755-0900.

SUPPLEMENTARY INFORMATION: The Environmental Protection Agency Procurement Regulations (EPPR) are issued in the Code of Federal Regulations as Chapter 15 of Title 41, Public Contracts and Property Management. The EPPR implements and supplements the Federal Procurement Regulations (FPR) (41 CFR Chapter 1). The EPPR was originally published in 1971, and since that time numerous changes have been made to various statutes and to the FPR which affect the procurement procedures of EPA. In addition, certain organizational changes have taken place within EPA. These changes have made several references in the EPPR obsolete.

The EPPR provides that all material deemed necessary for the general public to understand basic and significant procurement policies and procedures will be published in the FEDERAL REGISTER. However, there have been some procurement regulations issued since 1971 that were not considered to fall within this requirement. Subsequently, it has been determined that these regulations should be published in the FEDERAL REGISTER. This amendment includes those heretofore unpublished regulations that are appropriate for incorporation in Part 1 of the EPPR (41 CFR Part 15-1).

It is the general policy of the Environmental Protection Agency to allow time for interested persons to participate in the rulemaking process. However, since this amendment principally reflects changes in statutes, the FPR, and internal organization, no purpose would be served in inviting comment, therefore the rulemaking process is waived in this instance.

(5 U.S.C. 301; 40 U.S.C. 486(c).)

DOUGLAS M. COSTLE,
Administrator, Environmental Protection Agency.

DECEMBER 9, 1977.

Accordingly, 41 CFR Part 15-1 is amended as follows:

The table of contents of Part 15-1 is amended to provide new and revised entries as follows:

Sec.
15-1.009-1 Description.

Subpart 15-1.2—Definition of Terms

15-1.206 Head of the procuring activity.
15-1.313 Record of contract actions.
15-1.351 [Reserved]
15-1.352 [Reserved]
15-1.353 [Reserved]
15-1.605-2 [Reserved]
15-1.605-3 Notice of suspension.
15-1.704-1 Small Business Advisor.
15-1.704-2 Small business specialists.
15-1.709-50 Records and reports.

Subpart 15-1.23—Environmental Protection

15-1.2302-3 Compliance responsibilities.
15-1.2302-5 Withholding award.

Subpart 15-1.50—Closing Completed or Terminated Contracts

15-1.5002 Policy.
15-1.5002-1 Closing review.
15-1.5002-2 Contract closing memorandum.
15-1.5002-3 Verification of costs.
15-1.5002-4 Termination.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 15-1.0—Regulation System

1. Section 15-1.009-1 is added as follows:

§ 15-1.009-1 Description.

The term "deviation" as used in this Chapter 15 is defined in the same manner as described in FPR 1-1.009-1.

2. Section 15-1.009-2 is revised as follows:

§ 15-1.009-2. Procedure.

Deviations from FPR and EPPR shall be kept to a minimum and controlled as follows:

(a) Requests for deviations to FPR and this regulation in individual cases and to this regulation in classes of cases shall be submitted for approval in advance to the Director, Contracts Management Division.

(b) Requests for deviations to FPR in classes of cases shall be submitted in advance to the Director, Contracts Management Division, for processing in accordance with FPR 1-1.009-2.

(c) The requests submitted under paragraphs (a) and (b) of this section shall cite the specific part of FPR or EPPR from which it is desired to deviate; shall set forth the nature of the deviations; and shall give the reasons for the action requested.

(d) The above procedures do not apply to the Procurement and Contracting for Automated Data Processing Equipment, Software, Maintenance Services, and Supplies, see FPR 1-1.009-3.

Part 15-1 is amended by adding a new Subpart 15-1.2 as follows:

Subpart 15-1.2—Definition of Terms

§ 15-1.206 Head of the procuring activity.

"Head of the procuring activity" means the Director, Contracts Management Division, Office of Administration, Office of the Assistant Administrator for Planning and Management.

§ 15-1.250 Chief officer responsible for procurement at the contracting activity.

"Chief officer responsible for procurement at the contracting activity" means the Director, Contracts Management Division, Cincinnati; the Director, Contracts Management Division, Research Triangle Park; and the Chief, Headquarters Contract Operations.

Subpart 15–1.3—General Policies

1. Section 15–1.313 is added as follows:

§ 15–1.313 Record of contract actions.

(a) All EPA procurement activities performing purchasing and contract administration functions shall assemble and maintain official records of all actions with respect to solicitations and contracts.

(b) To the extent that retained copies of contractual documents and correspondence do not reflect all actions taken, suitable memoranda of the undocumented actions shall be prepared promptly and placed in the appropriate official contract file.

(c) Authenticated or conformed copies of contractual instruments and signed or official record copies of correspondence, memoranda, and other documents shall be used in compiling the official files. Except to the extent that contract clauses or specifications are incorporated by reference, conformed copies shall be complete and accurate copies of the contractual instrument, including the date of execution and the names and titles of signatories.

(d) Each contract file shall include the following as appropriate for the type and dollar value of contract, actions involved, and functions assigned to the procurement activity except for small purchases (see FPR Subpart 1–3.6 and § 15–1.313(e)):

(1) Procurement planning data;

(2) A copy of the Procurement Request/Requisition, EPA Form 1900–8, including the certification of availability of funds;

(3) Appropriate determination and findings as required by FPR Subpart 1–3.3 to justify authority to negotiate, method of contracting, and advance payments;

(4) A signed justification for noncompetitive procurement;

(5) Required preaward clearances;

(6) Any small business or labor surplus area set-aside determination or consideration given thereto (see FPR 1–1.706 and FPR 1–1.804);

(7) Justification for use of "brand name or equal" purchase description (see FPR 1–1.307–5);

(8) Synopsis of the proposed procurement or reference thereto;

(9) List of sources solicited, justification for limiting sources, and a list of firms or persons whose requests for copies of the solicitation were denied together with the reasons for denial;

(10) A copy of the solicitation, including applicable drawings and specifications or reference thereto;

(11) Any amendments to the solicitation;

(12) One copy of each signed bid or proposal received, and a record of any late bids or proposals received (see FPR 1–2.303 and FPR 1–3.802–1);

(13) The abstract of bids or record of proposals received, including "no bid" or "no proposal" correspondence;

(14) The technical evaluation report;

(15) Documentation for mistakes in bid and protests of award (see FPR 1–2.406 and FPR 1–2.407–8);

(16) Documentation for selection of the successful contractor, including:

(i) Reasons for selection, including negotiation memorandum,

(ii) Contracting officer's determination of the contractor's responsibility (see FPR 1–1.1204), and a copy of each preaward survey performed (see FPR 1–1.1205–4) or reference to previous surveys relied upon,

(iii) Any Small Business Administration certificate of competency (see FPR 1–1.708), and

(iv) Justification of award to other than low bidder,

(17) Evidence of compliance with equal employment opportunity policies (EPA Form 1900–35, Request for Equal Opportunity Clearance of Contract Award),

(18) All cost and pricing data submitted or used, including Certificates of Current Cost or Pricing Data (see FPR 1–3.807–3 and FPR 1–3.807–4), and a copy of the Government price or cost estimate;

(19) Price or cost analysis report;

(20) Audit reports or reasons for waiver;

(21) Record of price negotiation (see FPR 1–3.811);

(22) Justification for type of contract used (see FPR 1–3.403);

(23) Exceptions or exemptions from the Buy American Act (see FPR Part 1–6);

(24) Required approvals of award;

(25) Notice of award;

(26) Notice of Intention to Make a Service Contract and Response to Notice (Standard Form 98) when the prospective contract is subject to the Service Contract Act, and Notice of Award (Standard Form 99) when the contract is subject to either the Service Contract Act or the Walsh-Healey Public Contracts Act;

(27) A signed or authenticated copy of the contract and all contract modifications, together with signed or official record copies of documents supporting the modifications;

(28) Synopsis of award or reference thereto (see FPR 1–1.1004);

(29) Notice to unsuccessful bidders (see FPR 1–2.408) or offerors (see FPR 1–103(b));

(30) Bid bond (Standard Form 24), performance bond (Standard Form 25) and payment bond (Standard Forms 25A and 25B) or other bond documents, or a reference thereto, and notice to sureties, in case of construction contracts (see FPR Subpart 1–10.1 and 1–10.2);

(31) Post award conference record (see FPR 1–1.1803);

(32) Approved subcontracts and supporting documentation (see FPR Subpart 1–3.9);

(33) Inspection and acceptance documentation (see FPR 1–14.101 and FPR 1–14.201);

(34) Payment vouchers and invoices;

(35) Release from liabilities, obligations, and claims (see FPR 1–1.5002–1);

(36) Records relating to Government-furnished or contractor acquired property and disposition thereof;

(37) Record of approvals or disapprovals of waivers or deviations from contract requirements;

(38) Royalty, invention, and copyright reports or reference thereto (see Subpart 15–9);

(39) The documentation concerning termination is contained in § 15–1.5002–4;

(40) References to other pertinent documents which are filed elsewhere because they pertain to more than one contract or to the contractor generally;

(41) Designation of contracting officer representatives;

(42) Records concerning disputes and litigation; and

(43) Other pertinent correspondence, messages, memoranda including documents supporting advance or progress payments.

(e) Where small purchase procedures are used in accordance with FPR Subpart 1–3.6, the file shall include the following documentation:

(1) Purchase request and purchase orders;

(2) Record of oral solicitation(s) (EPA Form 1900–13) or copy of written solicitation(s);

(3) Record of oral quotation(s) (EPA Form 1900–13) or copy of written quotation(s);

(4) Statement setting forth the basis of determination of fair and reasonable price, when only one response is received and the procurement is over $500;

(5) Justification for noncompetitive procurement when over $500;

(6) Copies of documentation involving action taken with respect to habitually delinquent vendors;

(7) Evidence of receipt and acceptance of supplies or services;

(8) Other documentation as required by FPR 1–3.606–4 when a blanket purchase arrangement is involved; and

(9) In respect to oral purchase orders, a copy of the vendor's invoice endorsed by an authorized Government representative evidencing receipt of property or service. If it is not possible to obtain a copy of the invoice, a record shall be maintained showing price and date of receipt of personal property or nonpersonal services ordered.

§ 15–1.318–1 [Amended]

2. Section 15–1.318–1 is amended by making the following changes:

1. In paragraph (a)(1) insert the words "Office of" preceding the word "Audit".

2. Delete the word "TWX", and substitute the word "telegram" in the second sentence of paragraph (b)(1).

3. Delete the words "Assistant General Counsel, Grants and Procurement", and substitute the words "Office of the Associate General Counsel, Grants, Con

tracts and General Administration" in the third sentence of paragraph (e)(1).

4. Delete the words "Assistant General Counsel, Grants and Procurement", and substitute the words "Office of the Associate General Counsel, Grants, Contracts and General Administration" in paragraph (e)(3).

5. Delete the words "Assistant General Counsel, Grants and Procurement", and substitute the words "Office of the Associate General Counsel, Grants, Contracts and General Administration" in the first sentence of paragraph (f)(4).

6. Delete the words "Assistant General Counsel, Grants and Procurement", and substitute the words "Associate General Counsel, Grants, Contracts and General Administration" in the first sentence of paragraph (f)(5).

7. Delete the words "Assistant General Counsel, Grants and Procurement", and substitute the words "Associate General Counsel, Grants, Contracts and General Administration" in the second sentence of (f)(6).

3. Section 15-1.350 is amended by adding new text as follows:

§ 15-1.350 Release of procurement information.

The Freedom of Information Act, 5 U.S.C. 552, provides that certain Government records shall be made available to the public upon request. This Act has been implemented by the Environmental Protection Agency (EPA) in 40 CFR Part 2. Subpart B-Confidentiality of Business Information of 40 CFR Part 2 provides the policy and guidance pertaining to the procurement of supplies and services.

4. Sections 15-1.351, 15-1.352, and 15-1.353 are revised by deleting the text and reserving the sections as follows:

§ 15-1.351 [Reserved]

§ 15-1.352 [Reserved]

§ 15-1.353 [Reserved]

Subpart 15-1.6—Debarred, Suspended, and Ineligible Bidders

§ 15-1.603 [Amended]

1. Section 15-1.603 is amended by deleting the abbreviation "CFR" in the last line and substituting "FPR".

2. Section 15-1.605-2 is added and reserved as follows:

§ 15-1.605-2 [Reserved]

3. Section 15-1.605-4 is redesignated as § 15-1.605-3 and revised as follows:

§ 15-1.605-3 Notice of Suspension.

The Administrator has designated the Deputy Assistant Administrator for Administration as the official responsible for furnishing the notification required by FPR 1-1.605-3. The Director, Contracts Management Division, or his designee, is responsible for the preparation of the notification.

Subpart 15-1.7—Small Business Concerns

1. Section 15-704 is amended by adding new text as follows:

§ 15-1.704 Agency program direction and operation.

(a) The Environmental Protection Agency (EPA) shall, in furtherance of the declared policy of the Congress, and as restated in the FPR, extend every effort to encourage participation by small business concerns in the procurement of property and services supporting the EPA mission, and that are within their capabilities. The Deputy or Associate Deputy Assistant Administrator for Administration, Directors of Administration, Regional Administrators, and Directors of Laboratories are responsible for results under the small business program within their respective activities. Procurement and technical personnel assigned to these activities shall be informed of the benefits that accrue to the Nation and to the Agency through the proper use of the capabilities of small business concerns in the procurement of EPA requirements.

(b) The Head of the procuring activity, the chief officer responsible for procurement at the contracting activity, and the chiefs of the purchasing offices in the regions and laboratories are responsible for the contracting and purchasing aspects of the small business program.

(c) The extent of small business participation in EPA procurement shall be accurately measured, reported, and publicized.

Section 15-1.704-1 is revised to change the caption and text as follows:

§ 15-1.704-1 Small Business Advisor.

The Agency shall establish and maintain an Office of Small Business and Contractor Relations. The Small Business Advisor of the Agency is appointed by the Administrator. The Small Business Advisor is responsible for the establishment, implementation, and execution of the small business program of the Agency and provides guidance and advice to the Directors and Chiefs of the field procurement operations in the implementation and execution of their respective programs. The Small Business Advisor is the central point of contact for inquiries concerning the small business program from industry, the Small Business Administration (SBA), and the Congress, and will advise the Administrator and staff as required. The Small Business Advisor will represent the Agency in the negotiations with the other Government agencies on small business matters. The duties of the Small Business Advisor may be assigned either on a full-time or part time basis; however, if assigned on a part time basis, the small business duties will take precedence over collateral responsibilities.

3. Section 15-1.704-2 is revised as follows:

§ 15-1.704-2 Small business specialists.

(a) Small business specialists shall be appointed in writing for each procurement or purchasing office. While small business specialists will normally be appointed from members of operating procurement staffs, they shall be responsible directly to the appointing authority with respect to small business matters and not to their immediate line of procurement supervision or to technical personnel. The appointing authority is as follows:

(1) Cincinnati, Research Triangle Park, and Headquarters Contract Operations, the Head of the procuring activity without power or redelegation.

(2) Regional offices, Regional Directors with power of redelegation to a Laboratory Director or to a chief of a staff office at a higher management level than the chief of the procurement activity.

(3) Laboratories, Director of the Laboratory without power of redelegation.

A copy of each appointment and termination of all specialists shall be forwarded to the Agency Small Business Advisor. In addition to performing the duties outlined in paragraph (b) of this section that are normally performed in the activity to which he is assigned, the small business specialist shall be the small business advisor to the head of the activity and shall perform such additional functions as may be prescribed in furtherance of the overall Small Business Program. The small business specialist is not precluded from being assigned the responsibility for the Labor Surplus Area Program prescribed by FPR Subpart 1-1.8, and for the Minority Business Enterprise Program prescribed by FPR Subpart 1-1.13. The small business specialist may be appointed on either a full or part time basis; however, when appointed on a part time basis, the small business duty shall take precedence over collateral responsibilities. When the volume of procurement does not warrant assignment of a small business specialist, the contracting officer shall be responsible for the program.

(b) A small business specialist appointed pursuant to (a) above shall perform the following duties as are appropriate for his procurement activity:

(1) Maintain a program designed to locate capable small business sources for current and future procurements;

(2) Coordinate inquiries and requests for advice from small business concerns on procurement matters;

(3) Review all proposed solicitations over $2,500, assure that small business concerns will be afforded an equitable opportunity to compete, and, as appropriate, initiate recommendations for small business set-asides, complete EPA Form 1900-37, entitled "Record of Procurement Request Review," as appropriate;

(4) Take action to assure the availability of adequate specifications and drawings, when necessary, to obtain small business participation in a procurement. When small business concerns cannot be given an opportunity on a current procurement, initiate action, in writing, with appropriate technical and contracting personnel to insure that necessary

specifications or drawings for future procurements are available.

(5) Review proposed procurements for possible breakout of items or services suitable for procurement from small business concerns;

(6) Advise small business concerns with respect to the financial assistance available under existing laws and regulations and assist such concerns in applying for financial assistance;

(7) Participate in determinations concerning the responsibility of a prospective contractor (see FPR Subpart 1-1.12), including determinations involving integrity, business ethics, or persistent failure to apply necessary tenacity or perseverance;

(8) Participate as the minority business enterprise representative in accordance with FPR 1-1.1302 and Chapter 10, Contracts Management Manual;

(9) Participate in the evaluation of a prime contractor's small business subcontracting programs;

(10) Assure that adequate records are maintained, and accurate reports prepared, concerning small business participation in the procurement program (see § 15-1.709-50);

(11) Make available to SBA copies of solicitations when so requested;

(12) Act as liaison between his procurement office, the contracting officer, and the appropriate SBA office or representative in connection with set-asides, certificates of competency, size classification, and any other matter in which the small business program may be involved; and

(13) May participate, if required, in Business Opportunity/Federal Procurement Conferences, and other Government-industry conferences and meetings to assist small business, labor surplus, and minority business enterprises.

§ 15-1.706-50-2 [Amended]

4. Section 15-1.706-50-2 is amended by deleting in the last sentence, the words, "Chief of Contract Operations" and substituting the words, "appointing authority."

§ 15-1.706-50-3 [Amended]

5. Section 15-1.706-50-3 is amended by deleting in the last sentence, the words, "Chief of Contract Operators" and substituting the words "appointing authority."

6. Section 15-1.708-2 is added as follows:

§ 15-1.708-2 Applicability and procedure.

A copy of the documentation supporting the determination that a small business concern is not responsible, as required by FPR 1-1.708-2(a)(5)(i), shall be transmitted to the Agency Small Business Advisor concurrently with the submission of a copy of the documentation to the appropriate SBA Region Office.

7. Section 15-1.709-50 is added as follows:

§ 15-1.709-50 Records and reports.

(a) As required, monthly reports of factual information, covering procurement actions and dollars awarded to small business, minority business, Small Business Administration under authority of section 8(a) of the Small Business Act, and information on actions and dollars made under small business setasides, shall be submitted by the Cost Review and Policy Branch, Contracts Management Division, to the Agency Small Business Advisor.

(b) The Financial Management Division will submit to the Agency Small Business Advisor a copy of the Small Purchase Activity Report that shows by each EPA purchasing activity the following information cumulative monthly for small purchases ($10,000 and under):

(1) Total actions and dollar value of awards.

(2) Total actions and dollar value of awards to all businesses.

(3) Total actions and dollar value of awards to small business.

(4) Total actions and dollar value of construction awards to small business made by set-aside.

(5) Total actions and dollars value of small business awards made by setasides, excluding set-asides for construction.

(6) Total actions and dollar value of awards made to the Small Business Administration pursuant to section 8(a) of the Small Business Act.

(7) Total actions and dollar value of awards made to minority concerns.

(c) The reports identified in paragraphs (a) and (b) of this section are to be submitted to the Small Business Advisor no later than the 20th day following the end of the reporting period with the exception of the last report of the fiscal year which shall be submitted no later than the 30th day following the end of the fiscal year.

Part 15-1 is amended by adding a new Subpart 15-1.23 as follows:

Subpart 15-1.23—Environmental Protection

§ 15-1.2302-3 Compliance responsibilities.

Notifications required by FPR 1-1.2302 shall be forwarded, in writing to the Director, Contracts Management Division.

§ 15-1.2302-5 Withholding award.

Notifications required by FPR 1-1.-2302-5 shall be forwarded, in turn, to the Director, Office of Federal Activities, and the Director, Contracts Management Division. Such notice shall be by telephone and the date notice is given shall be noted in the procurement file to establish the start of the 15 working day delay period.

Part 15-1 is amended by adding a new Subpart 15-1.50 as follows:

Subpart 15-1.50—Closing Completed or Terminated Contracts

§ 15-1.5000 Scope of subpart.

This subpart establishes procedures governing the closing of contract files when all contract performance is completed or the contract is terminated.

§ 15-1.5001 Definition—Completed contract.

A completed contract is one that is both physically and administratively complete and in which all aspects of contractual performance have been accomplished or formally waived. A contract is physically complete only after all property and services called for under the contract, including such related items as reports, materials, data, and exhibits, have been delivered to and accepted by the Government including property and services for which no specific compensation may have been stipulated or a notice of complete contract termination has been given the contractor by the Government. A contract is administratively complete when all payments have been made and all administrative actions accomplished. A contractor accorded limited administration and having a face value of $10,000 or under is closed when evidence of physical completion is received by the contracting officer.

§ 15-1.5002 Procedures.

§ 15-1.5002-1 Closing review.

(a) Upon physical completion, the contract and contract file shall be reviewed to verify that all actions have been fully documented to the extent practicable. Consideration must be given to the type of contract being closed, and the contract file shall be reviewed to determine that:

(1) All services have been rendered and accepted;

(2) All property, including but not limited to contract end items, reports, data, and exhibits, have been delivered and accepted;

(3) All payments and collections have been accomplished;

(4) Releases from liabilities, obligations, and claims have been obtained from the contractor, if appropriate;

(5) Assignments of refunds, rebates, and credits, have been executed by the contractor, if appropriate;

(6) All administrative actions have been completed such as determination of final overhead rates, release of funds, or disposal of property, and all administrative reviews and approvals have been accomplished and documented regarding such items as wages, salaries, insurance, and accounting;

(7) The file is documented as presribed in § 15-1.313; and

(8) Ascertain the possible existence of pending disputes, contingent liabilities, or circumstances out of which future claims or litigation might arise, potential credits, or refunds or other future recoveries. Insure that adequate reserves have been set aside to provide for contingent liabilities.

(b) A closing review shall be made to insure that either the contract file contains, or that all actions necessary to complete the file have been consum-

mated as they are applicable to the type of contract being closed:

(1) Inspection and acceptance documents or a statement from program personnel that all services and property required by the contract have been performed or delivered in accordance with the terms of the contract and are acceptable to the Government. All discrepancies in actual performance or delivery with contract requirements must be reconciled before the contract file is closed;

(2) Contract files shall not be closed or final payment made until (i) all questions of disallowed or suspended costs are settled; (ii) the "completion voucher" and the "cumulative claim and reconciliation statement" are vertified (see § 15–1.5002–3) and final audit report or closing statement obtained from the Cost Review and Policy Branch, Contracts Management Division; (iii) all discrepancies are resolved between payments and deliveries or performance, and between billings and payments; (iv) final overhead rates are established and set forth in a contract modification; (v) assignments of refunds, rebates, credits, and other amounts are executed; (vi) final release of claims is received from the contractor; and (vii) partial or complete termination settlements are set forth in a supplemental agreement and payment or collection made;

(3) A copy of each subcontract approved or ratified by the contracting officer, together with the letter or document of approval and the subcontract review memorandum must be retained in the contract file. If approval of individual subcontracts is waived by approval of the contractor's purchasing system, a copy of or a specific reference to the purchasing system approval must be included in the contract file. Unresolved disputes between prime and subcontractors must be resolved before the prime contract file can be closed, unless the prime contractor releases the Government from any obligation relating to the subcontractor claims;

(4) Before a contract file can be closed, all additions or changes to the terms, conditions, or administrative recitals must be formalized by an appropriate supplemental agreement or unilateral change order. Timely action must be taken to formalize adjustment of price, estimated cost, or fee when required by special contract provisions, such as price redetermination, incentive clauses, escalation, or partial or complete termination settlements. Contracting officers have no authority to, and shall not, give or execute any kind of release of claim or obligation to the contractor except by formal modification of the contract;

(5) All Government-owned property, real or personal, either furnished by the Government or acquired by the contractor for the account of the Government, must be accounted for and appropriate disposal action taken upon physical completion of the contract. The contract file shall not be closed until the inventory of all such Government-owned property is verified and a complete record of the disposition of all property is placed in the file;

(6) Individual copies of the following must be placed in the contract file prior to closing: (i) Systems approvals, i.e., accounting, estimating, purchasing, property management, quality assurance, and maintenance; (ii) advance understanding on particular items of cost identified in FPR 1–15.107; i.e., IR&D, employee compensation, travel, insurance plans, and precontract costs; and (iii) other agreements relating to contract performance;

(7) Copies of appropriate clearances and reports relating to inventories, patents, royalties, copyright, publications, and tax exemptions must be included in the official contract file. Also the file must contain copies of inquiries from and answers and reports to sources such as the Congress, the General Accounting Office, audit activities, and other organizations; and

(8) Copies of letters delegating contract administration, such as technical direction, quality assurance inspection and acceptance, property management, and subcontract approval, must be included in the official contract file and a statement that all delegated actions were completed satisfactorily.

§ 15–15.5002–2 Contract closing memorandum.

The contracting officer shall prepare a memorandum that may take the form of a memorandum for the record or a checklist of contract actions applicable to the type of contract involved (see § 15–1.313 and § 15–1.5002–1). The memorandum shall contain as a minimum verification that all contract performance is completed and that all contract action have been fully documented. Contracting activities shall design and prescribe the form and contents of such closing checklists.

§ 15–1.5002–3 Verification of costs.

Before final payment is made under a cost-reimbursement type contract, the contracting officer must verify the allowability, allocability, and reasonableness of costs claimed. Verification of total costs incurred should be obtained from the Office of Audit, through the Cost Review and Policy Branch, CMD, in the form of a final audit certification. Similar verification of actual costs must be made for fixed-price contracts when cost incentive or price redetermination are involved. Termination settlement proposals shall be submitted to the Cost Review and Policy Branch for review by the Office of Audit, as prescribed by FPR 1–8.207.

§ 15–1.5002–4 Termination.

(a) All documentation relating to the terminated portion of a contract shall be maintained in a separate termination file or in a separately identifiable section of the official contract file. After final settlement and payment or collection of all termination claims, the termination file shall be reviewed to insure that the file contains documentation to support all actions relating to the termination settlement and to the disposition of the Government-owned property. Documentation of the file shall include:

(1) Request for termination action or a statement of reasons for the termination;

(2) Notice of termination and instructions to the contractor, and notice to the General Accounting Office as prescribed by FPR 1–8.403;

(3) Correspondence with the contractor and records of all discussions, meetings, and negotiations;

(4) Copies of all settlement proposals and accounting reviews and analysis thereof;

(5) Records and approvals of subcontractor settlements;

(6) Inventory schedules and records of disposal of Government-owned property; and

(7) Settlement agreements, records of exceptions, and contracting officer determinations, as appropriate.

(b) After all termination actions are completed and the separate termination file closed, it shall be filed as part of the official contract file.

Subpart 15–1.53—Code of Conduct

§ 15–1.5300 [Amended]

Section 15–1.5300 is amended by making the following change:

In paragraph (a)(1)(v), change the citation 18 U.S.C. 200 to 18 U.S.C. 209.

[FR Doc.77-36268 Filed 12-19-77;8:45 am]

[1505–01]

CHAPTER 105—GENERAL SERVICES ADMINISTRATION

PART 105–63—PRESERVATION AND PROTECTION OF AND ACCESS TO THE PRESIDENTIAL HISTORICAL MATERIALS OF THE NIXON ADMINISTRATION

Public Access Regulations

Correction

In FR Doc. 77–36167 appearing at page 63626 in the issue for Friday, December 16, 1977, transpose the last two lines of § 105–63.403, which appears in the middle column, page 63629.

[6712–01]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 0—COMMISSION ORGANIZATION

PART 1—PRACTICE AND PROCEDURE

Change in Official Working Hours

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The FCC is changing its current official working hours from 8:00 a.m. until 4:30 p.m. to 8:00 a.m. until 5:30 p.m. The Commission believes this

additional evening hour will provide better service to the west coast, other Federal agencies, all branches of the government and to the public.

EFFECTIVE DATE: January 3, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Horace Feaster, Management Systems Division, Office of the Executive Director, 202-632-7513.

In the matter of amendment of Parts 0 and 1 of the Commission's rules to reflect the Commission's new official office hours.

Adopted: November 30, 1977.

Released: December 9, 1977.

By the Executive Director:

1. In order for the Commission to provide better services to the public, other Federal Agencies and other branches of Government, effective January 3, 1978, the official office hours of the Commission's main offices located at 1919 M Street NW., Washington, D.C. and in adjacent buildings will be changed from 8:00 a.m.-4:30 p.m. to 8:00 a.m.-5:30 p.m., and thus Parts 0 and 1 of the Rules and Regulations should be amended to reflect this change. The amendment is set forth in the attached Appendix.

2. The District No. 24 Field Office of the Field Operations Bureau (located at 1919 M Street) will conform to the new hours of the Commission's main offices. The hours of all other Commission field offices are determined by local requirements and will remain unchanged.

3. Authority for this amendment is contained in Section 0.231(d) and in Sections 4(i) and 303(4) of the Communications Act of 1934, as amended (47 U.S.C. 154(i) and 303(r)). Because the amendments relate to procedural and internal management matters, the prior notice provisions of 5 U.S.C. 533 are inapplicable.

4. In view of the foregoing *it is ordered*, That §§ 0.403 and 1.4 of the Rules and Regulations are amended as set forth below effective January 3, 1978.

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

FEDERAL COMMUNICATIONS COMMISSION,
R. D. LICHTWARDT,
Executive Director.

Part 0 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows: 1. Section 0.403 is revised to read as follows:

§ 0.403 Office hours.

The main offices of the Commission are open from 8:00 a.m. to 5:30 p.m., Monday through Friday, excluding legal holidays.

Part 1 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended to read as follows: 2. Section 1.4 (c) and (d) are revised to read as follows:

§ 1.4 Computation of time.

* * * * *

(c) All petitions, pleadings, tariffs, or other documents filed with the Commission must be tendered for filing n complete form before 5:30 p.m., in the Office of the Secretary.

(d) For purposes of this section, the term "holiday" shall include Saturdays, Sundays, legal holidays or half holidays in the District of Columbia, and any other day on which the Commission's offices are closed prior to 5:30 p.m. The term "business day" shall include all other days.

* * * * *

[FR Doc.77-36201 Filed 12-19-77;8:45 am]

[7035-01]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Service Order No. 1200; Amdt. No. 7]

PART 1033—CAR SERVICE

Missouri Pacific Railroad Company Authorized To Operate Over Tracks of Union Pacific Railroad Company

AGENCY: Interstate Commerce Commission.

ACTION: Emergency Order (Amendment No. 7 to Service No. 1200).

SUMMARY: This amendment extends Service Order No. 1200 for six months. Service Order No. 1200 authorizes the Missouri Pacific to operate over 4.8 miles of Union Pacific tracks between South Omaha and Omaha, Nebraska. Rerouting of Missouri Pacific trains over these Union Pacific trains eliminate numerous daily train movements over street crossings at grade in downtown Omaha, thus contributing to public safety and reducing interference with vehicular and pedestrian traffic on these streets.

DATES: Effective 11:59 p.m., December 15, 1977. Expires 11:59 p.m., June 15, 1978.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202-275-7840, Telex 89-2742.

SUPPLEMENTARY INFORMATION: The Order is reprinted in full below.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 14th day of December, 1977.

Upon further consideration of Service Order No. 1200 (39 FR 38103; 40 FR 2990, 30268; 41 FR 2644, 29387; 42 FR 3309 and 31163), and good cause appearing therefor:

It is ordered, That: § 1033.1200 *Missouri Pacific Railroad Company Authorized to operate over tracks of Union Pacific Railroad Company*, Service Order No. 1200 is amended by substituting the following paragraph (d) for paragraph (d) thereof:

* * * * *

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 15, 1978, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., December 15, 1977.

(49 U.S.C. 1 (10-17).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board members, Joel E. Burns, Robert S. Turkington and John R. Michael.

H. G. HOMME, JR.,
Acting Secretary.

[FR Doc.77-36271 Filed 12-19-77;8:45am]

[7035-01]

[Amendment No. 2 to Service Order No. 1273]

PART 1033—CAR SERVICE

Distribution of Freight Cars

AGENCY: Interstate Commerce Commission.

AGENCY: Emergency Order (Amendment No. 2 to Service Order No. 1273).

SUMMARY: Service Order No. 1273 authorizes the Chicago, Rock Island and Pacific Railroad to substitute two smaller 40-ft. plain boxcars for each 50-ft. or larger boxcar ordered. The Rock Island has surplus 40-ft. boxcars stored while at the same time is encountering shortages of 50-ft. and larger plain boxcars.

DATES: Effective 11:59 p.m., December 15, 1977. Expires 11:59 p.m., March 15, 1978.

FOR FURTHER INFORMATION CONTACT:

C. C. Robinson, Chief, Utilization and Distribution Branch, Interstate Commerce Commission, Washington, D.C. 20423, telephone 202-275-7840, Telex 89-2742.

SUPPLEMENTARY INFORMATION: The amendment is printed in full below.

[7035–01]

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 14th day of December, 1977.

Upon further consideration of Service Order No. 1273 (42 FR 46055 and 57317), and good cause appearing therefor:

It is ordered, That:

Service Order No. 1273 is amended by substituting the following paragraph (1) for paragraph (1) thereof:

§ 1033.1273 Distribution of freight cars.

* * * * *

(1) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., March 15, 1978, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., December 15, 1977.

(49 U.S.C. 1(10–17).)

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board members, Joel E. Burns, Robert S. Turkington and John R. Michael.

H. G. Homme, Jr.,
Acting Secretary.

[FR Doc.77-36272 Filed 12-19-77;8:45 am]

proposed rules

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.

[3410–05]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 726]

BURLEY TOBACCO

1978 National Marketing Quotas for Burley Tobacco

AGENCY: Agricultural Stabilization and Conservation Service, USDA.

ACTION: Proposed Rule.

SUMMARY: The Secretary of Agriculture is preparing to determine and announce the national marketing quota for burley tobacco for the 1978–79 marketing year. The quota must be announced by February 1, 1978. This document invites all interested parties to submit written comments, views and recommendations concerning the determination of the quota and related matters.

DATES: Written comments must be received by January 19, 1978, in order to be sure of consideration.

ADDRESSES: Send comments to the Director, Price Support and Loan Division, ASCS, U.S. Department of Agriculture, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT:

Robert L. Tarczy, 202–447–7601.

SUPPLEMENTARY INFORMATION: Section 319(b) of the Agricultural Adjustment Act of 1938 (referred to herein as the "Act"), requires the Secretary to determine and announce the amount of the national marketing quota on a poundage basis for the 1978–79 marketing year by February 1, 1978.

Section 319(c) of the Act provides that the national marketing quota determined under this section for burley tobacco for any marketing year shall be the amount produced in the United States which the Secretary estimates will be utilized in the United States and will be exported during such marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 5 per centum of such estimated utilization and exports. For each marketing year for which marketing quotas are in effect under this section, the Secretary in his discretion may establish a reserve (hereinafter referred to as the "national reserve") from the national marketing quota in an amount not in excess of 1 per centum of the national marketing quota to be available for making corrections and adjusting inequities in farm marketing quotas, and for establishing marketing quotas for new farms (that is, farms for which farm marketing quotas are not otherwise established). A reserve of 2,150,000 pounds was established for the 1977–78 marketing year (42 FR 6823).

Section 301(b) of the Act defines "Reserve supply level" as normal supply plus 5 percent. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 percent of a normal year's domestic consumption and 65 percent of a normal year's exports as an allowance for a normal carry-over. A "Normal year's domestic consumption" is defined as the yearly average quantity produced in the United States and consumed in the United States during the ten marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "Normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the ten marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports. The reserve supply level used in determining the national marketing quota for the 1977–78 marketing year was 1,718 million pounds, calculated from a normal year's domestic consumption of 535 million pounds and a normal year's exports of 100 million pounds (42 FR 6823). The proposed reserve supply level for use in determining the national marketing quota for the 1978–79 marketing year is 1,689 million pounds, calculated from a normal year's domestic consumption of 525 million pounds and a normal year's exports of 100 million pounds.

The Act (7 U.S.C. 1301(b)) defines "total supply" as the carryover at the beginning of the marketing year (October 1) plus the estimated production in the United States during the calendar year in which the marketing year begins. The total supply for the 1977–78 marketing year is 1,856 million pounds based on carryover of 1,214 million pounds and estimated production of 642 million pounds.

The amount of the national marketing quota for the 1977–78 marketing year is 637 million pounds based upon total utilization of 637 million pounds with no adjustments necessary to maintain or reduce supplies (42 FR 6823). For the 1978–79 marketing year, utilization in the United States is estimated to be about 500 million pounds and exports are estimated to be about 115 million pounds. The total supply for the 1977–78 marketing year is 167 million pounds greater than the proposed reserve supply level, but the amount of the downward adjustment, if any, desirable for an orderly reduction in the total supply is still being considered.

Section 319(e) of the Act provides, in part, that each farm marketing quota shall be determined by multiplying the previous year's farm marketing quota by a national factor obtained by dividing the national marketing quota determined under subsection 319(c) (less the national reserve) by the sum of the farm marketing quotas for the immediately preceding year for all farms for which burley tobacco marketing quotas will be determined: *Provided*, That such national factor shall not be less than 95 per centum.

Section 319(i) of the Act provides, in part, that if the Secretary, in his discretion, determines it is desirable to encourage additional marketings of any grades of burley tobacco during any marketing year to insure traditional market patterns to meet the normal demands of export and domestic markets, he may authorize the marketing of such grades without the payment of penalty or deduction from subsequent quotas to the extent of 5 per centum of the farm marketing quota for the farm on which the tobacco was produced, and such marketings shall be eligible for price support.

Section 319(h) of the Act provides that effective with the marketing year beginning October 1, 1976, no marketing quota, other than a new farm marketing quota, shall be established for a farm on which no burley tobacco was planted or considered planted in any of the five years immediately preceding the year for which farm marketing quotas are being established.

PROPOSED RULE

The Secretary is preparing to determine and announce for the 1978–79 marketing year for burley tobacco:

1. The amount of the national marketing quota.

2. The amount of the reserve supply level.

3. The amount of the national reserve.

4. Whether or not the Secretary should implement the provision in section 319 (i) of the Act to encourage additional marketings of any grades to insure traditional market patterns.

The national factor is not considered an issue in these determinations because it results from a mathematical computation under section 319(e) of the Act.

Prior to making any determination, the Department will give consideration to comments, views, and recommendations submitted to writing to the Director, Price Support and Loan Division. All written submissions will be made available for public inspection from 8:15 a.m. to 4:45 p.m., Monday through Friday, in room 3753-U.S.D.A. South Building, 14th and Independence Avenue SW., Washington, D.C. 20013.

Signed at Washington, D.C. on December 16, 1977.

STEWART N. SMITH,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.77-36302 Filed 12-19-77;8:45 am]

[1505-01]

FEDERAL TRADE COMMISSION

[16 CFR Part 438]

PROPRIETARY VOCATIONAL AND HOME STUDY SCHOOLS

Oral Presentation Announcement

Correction

In FR Doc. 77-35498 appearing on page 62496 in the issue for Tuesday, December 13, 1977, in the "Further Information Contact" paragraph, Terry S. Latanich's phone number should read "202-523-3432".

[1505-01]

DEPARTMENT OF LABOR

Employment and Training Administration

[20 CFR Part 601]

TAX CREDIT REDUCTIONS (FEDERAL UNEMPLOYMENT TAX ACT)

Revision of Regulations

Correction

In FR Doc. 77-34680 appearing at page 61818 in the issue for Tuesday, December 6, 1977, make the following corrections:

(1) In § 601.5(f)(2), in the fourth line, the year "1978" should be changed to "1979."

(2) In § 601.5(f)(2)(i)(A), after the second line insert "wages in employment covered by the".

[1505-01]

[20 CFR Part 619]

SPECIAL UNEMPLOYMENT ASSISTANCE

Proposed Amendments to Regulations

Correction

In FR Doc. 77-34927 appearing at page 61842 in the issue for Tuesday, December 6, 1977, make the following corrections:

(1) In § 619.4(b)(3)(ii), in the seventh line, "shall be counted and used" should read "shall not be counted and used".

(2) In § 619.14, in the second line "part" should be "Part".

(3) In §619.23, paragraph (b)(1) should read:

* * * * *

(b) *Effect on SUA claims.* (1) If a State elects the method described in paragraph (a)(1)(i) of this section, an individual will be ineligible for SUA beginning with the first week the individual is eligible for regular compensation under the State law and for weeks thereafter until the individual has exhausted all compensation payable to the individual. After exhaustion of compensation, the individual, if otherwise eligible, will be eigible for SUA for any weeks remaining in the SUA benefit year established for the individual.

* * * * *

[4830-01]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

[LR-154-76]

INCOME TAX

Investment Credit for Movie and Television Films

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains proposed regulations relating to the investment credit for movie and television films and tapes. Changes to the applicable tax law were made by the Tax Reform Act of 1976. The regulations would provide the motion picture and television industry with the guidance needed to comply with the Act.

DATES: Written comments and requests for a public hearing must be delivered or mailed by February 3, 1978. Generally, the amendments are proposed to be effective for taxable years beginning after December 31, 1974. However, rules relating to entitlement to the credit are effective for all years.

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention: CC:LR:T (LR-154-76), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT:

Lawrence M. Axelrod of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224, Attention: CC:LR:T (202-566-4454, not a toll-free call).

SUPPLEMENTARY INFORMATION:

BACKGROUND

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) under section 48(k) of the Internal Revenue Code of 1954. These amendments are proposed to conform the regulations to section 804(a) of the Tax Reform Act of 1976 (90 Stat. 1591) and are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

Generally, under section 48(k) of the Code, taxpayers who place movie and television films in service in taxable years beginning after December 31, 1974, are entitled to investment credit using an amount equal to 100 percent of qualified United States production costs (in lieu of the basis of the property) and an applicable percentage of 66⅔ percent in determining the qualified investment under section 46(e) of the Code. The credit is allowable only to owners of new section 38 property (determined without regard to useful life) to the extent that they provide risk capital for the film. Unless otherwise stated, all provisions contained in section 46 through section 50, relating to rules for computing credit for investment in certain depreciable property, apply to films and tapes.

At the election of the taxpayer, the credit may be determined under the 90-percent rule, described in section 48(k)(3) of the Code rather than under the 66⅔ percent method. Regulations relating to the time and manner for making the 90 percent election are proposed. However, regulations with respect to related business entities have been reserved.

Under the proposed amendments to the regulations, a film or tape is new section 38 property if it has never been placed in service in any geographical area of the world. Once a film or tape has been placed in service in any medium of exhibition in any geographical area of the world, it becomes used property and no further credit with respect to the film or tape may be allowed. However, where a film or tape has been divided into parts before the film or tape or any of its parts have been placed in service in any medium of exhibition in any geographical area of the world, each part is new section 38 property until it is first placed in service.

A qualified film is any motion picture film or video tape created primarily for use as public entertainment or for educational purposes. The term does not include any film or tape the market for which is primarily topical or is otherwise essentially transitory in nature. Advertisements and industrial training films and tapes do not qualify for the credit. A film or tape is topical or transitory if it primarily deals with events and personalities of current interest at the time the film or tape is placed in service.

The qualified investment upon which the applicable percentage is applied is equal to the qualified United States production costs. The term "qualified United States production costs" means direct production costs allocable to the United States, plus, if 80 percent or more

of the direct production costs are allocable to the United States, all other production costs except direct production costs allocable outside the United States.

The term "production costs" includes: a reasonable allocation of overhead, the cost of obtaining screen rights, residuals, participations (subject to certain limitations), and all direct production costs. The term "direct production costs" includes: Compensation paid to actors and production personnel, the cost of preparing prints, amounts for equipment and supplies, the cost of costumes, props, scenery, rental costs for shooting facilities, and the cost of film editing. Direct production costs will be apportioned between costs allocable to the United States and costs allocable outside the United States. Compensation for services is allocable to the country in which the services are performed, except that payments to United States persons are allocable to the United States. Other direct production costs will be allocated to the country in which the expense is incurred.

COMMENTS AND REQUESTS FOR A PUBLIC HEARING

Before adopting these proposed regulations, consideration will be given to any written comments that are submitted (preferably six copies) to the Commissioner of Internal Revenue. All comments will be available for public inspection and copying. A public hearing will be held upon written request to the Commissioner by any person who has submitted written comments. If a public hearing is held, notice of the time and place will be published in the FEDERAL REGISTER.

DRAFTING INFORMATION

The principal author of these proposed regulatons was Lawrence M. Axelrod of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations both on matters of substance and style.

PROPOSED AMENDMENTS TO THE REGULATIONS

The proposed amendments to 26 CFR Part 1 are as follows:

PARAGRAPH 1. The following new section is added immediately after § 1.48-7.

§ 1.48-8 Motion picture and television films and tapes.

(a) *Entitlement to investment credit.*—(1) *In general.* Under section 48(k) an investment credit is allowable under section 38 with respect to certain motion picture films and video tapes. For the taxpayer to be entitled to the investment credit, the film or tape placed in service must be "new section 38 property", determined without regard to its useful life. The film or tape must be a qualified film within the meaning of paragraph (a)(3) of this section. In addition, the investment credit is allowable only to the extent of the taxpayer's ownership interest (within the meaning of paragraph (a)(4) of this section) in the qualified film. The investment credit is allowable only for the year in which the qualified film is placed in service except for investment credit with respect to subsequently incurred costs described in paragraph (e)(9) of this section. The refund (or credit) of any overpayment of tax that is attributable to the investment credit is subject to the provisions of section 6511. The provisions of this paragraph apply to all films and tapes regardless of the taxable year in which the film or tapes was placed in service.

(2) *Film may be divided into parts.* Once a qualified film is placed in service in any medium of exhibition in any geographical area of the world, it becomes used property and no investment credit with respect to the film is available to a taxpayer that acquires the film after that time (except for subsequently incurred costs described in paragraph (e)(9) of this section which the taxpayer incurs). Thus, for example, a film previously exhibited in theaters will not be new section 38 property even when modified for television. However, where parts of a film have been sold before the film or any of its parts have been placed in service in any medium of exhibition in any geographical area of the world, each part is new section 38 property until that part is first placed in service. For purposes of this section, "a part" of a film means the exclusive right to display a film in one medium of exhibition in one geographical area over the entire period of substantial exploitation of the film in the medium in the geographical area. The period will be determined on the basis of a reasonable estimate made as of the date the film is first placed in service. For purposes of this section the term "medium of exhibition" includes, for example, free television (network telecasts and television syndications) or movie theaters. For purposes of this section, the term "geographical area" means a geographically defined commercial market recognized by the movie or television industry, but which in no case may be smaller than one country or include a portion of a country. If the owner of a qualified film transfers to another rights to display the film on a limited basis, which do not constitute a transfer of an ownership interest in a part of the film, the owner will still be treated as having "the exclusive right to display the film." For example, if the owner of a film transfers to a television network the right to display the film on network television (but does not transfer to the network syndication rights) the owner is considered to retain the "exclusive right to display the film."

(3) *Qualified film*—(i) *In general.* Under section 48(k)(1)(B), the term "qualified film" means a motion picture film or video tape or part thereof created primarily for use as public entertainment or for educational purposes. A film or tape is a single asset consisting of three elements: the artistic-dramatic creation, the physical films and tapes (including the original negative or tape and duplicate negatives, release prints or tapes, and original sound recordings and all other sound recordings created to simultaneously accompany the pictorial material) which embody the artistic-dramatic creation, and the world-wide copyright (common law or statutory) which is the right to exploit the completed film or tape in all mediums of exhibition in all geographical areas of the world.

(ii) *Public entertainment or educational purposes.* A film or tape is created primarily for use as public entertainment only if created principally for public exhibition for the amusement, enlightenment, or gratification of an audience. Thus, a dramatic or comedy show, such as "Police Woman" or "MASH" would be a film or tape created primarily for use as public entertainment. A film or tape is created primarily for educational purposes only if created principally for use by educational institutions or governmental units such as primary or secondary schools, colleges and universities, vocational and post-secondary educational institutions, public libraries, and other government agencies. Films and tapes created primarily for use by industrial or commercial organizations do not qualify for the credit. Thus, advertisements and industrial training films and tapes do not qualify for the credit.

(iii) *Topical or transitory films and tapes.* The term "qualified film" does not include any film or tape the market for which is primarily topical or is otherwise essentially transitory in nature. A film or tape is topical or essentially transitory in nature if it primarily deals with events and personalities of current interest at the time the film or tape is placed in service. It does not matter that a film or tape which is topical or essentially transitory in nature may be shown in subsequent years or is actually shown in subsequent years. These films or tapes include news shows such as the evening news and documentary specials relating to current affairs, interview shows such as "The Tonight Show" or "Firing Line", award shows, and shows consisting of sporting events. Similarly, variety shows, such as "Sonny and Cher" and "Bob Hope Specials," in which entertainers primarily appear as themselves, deal with personalities of current interest and do not qualify for the credit. Topical or transitory films and tapes do not include, however, dramatized recreations of recent events, for example, "Helter Skelter" or "Raid at Entebbe."

(4) *Ownership interest.*—(i) *In general.* In order to obtain a credit with respect to a qualified film, a taxpayer must have an ownership interest in at least a part of the film. That is, the taxpayer must have a depreciable interest in the film. However, the amount of credit allowable to a taxpayer with respect to a qualified film is determined only on the basis of that taxpayer's proportionate

share of any loss which may be incurred with respect to the production costs of the qualified film. The proportionate share of any loss which may be incurred with respect to production costs by a taxpayer is the amount that the taxpayer's capital is at risk. Advance rentals received by a taxpayer prior to the date on which a qualified film is placed in service, and which are includible as ordinary income in the taxpayer's gross income will not reduce the amount that the taxpayer's capital is at risk. If a taxpayer's capital is considered at risk under the principles of section 465, the taxpayer's capital will be considered to be at risk under this paragraph. Regardless of whether he is at risk under the principles of section 465, a taxpayer's capital will be considered at risk under this paragraph if the taxpayer will suffer the economic loss if the qualified film fails to generate sufficient revenue to cover or repay production costs. For purposes of this paragraph, the amount which a taxpayer has at risk will not be considered to be reduced by a deduction for participations or residuals paid or accrued, or by a deduction under section 167 with respect to the costs of preparing prints described in paragraph (f)(1)(ii) of this section.

(ii) *Time ownership interest is determined.* An ownership interest in a qualified film is determined at the time the film is placed in service except that an ownership interest with respect to subsequently incurred costs (described in paragraph (e)(9) of this section) is determined on the last day of the taxable year in which such costs are paid or incurred. Thus, a taxpayer purchasing a part of a qualified film after the film has been placed in service acquires no ownership interest in that part for purposes of the credit. However, if a taxpayer had purchased the part before the film had been placed in service in any medium of exhibition in any geographical area of the world, the taxpayer will have acquired and ownership interest in that part of the film for purposes of the credit.

(iii) *Special rule for lenders and guarantors.* To qualify for investment credit with respect to a qualified film, the taxpayer must have a depreciable interest in the film. Solely for purposes of this paragraph, a taxpayer, who, at the time a film is first placed in service, is a lender or guarantor of all or a portion of the funds used to produce or acquire the film or part thereof, will be regarded as having a depreciable interest in the film if he can look for repayment or relief from liability solely to the proceeds generated from the exhibition of at least a part of the film. If a lender or guarantor (other than a producer who owned the film and made or guaranteed a loan to a purchaser) is regarded as having an ownership interest in the film, the lender or guarantor shall be treated as having purchased the interest under paragraph (g)(2) of this section for an amount equal to the principal amount of the loan which it made or guaranteed.

(iv) *Partnerships, electing small business corporations, and estates and trusts.* If a partnership has an ownership interest in a qualified film, the allowable credit will be apportioned pro rata among the partners on the basis of their percentage of capital at risk in the partnership at the time the film is placed in service. If an electing small business corporation has an ownership interest in a qualified film, the allowable credit will be apportioned among the shareholders on the basis of their percentage of ownership of stock of the corporation on the last day of its taxable year in which the film is placed in service. If an estate or trust has an ownership interest in a qualified film, the allowable credit will be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each in the taxable year of the trust or estate in which the film is placed in service. For purposes of determining ownership interest with respect to subsequently incurred costs (described in paragraph (e)(9) of this section), a taxpayer's proportionate share of the capital at risk in a qualified film owned by a partnership or electing small corporation is determined on the basis of the taxpayer's capital at risk in the entity on the last day of the taxable year of the entity in which the subsequently incurred costs are paid or incurred. The amount of capital which a taxpayer has at risk does not include any amount previously taken into account in determining the investment credit to which the taxpayer is entitled under section 48(k). For example, if a taxpayer has taken investment credit with respect to the entire amount which he has at risk in a partnership, no additional investment credit may be taken by the taxpayer at any time unless his amount at risk in the partnership is increased.

(v) This subparagraph may be illustrated by the following examples:

Example (1). (a) Partnership P executes a production-distribution agreement with D, a motion picture distribution company, for P to produce a new feature-length motion picture. D agrees to provide the funds for the production by direct loans to P. The amounts borrowed by P would be repayable only out of net profits from the distribution of the picture. P assumes no liability for the repayment of any amount. In consideration for the sum advanced by D, P assigns to D the sole and exclusive right to rent, lease, exhibit, license and otherwise dispose of, or trade and deal in and with the picture. Proceeds realized from the sale or distribution of the picture would first be used to reimburse D for amounts advanced. Any amount remaining following the reimbursement to D would be distributed 50 percent to D and 50 percent to P. For purposes of this example, it is assumed that neither a partnership nor a joint venture is created.

(b) Under paragraph (a)(4)(iii) of this section, D is regarded as having a depreciable interest in the picture for purposes of the credit. P's only interest in the picture is to share in any future profits. Since only D's capital is at risk, D may claim the allowable credit with respect to the entire qualified U.S. production costs of the picture.

Example (2). (a) A and B execute a partnership agreement under which B agrees to provide the funds for the production of a motion picture in return for a 50-percent interest in the net profits of the film. A agrees to provide his services and to supply the necessary talent to produce the film in exchange for the remaining 50-percent interest. Any lease, exhibition, license, or other disposition of the film is subject to the veto of either party.

(b) The AB partnership has a depreciable interest in the film. Under paragraph (a)(4)(iv) of this section, the credit will be apportioned among the partners on the basis of their percentage of capital at risk in the partnership. A has no capital at risk and therefore is not entitled to any credit with respect to the film. Since B has supplied all the risk capital for the partnership, B may claim all the investment credit with respect to the film.

Example (3). (a) X produces a new feature-length motion picture with its own funds. Upon completion X sells the film to Y. The purchase price is payable solely out of the proceeds generated from the exhibition of the film in movie theaters in the United States. Y obtains exclusive control over the distribution of the film, and agrees to use its best efforts in promoting the distribution.

(b) Since X can look solely to the proceeds generated from the exhibition of the film to recoup its funds used to produce the film, X is treated as having a depreciable interest for purposes of the credit. Since X's capital at risk equals the production costs of the film, X may claim all of the investment credit with respect to the film.

(c) If the facts were the same except that X could look for repayment solely out of the proceeds generated from the exhibition of the film in movie theaters in the eastern portion of the United States, X would not be treated under paragraph (a)(4)(iii) of this section as having a depreciable interest in the film, and no one would be entitled to investment credit with respect to the film.

(5) *Placed in service.* A qualified film is placed in service when it is first exhibited or otherwise utilized before the primary audience for which the qualified film was created.

Thus, a qualified film is placed in service when it is first publicly exhibited for entertainment purposes and a qualified educational film is placed in service when it is first exhibited for instructional purposes. Each episode of a television film or tape series is placed in service when it is first exhibited. A qualified film is not placed in service merely because it is completed and therefore in a condition of state of readiness and availability for exhibition, or merely because it is exhibited to prospective exhibitors, sponsors, or purchasers.

(b) *Applicable percentage for post-1974 qualified films.* For all qualified films placed in service in taxable years beginning after December 31, 1974, the applicable percentage under section 46(c)(2), which is used to determine the qualified investment, is 66⅔ percent unless the taxpayer elects to have the credit computed under the 90-percent rule provided in section 48(k)(3).

(c) *Election of 90-percent rule*—(1) *Time and manner for making the election.* A taxpayer electing under section

48(k)(3) to use the 90-percent rule in determining investment credit with respect to qualified films placed in service in taxable years beginning after December 31, 1974, shall file a written statement with the original return for the taxable year for which the 90-percent rule will first apply. The election may not be made on an amended return filed after the time prescribed for filing the original return (including extensions) for that taxable year. Notwithstanding the preceding sentences, an election with respect to taxable years beginning before January 1, 1977, will be valid if the taxpayer files a statement and amended return or returns with the district director having audit jurisdiction over the last return to which the election relates on or before (90 days after the date on which this notice is published as a Treasury decision). A taxpayer who desires to make the election shall file with the tax return (or amended return) for the taxable year for which the election will first apply, a signed statement containing the following information:

(i) The taxpayer's name and taxpayer identification number (under section 6109 of the Code),

(ii) A statement that the taxpayer is making the election under section 48(k)(3),

(iii) A list of all qualified films placed in service in prior taxable years to which the election relates.

(iv) With respect to each qualified film listed in paragraph (c)(1)(iii) of this section, a list of all producers, distributors, and persons with a participation interest (with addresses if available), and

(v) If the election is made by a partnership, electing small business corporation (as defined in section 1371(b) of the Code), estate, or trust, a statement indicating the names, taxpayer identification numbers, and addresses for tax return purposes of the respective partners, shareholders or beneficiaries.

(2) *Who may elect.* The election under section 48(k)(3) may be made only by a taxpayer who has a depreciable interest in a qualified film. However, where a qualified film is owned by a partnership, electing small business corporation (as defined in section 1371(b) of the Code), estate, or trust, the election must be made separately by each partner, shareholder or beneficiary. The election is not to be made by a partnership or electing small business corporation, and is to be made by a trust or state only if the trust or estate in determining its tax liability would be allowed investment credit on a qualified film subject to the election. The election of any partner, shareholder, beneficiary or trust or estate will be effective regardless of whether any related partner, shareholder, beneficiary, or trust or estate makes the election.

(3) *Related business entity.* [Reserved]

(d) *Predominant use test and qualified investment*—(1) *Place of exhibition not relevant.* For qualified films placed in service in taxable years beginning after December 31, 1974, section 48(a)(2) (relating to property used outside the United States does not apply. Whether a qualified film is ultimately exhibited entirely within the United States, entirely outside the United States, or partially within and partially outside the United States, is not relevant for purposes of determining the investment credit.

(2) *Qualified investment.* In determining the qualified investment under section 46(c)(1), in place of the basis of a qualified film an amount equal to the qualified United States production costs (as defined in section 48(k)(5) and paragraph (e)(1) of this section) with respect to the firm must be used.

(e) *Definitions*—(1) *Qualified United States production costs.* For purposes of section 48(k) of the Code, the term "qualified United States production costs" means with respect to any film—

(i) Direct production costs allocable to the United States, plus

(ii) If 80 percent or more of the direct production costs are allocable to the United States, all other production costs except direct production costs allocable outside the United States.

(2) *Production costs.* The term "production costs", for purposes of section 48(k), includes the following:

(i) A reasonable allocation of general overhead costs, if capitalized,

(ii) The cost of obtaining screen rights and other material being filmed, and of developing the screenplay, if capitalized,

(iii) Residuals (as defined in paragraph (e)(3) of this section) whether or not capitalized.

(iv) Participations (as defined in paragraph (e)(4) of this section) whether or not capitalized, subject to the limitations provided in paragraph (e)(5) of this section), and

(v) All direct production costs described in paragraph (f) of this section.

The term "production costs" does not include advertising and marketing costs. It also does not include any subsequently incurred costs except for the costs described in paragraph (e)(9) of this section.

(3) *Residuals.* The term "residuals", for purposes of section 48(k) and paragraph (e) of this section, means contingent compensation payments (as opposed to fixed compensation payments) paid to creative and technical personnel, to their unions (including guilds) or to pension, health, or welfare funds, pursuant to the terms of collective bargaining agreements between the producer and the union. The collective bargaining agreements generally cover all films produced over a period of several years. For example, the conditions which fix the amount of residuals payable in any instance, may be based upon a percentage of gross receipts of the film or upon the number of times the film has been broadcast in a particular market.

(4) *Participations.* The term "participations" for purposes of section 48(k) and paragraph (e) of this section means contingent compensation payments, paid to actors, production personnel, writers, composers, directors and producers for their services in connection with the production of the film. The terms of participations generally are negotiated on a film by film basis. The amount of a participation due in any case generally is based upon the gross income or net income of the film. Participations do not include any payment which represents a distribution of profits to a person on the basis of an ownership interest. However, the mere fact that a payment is contingent on the net profits derived from the exhibition of a film does not mean that the payment is based on an ownership interest. (See Example 15, § 1.1348-3(b)(4).)

(5) *Limitations.* Notwithstanding any other provision of this paragraph, the term "production costs" does not include participations, paid during the taxable year, with respect to all qualified films placed in service by the taxpayer during a particular taxable year, to the extent that such participations exceed the lesser of:

(i) The sum of 25 percent of each participation paid to each person (excluding that part of any participation payable to one person in excess of $1,000,000 for one qualified film) for each qualified film placed in service during that particular taxable year; or

(ii) Twelve and one-half percent of the aggregate qualified United States production costs determined under paragraph (e)(1) of this section (other than residuals described in paragraph (e)(3) of this section and participations described in paragraph (e)(4) of this section) of all qualified films placed in service during that particular taxable year.

(6) *Rules with respect to the 25-percent limitation.* In applying paragraph (e)(5)(i) of this section in taxable years after qualified films were placed in service, participations paid in all prior years on the films are taken into account. Thus, if films X and Y were placed in service in 1975 and participations of $100 on film X and $40 on film Y were paid in 1975 and participations of $20 on film X and $16 on film Y were paid in 1976, the 25-percent limitation would limit participations includible in production costs with respect to all films placed in service in 1975 to a maximum of $44 (25 percent of $176 ($100+$40+$20+$16)). If paragraph (e)(5)(i) of this section limits total includible participations for all qualified films placed in service during a particular taxable year, the includible participations with respect to each qualified film placed in service in that year will be 25 percent of each participation paid during the taxable year (excluding that part of any participation payable to one person in excess of $1,000,000) with respect to each of these qualified films.

(7) *Rules with respect to the 12½-percent limitation.* If paragraph (e)(5)(ii) of this section limits total includible participations for all qualified films placed in service during a particular taxable year, the includible participations with respect to films placed in service in that year will be 12½ percent of the aggregate qualified United States production costs (other than residuals and participations) of those films reduced by participations includible in production costs in prior years with respect to those films. In such

a case, includible participations with respect to each such qualified film shall be determined by apportioning total includible participations pro rata among all qualified films placed in service in the particular taxable year on the basis of total participations paid with respect to each such qualified film, taking into account no more than $1,000,000 in participations for any one individual. In determining qualified participations under paragraph (e)(5)(ii) of this section in taxable years after a qualified film has been placed in service, costs of preparing prints described in paragraph (f)(1)(ii) of this section are taken into account.

(8) *Examples.* Paragraph (e)(5) of this section may be illustrated by the following examples:

Example (1). (a) X, a corporation using a calendar taxable year, produced two motion picture films entirely within the United States during 1975, film L, placed in service on July 1, 1975, and film M, placed in service on October 1, 1975. Corporation X incurred $5,750,000 in aggregate production costs other than residuals and participations in producing film L and $565,000 in aggregate production costs other than residuals and participations in producing film M. On December 31, 1975, $1,250,000 in residuals and $2,000,000 in participations were paid in connection with film L and $25,000 in residuals and $10,000 in participations were paid in connection with film M. Participations paid in connection with film L consisted of $1,100,000 paid to the starring actor and $900,000 paid to the director.

All participations paid in connection with film M were paid to one actor.

(b) The 25-percent limitation on participations in paragraph (e)(5)(i) of this section would limit participations includible in production costs to a maximum of $475,000 with respect to film L. This amount consists of $250,000 (25 percent of $1,000,000 ($1,100,000 participation paid to the starring actor—$100,000 paid in excess of $1,000,000)) plus $225,000 (25 percent of the $900,000 participations paid to the director). The 25-percent limitation would limit participations with respect to film M to $2,500 (25 percent of the $10,000). The 25-percent limitation would limit participations includible in production costs with respect to all films placed in service in 1975 to a maximum of $477,500 ($475,000 plus $2,500).

(c) The 12½-percent limitation on participations in paragraph (e)(5)(ii) of this section would limit participations includible in production costs with respect to all films placed in service in 1975 to a maximum of $789,375 (12½ percent of $6,315,000 ($5,750,000 in aggregate production costs of film L other than residuals and participations + $565,000 in aggregate production costs of film M other than residuals and participations)).

(d) Under paragraph (e)(5) of this section, the lower limit on participations in paragraph (b) of this example applies to limit the participations includible in production costs on December 31, 1975, to $475,000 for film L and $2,500 for film M. Production costs to be taken into account in 1975 for film L are $7,475,000 ($5,750,000 in aggregate production costs other than residuals and participations plus $1,250,000 in residuals and $475,000 for includible participations). Production costs to be taken into account in 1975 for film M are $592,500 ($565,000 in aggregate productions costs other than residuals and participations plus $25,000 in residuals and $2,500 for includible participations).

Example (2). (a) the facts are the same as in example (1) except that in 1976 an additional $20,000 in residuals and $10,000 in participations were paid with respect to film L. In addition, corporation X produced film N entirely within the United States and placed it in service on November 1, 1976. Corporation X incurred $750,000 in aggregate production costs other than residuals and participations in producing film N. On December 31, 1976, $25,000 in residuals and $25,000 in participants were paid in connection with film N. All participations paid in connection with film L were paid to the director and all participations paid in connection with film N were paid to the starring actor.

(b) The 25-percent limitation on participations in paragraph (e)(5)(i) of this section would limit participations includible in production costs with respect to all films placed in service in 1975 to a maximum of $480,000 ($475,000 for includible participations under paragraph (e)(5)(i) of this section in 1975 with respect to film L + $2,500 for includible participations under paragraph (e)(5)(i) of this section in 1975 with respect to film M plus $2,500 (25 percent of the $10,000 participations paid in 1976 for film L)). It would also limit participations includible in production costs with respect to all films placed in service in 1976 to a maximum of $6,250 (25 percent of the $25,000).

(c) the 12½ percent limitation on participations in paragraph (e)(5)(ii) of this section, would limit participations includible in production costs with respect to all films placed in service in 1975 (films L and M) to a maximum of $789,375. (See computation in paragraph (c) of Example (1).) It would also limit production costs with respect to the only film placed in service in 1976 (film N) to a maximum of $93,750 (12½ percent of $750,000 in aggregate production costs other than residuals and participations).

(d) Under paragraph (e)(5) of this section, the lower limit on participations in paragraph (b) of this example applies to limit the participations includible in production costs on December 31, 1976, to $2,500 for film L and $6,250 for film N. Total production costs to be taken into account by corporation X in 1976 are $22,500 ($20,000 in residuals + $2,500 in participations) for film L and $781,250 ($750,000 in aggregate production costs other than residuals and participations + $25,000 in residuals and $6,250 in allowable participations) for film N.

Example (3). (a) The facts are the same as in examples (1) and (2) except that in 1977 an additional $250,000 in residuals and $700,000 in participations were paid with respect to film N. In addition, corporation X produced films O and P entirely within the United States and placed them in service in 1977. Corporation X incurred $1,000,000 in aggregate production costs other than residuals an participations in producing film O and $500,000 in aggregate production costs other than residuals and participations in producing film P. On December 31, 1977, $200,000 in residuals and $1,000,000 in participations were paid in connection with film O and $100,000 in residuals and $300,000 in participations were paid in connection with film P. Participations paid in connection with films N, O, and P were all paid to the starring actor of each film.

(b) The 25 percent limitation on participations in paragraph (e)(5)(i) of this section would limit participations includable in production costs with respect to all films placed in service in 1976 to a maximum of $181,250 ($6,250 in participations paid in 1976 with respect to film N + $175,000 (25 percent of the $700,000 participation paid in 1977 for film N)). It would also limit participations includible in production costs with respect to all films placed in service in 1977 to a maximum of $250,000 (25 percent of the $1,000,000 participation paid to the starring actor) with respect to film O and $75,000 (25 percent of the $300,000 participation paid to the starring actor) with respect to film P.

(c) The 12½ percent limitation on participations in paragraph (e)(5)(ii) of this section, would limit participations includible in aggregate production costs with respect to all films placed in service in 1976 (film N) to a maximum of $93,750 (12½ percent of $750,000 in aggregate production costs of film N other than residuals and participations). It would also limit participations includible in production costs with respect to all films placed in service in 1977 to a maximum of $187,500 (12½ percent of $1,500,000 ($1,000,000 in aggregate production costs of film O other than residuals and participations + $500,000 in aggregate production costs of film P other than residuals and participations)).

(d) Under paragraph (e)(5) of this section, the lower limit on participations in paragraph (c) of this example applies to limit the participations includible in aggregate production costs on December 31, 1977, to $87,500 (maximum participations allowable of $93,750—$6,250 for includible participation in 1976) for all films placed in service in 1976 and to $187,500 for all films placed in service in 1977.

(9) *Subsequently incurred costs.* The only costs incurred after a qualified film has been placed in service which are includible in production costs are the cost of preparing prints placed in service within 12 months after the film is initially released for public exhibition in any medium, residuals described in paragraph (e)(3) of this section, and participations described in paragraph (e)(4) of this section.

(f) *Direct production costs.*—(1) *Definition.* The term "direct production costs", for purposes of section 48(k)(5), includes the following capitalized costs:

(i) Compensation for services performed by actors, production personnel, writers, composers, directors, and producers,

(ii) The cost of preparing prints placed in service within 12 months after the film is initially released for public exhibition in any medium (excluding the cost of distributing those prints),

(iii) The cost of equipment and supplies,

(iv) The cost of costumes, props, scenery, and all accessories,

(v) The cost of renting facilities on location, and

(vi) The cost of film editing.

The term does not include any cost described in paragraph (e)(2)(i) through (e)(2)(iv) of this section.

(2) *Allocation of direct production costs.* For purposes of section 48(k)(5) of the Code and paragraph (e)(1) of this section, direct production costs are characterized as either direct production costs allocable to the United States or direct production costs allocable outside the United States, under the following rules:

(i) Compensation paid for services (including fringe benefits) is allocated to the country in which the services are performed, except that payments to United

States persons (within the meaning of section 7701(a)(30) of the Code) for services performed outside the United States are allocated to the United States. For purposes of this subparagraph (2), expenses described in paragraphs (f)(2)(iii) and (iv) of this section will be treated as compensation and not subject to the allocation rules described therein, to the extent that the expenses are treated by the taxpayer as compensation to an employee on the taxpayer's return and subjected to withholding of income tax at the source under chapter 24. Payments to an electing small business corporation (within the meaning of section 1371) or to a partnership are considered payments to a United States person only to the extent that the payments are included in the gross income of a United States person other than an electing small business corporation or partnership. Payments to a domestic corporation, other than an electing small business corporation, are not considered payments to a United States person to the extent of the value of services provided by the corporation which are performed by persons who are not United States persons.

(ii) All printing costs (within the meaning of section 48(k)(B)(ii) and paragraph (f)(1)(ii) of this section) are allocated to the country in which the costs are incurred.

(iii) Per diem and other living allowances are allocated to the country in which the expenses are incurred.

(iv) Travel expenses for personnel are apportioned one-half to direct production costs allocable to the country of departure and one-half to direct production costs allocable to the country of arrival.

(v) Amounts for equipment, supplies, and related shipping costs are allocated to the country in which, with respect to the production of the film, the predominant use occurs. In the absence of better evidence as to the actual place of predominant use, allocations may be made in accordance with the shooting days of the film.

(vi) All other items are allocated consistent with the principle set forth in section 48(k)(5)(D)(ii) and paragraph (f)(2)(v) of this section.

(g) *Entitlement to investment credit by taxpayers other than original owner*—(1) *Election by lessor to treat lessee as having acquired a film.* In the case of an election under section 48(d) of the Code by lessor of a qualified film to treat the lessee as having acquired the film, the lessee's qualified United States production costs may not exceed the lowest of (i) the qualified United States production costs of the lessor, (ii) the amount that the lessor has at risk with respect to the qualified film, or (iii) the amount that the lessee has at risk with respect to the qualified film. For purposes of section 48(d) and section 46(e)(3), a lease with respect to a qualified film exists only when a person with an ownership interest (as defined in paragraph (a)(4) of this section) transfers full rights to exploit the film for its entire estimated useful life in one or more mediums in one of more specifically defined geographical areas (as defined in paragraph (a)(2) of this section). The election is not available where the lessee is precluded by law, regulation, or government action, from acquiring all rights to commercially exploit the film.

(2) *Purchase or sale of a qualified film.* If a taxpayer purchases an entire qualified film before it is placed in service, the purchaser's qualified United States production costs are equal to the lesser of the total qualified United States production costs of the seller at the time of the sale or the purchase price of the film. If a taxpayer purchases part of a film before it is placed in service, the purchaser's qualified United States production costs are equal to the lesser of the qualified United States production costs of the seller at the time of the sale or the purchase price of that part of the film purchased. Notwithstanding the preceding sentences, in determining investment credit, the purchaser of a qualified film may include subsequently incurred costs (described in paragraph (e)(9) of this section) which he incurs. If a taxpayer purchases one or more parts of a film, and in the same transaction acquires an interest in the film which does not constitute a part, the purchase price for purposes of this subparagraph (2) shall be reduced by the amount of the purchase price attributable to the interest. For qualified films purchased on or before January 19, 1978, if a purchaser does not know, and after making reasonable efforts cannot obtain, the seller's qualified United States production costs, the purchaser must establish to the satisfaction of the district director, the amount of those costs on the basis of a reasonable estimate. For qualified films purchased after January 19, 1978, no credit is allowable unless the purchaser attaches to its income tax return in which the credit is claimed, a statement addressed to the district director, signed by the seller which (i) describes the nature and amount of each item qualifying as United States production costs, (ii) specifies the nature and purchase price of any part of the film previously sold, and (iii) states that the seller has not previously placed the film in service. If prior to December 20, 1977, a person has entered into a binding contract to purchase a qualified film, the qualified film will be regarded as having been purchased prior to January 19, 1978. If a taxpayer sells part of a film before the film is placed in service, his qualified United States production costs are reduced by the purchase price of that part of the qualified film sold. For example, assume a producer sells, for $75, all rights to display a film in Europe. The total qualified United States production costs for the film were $100. The producer's qualified United States production costs for that part of the film retained are $25 ($100 in total qualified United States production costs for the whole film reduced by the $75 purchase price).

JEROME KURTZ,
Commissioner of Internal Revenue.

[FR Doc.77-36256 Filed 12-19-77;8:45 am]

[6560-01]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 832-8]

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS—MAINE

Exemption of Small Dumps From Open-Burning Regulations

AGENCY: Environmental Protection Agency.

ACTION: Proposed disapproval of SIP revision.

SUMMARY: A SIP revision submitted by the State of Maine would allow open burning of solid waste at dumps serving less than 1000 people. The presently-approved SIP regulations prohibit all open-burning dumps. The revision was submitted as a result of a statute enacted by the Maine state legislature.

COMMENTS BY: January 19, 1978.

ADDRESSES: Copies of the Maine submittal are available for public inspection during normal business hours at the Environmental Protection Agency, Region I, room 2113, JFK Federal Building, Boston, Mass. 02203; the Public Information Reference Unit, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460; and the Maine Department of Environmental Protection, Bureau of Air Quality Control, Ray Building, Augusta, Maine 04330.

Comments should be addressed to the Regional Administrator, Region I, Environmental Protection Agency, room 2203, JFK Building, Boston, Mass. 02203.

FOR FURTHER INFORMATION CONTACT:

David Stonefield, Air Branch, EPA Region I, room 2112, JFK Federal Building, Boston, Mass. 02203, 617-223-5609.

SUPPLEMENTARY INFORMATION: On May 31, 1972 (37 FR 10870), pursuant to Section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved, with exceptions, the Maine Implementation Plan for the attainment of National Ambient Air Quality Standards (NAAQS).

On December 7, 1976 the Commissioner of the Maine Department of Environmental Protection (Maine DEP) submitted for EPA approval a revision to the State Implementation Plan (SIP) which would exempt open-burning dumps serving towns of less than 1,000 people from the open-burning regulations in the presently approved SIP. The regulations prohibit open burning of solid waste material at all municipal solid waste disposal sites after July 1, 1975. Since EPA has not approved any previous revisions to the open-burning regulations in the

original SIP, under Federal law no municipal dumps are permitted to conduct open burning of solid waste material.

If this revision is approved by EPA, dumps serving less than 1,000 people would be allowed to conduct open burning unless the Maine Board of Environmental Protection (Maine BEP) shows that continuance of such burning will violate ambient air quality standards.

Dispersion modeling calculations performed by EPA indicate that violations of the NAAQS for total suspended particulates (TSP) are not likely to occur outside the boundaries of a dump serving less than 1,000 people. The technique developed by EPA to evaluate the effects of an open-burning dump requires assumptions about refuse characteristics and meteorological and burn conditions; although it is not very refined, the model is believed to yield conservative results. However, a limited ambient monitoring program conducted by the Maine DEP showed that variations in community refuse characteristics and in dump siting can cause a violation of the NAAQS for TSP downwind of a dump serving less than 1,000 people.

In view of the uncertainty of the generalized class model and the limited amount of actual air quality monitoring data, EPA has concluded that an evaluation of the impact of open-burning dumps on TSP levels in the vicinity of the dump must be based on a case-by-case review. Such a procedure would rely on either modeling and topographic information, or ambient monitoring data, or both. EPA is therefore proposing disapproval of the SIP revision since it does not contain sufficient information for a case-by-case review, nor does it require a case-by-case evaluation of air quality impact before exemption.

The Administrator's decision to approve or disapprove the plan revision will be based on whether it meets the requirements of section 110(a)(2)(A)–(H) of the Clean Air Act and EPA regulations in 40 CFR Part 51. This revision is being proposed pursuant to sections 110(a) and 301 of the Clean Air Act, as amended (42 U.S.C. 7410 and 7601).

Dated: December 8, 1977.

REBECCA W. HAMMER,
Deputy Regional Administrator.

[FR Doc.77-36265 Filed 12-19-77;8:45 am]

[4110-35]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 50]

STERILIZATION

Public Meeting

NOTE.—This cross reference originally appeared in the FEDERAL REGISTER for Monday, December 19, 1977. It is being reprinted in this issue to meet assigned day-of-the-week publication requirements.

CROSS REFERENCE: For a document announcing a meeting on January 17, 1978, to consider proposed rules on restrictions applicable to sterilizations funded by the Department of Health, Education, and Welfare, see FR Doc. 77-36298 appearing under Health Care Financing Administration (HEW) in the proposed rules section of the issue of Monday, December 19, 1977. Refer to the table of contents at the front of that issue under "Health Care Financing Administration" to find the correct page number.

notices

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.

[3410-22]

DEPARTMENT OF AGRICULTURE

Cooperative State Research Service

SPECIAL GRANTS PROGRAM FOR FISCAL YEAR 1978

Special Grants and Closing Date for Applications

Notice is hereby given that pursuant to the authority contained in section 2 of the Act of August 4, 1965, Pub. L. 89-106, as amended by section 1414 of Pub. L. 95-113, the Cooperative State Research Service (CSRS) will award competitive grants in the following areas:

1. Soybean Research, $500,000.
2. Integrated Pest Management, $500,000.
3. Transportation of Agricultural and Forest Products, $455,000.
4. Genetic Vulnerability Strategies, $300,000.

Pre-proposals submitted in response to this notice will be evaluated in competition with pre-proposals from other institutions, organizations, or individuals. Based on peer evaluation of the pre-proposals, CSRS will invite a limited number of fully documented proposals. Research proposals selected by Cooperative State Research Service based on recommendations of peer panels will be awarded funds appropriated for Fiscal Year 1978 (October 1, 1977-September 30, 1978).

APPLICATION PROCEDURES

1. RESEARCH PRE-PROPOSAL SUBMISSION

A. Research pre-proposals not exceeding 5 pages in length must be received in Cooperative State Research Service and must be postmarked no later than January 31, 1978. When pre-proposals exceed 5 pages in total, only the first five pages will be evaluated by the peers.

B. All pre-proposals from an institution or organization must be signed by a person authorized to act on behalf of the institution. The Cooperative State Research Service will work only with the authorized person on all matters related to the pre-proposals and to grants if selected for funding. The signature of the authorized person indicates that:

1. The institution is committed to pursue the research activities described in the pre-proposal and in the proposal if selected for funding.

2. The institution will commit all funds shown in the proposal budget to the research if the proposal is selected for funding.

The following actions by the authorized person within an institution or organization are not required but will be helpful to any pre-proposal submitted in a competitive process:

1. Careful study of the guidelines and distribution of guidelines within the institution to be certain that pre-proposal authors understand the nature of the competition.

2. Adoption of a critical and constructive internal review procedure prior to sending pre-proposals to Cooperative State Research Service.

3. Adoption of firm management that will result in the submission of only those pre-proposals that are a credit to the institution.

C. Pre-proposals and later proposals will be considered for funding only if they conform to the Subject-Matter guidelines as detailed in Appendix I. Statements of review criteria (Appendix III and IIIA) and the required proposal format (Appendix II) will assist scientists in the preparation of pre-proposals and proposals. Items 2 and 3, Objectives and Procedures, are particularly important for emphasis in the pre-proposals.

D. Submit five (5) copies of each pre-proposal to: Administrator, Cooperative State Research Service, U.S. Department of Agriculture, Washington, D.C. 20250.

E. CSRS will invite a fully documented proposal based on pre-proposals selected by the Peers. All copies of pre-proposals not selected will be returned to the originating institution.

F. Proposals invited by CSRS will be reviewed by the Peer Panels, and recommendations for funding will be made by the Peers to the Administrator, CSRS.

G. After grants are awarded, all copies of unfunded proposals will be returned to the originating organization. A summary of Peer evaluations will be provided upon request.

2. BUDGET AND REPORTING REQUIREMENTS

The following items apply only to those proposals that are eventually selected for funding:

A. The grant will be awarded on the basis of all financial support, from any source, that is shown in the proposal budget. Non-CSRS funds will be identified as cost sharing in the official budget. All cost sharing funds are subject to audit.

B. Annual financial reports will be required.

C. An annual progress report not to exceed five pages will be required in addition to a shorter summary for insertion into a computerized research information service. Annual reports will be organized around the objectives and research timetable as specified in the original proposal.

D. A comprehensive terminal report will be required, or a publication(s) in lieu thereof, that cover(s) all phases of the funded research.

3. REGULATIONS

A. The regulations applicable to this grant program include Subpart 4-3.51 of the USDA Procurement Regulations (41 CFR 4-3.51), "Negotiated Research Agreements with Educational Institutions", and Title 4 of the USDA Administrative Regulations, "Agriculture Grant and Agreement Regulations."

B. Funded projects will be subject to the provisions for Protection of Human Subjects (Secretary's Memo No. 1755).

C. Maximum research project duration is five (5) years from the time of the award.

4. ELIGIBILITY

Grants may be made to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, federal agencies, private organizations or corporations, and individuals, for research to further the Programs of the Department of Agriculture.

R. J. ALDRICH,
Administrator.

APPENDIX I

SUBJECT MATTER GUIDELINES FOR FISCAL YEAR 1978, GRANTS UNDER PUB. L. 89-106

1.0 Soybean research ($500,000 will be available from FY 1978 funds). Up to eight proposals will be funded.

Specific Areas of Inquiry

1.1 Determination, Description, and Modeling of Growth. Research should identify components and functions which account for growth, productivity, and quality and seek methods to achieve control of growth processes.

1.2 Plant Nutrition. This activity will seek better understanding of mineral nutrition and nitrogen nutrition of the crop in

relation to soil factors, and potential fertility practices including foliar applications. Research includes measurements of nutrient flows in the plant and determination of growth limiting nutritional factors in the soil environment.

2.0 Integrated Pest Management ($500,000 will be available from FY 1978 funds). Up to six proposals will be funded.

Specific Areas of Inquiry

2.1 The development and/or refinement of biological and other methodologies for suppression of pest losses in crops, including biotic and abiotic parameters in the control of insects, plant pathogens, nematodes, and weeds.

Consideration will be confined to proposals which deal with research on integrated methods of suppression involving complexes of two or more pest disciplines (insects, plant pathogens, nematodes, weeds) affecting one or more closely related crops. In addition the research should lead directly to a practical and implementable management system for use by growers upon successful completion of the proposed research.

3.0 Transportation and Related Problems of Agricultural and Forest Products ($455,000 will be available from FY 1978 funds). Up to six proposals will be funded.

Specific Areas of Inquiry

3.1 Examine logistical problems associated with the seasonal nature of agricultural and forest production, mobility, and capacity of transportation equipment and changing demands of domestic and foreign markets. The logistical aspects most in need of inquiry are those involved in the seasonality, cyclical demand, and perishability characteristics of agricultural and forest production. Some of the problems are: seasonal and/or cyclical shortages of storage and transport equipment; designing transport rate regulations that will provide sufficient flexibility to management to encourage allocations of equipment to shippers with most urgent demands; determining the amount, kind, and location of storage facilities needed for intergrating transportation and storage capacities into an efficient logistics system; and designing public transportation policies that will encourage investments and operations to create an efficient and equitable logistics system.

3.2 Investigate methods to improve efficiency in transporting, translocating, handling, and storing agricultural and forest products and to maintain product quality in domestic and export channels of trade.

4.0 Genetic Vulnerability Strategies ($300,000 will be available in FY 1978). Up to six proposals will be funded.

The development of new concepts and techniques for finding, incorporating, and manipulating genes that carry pathogens, pest, and stress resistance in important plants.

Specific Areas of Inquiry

4.1 Biochemical, physical, or physiological techniques that would be helpful to plant breeders.

4.2 Novel approaches that would ultimately lead to the incorporation of pest, disease, or stress resistance.

4.3 Changes occurring in cropping practices or in pest and pathogen populations as they relate to the genetic vulnerability of the crop plant.

Appendix II

Format for Research Proposal

1. *Title Page:*

A. *Title.* A brief, clear, specific designation of the subject of the research. Do not include such terms as, "A Study of ——" or "A Detailed Analysis of ——." Names of geographical regions or political subdivisions should not be included unless they are important to the subject of the research.

B. *Principal Investigator(s).*

C. *Name of performing organization and address.*

D. *Category of research program in which proposal will compete for funds.* Include the number of the specific area of inquiry as given in the Guidelines.

E. *Date of Submission.*

F. *Approval Signatures of appropriate officials.* All proposals from a University, College, or Institution must be signed by the same authorized official(s).

G. Submitted to: Administrator, Cooperative State Research Service, U.S. Department of Agriculture, Washington, D.C. 20250.

2. *Objectives.* A clear, complete, and logically arranged statement of the specific aims of the research.

3. *Procedures.* A statement of the essential working plans and methods to be used in attaining each of the stated objectives. Procedures should correspond to the objectives and follow the same order. Procedures should include items such as: the sampling plan, experimental design, and analyses anticipated.

4. *Justification.* This should describe: (1) the importance of the problem to the State or region, being sure to include estimates of the magnitude of the problem; (2) the importance of starting the work now; and (3) reasons for the work being performed in your particular institution.

5. *Literature Review.* A summary of pertinent publications with emphasis on their relationship to the research. Cite important and recent publications from other institutions as well as your own institution. Citations should be accurate and complete.

6. *Current Research.* Describe the relevancy of the proposed research to on-going and as yet unpublished research at your own and at other institutions. This section may be convenient to combine with Literature Review.

7. *Facilities and Equipment.* The location of the work and the facilities and equipment needed and available should be clearly indicated. This section may be combined with section 3, Procedures, but the combination must clearly show needed and available facilities and equipment.

8. *Research Timetable.* Show all important research phases as a function of time.

9. *Personnel Support.* Identify clearly all personnel who will be involved in the research. For each scientist involved include: (1) an estimate of the time commitments necessary; (2) statement of training and research experience; and (3) list of other research projects on which currently engaged.

10. *Financial Support.* show estimated annual costs by source of funds (grant and other sources) in conventional budget categories. Include indirect costs where appropriate.

11. *Institutional Units Involved.* List each unit of the institution contributing essential services or facilities. The responsibilities of each should be clearly shown. If there is an advisory, or coordinating committee for the project, list members by name, title, and affiliation.

12. *Impacts.* Estimate the magnitude of the scientific and/or socioeconomic benefits expected from the new knowledge or technology generated. Describe the users of the research results; how the results could be used; their potential impact on the problem defined in the project justification statement; the beneficiaries of the research results and the nature of the benefits received.

Appendix III

Instructions for Peer Panels

The primary responsibilities of the Peer panels are to:

1. Assess conformance to Subject-Matter guidelines.

2. Prepare a consensus scoring page for each pre-proposal and later proposal.

3. Rank pre-proposals, and later proposals, from top to bottom based on the total scores shown on consensus scoring page.

4. Make budget recommendations based only on program items.

5. Sign and present recommendations addressed to the Administrator, Cooperative State Research Service.

A. *Relevance of Pre-Proposal and Later Proposals to Guidelines.* Conformance of each pre-proposal and later proposals to the Subject-Matter guidelines will be evaluated first by Peer panels. Where item (1) is checked (Appendix IIIA) materials will be further evaluated by the Peer panel. Pre-proposals and proposals for which item (2) is checked (Appendix IIIA) may be considered further if the research activities that are exterior to the guidelines are essential to complete objectives. Pre-proposals and later proposals for which item (3) is checked will be returned to the originating institution without further analysis by the Peer panel.

B. *Selection Criteria.* These criteria will provide the primary rationale for making awards. For all items, positive scoring will range from 1 (poor) through 10 (outstanding). A score of "0" will be reserved for those cases in which the proposal does not cover the item.

Item 4. Score from 1 to 10 points based on your assessment. (Refer in particular to Elements 2, 3, and - in Format.)

Item 5. Consider educational background and experience of the principal investigator, and the nature and composition of research team and support personnel. (Refer to Element 9 in Format.)

Item 6. Distribute 10 points based on the adequacy of all facilities, equipment and program support. Reduce points to reflect excessive purchases of equipment with grant funds. (Refer to Elements 7 and 10 in Format.

Item 7. Score from 1 to 10 points based on justification of grant support requested. (Refer in particular to Element 10 of Format.)

Item 8. Assess the probability that the research can be completed and written for publication during the period of the grant. Consider the amount of time and attention that investigators, research team, and support personnel will devote to project. (Refer in particular to Elements 8 and 9 in Format.)

Item 9. Distribute points in increasing amount based on investigator's knowledge of relevant literature and on-going research. (Refer to Elements 5 and 6 in Format.)

Items 10 and 11. Score from 1 to 10 points in each item based on your assessment of the magnitude of the scientific and/or socioeconomic benefits expected from the new knowledge and technology generated from the research project. (Refer in particular to Element 12 in the Format.)

APPENDIX IIIA

PEER PANEL SCORING FORM

INSTITUTION AND IDENTIFICATION NUMBER: _____

PROJECT TITLE: _____

_____

A. Relevance of Proposal to Guidelines (Check one item)

(1) [ ] Within Guidelines

(2) [ ] Some deviation(s) from Guidelines

(3) [ ] Does not conform to Guidelines

B. Selection Criteria

	Score 1-10 (Low to High)	Comments
(4) Overall scientific and technological quality of proposal		
(5) Research competence of the principal investigator(s), research team and support personnel		
(6) Adequacy of facilities, equipment, and related program support		
(7) Justification of support requested in relation to objectives and procedures		
(8) Feasibility of attaining objectives during life of proposed research		
(9) Awareness of published literature and current research related to proposed research		
(10) Relevance and importance of proposed research to solution of specific areas of inquiry (identified in Guidelines)		
(11) Estimate of expected benefits		
TOTAL		

C. Extended Comments: Use back of page

[FR Doc. 77-36240 Filed 12-19-77; 8:45 am]

[3410-11]

Forest Service

NATIONAL FOREST MANAGEMENT ACT COMMITTEE OF SCIENTISTS

Notice of Meeting

The Committee of Scientists will meet at 8:30 a.m., on January 16, 17, and 18, at the Hyatt Regency Hotel, 122 North Second Street, Phoenix, Ariz.

The purpose of this meeting will be to continue review of proposed regulations for the land management planning process.

The meeting will be open to the public. Persons who wish to attend and/or furnish written statements should notify Charles R. Hartgraves, Forest Service, Director Land Management Planning, P.O. Box 2417, Washington, D.C. 20013, area code 202-447-5933.

Dated: December 13, 1977.

J. W. DEINEMA,
Deputy Chief.

[FR Doc. 77-36239 Filed 12-19-77; 8:45 am]

[3410-05]

Office of the Secretary

1978 UPLAND COTTON PROGRAM

Determinations Regarding Proclamation of the 1978-Crop Established (Target), Price, National Program Acreage, and Other Provisions for Upland Cotton

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of Determination of the 1978-Crop Established (Target), Price, National Program Acreage, and Other Provisions for Upland Cotton.

SUMMARY: The purpose of this notice is to determine and proclaim with respect to the 1978-crop of upland cotton (referred to as cotton): (1) established (target), price; (2) national program acreage; (3) voluntary reduction percentage; (4) no set-aside requirement; (5) no land diversion payments; and (6) no limitation on planted acreage. These determinations are required to be made by the Secretary in accordance with provisions of the Agricultural Act of 1949, as amended by the Food and Agriculture Act of 1977 (referred to as the act). The act requires that the national program acreage for the 1978-crop of cotton be announced no later than December 15, 1977. This notice is needed to satisfy statutory requirements.

EFFECTIVE DATE: December 15, 1977.

ADDRESS: Production Adjustment Division, ASCS-USDA, 3630 South Building, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT:

Charles V. Cunningham (ASCA), 202-447-7873.

SUPPLEMENTARY INFORMATION: A notice that the Secretary was preparing to make determinations with respect to these provisions was published in the FEDERAL REGISTER on October 7, 1977 (42 FR 54660), in accordance with 5 U.S.C. 553. A total of 19 comments were received. Nine commented on the target price level. One comment recommended that the target price be set at the minimum level. Several pointed out that the target price must be set by statutory formula with no discretionary authority. Several others recommended that it be set equal to the total cost of production or on some other basis not within the statutory authority. Five comments were received related to the national program acreage. One recommended that the national program acreage be set at the statutory minimum, whereas, four recommended that it be set at the highest possible level. Sixteen comments were received concerning set-aside. Ten recommended no set-aside. Six recommended a set-aside but two of these recommended a set-aside only if a set-aside was also in effect for feed grains. Two comments favored and two were against establishing a voluntary diversion requirement in order to receive a payment. Two comments favored and four were against a limitation on planted acreage. All comments received were duly considered, where within the statutory authority.

It is essential that these decisions be made effective as soon as possible since the proclamation of the national program acreage is required to be made not later than December 15, 1977, and farmers need to know the other provisions as soon as possible so that they can make their farming plans accordingly. Therefore, the Secretary has made the following determinations:

1. *Established (target), price.* It is hereby determined and proclaimed that the established price for the 1978-crop of cotton shall be 52 cents per pound, the statutory minimum level. The calculated established price based on the change in average adjusted costs of production as provided for in section 103(f)(4) of the act is 47.55 cents based on current estimates of 1977-crop production costs. Since this is less than the minimum established price of 52 cents, the established price must be set at the minimum prescribed level.

2. *National program acreage.* It is hereby proclaimed that the national program acreage for the 1978-crop of cotton shall be 10,248,000 acres based on the following data:

(1) Estimated domestic consumption, 1978-1979 (480-pound net weight bales)	7,300,000
(2) Plus estimated exports, 1978-1979 (480-pound net weight bales)	5,100,000
(3) Minus estimated imports, 1978-1979 (480-pound net weight bales)	25,000
(4) Minus adjustment to decrease stocks to desired level (480-pound net weight bales)	1,700,000
(5) Times 480 pounds per bale (pounds)	5,124,000,000
(6) Divided by estimated weighted national average of farm program yields (lb./acre)	500
(7) Equals: 1978 national program acreage (acres)	10,248,000

3. *Voluntary reduction percentage.* It is hereby determined and proclaimed that producers who voluntarily reduce their 1978 cotton acrease from that planted in 1977 by at least 20 percent and who comply with set-aside and other program requirements shall be guaranteed any deficiency payments on their entire planted acreage. The reduction percentage is calculated as follows:

(1) Estimated 1977 harvested acreage	13,118,400
(2) Minus 1978 national program acreage	10,248,000
(3) Equals: Acreage reduction needed in 1978	2,870,400
(4) Divided by estimated 1977 harvested acreage	13,118,400
(5) Equals: 1978 reduction percentage (rounded to nearest 5 percent)	20

4. *Set-aside requirement.* It is hereby determined that there will be no set-aside requirement under the 1978-crop cotton program. Without a set-aside, it is expected that cotton acreage in 1978 will be reduced to around 12.5 million acres—1.2 million (8.5 percent), below 1977. Production would likely total around 11.7 million bales—2.5 million (18 percent), below 1977. The reduction in production, coupled with an anticipated increase in both domestic consumption and exports, should result in a reduction in carryover stocks of around 0.5 million bales during the 1978-1979 marketing year. If adverse weather conditions should prevail, the reduction could be substantially more. For these reasons, it has been determined that a cotton set-aside is not needed in 1978.

5. *Land diversion payments.* It is hereby determined that there will be no land diversion payments under the 1978-crop cotton program for the same reasons that there is no set-aside requirement.

6. *Limitation on planted acreage.* It is hereby determined that there will be no limitation on acreage planted to upland cotton in 1978 for the same reasons that there is no set-aside requirement.

NOTE.—An Economic Impact Statement as required under Executive Order 11821 and OMB Circular A-107 has been filed.

(NOTE.—The Agricultural Stabilization and Conservation Service, to meet the requirements of the National Environmental Policy Act (Pub. L. 91-190, 42 U.S.C. 4321 et seq.), has developed an environmental assessment on the program and has determined that the proposed action would not constitute a major Federal action significantly affecting the human environment.)

Signed at Washington, D.C., on December 15, 1977.

JOHN C. WHITE,
Acting Secretary.

[FR Doc. 77-36241 Filed 12-15-77; 4:30 pm]

[3410-16]

Soil Conservation Service

BENTON TOWNSHIP PARK RC&D MEASURE, MICHIGAN

Intent Not To Prepare an Environmental Impact Statement

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 Benton Township Park RC&D Measure, Berrien County, Mich.

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, Mr. Arthur H. Cratty, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for critical area treatment and land drainage. The planned works of improvement include 3 acres of critical area planting, 750 feet of diversion, about 1 acre of grassed waterway, and five grade stabilization structures for critical area treatment and 800 feet of drainage mains and laterals, 2,600 feet of drainage surface water collection ditches, and 1,700 feet of surface drains for land drainage. Total construction costs are approximately $19,140; $13,150 RC&D funds and $5,990 local funds.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, 1405 South Harrison Road, East Lansing, Mich. 48823. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703, (16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36176 Filed 12-19-77; 8:45 am]

[3410-16]

CAPE CHARLES RC&D MEASURE, VIRGINIA

Intent Not To Prepare an Environmental Impact Statement

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 Cape Charles RC&D Measure, Northampton County, Va.

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, Mr. David N. Grimwood, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for shoreline erosion control. The planned works of improvement include shrub and grass plantings and 18 groins.

The notice of intent not to prepare an environmental impact statement has been forwarded to the council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the soil conservation Service, 400 North 8th Street, Room 9201, Richmond, Va. 23240. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

Dated: December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703 (16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36184 Filed 12-19-77; 8:45 am]

[3410-16]

GLADMAR PARK WATER-BASED RECREATION RC&D MEASURE, WASHINGTON

Intent Not To Prepare an Environmental Impact Statement

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 Gladmar Park Water-Based Recreation RC&D Measure, Kittitas County, Wash.

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, Mr. Galen S. Bridge, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for developing a functional day-use recreational facility and trout fishery. The planned works of improvement include installation of access roads, parking, restroom, picnic tables, a swimming beach, partial landscaping, and garbage cans with holders. The Washington State Department of Game would stock a 15-acre pond within the park area with rainbow trout, and provide for the elimination of trash fish.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, 360 U.S. Courthouse, Spokane, Wash. 99201. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

Dated: December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703, (16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36182 Filed 12-19-77; 8:45 am]

[3410-16]

LAKEVIEW PARK WATER-BASED RECREATION RC&D MEASURE, IDAHO

Intent Not To Prepare an Environmental Impact Statement

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 Lakeview Park Water-Based Recreation Measure, Bonner County, Idaho.

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, Mr. Amos I. Garrison, Jr., State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for constructing a day-use recreation are for the city of Sandpoint, Idaho. The planned works of improvement include facilities for picnicking, nature study, playgrounds, parking, and sanitation.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, 304 North Eighth Street, Room 302, Boise, Idaho 83702. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

Dated: December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703, (16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36181 Filed 12-19-77; 8:45 am]

[3410-10]

MONONGALIA COUNTY SCHOOLS CRITICAL AREA TREATMENT RC&D MEASURE, W. VA.

Intent Not To Prepare an Environmental Impact Statement

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 Monongalia County Schools Critical Area Treatment RC&D Measure, Monongalia County, W. Va.

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, Mr. Craig M. Right, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for critical area treatment of school grounds. The planned works of improvement include liming, fertilizing, mulching, and seeding of 7.8 acres of critical area; planting of 100 trees; and the installation of 2,790 linear feet of subsurface drainage, 120 yards of grouted riprap, 2,055 feet of diversion, 750 feet of grassed waterway, and three water-control structures.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, Federal Building, 75 High Street, Morgantown, W. Va. 26505. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

Dated: December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703, 16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36178 Filed 12-19-77; 8:45 am]

[3410-16]

MOUNT ROGERS SCHOOL RC&D MEASURE, VIRGINIA

Intent Not To Prepare an Environmental Impact Statement

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 Mount Rogers School RC&D Measure, Grayson County, Va.

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, Mr. David N. Grimwood, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for filling, shaping, and draining a playground and a flood prevention dike to protect the school building and grounds.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, 400 North 8th Street, room 9201, Richmond, Va. 23240. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

Dated: December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program, Pub. L. 87-703 (16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36179 Filed 12-19-77; 8:45 am]

[3410-16]

PIKE COUNTY RC&D MEASURE, OHIO

Intent Not To Prepare an Environmental Impact Statement

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 Pike County Roadside RC&D Measure, Pike County, Ohio.

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, Mr. Robert E. Quilliam, State Conservationist, has determined that the preparation and review of an of an environmental impact statement are not needed for this project.

The project measure concerns a plan for critical area treatment. The planned works of improvement include seeding approximately 79 acres of roadbanks and installing three small structures to control surface water.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, Federal Building, Room 522, 200 North High Street, Columbus, Ohio 43215. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

Dated: December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program, Pub. L. 87-703, (16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36183 Filed 12-19-77; 8:45 am]

[3410-16]

RANDOLPH COUNTY ROADBANK CRITICAL AREA TREATMENT, RC&D MEASURE, ALABAMA

Intent Not to Prepare an Environmental Impact Statement

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 Randolph County Roadbank Critical Area Treatment RC&D Measure, Randolph County, Ala.

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, Mr. W. B. Lingle, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for critical area treatment. The planned works of improvement include 311 acres of grading, shaping, and establishing vegetation, concrete flumes, block sod flumes, and related structures that are essential for controlling erosion and for providing an adequate water disposal system. Vegetative work will be done according to drawings and specifications developed by the Soil Conservation Service.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, 138 South Gay Street, Auburn, Ala. 36830. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703, (16 U.S.C. 590a-f, g).)

Dated: December 9, 1977.

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36175 Filed 12-19-77; 8:45 am]

[3410-16]

ROSS COUNTY ROADSIDE RC&D MEASURE, OHIO

Intent Not To Prepare an Environmental Impact Statement

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 Ross County Roadside RC&D Measure, Ross County, Ohio.

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, Mr. Robert E. Quilliam, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for critical area treatment. The planned works of improvement include seeding approximately 36 acres of roadbanks in Ross County and installing approximately 25 structures to control surface water on the roadbanks. The installation of this measure will not cause any land use change.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, Federal Building, room 522, 200 North High Street, Columbus, Ohio 43215. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

Dated: December 9, 1977.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703 (16 U.S.C. 590a-f, g).)

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36180 Filed 12-19-77; 8:45 am]

[3410-16]

SALT RIVER CRITICAL AREA TREATMENT RC&D MEASURE, WYOMING

Intent Not To Prepare an Environmental Impact Statement

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 Salt River Critical Area Treatment RC&D Measure, Lincoln County, Wyo.

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, Mr. Blaine O. Halliday, State Conservationist, has determined that the preparation and review of an environmental impact statement are not needed for this project.

The project measure concerns a plan for critical area treatment. The planned works of improvement include cabled tree revetments (5,470 feet), fencing (4,500 feet), grazing management (6,560 feet), rock jetties (33), and planting willows (1,300 feet) to stabilize critical areas along the Salt River. Approximately 21 miles of river will be treated.

The notice of intent not to prepare an environmental impact statement has been forwarded to the Council on Environmental Quality. The basic data developed during the environmental assessment are on file and may be reviewed by interested parties at the Soil Conservation Service, 100 East B Street, room 3113, Casper, Wyo. 82601. An environmental impact appraisal has been prepared and sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the environmental impact appraisal are available to fill single copy requests.

No administrative action on implementation of the proposal will be taken until January 19, 1978.

(Catalog of Federal Domestic Assistance Program No. 10.901, Resource Conservation and Development Program—Pub. L. 87-703 (16 U.S.C. 590a-f, g).)

Dated: December 9, 1977.

EDWARD E. THOMAS,
Assistant Administrator for Land Resources, Soil Conservation Service.

[FR Doc. 77-36177 Filed 12-19-77; 8:45 am]

[6320-01]

CIVIL AERONAUTICS BOARD

[Docket No. 31808]

CHICAGO-ALBANY/SYRACUSE-BOSTON COMPETITIVE SERVICE INVESTIGATION

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Greer M. Murphy. Future communications should be addressed to Judge Murphy.

Dated at Washington, D.C., December 14, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36234 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 28981]

HUGHES AIRWEST, INC.

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Janet D. Saxon. Future communications should be addressed to Judge Saxon.

Dated at Washington, D.C., December 15, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36227 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 31738]

INTERNATIONAL AIR CARGO CORPORATION EGYPT

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Richard V. Backley. Future communications should be addressed to Judge Backley.

Dated at Washington, D.C., December 15, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36231 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 31421]

INTERNATIONAL AVIATION SERVICES (U.K.) LTD. d.b.a. IAS CARGO AIRLINES

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Richard M. Hartsock. Future communications should be addressed to Judge Hartsock.

Dated at Washington, D.C., December 14, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36229 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 30646]

NORTH CENTRAL AIRLINES, INC.

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Richard M. Hartsock. Future communications should be addressed to Judge Hartsock.

Dated at Washington, D.C., December 14, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36228 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 31571]

NORTHWEST ALASKA SERVICE INVESTIGATION

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Frank M. Whiting. Future communications should be addressed to Judge Whiting.

Dated at Washington, D.C., December 14, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36232 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 31550]

PRIMERAS LINEAS URUGUAYAS DE NAVEGACION AEREA

Prehea ring Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on January 16, 1978, at 10 a.m. (local time), in room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Burton S. Kolko.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before January 9, 1978.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., December 15, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36235 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 31554]

SCHENKER & CO. Gmbh (GERMANY) d.b.a. SCHENKERS INTERNATIONAL FORWARDERS, INC.

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge William H. Dapper. Future communications should be addressed to Judge Dapper.

Dated at Washington, D.C., December 15, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36236 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 31006]

SEAGREEN AIR TRANSPORT LTD.

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Alexander N. Argerakis. Future communications should be addressed to Judge Argerakis.

Dated at Washington, D.C., December 14, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36230 Filed 12-19-77; 8:45 am]

[6320-01]

[Docket No. 31570]

SOUTHEAST ALASKA SERVICE INVESTIGATION

Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Frank M. Whiting. Future communications should be addressed to Judge Whiting.

Dated at Washington, D.C., December 14, 1977.

NAHUM LITT,
Chief Administrative Law Judge.

[FR Doc. 77-36233 Filed 12-19-77; 8:45 am]

[6335-01]

COMMISSION ON CIVIL RIGHTS

CONNECTICUT ADVISORY COMMITTEE

Agenda; Open Meeting

Notice is hereby given pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Connecticut Advisory Committee (SAC) of the Commission will convene at 7 p.m. and will end at 9:30 p.m., on January 12, 1978, Meriden Holiday Inn, Meriden, Conn.

Persons wishing to attend this open meeting should contact the committee chairperson, or the Northeastern Regional Office of the Commission, 26 Federal Plaza, room 1639, New York, N.Y. 10007.

The purpose of this meeting is to approve SAC report and film script on domestic violence project.

Dated at Washington, D.C., December 15, 1977.

JOHN I. BINKLEY,
Advisory Committee Management Officer.

[FR Doc. 77-36255 Filed 12-19-77; 8:45 am]

[6325-01]

CIVIL SERVICE COMMISSION

ENVIRONMENTAL PROTECTION AGENCY

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Environmental Protection Agency to fill by noncareer executive assignment in the excepted service the position of Director, Office of Civil Rights, Office of the Administrator.

For the U.S. Civil Service Commission.

JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc. 77-36145 Filed 12-19-77; 8:45 am]

[6325-01]

FEDERAL HOME LOAN BANK BOARD

Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Federal Home Loan Bank Board to fill by noncareer executive assignment in the excepted service the position of Director, Office of Industry Development.

For the U.S. Civil Service Commission.

JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc. 77-36146 Filed 12-19-77; 8:45 am]

[6325-01]

FEDERAL HOME LOAN BANK BOARD

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Federal Home Loan Bank Board to fill by noncareer executive assignment in the excepted service the position of Director, Office of Federal Home Loan Banks.

For the United States Civil Service Commission.

JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc. 77-36147 Filed 12-19-77; 8:45 am]

[3510-24]

DEPARTMENT OF COMMERCE

Economic Development Administration

BEST CRAFT HANDBAGS CORP.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Best Craft Handbags Corp., 39 West 32d Street, New York, N.Y. 10001, a producer of handbags, and purses, was accepted for filing on December 13, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the 10th calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc. 77-36242 Filed 12-19-77; 8:45 am]

[3510-24]

DUNN AND McCARTHY, INC.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Dunn and McCarthy, Inc., 41 Washington Street, Auburn, N.Y. 13021, a producer of footwear for women, was accepted for filing on December 13, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investiga-

tion to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the 10th calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc. 77-36243 Filed 12-19-77; 8:45 am]

JIMCO SHOE CORP.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Jimco Shoe Corp., 3816 Northwest 32d Avenue, Miami, Fla. 33142, a producer of footwear for women, was accepted for filing on December 12, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business on the 10th calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc. 77-36244 Filed 12-19-77; 8:45 am]

[3510-24]

LEVERENZ SHOE CO.

Petition For a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Leverenz Shoe Co., 828 Alabama Avenue, Sheboygan, Wis. 53081, a producer of footwear for men, was accepted for filing on December 12, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the 10th calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc. 77-36245 Filed 12-19-77; 8:45 am]

[3510-24]

PINKERTON FOUNDRY, INC.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Pinkerton Foundry, Inc., 42 North Cluff Avenue, P.O. Box 516, Lodi, Calif. 95240, a producer of metal castings for the construction, agricultural and transportation industries, was accepted on December 9, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's worker's or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc. 77-36246 Filed 12-19-77; 8:45 am]

[3510-24]

S. M. FRANK & CO., INC.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by S. M. Frank & Co., Inc., 95 Horse Block Road, Yaphank, N.Y. 11980, a producer of smoking pipes, was accepted for filing on December 12, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the 10th calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc. 77-36247 Filed 12-19-77; 8:45 am]

[3510-24]

SPECIALTY TOOL CO., INC.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Specialty Tool Co., Inc., 1416 Trinity Avenue, P.O. Box 7131, High Point, N.C. 27264, a producer of steel wire nails and corrugated fasteners, was accepted for filing on December 12, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contribut-

ed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the 10th calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc. 77-36248 Filed 12-19-77; 8:45 am]

[3510-25]

Industry and Trade Administration

SIX TECHNICAL ADVISORY COMMITTEES

Joint Meetings; Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. V, 1975), notice is hereby given that a meeting of the six technical advisory committees listed below will be held on Wednesday, January 11, 1978, at 9:30 a.m. in Room 6802, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C.

1. *Computer Systems Technical Advisory Committee.* This Committee was initially established on January 3, 1973. On December 20, 1974 and January 13, 1977, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act.

2. *Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee.* This Committee was initially established on January 3, 1973. On December 20, 1974 and January 13, 1977, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act.

3. *Numerically Controlled Machine Tool Technical Advisory Committee.* This Committee was initially established on January 3, 1973. On December 20, 1974 and January 13, 1977, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act.

4. *Semiconductor Technical Advisory Committee.* This Committee was initially established on January 3, 1973. On December 20, 1974 and January 13, 1977, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act.

5. *Electronic Instrumentation Technical Advisory Committee.* This Committee was initially established on October 23, 1973. On October 7, 1975 and October 21, 1977, the Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Section 2404(c)(1) and the Federal Advisory Committee Act.

6. *Telecommunications Equipment Technical Advisory Committee.* This Committee was initially established on April 5, 1973. On March 12, 1975 and March 16, 1977, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee, pursuant to Section 5(c)(1) of the Export Administration Act, of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act.

These committees, where they have expertise in such matters, advise the Office of Export Administration, U.S. Department of Commerce, with respect to questions involving (A) technical matters, (B) worldwide availability and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to any articles, materials, and supplies, including technical data or other information, and (D) exports of the aforementioned commodities and technical data subject to multilateral controls in which the United States participates, including proposed revisions of any such multilateral controls.

The committees will meet only in Executive Session to discuss matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

Written statements may be submitted at any time before or after the meeting.

The Acting Assistant Secretary of Commerce for Administration with the concurrence of the delegate of the General Counsel, has formally determined, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In The Sunshine Act, Pub. L. 94-409, that the matters to be discussed by each of the aforementioned Technical Advisory Committees in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1). Such matters are specifically authorized under criteria established by an Executive Order to be kept secret in the interests of national defense or foreign policy. All materials to be reviewed and discussed by the Committees in the Executive Session of the joint meeting have been properly classified under Executive Order 11652. All Committee members have appropriate security clearances.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Industry and Trade Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-37704196.

Following are the dates of approval of the Notices of Determination to close meetings or portions thereof of the series of meetings of the Technical Advisory Committees involved in this joint meeting, and of any subcommittees thereof; the dates the full texts of the Notices of Determination were published in the FEDERAL REGISTER; and the FEDERAL REGISTER citations:

	Date approved	Date published
Computer Systems Technical Advisory Committee.	Jan. 27, 1977	Feb. 2, 1977 (42 FR 6374).
Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee.	Jan. 27, 1977	Feb. 8, 1977 (42 FR 7973).
Numerically Controlled Machine Tool Technical Advisory Committee.	Jan. 27, 1977	Feb. 1, 1977 (42 FR 5991).
Semiconductor Technical Advisory Committee.	Jan. 27, 1977	Mar. 2, 1977 (42 FR 12078).
Electronic Instrumentation Technical Advisory Committee.	Oct. 21, 1977	Oct. 28, 1977 (42 FR 56767).

	Date approved	Date published
Telecommunications Equipment Technical Advisory Committee.	April 22, 1977	May 25, 1977 (42 FR 26682).

LAWRENCE J. BRADY,
Acting Director, Office of Export Administration, Bureau of Trade Regulation, United States Department of Commerce.

[FR Doc. 77-36270 Filed 12-19-77; 8:45 am]

[3510-25]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

PHILIPPINES

Further Increasing the Import Level for Certain Man-Made Fiber Gloves and Mittens

DECEMBER 15, 1977.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Increasing the import restraint level established for certain man-made fiber gloves and mittens in Category 214 from the Philippines during the agreement period which began on October 1, 1976 and extends through December 31, 1977.

SUMMARY: Paragraph 7(a)(ii) of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of October 15, 1975, as amended, between the Governments of the United States and the Republic of the Philippines provides for the borrowing of yardage from the succeeding year's levels, such amounts to be deducted from the affected category limits in the succeeding year. At the request of the Government of the Republic of the Philippines, under the terms of the bilateral agreement, the level for Category 214 is being further increased to a level of 1,600,346 dozen pairs for the fifteen-month period which began on October 1, 1976 and extends through December 31, 1977.

EFFECTIVE DATE: December 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Donald R. Foote, International Trade Specialist, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230, 202-377-5423.

SUPPLEMENTARY INFORMATION: On September 27, 1976, a letter from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs was published in the FEDERAL REGISTER (40 FR 42234) which established the levels of restraint applicable to certain specified categories of cotton and man-made fiber textile products, produced or manufactured in the Philippines and exported to the United States during the twelve-month period which began on October 1, 1976, and extended through September 30, 1977. A subsequent letter, dated August 5, 1977, and published in the FEDERAL REGISTER on August 9, 1977 (42 FR 40304), amended and extended the bilateral agreement three months, through December 31, 1977, and increased the previously established specific levels of restraint to reflect the extension. In the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to increase the level of restraint established for man-made fiber textile products in Category 214, produced or manufactured in the Philippines and exported to the United States during the fifteen-month period which began on October 1, 1976.

EDWARD GOTTFRIED,
Acting Chairman, Committee for the Implementation of Textile Agreements, U.S. Department of Commerce.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury, Washington, D.C.

DECEMBER 15, 1977.

DEAR MR. COMMISSIONER: On September 22, 1976, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning on October 1, 1976 and extending through September 30, 1977, of cotton and man-made fiber textile products in certain specified categories, produced or manufactured in the Republic of the Philippines, and exported to the United States, in excess of designated levels of restraint. The directive of September 22, 1976 was amended on August 5, 1977, to increase the previously established level of restraint in accordance with a three-month extension of the agreement, through December 31, 1977. The Chairman advised you that the levels of restraint are subject to adjustment.[1]

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, pursuant to paragraph 7(a)(ii) of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of October 15, 1975, as amended, between the Governments of the United States and the Republic of the Philippines, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed, effective on December 15, 1977, to amend the level of restraint established for man-made fiber textile products in Category 214 to 1,600,346 dozen pairs.[2]

The action taken with respect to the Government of the Republic of the Philippines and with respect to imports of man-made fiber textile products from the Philippines has been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

EDWARD GOTTFRIED,
Acting Chairman, Committee for the Implementation of Textile Agreements, U.S. Department of Commerce.

[FR Doc. 77-36249 Filed 12-19-77; 8:45 am]

[6740-02]

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CI72-692, et al.]

POGO PRODUCING CO.

Notice of Corporate Name Change

DECEMBER 12, 1977.

On September 1, 1977, Pogo Producing Co., filed to redesignate all of the certificates currently held by Pennzoil Offshore Gas Operators, Inc., and related rate schedules to reflect the corporate name change from Pennzoil Offshore Gas Operators, Inc., to Pogo Producing Co. Pennzoil filed an amendment to its Articles of Incorporation making the name change on August 2, 1977, with the Secretary of the State of Delaware, the State of incorporation. No other changes were made by the amendment to the Articles of Incorporation.

Notice is hereby given that all certificates and the rate schedules as listed in the attached appendix are redesignated to reflect the corporate name change from Pennzoil Offshore Gas Operators, Inc., to Pogo Producing Co., effective August 2, 1977.

KENNETH F. PLUMB,
Secretary.

[1] The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool, and Man-Made Fiber Textile Agreement of October 15, 1975, as amended, between the Governments of the United States and the Republic of the Philippines which provide, in part, that: (1) Within the aggregate and applicable group limits, specific levels of restraint may be increased for carryover and carryforward up to 11 percent of the applicable category limit; (2) consultation levels may be increased within the aggregate and applicable group limits upon agreement between the two governments; and (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

[2] The level of restraint has not been adjusted to reflect any entries made after September 30, 1976.

Appendix.

FPC gas rate schedule No.	Certificate docket No.	Purchaser
1	CI 72-692 CI 73-546	Sea Robin Pipeline Co.
2	CI 72-693 CI 73-477	Do.
3	CI 72-694 CI 73-546	Do.
4	CI 75-330	United Gas Pipe Line Co.
5	CI 76-495	Do.
6	CI 76-631	Do.
7	CI 76-636	Do.
8	CI 76-647	Sea Robin Pipeline Co.
9	CI 76-649	Do.
10	CI 76-632	United Gas Pipe Line Co.
11	CI 76-648	Sea Robin Pipeline Co.
12	CI 76-653	Do.
13	CI 76-706	Do.
14	CI 76-806	Southern Natural Gas Co.
15	CI 76-806	United Gas Pipe Line Co.
16	CI 76-806	Do.
17	CI 76-806	Southern Natural Gas Co.
18	CI 76-806	United Gas Pipe Line Co.
19	CI 77-609	Sea Robin Pipeline Co.
20	CI 77-610	Do.

EXHIBIT A

FPC gas rate schedule No.	Certificate docket No.	Purchaser
(Unassigned (E.I. 256).	CI 76-806	Southern Natural Gas Co.
(Unassigned (E.I. 256).	CI 76-806	United Gas Pipe Line Co.
(Unassigned (W.C. 572).	CI 76-806	Do.
(Unassigned (W.C. 563).	CI 77-703	Do.
(Unassigned (W.C. 609).	CI 77-703	Do.
(Unassigned (W.C. 617).	CI 77-703	Do.
(Unassigned (E.I. 261).	CI 77-703	Do.
(Unassigned (E.I. 262).	CI 77-703	Do.
(Unassigned (E.I. 312).	CI 77-703	Do.
(Unassigned (E.I. 333).	CI 77-703	Do.

[FR Doc. 77-36004 Filed 12-19-77; 8:45 am]

[3128-01]

Office of the Secretary

FEDERAL ENERGY REGULATORY COMMISSION RELATING TO APPLICATION BY DISTRIGAS OF MASSACHUSETTS CORP. FOR A TEMPORARY CERTIFICATE TO CONSTRUCT NATURAL GAS IMPORT FACILITIES

Delegation and Assignment of Functions

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: Notice is hereby given of the delegation and assignment by the Secretary of Energy to the Federal Energy Regulatory Commission of the authority to carry out functions vested in the Secretary under the Department of Energy (DOE) Organization Act as those functions relate solely to a request by Distrigas of Massachusetts Corp. for a temporary certificate to construct certain facilities involved in the importation of natural gas.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Nancy E. Williams, Department of Energy, Office of General Counsel, 12th and Pennsylvania Avenue NW., room 7132, Washington, D.C. 20461, 202-566-2454.

Robert L. Baum, Deputy General Counsel, Federal Energy Regulatory Commission, Washington, D.C. 20426, 202-275-4333.

SUPPLEMENTARY INFORMATION: The Department of Energy (DOE) was established by the DOE Organization Act, Pub. L. 95-91, 42 U.S.C. 7101, et seq. (1977) (the Act), which was enacted on August 4, 1977. The effective date of the Act was prescribed as October 1, 1977 by Executive Order 12009, dated September 13, 1977 (42 FR 46267, September 15, 1977).

Sections 401-407, 503, and 504 of the Act set forth the jurisdiction and authorities of the Federal Energy Regulatory Commission (the Commission), the independent collegial body within DOE. These sections describe those functions previously performed by the Federal Power Commission and the Interstate Commerce Commission that are transferred to, and vested in, the Commission by the Act. These sections also describe the role of the Commission in DOE rulemaking proceedings, its role with respect to appeals of certain Remedial Orders issued by the Secretary, and its role with respect to denials of adjustments to certain rules, regulations, and orders issued by the Secretary.

In addition to jurisdiction over the functions transferred to, and vested in, the Commission by the Act, section 402(e) provides that the Commission will have jurisdiction over other matters that the Secretary may assign to it, after public notice is given of such assignment:

> In addition to the other provisions of this section, the Commission shall have jurisdiction over any other matter which the Secretary may assign to the Commission after public notice * * *.

Section 642 of the Act gives the Secretary a general power of delegation:

> Except as otherwise expressly prohibited by law, and except as otherwise provided in this Act, the Secretary may delegate any of his functions to such officers and employees of the Department as he may designate, and may authorize such successive redelegations of such functions within the Department as he may deem to be necessary or appropriate.

Pursuant to these provisions of the Act, public notice is hereby given that the Secretary delegates and assigns to the Commission the authority to carry out certain functions which by the Act are transferred to, and vested in, the Secretary. The assignment is in the form of a delegation, in accordance with all delegations of authority made by the Secretary.

The delegation gives to the Commission the authority to carry out such functions as are vested in the Secretary to regulate natural gas imports under sections 301 and 402(f) of the DOE Act with respect to Distrigas of Massachusetts Corp., Docket No. CP77-216, solely as the authority relates to the request filed July 18, 1977, by Distrigas of Massachusetts Corp., for issuance of a temporary certificate under section 7 of the Natural Gas Act to construct certain facilities at its Everett, Mass., liquefied natural gas marine terminal.

(Department of Energy Organization Act, Pub. L. 95-91; E.O. 12009, 42 FR 46267.)

Issued in Washington, D.C., on December 13, 1977.

WILLIAM S. HEFFELFINGER,
Director of Administration.

DELEGATION ORDER NO. 0204-13 TO THE FEDERAL ENERGY REGULATORY COMMISSION

Pursuant to the authority vested in me as the Secretary of Energy ("Secretary"), and by sections 642 and 402(e) of the Department of Energy Organization Act (Pub. L. 95-91), (the "DOE Act"), there is hereby delegated and assigned to the Federal Energy Regulatory Commission ("FERC"), the authority to carry out such functions as are vested in the Secretary pursuant to his authority to regulate the exports or imports of natural gas under sections 301 and 402(f) of the DOE Act with respect to the following matter:

Distrigas of Massachusetts Corporation, Docket No. CP77-216, solely as it relates to the request filed July 18, 1977, by Distrigas of Massachusetts Corp., for issuance of a temporary certificate under section 7 of the Natural Gas Act to construct certain vaporization facilities and related equipment as its Everett, Mass., LNG marine terminal.

The authority delegated to FERC may be further delegated, in whole or in part, as may be appropriate.

This Order is effective November 29, 1977

JAMES R. SCHLESINGER,
Secretary of Energy.

[FR Doc. 77-36186 Filed 12-19-77; 8:45 am]

[6560-01]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 832-6; OPP-50353]

ISSUANCE OF EXPERIMENTAL USE PERMITS

The Environmental Protection Agency (EPA) has issued experimental use permits to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 1471-EUP-46. Elanco Products Co., Indianapolis, Ind. 46206. This experimental

use permit allows the use of 761.0 pounds of oryzalin and 309.5 pounds of metribuzin as herbicides on soybeans to evaluate control of certain annual grasses and broadleaf weeds. A total of 977 acres is involved; the program is authorized only in the States of Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and Virginia. The experimental use permit is effective from November 22, 1977 to November 22, 1978. Permanent tolerances for the active ingredients in or on soybeans have been established (40 CFR 180.304 and 40 CFR 180.332).

No. 524-EUP-29. Monsanto Co., St. Louis, Mo. 63166. This experimental use permit allows the use of 1,500 pounds of the herbicide glyphosate in potable water to evaluate the control of aquatic weeds. A total of 300 acres is involved; the program is authorized only in the States of Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, Wyoming, and Puerto Rico. The experimental use permit is effective from November 22, 1977 to November 22, 1979. Temporary tolerances for residues of the active ingredient in or on the crop groupings, citrus, cucurbits, forage grasses, forage legumes, fruiting vegetables, grain crops, leafy vegetables, nuts, pome fruits, root crop vegetables, seed and pod vegetables, and small fruits, and the individual raw agricultural commodities, avocados, cottonseed, hops, and sugarcane, fish, and liver and kidney of cattle, goats, hogs, horses, poultry, and sheep; and a food additive regulation for water (potable) have been established.

Interested parties wishing to review the experimental use permits are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office so that the appropriate permits may be made conveniently available for review purposes. These files will be available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday.

STATUTORY AUTHORITY: Section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: December 8, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 77-36257 Filed 12-19-77; 8:45 am]

[6560-01]

[FRL 831-7; OPP-50349]

ISSUANCE OF EXPERIMENTAL USE PERMIT

The Environmental Protection Agency (EPA) has issued an experimental use permit to the following applicant. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 1471-EUP-44. Elanco Product Co., Indianapolis, Ind. 46206. This experimental use permit allows the use of 11,250 pounds of the herbicide oryzalin on nuts and fruits to evaluate the control of grasses and broadlead weeds. A total of 37,500 acres is involved; the program is authorized only in the States of Arizona, California, Colorado, Florida, Georgia, New Mexico, North Carolina, Oregon, South Carolina, Texas, and Washington. The experimental use permit is effective from November 9, 1977 to November 9, 1978. Temporary tolerances for residues of the active ingredient in or on almond hulls, avocados, citrus fruits, dates, figs, kiwis, olives, nuts, persimmons, pistachios, pomegranates, pome fruits, small fruits, and stone fruits have been established.

No. 11312-EUP-25. U.S. Department of Agriculture, APHIS, PPQ, Hyattsville, Md. 20782. This experimental use permit allows the use of 45 pounds of the insecticide chlorpyrifos on potting soil to evaluate control of the imported fire ant. A total of 12 acres is involved; the program is authorized only in the State of Alabama. The experimental use permit is effective from November 8, 1977 to November 8, 1978.

No. 100-EUP-54. Ciba-Geigy Corp., Greensboro, N.C. 27409. This experimental use permit allows the use of 1,500 pounds of the herbicide 2-chloro-N-(2-ethyl-6-methylphenyl)-N-(2-methoxy-1-methylethyl) acetamide on sorghum to evaluate control of various annual weeds, grasses and broadleaf weeds. A total of 1,350 acres is involved; the program is authorized only in the State of Texas. The experimental use permit is effective from November 3, 1977 to December 31, 1978.

No. 6704-EUP-16. U.S. Department of the Interior, Washington, D.C. 20240. This experimental use permit allows the use of 1,875 pounds of the avicide 3-chloro p-toluidine hydrochloride on fallow or harvested grain fields, pastures, dormant winter wheat fields, and feedlots to evaluate control of roosting starlings. A total of 100 acres is involved; the program is authorized only in the States of Kentucky and Tennessee. The experimental use permit is effective from November 8, 1977 to March 1, 1978.

Interested parties wishing to review the experimental use permit are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St. SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. This file will be available for inspection from 8:30 a.m. to 4:00 p.m. Monday through Friday.

STATUTORY AUTHORITY: Section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: December 13, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 77-36258 Filed 12-19-77; 8:45 am]

[6560.01]

[FRL 831-8; OPP-50348]

ISSUANCE OF EXPERIMENTAL USE PERMITS

The Environmental Protection Agency (EPA) has issued experimental use permits to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 4581-EUP-30. Pennwalt Corp., Monrovia, Calif. 91016. This experimental use permit allows the use of 100 pounds of the herbicide isopropyl N-(3-chlorophenyl)carbamate on potatoes to evaluate control for post-harvest sprout inhibition on cured potatoes. A total of 60,000 cubic weight is involved; the program is authorized only in the States of Idaho, Minnesota, North Dakota, Oregon, and Washington. The experimental use permit is effective from November 3, 1977 to November 3, 1978. A permanent tolerance for residues of the active ingredient in or on potatoes has been established (40 CFR 180.181).

No. 707-EUP-87. Rohm and Haas Co., Philadelphia, Pa. 19105. This experimental use permit allows the use of 2,760 pounds of the herbicide sodium 5-[2-chloro-4-(trifluoromethyl)-phenoxy]-2-nitrobenzoate on soybeans to evaluate control of various weed species and broadleaf weeds. A maximum of 5,160 acres is involved; the program is authorized only in the States of Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, and Wisconsin. The experimental use permit is effective from January 1, 1978 to January 1, 1979. Temporary tolerances for residues of the active ingredient in or on liver and kidney of cattle, goats, hogs, horses and sheep; milk; fat, meat and by-products of poultry; eggs; and soybeans have been established.

No. 100-EUP-42. Cuba-Geigy Corp., Greensboro, N.C. 27409. This experimental use permit allows the use of 300 pounds of the herbicide ethanedial dioxime on oranges which, when applied, will loosen oranges prior to harvesting. A total of 2,000 acres is involved; the program is authorized only in the State of Florida. The experimental use permit is effective from January 31, 1978 to January 31, 1979. A temporary tolerance for residues of the active ingredient in or on oranges has been established.

No. 524-EUP-38. Monsanto Co., St. Louis, Mo. 63166. This experimental use permit allows the use of 4,204 pounds of the herbicide alachlor on potatoes to evaluate selec-

tive weed control. A total of 1,395 acres is involved; the program is authorized only in the States of California, Colorado, Delaware, Florida, Idaho, Maine, Maryland, Michigan, Montana, Nebraska, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Texas, Virginia, Washington, Wisconsin, and Wyoming. The experimental use permit is effective from January 1, 1978 to January 1, 1980. A permanent tolerance for residues of the active ingredient in or on potatoes has been established (40 CFR 180.249).

Interested parties wishing to review the experimental use permits are referred to Room E-315 Registration division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office so that the appropriate permits may be made conveniently available for review purposes. These files will be available for inspection from 8:30 a.m. to 4:00 p.m. Monday through Friday.

STATUTORY AUTHORITY: Section 5 of the Federal Insecticide, Fungicide, and rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: December 13, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 77-36259 Filed 12-19-77; 8:45 am]

[6560-01]

[FRL 832-1; OPP-50351]

ISSUANCE OF EXPERIMENTAL USE PERMIT

The Environmental Protection Agency (EPA), has issued an experimental use permit to the following applicant. Such permit is in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

No. 264-EUP-52. Amchem Products, Inc., Ambler, Pa. 19002. This experimental use permit allows the use of 558 pounds of the plant regulator sodium salt of 2-(m-chlorophenoxy)-propionic acid on pineapples to evaluate reduction of crown growth and the increase in size of pineapple fruit on both plant and ratoon crops. A total of 865 acres is involved; the program is authorized only in the State of Hawaii. The experimental use permit is effective from November 2, 1977 to November 2, 1979. A temporary tolerance for residues of the active ingredient in or on pineapple (fresh fruit only), has been established.

Interested parties wishing to review the experimental use permit are referred to Room E-315, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St. SW., Washington, D.C. 20460. It is suggested that such interested persons call 202-755-4851 before visiting the EPA Headquarters Office, so that the appropriate permit may be made conveniently available for review purposes. This file will be available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday.

STATUTORY AUTHORITY: Section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: December 13, 1977.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc. 77-36261 Filed 12-19-77; 8:45 am]

[6560-01]

[FRL 832-3; OPP-180163]

ARIZONA COMMISSION OF AGRICULTURE AND HORTICULTURE

Issuance of Specific Exemption To Use Oxamyl To Control Cotton Leaf Perforator on Cotton

The Environmental Protection Agency (EPA), has granted a specific exemption to the Arizona Commission of Agriculture and Horticulture (hereafter referred to as the "Applicant") to use oxamyl on 400,000 acres of cotton in four counties in Arizona to control the cotton leaf perforator. This exemption was granted in accordance with, and is subject to, the provisions of 40 CFR Part 166, which prescribes requirements for exemption of Federal and State agencies for use of pesticides under emergency conditions.

This notice contains a summary of certain information required by regulation to be included in the notice. For more detailed information, interested parties are referred to the application on file with the Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St. SW., Room E-315, Washington, D.C. 20460

According to the Applicant, the cotton leaf perforator (*Bacculatrix thurberiella*) is a small lepidopteran which develops rapidly through its four life stages, especially during late summer and early fall; its life cycle under Arizona conditions is about 2¼ weeks. Eggs are laid on the leaf surface; after hatching, the larvae burrow into the leaf, becoming leafminers. Because of the short developmental period of this insect and its high reproduction rate, populations can increase greatly in a very short time. Heavy infestations can significantly curtail growth and photosynthesis of the plant, producing a scorched appearance across entire fields.

There are many insecticides currently registered for control of the cotton leaf perforator in cotton. Resistance, however, has developed with most other pesticides; only methomyl and aldicarb are currently effective against severe infestations of this pest. Methomyl is not available because of short supply; aldicarb cannot be applied at this late time of the season. According to the Applicant, one of the reasons for this outbreak of the leaf perforator is that many insecticides which have been used to control pests such as lygus bugs, pink bollworm, and tobacco budworm have caused the destruction of available parasites and predators of the leaf perforator. Shortly after the Applicant requested this specific exemption, Arizona notified EPA that it had availed itself of a crisis exemption, because of a sudden population explosion of this pest on the cotton crop. The amount of pesticide used in both the crisis and the specific exemption did not exceed the amount authorized under the specific exemption.

Cotton is the most important agricultural commodity grown in Arizona, the Applicant stated. Cotton is estimated to be grown on about 525,000 acres in the State in 1977. At least 400,000 acres of this total will probably be heavily infested with cotton leaf perforator before the end of the season unless these populations are controlled. The counties involved are Yuma, Maricopa, Pinal, and Pima. Depending upon the maturity stage of the crop, the yield loss would be about ¼ bale of cotton per acre. If this loss could be prevented by control of the leaf perforator, a savings of $75 per acre could be realized, assuming that cotton sells at 60 cents a pound. Since the potential for such losses could occur on 400,000 acres, the Applicant estimated that a gross economic benefit of approximately 30 million dollars could be realized by Arizona growers if this pest can be controlled.

The Applicant proposed to use the product Vydate L (oxamyl), EPA Reg. No. 352-372, manufactured by E.I. du Pont de Nemours on the 400,000 acres of cotton located in the countries previously mentioned. A maximum of 200,000 pounds active ingredient (oxamyl) will be applied by commercial aerial applicators who are licensed by the Arizona Board of Pesticide Control.

After reviewing the application and other available information, EPA has determined that (a) a pest outbreak has or is about to occur; (b) there is no pesticide presently registered and available for use to control the cotton leaf perforator in Arizona; (c) there are no alternative means of control, taking into account the efficacy and hazard; (d) significant economic problems may result if the cotton leaf perforators are not controlled; and (e) the time available for action to mitigate the problems posed is insufficient for a pesticide to be registered for this use. Accordingly, the Applicant has been granted a specific exemption to use the pesticide noted above until October 15, 1977, to the extent and in the

manner set forth in the application. The specific exemption is also subject to the following conditions:

1. The product Vydate L (oxamyl), EPA Reg. No. 352-372, manufactured by E.I. du Pont de Nemours, is authorized;

2. Application rate may be 0.25–0.50 pound active ingredient (oxamyl) per 3–5 gallons of water/acre by air application;

3. A maximum of two applications of Vydate L may be made;

4. A maximum of 400,000 acres of cotton crop located in Yuma, Maricopa, Pinal, and Pima counties in Arizona may be treated;

5. A maximum of 200,000 pounds of active ingredient may be applied for the proposed use;

6. Application of Vydate L shall be made by commercial aerial applicators who are licensed by the Arizona Board of Pesticide Control;

7. A 21-day preharvest interval shall be observed;

8. The Applicant will be responsible for the performance of this program in cooperation with the Arizona Cooperative Extension Service, Arizona Agricultural Experiment Station, Arizona State Chemists, and the Arizona Board of Pesticide Control. Recommendations for pesticide application shall be made by a knowledgeable expert from one of the aforementioned agencies on the following criteria:

(a) Three or more cotton leaf perforators per leaf determined by field scouting.

(b) Failure of registered insecticides to provide effective control.

(c) Lack of available registered pesticides.

9. Commercial and private applicators shall report use of Vydate L for the proposed use to the Board of Pesticide Control. These reports shall include the acreage treated, amount applied, and efficacy performance to support continued use;

10. Residue levels of oxamyl and its oxime metabolite not exceeding 0.2 ppm in or on cottonseed, 1.0 ppm in or on cottonseed hulls, and 0.45 ppm in or on cottonseed meal have been deemed adequate to protect the public health. The Food and Drug Administration, U.S. Department of Health, Education, and Welfare, has been advised of this action;

11. All label precautions shall be followed;

12. A final report shall be submitted to EPA by December 31, 1977;

13. The EPA shall be informed immediately of any adverse effects to man or the environment resulting from this program; and

14. The Applicant shall be responsible for insuring that all the provisions of this specific exemption are observed.

STATUTORY AUTHORITY: Section 18 of the Federal Insecticide, Fungicide, and rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: December 13, 1977.

EDWIN L. JOHNSON,
Deputy Assistant Administrator, for Pesticide Programs.

[FR Doc. 77-36262 Filed 12-19-77; 8:45 am]

[6560-01]

[FRL 832-4; OPP-180165]

ILLINOIS DEPARTMENT OF AGRICULTURE

Issuance of Specific Exemption To Use Malathion-Methoxychlor Mixture To Control Weevils on Horseradish

The Environmental Protection Agency (EPA) has granted a specific exemption to the Illinois Department of Agriculture (hereafter referred to as the "Applicant") to use a tank mixture of malathion and methoxychlor for control of weevils on 1,300 acres of horseradish in Madison, Monroe, and St. Clair Counties in Illinois. This exemption was granted in accordance with, and is subject to, the provisions of 40 CFR Part 166, which prescribes requirements for exemption of Federal and State agencies for use of pesticides under emergency conditions.

This notice contains a summary of certain information required by regulation to be included in the notice. For more detailed information, interested parties are referred to the application on file with the Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., Room E-315, Washington, D.C. 20460.

Accord ing to the Applicant, *Baris lepidii* (Germar), a weevil and pest of cruciferous crops, was not previously known in the United States until it was first detected and identified in Madison County, Ill., in June of this year. The known distribution of this weevil includes much of Western Europe. According to a U.S. Department of Agriculture report, larvae and adults have been intercepted many times in horseradish and turnip from Algeria, Czechoslovakia, Poland, and the U.S.S.R. The larvae are responsible for the principle damage caused by this insect, the adults being of secondary or little importance. The larvae tunnel into the root, opening it to invasion by rot organisms and making it unmarketable. The larvae cannot be effectively controlled with sprays since they feed in the root; the adults feed on the stems at the base of the foliage where the leaves join the root.

The Applicant stated that the number of generations per year is not known, but a survey of adults conducted in 1977 indicated that egg laying will occur again this season. A recent survey of the horseradish crop in the three-county area showed that over 40 percent of the crop is heavily infested, with a potential for total loss. Approximately 60 percent of the crop has light to moderate infestations of the weevil. The Applicant estimated that up to 60 percent of the $3,500,000 horseradish crop will be lost without this exemption. If the malathion-methoxychlor mixture is permitted, the crop loss could be reduced to 20 percent.

No pesticides are currently registered for control of this weevil, and according to the Applicant, the products now registered for use on horseradish do not provide adequate control. A limited number of field and laboratory studies have been conducted to evaluate the efficacy of the following pesticides for controlling *Baris lepidii* adults: toxaphene, carbaryl, methomyl, and malathion-methoxychlor. The laboratory studies indicated that malathion-methoxychlor are more effective than the other pesticides for control of the adults. Although tolerances have not been established for residues of methoxychlor in or on horseradishes, tolerances ranging from 1 to 14 ppm (parts per million) have been established on a variety of raw agricultural commodities, including a tolerance of 14 ppm for carrots, which are similar to horseradishes. Tolerances have been established for residues of malathion in or on horseradish at 8 ppm with application rates of up to five pounds active ingredient per acre.

After reviewing the application and other available information, EPA has determined that (a) a pest outbreak of *Baris lepidii* has occurred; (b) there is no horseradish in Illinois; (c) there are no alternative means of control, taking into account the efficacy and hazard; (d) significant economic problems may result if the weevil is not controlled; and (e) the time available for action to mitigate the problems posed is insufficient for a pesticide to be registered for this use. Accordingly, the Applicant has been granted a specific exemption to use the pesticide noted above until November 30, 1977 to the extent and in the manner set forth in the application. The specific exemption is also subject to the following conditions:

1. All applications will be limited to a maximum of 1,300 acres of horseradish in Madison, Monroe, and St. Clair Counties;

2. Unico Alfalfa Weevil Spray (EPA Reg. No. 1386-464) shall be recommended;

3. A maximum of six applications may be applied at seven to ten day intervals;

4. Application rate will be one and one-half pounds each active ingredient in 100-300 gallons of water per acre per application;

5. A maximum of 11,700 pounds of active malathion and an equal quantity of active methoxychlor may be applied;

6. All applications will be made by State-certified private applicators, using ground hydraulic spray equipment;

7. A fourteen day pre-harvest interval will be observed;

8. Do not apply when weather conditions favor drift of spray from area treated. Do not use where runoff may occur as a result of heavy rain;

9. All applicable directions, precautions, and restrictions on the registered label must be observed;

10. The EPA shall be immediately informed of any adverse effects resulting from the use of malathion and methoxychlor with this exemption;

11. The Applicant is responsible for insuring that all of the provisions of this specific

exemption are met and must submit a report summarizing the results of this program by October 1978;

12. Horseradish with residue levels not exceeding 1 ppm of methoxychlor and 8 ppm of malathion may be offered in interstate commerce. The Food and Drug Administration of the U.S. Department of Health, Education, and Welfare, has been advised of this action; and

13. Efficacy data will be obtained in support of a registration for malathion-methoxychlor for this use.

STATUTORY AUTHORITY: Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: December 13, 1977.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 77-36263 Filed 12-19-77; 8:45 am]

[6560-01]

[FRL 832-5; OPP-180167]

OREGON DEPARTMENT OF AGRICULTURE

Issuance of Specific Exemption To Use Nortron To Control Winter Annual Weeds in Annual Ryegrass Seed Crop

The Environmental Protection Agency (EPA) has granted a specific exemption to the Oregon Department of Agriculture (hereafter referred to as the "Applicant") to use a maximum of 60,000 pounds of Nortron 1.5 EC (ethofumesate) for the control of winter annual grass weeds on 40,000 acres of annual ryegrass seed fields in the Willamette Valley, Oregon. This exemption was granted in accordance with, and is subject to, the provisions of 40 CFR Part 166, which prescribes requirements for exemption of Federal and State agencies for use of pesticides under emergency conditions.

This notice contains a summary of certain information required by regulation to be included in the notice. For more detailed information, interested parties are referred to the application on file with the Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M Street SW., room E-315, Washington, D.C. 20460.

According to the Applicant, application of Nortron 1.5 EC at a rate of 1.5 pounds active ingredient per acre is needed to control the following winter annual grass weeds: rattail fescue (*Festuca myuros*), annual bluegrass (*Poa annua*), common velvetgrass (*Hulcus lanatus*), and others that occur in annual ryegrass seed fields.

A single pre-emergent or early post-emergent ground or aerial application will be made by State-licensed commercial applicators; however, some growers may elect to make applications on their own property. Authorization to apply Nortron by air was necessary since, according to the Applicant, weather conditions have been such that soils in the grass seed growing areas of the Willamette Valley are very wet; this condition makes it difficult to use ground equipment. Application rates and procedures will be recommended by qualified Oregon State University extension agents. Nortron will be restricted for application to ryegrass grown for seed crop. Nortron, which is not registered for use in the United States, is produced by Fisons Corp. for use on sugar beets in Europe and the British Isles, and on pasture land in Australia and New Zealand.

No pesticides are currently registered for control of winter annual grasses in annual ryegrass. Field burning has been the principal means of control; however, because of field burning limitations, approximately 40,000 acres of ryegrass will not be burned in 1977. According to the applicant, burning destroys the seed source. Research has shown that a clean burn destroys 95 to 99 percent or more of the weed seeds in a field. Based on past experience, severe winter annual grass weed infestations are anticipated on some of the unburned acreage this year. It is estimated that growers with weed-infested fields will lose 25 to 30 percent of their acreage crop yield. At a current value of 8½ cents per pound, this amounts to about $38 per acre, or $1,520,000 for 40,000 acres.

Data indicate that Nortron is effective for this use on ryegrass seed fields. This treatment is likely to pose minimal hazard to non-target fish and wildlife in the Willamette Valley.

After reviewing the application and other available information, EPA has determined that (a) a pest outbreak has or is about to occur; (b) there is no pesticide presently registered and available for use to control these winter annual weeds in Oregon; (c) there are no alternative means of control, taking into account the efficacy and hazard; (d) significant economic problems may result if the weeds are not controlled; and (e) the time available for action to mitigate the problems posed is insufficient for a pesticide to be registered for this use. Accordingly, the applicant has been granted a specific exemption to use the pesticide noted above until December 31, 1977, to the extent and in the manner set forth in the application. The specific exemption is also subject to the following conditions:

1. Nortron may be used at a rate of one and one-half pounds of active ingredient per acre on a maximum of 40,000 acres of the annual ryegrass seed crop in the Willamette Valley;

2. A single application may be made as a pre-emergent or early post-emergent treatment;

3. Applications may be made with air equipment;

4. A maximum of 60,000 pounds of active ingredient may be applied;

5. Application shall be limited to ryegrass fields on which burning is prohibited by the 1977 legislature or on which burning does not result in effective control of pest weeds;

6. All applications will be made by State-licensed commercial applicators or by growers on their own property;

7. Crops other than annual ryegrass will not be planted in treated fields withn 12 months of application of Nortron. All ryegrass crops which are planted in treated fields within 12 months of application of Nortron will be grown for seed only and are subject to the same restrictions as treated grass;

8. Treated grass will not be grazed or cut for use as food and feed;

9. Grass seed and grass screenings will not be used as food and feed;

10. Ryegrass stubble and grass waste will be thoroughly tilled under after harvest;

11. All precautions will be taken to avoid or minimize spray drift to non-target areas;

12. All applicable directions, precautions, and restrictions on the Nortron label must be observed;

13. Prior to application of Norton, the grower will be required to sign an agreement which states that he or she understands the provisions of the exemption and will observe all directions, restrictions, and precautions;

14. The applicant is responsible for insuring that all the provisions of this specific exemption are met and must submit a report summarizing the results of this program by October 1978; and

15. The EPA shall be immediately informed of any adverse effects resulting from the use of Nortron in connection with this exemption.

STATUTORY AUTHORITY: Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 89 Stat. 751; 7 U.S.C. 136(a) et seq.).

Dated: December 13, 1977.

EDWIN L. JOHNSON,
Deputy Assistant Administrator, for Pesticide Programs.

[FR Doc. 77-36264 Filed 12-19-77; 8:45 am]

[6712-01]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 21284]

ECONOMIC RELATIONSHIP BETWEEN TELEVISION BROADCASTING AND CABLE TELEVISION

Inquiry; Extension of Time

AGENCY: Federal Communications Commission.

ACTION: Extension of time.

SUMMARY: Extension of time granted for all comments filed in the Inquiry into the Economic Relationship Between Television Broadcasting and Cable Television, Docket No. 21284.

DATE: Comments must be received on or before January 2, 1978.

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

FOR FURTHER INFORMATION CONTACT:

Robert J. Ungar, Cable Television Bureau, 202-632-9797.

SUPPLEMENTAL INFORMATION:

Adopted: November 25, 1977.

Released: November 29, 1977.

In the matter of inquiry into the economic relationship between television broadcasting and cable television. 42 FR 32825.

By the Chief, Cable Television Bureau.

1. Additional time has been requested by the National Association of Broadcasters (NAB), and the Rocky Mountain Broadcasters Association (RMBA), for the submission of comments in the captioned proceeding. An extension from December 1, 1977 to June 30, 1978, is requested. The National Cable Television Association has responded to the request of the NAB, suggesting an extension of time until March 15, 1978. In addition, there have been various informal requests for extensions.

2. It appears that additional time is required in some instances in order to tabulate results from various November audience surveys and to complete ongoing studies covering the wide range of issues raised in this proceeding. Because of the lengthy period already permitted for filing, we believe, for most purposes, the extension granted herein will suffice. In order to justify more than this extension it will be necessary to have more information concerning the need for individual requests.

Accordingly, *it is ordered*, That the time for filing comments is extended until January 2, 1978. Those who feel unable to meet this deadline have until December 15, 1977, to request additional time. Any such request should explain, in detail, the nature of whatever study is under way, a projected finishing date and an explanation of why additional time is needed.

This action is taken by the Chief, Cable Television Bureau, pursuant to authority delegated by § 0.228 of the Commission's rules and regulations.

For the Federal Communications Commission.

JAMES R. HOBSON,
Chief, Cable Television Service.

[FR Doc. 77-36202 Filed 12-19-77; 8:45 am]

[4110-88]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

ADVISORY COMMITTEES

Meetings

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following National Advisory bodies scheduled to assemble during the month of January 1978:

ALCOHOL RESEARCH REVIEW COMMITTEE: January 9-10; 9 a.m. Undetermined (phone contact person for information). Open: January 9, 9-10 a.m. Closed: Otherwise. Contact: Dr. James C. Teegarden, Room 16C-26, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4223.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute on Alcohol Abuse and Alcoholism relating to research activities and makes recommendations to the National Advisory Council on Alcohol Abuse and Alcoholism for final review.

Agenda. From 9-10 a.m., January 9, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Aubse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

PSYCHIATRY EDUCATION REVIEW COMMITTEE: January 10-13; 10 a.m. Conference Room C, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857. Open: January 10, 10-11 a.m. Closed: Otherwise. Contact: Ms. Connie Verney, Room 8C-06, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-2120.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to psychiatry education and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 10-11 a.m., January 10, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal Assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

EXPERIMENTAL AND SPECIAL TRAINING REVIEW COMMITTEE: January 11-14; 9 a.m. Conference Room K, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857. Open: January 11, 1:30-2:30 p.m. Closed: Otherwise. Contact: Dr. Ralph Simon, Room 8-95, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3893.

Purpose. The Experimental and Special Training Review Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to experimental and special mental health training projects and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 1:30 p.m.-2:30 p.m., January 11, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

SOCIAL WORK EDUCATION REVIEW COMMITTEE: January 16, 17, and 18; 9 a.m. Conference Room A, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857. Open: January 16, 9 a.m.-1 p.m., and January 18, 1 p.m., to adjournment. Closed: Otherwise. Contact: Dr. Milton Wittman, Room 8C-26, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4187.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to Social Work Education and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 9 a.m. to 1 p.m., on January 16 and 1 p.m. to adjournment on January 18, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

CONTINUING EDUCATION REVIEW COMMITTEE: January 16-18; 9 a.m. Conference Room M, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857. Open: January 16, 9-10 a.m. Closed: Otherwise. Contact: Elizabeth R. Smith, Ph.D., Room 8C-22, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4735.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the

program areas administered by the National Institute of Mental Health relating to mental health education projects for interdisciplinary and single discipline groups other than psychiatry, psychology, psychiatric nursing, and social work and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 9 a.m.–10 a.m., January 16, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

CRIME AND DELINQUENCY REVIEW COMMITTEE: January 18-20; 9 a.m., Room 202, Fairfax Hotel, 2100 Massachusetts Avenue NW., Washington, D.C. 20008. Open: January 18, 9-10:30 a.m. Closed: Otherwise. Contact: Carol Beall, Room 18C-04, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3728.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to research and training activities in crime and delinquency, individual violent behavior, and related law and mental health interactions, and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 9 a.m.–10:30 a.m., January 18, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

PSYCHIATRIC NURSING EDUCATION REVIEW COMMITTEE: January 18-21; 9 a.m. Conference Room C, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857. Open: January 18, 9 a.m.–1 p.m. Closed: Otherwise. Contact: Dr. Dixie Koldjeski, Room 8C-06, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4423.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to psychiatric nursing manpower development and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 9 a.m.–1 p.m., January 18, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

PARAPROFESSIONAL MANPOWER DEVELOPMENT REVIEW COMMITTEE: January 19-20; 9 a.m. Conference Room L, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857. Open: January 19; 9-11 a.m. Closed: Otherwise. Contact: Vernon R. James, Room 8-02, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-1333.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to paraprofessional manpower development and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 9 a.m.–11 a.m., January 19, the meeting will be open for discussion of administrative announcements, program developments, and new initiatives. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

MENTAL HEALTH SMALL GRANT COMMITTEE: January 19-21; 1 p.m. Rooms 605 and 705, the Holiday Inn Georgetown, 2505 Wisconsin Avenue NW., Washington, D.C. 20005. Open: January 19, 1-2 p.m. Closed: Otherwise. Contact: Mary E. Enyart, Room 10C-14, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4337.

Purpose. The Committee is charged with the initial review of small grant applications for Federal assistance in all disciplines relevant to the National Institute of Mental Health and for small grant projects submitted for support to the other Institutes of the Alcohol, Drug Abuse, and Mental Health Administration, and makes recommendations to the National Advisory Councils of the respective Institutes for final review.

Agenda. From 4–5 p.m., January 19, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

NATIONAL ADVISORY MENTAL HEALTH COUNCIL: January 23-25; 9:30 a.m. Conference Room 14-105, Parklawn Building, Rockville, Md. 20857. Open: January 23. Closed: Otherwise. Contact: Mrs. Zelia Diggs, Room 11-101, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4333.

Purpose. The National Advisory Mental Health Council advises the Secretary, Department of Health, Education, and Welfare, the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and the Director, National Institute of Mental Health, regarding the policies and programs of the Department in the field of mental health. The Council reviews applications for grants-in-aid relating to research, training, and services in the field of mental health and makes recommendations to the Secretary with respect to approval of applications for, and the amount of, these grants.

Agenda. On January 23, the meeting will be open for discussion of NIMH policy issues. These will include current administrative, legislative and program developments. Otherwise, the Council will conduct a final review of grant applications for Federal assistance and this session will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions set forth in section 552b(c)(6), Title 5 U.S. Code, and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

PSYCHOLOGY EDUCATION REVIEW COMMITTEE: January 23-26; 9 a.m. Georgia Room, Holiday Inn, 8120 Wisconsin Avenue, Bethesda, Md. 20014. Open: January 23, 9-11 a.m. Closed: Otherwise. Contact: Betty Wells, room 9C-23, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3536.

Purpose. The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to psychology training and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 9-11 a.m., January 23, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Feder-

al assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code, and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

PSYCHOLOGICAL SCIENCES FELLOWSHIP REVIEW COMMITTEE: January 26-28; 9 a.m. Ramada Inn, Key Bridge, Arlington, Va. Open: January 26, 9-12 noon. Closed: Otherwise. Contact: Mary Cope, room 9C-15, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3856.

Purpose. The Committee is charged with the initial review of fellowship applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to psychological sciences fellowships and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 9-12 noon, January 26, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of fellowship applications for Federal assistance and will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of section 552b(c)(6), Title 5 U.S. Code, and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

NATIONAL ADVISORY COUNCIL ON ALCOHOL ABUSE AND ALCOHOLISM: January 30-31, 9:30 a.m. Conference Rooms G and H, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857. Open: January 30. Closed: January 31. Contact: Rhoda L. Christenson, room 16-93, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4703.

Purpose. Advises the Secretary, Department of Health, Education, and Welfare regarding policy direction and program issues of national significance in the area of alcohol abuse and alcoholism. Reviews all grant applications submitted, evaluates these applications in terms of scientific merit and coherence with Department policies, and makes recommendations to the Secretary with respect to approval and amount of award.

Agenda. January 30 will be devoted to a report of the budget, Status of the Third Special Report to the U.S. Congress on Alcohol and Health, discussion of the National Plan and a report on legislation. Agenda items are subject to change as priorities dictate.

January 31, the Council will conduct a final review of grant applications for Federal assistance and this session will not be open to the public in accordance with the determination by the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions set forth in section 552b(c)(6), Title 5 U.S. Code, and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix I).

Substantive information may be obtained from the contact person listed above. Attendance by the public will be limited to space available.

The NIAAA Information Officer who will furnish upon request summaries of the meeting and rosters of the committee members is Mr. Harry Bell, Director, Office of Public Affairs, NIAAA, room 11A-17, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3306. The NIMH Information Officer who will furnish upon request summaries of the meeting and rosters of the Council members is Mr. Edwin Long, Deputy Director, Division of Scientific and Public Information, NIMH, room 15-105, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3600.

Dated: December 15, 1977.

CAROLYN T. EVANS,
Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 77-36292 Filed 12-19-77; 8:45 am]

[4110-03]

Food and Drug Administration

ADVISORY COMMITTEES

Notice of Meetings

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces forthcoming meetings of public advisory committees of the Food and Drug Administration (FDA). This notice also sets forth a summary of the procedures governing committee meetings and methods by which interested persons may participate in open public hearings conducted by the committees and is issued under section 10(a)(1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) relating to advisory committees. The following advisory committee meetings are announced:

Committee name	Date, time, place	Type of meeting and contact person
1. Blood and Blood Derivatives Panel.	Jan. 6 and 7, 9 a.m., room 115, Building 29, 8800 Rockville Pike, Bethesda, Md.	Open public hearing Jan. 6, 9 to 10 a.m.; open committee discussion Jan. 6, 10 a.m. to 4 p.m.; closed presentation of data Jan. 6, 4 to 5:30 p.m.; open committee discussion Jan. 7, 8:30 a.m. to 1 p.m.; closed committee deliberations Jan. 7, 1 to 4 p.m.; Clay Sisk (HFB-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-443-5455.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Open public hearing. Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Discussion of Antivenin (Crotalidae) Polyvalent; Antivenin (Micrurus Fulvius); Antivenin (Latrodectus Mactans); Fibrinolysin (Human); hepatitis B surface antigen; Thrombin; blood grouping and typing serums; antihuman serum; and blood group specific substances A and B.

Closed presentation of data. Presentation by Parke, Davis and Co. on the manufacturing of Normal Serum Albumin from placental source material. This portion of the meeting will be closed to permit discussion of trade secret manufacturing processes (5 U.S.C. 552b(c)(4)).

Closed committee deliberations. Review of data submissions of producers of Thrombin, Fibrinolysin (Human), Normal Serum Albumin, and blood-grouping reagents. This portion of the meeting will be closed to permit discussion of trade secret manufacturing processes (5 U.S.C. 552b(c)(4)).

Committee name	Date, time, place	Type of meeting and contact person
2. Cardiovascular Device Classification Panel.	Jan. 13, 9 a.m., Room 1409, FB-8, 200 C St. SW., Washington, D.C.	Open public hearing 9 to 10 a.m.; open committee discussion 10 a.m. to 2 p.m.; closed committee deliberations 2 to 4 p.m.; Glenn A. Rahmoeller (HFK-450), 8757 Georgia Ave., Silver Spring, Md. 20910, 301-427-7559.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to the classification of cardiovascular devices to the executive secretary. Those desiring to make formal presentations should notify the executive secretary by January 3, 1978, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their presentation.

Open committee discussion. During this portion of the meeting Dr. Bernard Lown, Professor of Cardiology at the Harvard University School of Public Health; Dr. Richard Crampton, Director of the Coronary Care System at the University of Virginia School of Medicine; and Dr. Leslie Geddes, Director of Biomedical Engineering at Purdue University, will make presentations to the panel concerning the classification of defibrillators.

Also during this session, the panel will discuss Teflon-coated guide wires, data concerning the possibility of the Teflon coating flaking off of the guide wires, and suggestions for a test protocol to determine if a potential health hazard exists.

Closed committee deliberations. The panel may discuss an application for premarket approval. The panel may also discuss proprietary data regarding Teflon-coated guide wires. This portion of the meeting will be closed to permit discussion of trade secret data (5 U.S.C. 552b(c)(4)).

Committee name	Date, time, place	Type of meeting and contact person
3. Viral Vaccines and Rickettsial Vaccines Panel.	Jan. 23, 24, and 25, 9 a.m., Room 121, Building 29, 8800 Rockville Pike, Bethesda, Md.	Open public hearing Jan. 23, 9 to 10 a.m.; open committee discussion Jan. 23, 10 a.m. to 3 p.m., Jan. 24, 9 a.m. to 3 p.m.; closed presentation of data Jan. 24, 3 to 4 p.m.; closed committee deliberations Jan. 24, 4 to 5 p.m.; open committee discussion Jan. 25, 9 a.m. to 4 p.m.; Jack Gertzog (HFB-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-443-5455.

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Open public hearing. Any interested persons may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Presentation by staff members of the Bureau of Biologic's virology program.

Closed presentation of data. Presentation by sponsor of data submitted under an investigational new drug application (IND). This portion of the meeting will be closed to permit discussion of trade secret data (5 U.S.C. 552b(c)(4)).

Closed committee deliberations. Discussion of data submitted under an IND. This portion of the meeting will be closed to permit discussion of trade secret data (5 U.S.C. 552b(c)(4)).

Committee name	Date, time, place	Type of meeting and contact person
4. Anesthesiology Device Classification Panel.	Jan. 24, 8:30 a.m. Room 6821, FB-8, 200 C Street SW., Washington, D.C.	Open public hearing 8:30 to 9:30 a.m.; open committee discussion 9:30 a.m. to 2 p.m.; closed presentation of data 2 to 2:30 p.m.; closed committee deliberations 2:30 to 3:30 p.m.; Dennis J. Cotter (HFK-430), 8757 Georgia Ave., Silver Spring, Md. 20910. (301-427-7226).

General function of the committee. Reviews and evaluates available data concerning the safety and effectiveness of devices currently in use and makes recommendations for their regulation.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to recommendations contained in the panel report, reclassification petitions before the panel, or other matters concerned with safety and efficacy of medical devices to the executive secretary. Submission of data relative to tentative classification findings is also invited. Those desiring to make formal presentations should notify the executive secretary by January 14, 1978, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their presentation.

Open committee discussion. The panel will review and comment on the reclassification petition as required under section 513(f)(2)(B)(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(f)(2)(B)(i)), by Sechrist Industries, Inc., concerning the Model 500A Hyperbaric Ventilator (P770010).

The panel will review and comment on the contents of the panel report.

Closed presentation of data. Presentation by sponsor concerning the contents of a premarket approval application as required under section 515(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e(d)) will be made to the panel. This discussion will be held in closed session because of trade secret material contained in the presentation (5 U.S.C. 552b(c)(4)).

Closed committee deliberations. The panel will review and comment on the presentation and premarket approval application as required under section 515(d) of the act. This review will be closed session because of trade secret material contained in the application (5 U.S.C. 552b(c)(4)).

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this FEDERAL REGISTER notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

A list of committee members and summary minutes of meetings may be obtained from the Public Records and Documents Center (HFC-18), 5600 Fishers Lane, Rockville, Md. 20857, between the hours of 9 a.m. and 4 p.m., Monday through Friday. The FDA regulations relating to public advisory committees may be found in 21 CFR Part 14.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. The Federal Advisory Committee Act (FACA), as amended by the Government in the Sunshine Act (Pub. L. 94-409), permit such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed, however, shall be closed for the shortest possible time, consistent with the intent of the cited statutes.

The FACA, as amended, provides that a portion of a meeting may be closed where the matter for discussion involves a trade secret; commercial or financial information that is privileged or confidential; information of a personal nature, disclosure of which would be a clearly unwarranted invasion of personal privacy; investigatory files compiled for law enforcement purposes; information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action; and information in certain other instances not generally relevant to FDA matters.

Examples of portions of FDA advisory committee meetings that ordinarily may be closed, where necessary and in accordance with FACA criteria, include the review, discussion, and evaluation of drafts of regulations or guidelines or similar preexisting internal agency documents, but only if their premature disclosure is likely to significantly frustrate implementation of proposed agency action; review of trade secrets and confidential commercial or financial information submitted to the agency; consideration of matters involving investigatory files compiled for law enforcement purposes; and review of matters, such as personnel records or individual patient records, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Examples of portions of FDA advisory committee meetings that ordinarily shall not be closed include the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices; consideration of labeling requirements for a class of marketed drugs or devices; review of data and information on specific investigational or marketed drugs and devices that have previously been made public; presentation of any other data or information that is not exempt from public disclosure pursuant to the FACA, as amended; and, notably, deliberative sessions to formulate advice and recommendations to the agency on matters that do not independently justify closing.

Dated: December 9, 1977.

JOSEPH P. HILE,
Acting Commissioner of Food and Drugs.

[FR Doc. 77-35829 Filed 12-19-77; 8:45 am]

[4110-03]

Food and Drug Administration

[Docket No. 77N-0316]

PFIZER, INC. ET AL.

Tetracycline (Chlortetracycline and Oxytetracycline)-Containing Premixes; Opportunity for Hearing; Extension of Time for Submitting Data

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice extends to February 18, 1978, the time for sub-

mitting data upon which a request for hearing relies concerning a proposal to withdraw approval of new animal drug applications (NADA's) for tetracycline (chlortetracycline and oxytetracycline)-containing premixes.

DATE: Written submission of data and analysis by February 18, 1978.

ADDRESS: Written submissions to the Hearing Clerk (HFC-20), Food and Drug Administration, room 4-65, 5600 Fishers Lane, Rockville, Md. 20857.

FOR FURTHER INFORMATION CONTACT:

Gerald B. Guest, Bureau of Veterinary Medicine (HFV-100), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-4313.

SUPPLEMENTARY INFORMATION: In the FEDERAL REGISTER of October 21, 1977 (42 FR 56264), the Director of the Bureau of Veterinary Medicine issued a notice of opportunity for a hearing on a proposal to withdraw approval of NADA's for tetracycline (chlortetracycline and oxytetracycline)-containing premixes intended for use in animal feed. The notice provided that written appearances requesting a hearing be submitted by November 21, 1977, and data and analysis upon which requests for hearing rely be submitted by January 19, 1978.

Pfizer, Inc., has requested the Director to extend for 45 days the time permitted for submitting data and analysis upon which a request for hearing relies. Pfizer stated that the length and complexity of both the October notice and the notice pertaining to penicillin-containing premixes published in the FEDERAL REGISTER of August 30, 1977 (42 FR 43772) required an enormous effort in preparing a response. Pfizer stated this was particularly so for companies who market products subject to each notice and who intend to respond to each notice. The notice pertaining to penicillin-containing premixes requires that data and analysis upon which requests for hearing rely be submitted by December 30, 1977. Pfizer noted that although many of the issues raised in the two notices were similar or identical, there were some major differences that would require additional time in which to respond.

The Director concludes that under the circumstances and because of the complexity of the issues and volume of data to be considered, a 30-day extension for submitting data is justified. Therefore, the period of time for submission is extended to February 18, 1978.

A copy of the extension request is on file with the Hearing Clerk (address given above), and may be seen in that office between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.84).

Dated: December 12, 1977.

FRED J. KINGMA,
Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 77-36076 Filed 12-19-77; 8:45 am]

[4110-03]

Food and Drug Administration

[Docket No. 77N-0310]

COLOR IN ANTI-HUMAN SERUM PRODUCTS

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This is an announcement in response to requests from manufacturers that the Bureau of Biologics consider amendments to certain Anti-Human Serum licenses to include the use of a green coloring agent for identification.

ADDRESS: Written submissions to Bureau of Biologics, 8800 Rockville Pike, Bethesda, Md. 20014.

FOR FURTHER INFORMATION CONTACT:

Michael L. Hooton or Al Rothschild, Bureau of Biologics (HFB-620), Food and Drug Administration, Department of Health, Education, and Welfare, 8800 Rockville Pike, Bethesda, Md. 20014, 301-443-1920.

SUPPLEMENTARY INFORMATION: Anti-Human Serum products have been licensed as biologicals under the Public Health Service Act (42 U.S.C. 262). Because of their in vitro use, they are also medical devices within the meaning of section 201(h) of the Federal Food, Drug, and Cosmetic Act (90 Stat. 575 (21 U.S.C. 321(h))). A color added for use in or on a medical device is subject to the color additive provisions under section 706 of the act (21 U.S.C. 376) only if the color comes in direct contact with the body of man or other animals for a significant period of time. Since Anti-Human Serum products, when used according to good laboratory practices, are not expected to come into direct contact with the body of man, the Commissioner of Food and Drugs has concluded that Anti-Human Serum products are not subject to section 706 of the act (21 U.S.C. 376).

The Commissioner has received inquiries from manufacturers concerning the use of coloring agents in Anti-Human Serum products. One manufacturer has submitted a license amendment applying for approval to use a green color in its product. Green coloring agents have been used in Anti-Human Serum products marketed in Europe for many years, and the Commissioner is not aware of any safety problems related to their use. There is a lack of experience or data in support of other coloring agents. For these reasons, and to minimize confusion with existing blood bank products (both licensed and unlicensed) that utilize other colors, the Commissioner intends to restrict coloring to green. Accordingly, the Bureau of Biologics will consider approvable license amendments for the use of a green coloring agent in certain Anti-Human Serum products.

The Commissioner will permit coloring of only "all purpose" polyspecific reagents. Polyspecific Anti-Human Serum contains at least Anti-IgG and Anti-C3d activity. This restriction should help to prevent inadvertent use of a monospecific or limited purpose reagent.

Manufacturers who wish to have an amendment to their Anti-Human Serum license considered to include the use of green color in their polyspecific product should submit stability data in support of such an amendment, demonstrating that neither the Anti-IgG nor Anti-C3d components are adversely affected. Labeling for a colored polyspecific product should include a warning that falsely negative reactions may occur if the reagent activity is neutralized by contamination with human serum, i.e., observation of the color does not assure the presence of reactive antibody and, therefore, cannot substitute for recommended quality control procedures. Proposed labeling revisions should be submitted with amendments to use a green coloring agent.

Dated: December 14, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc. 77-36163 Filed 12-19-77; 8:45 am]

[4110-03]

SANITARY QUALITY OF FROZEN FROG LEGS EXPORTED TO THE UNITED STATES OF AMERICA

Agreement Between the Export Inspection council, Ministry of Foreign Trade, India and the Food and Drug Administration; Revocation

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The agency is revoking an agreement between India and the United States concerning the sanitary quality of frozen frog legs. It has been

found that the terms of the agreement are not being met and revocation is necessary until circumstances allow renegotiation of the agreement.

FOR FURTHER INFORMATION CONTACT:

Gary Dykstra, Compliance Coordination and Policy Staff (HFC-13), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, Md. 20857, 301-443-3470.

SUPPLEMENTARY INFORMATION: On January 13, 1975, the Food and Drug Administration (FDA) and the Export Inspection Council, Ministry of Foreign Trade, India, entered into a Memorandum of Understanding which was to provide for the control of the sanitary quality of frozen frog legs exported from India to the United States. It was also anticipated that FDA manpower resources needed for sampling and analyzing imported frozen frog legs would be substantially reduced.

However, the MOU has not been successful in achieving either goal. Sampling programs conducted since the effective date of this MOU have shown a continued high detention rate of defective lots of certified imported frog legs. Consequently, FDA has not been able to reduce the intensity of its sampling program.

Therefore, in accordance with the terms of this agreement, the Memorandum of Understanding has been revoked by the Commissioner. This action does not preclude renegotiating the Memorandum of Understanding at some future date.

Dated: December 14, 1977.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc. 77-36162 Filed 12-19-77; 8:45 am]

[4110-83]

Health Resources Administration

NATIONAL COUNCIL ON HEALTH PLANNING AND DEVELOPMENT

Notice of Meeting

In accordance with section 10 (a)(2) of the Federal Advisory Committee Act, (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to assemble during the month of January 1978:

Name: NATIONAL COUNCIL ON HEALTH PLANNING AND DEVELOPMENT.

Date and Time: January 6-7, 1978, 8:30 a.m.

Place: 1st Floor Auditorium, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, D.C. 20201.

Open for entire meeting.

Purpose: The National Council on Health Planning and Development is responsible for advising and making recommendations with respect to: (1) the development of national guidelines under section 1501 of Pub. L. 93-641, (2) the implementation and administration of Title XV and XVI of Pub. L. 93-641, and (3) an evaluation of the implications of new medical technology for the organization, delivery and equitable distribution of health care services. In addition, the Council advises and assists the Secretary in the preparation of general regulations to carry out the purposes of section 1122 of the Social Security Act and on policy matters arising out of the implementation of it, including the coordination of activities under that section with those under other parts of the Social Security Act or under other Federal or federally assisted health programs. The Council considers and advises the Secretary on proposals submitted by the Secretary under the provisions of section 1122(d)(2) that health care facilities or health maintenance organizations be reimbursed for expenses related to capital expenditures notwithstanding that under section 1122(d)(1) there would otherwise be exclusion of reimbursement for such expenses.

Agenda: To advise on the development of the National Guidelines for Health Planning and to review the progress of the health planning program.

Anyone wishing to participate, obtain a roster of members, minutes of meetings, or other relevant information should contact Mr. Daniel I. Zwick, Office of Planning, Evaluation and Legislation, Room 10-22, Center Building, 3700 East-West Highway, Hyattsville, Md. 20782, Telephone (301) 436-7270.

Agenda items are subject to change as priorities dictate.

NOTE.—If the Council completes its work on January 6, the meeting scheduled for January 7, will be cancelled. This will be announced before the close of the meeting on Monday, January 6, 1978.

Dated: December 15, 1977.

JAMES A. WALSH,
Associate Administrator for Operations and Management.

[FR Doc. 77-36337 Filed 12-19-77; 8:45 am]

[4110-85]

Public Health Service

REORGANIZATION

Delegations of Authority

Notice is hereby given that pursuant to a reorganization within the Public Health Service, effective December 2, 1977, the following actions were taken with regard to delegated authorities for administering the programs of the Public Health Service:

1. Revocation by the Assistant Secretary for Health of all delegations of authority, excluding delegations of personnel, financial, and administrative management authority, previously made by the Assistant Secretary for Health to the Administrator, Alcohol, Drug Abuse, and Mental Health Administration; the Director, Center for Disease Control; the Commissioner of Food and Drugs; the Administrator, Health Resources Administration; the Administrator, Health Services Administration; the Director, National Institutes of Health; the Executive Officer, Public Health Service; and the Director, Office of Quality Standards.

2. Delegation by the Assistant Secretary for Health to the Deputy Assistant Secretary for Health Programs, with authority to redelegate consistent with the provisions of the respective delegations, of all authorities, excluding personnel, financial, and administrative management authorities, which pertain to the functions currently assigned to the Public Health Service and which have been delegated, with authority to redelegate, to the Assistant Secretary for Health. Provision was made for all delegations or redelegations of such authorities to other PHS officials or employees, which were in effect immediately prior to December 2, 1977, to continue in effect in them or their successors, pending issuance of further redelegations. This includes all delegations and redelegations of authority made by the Assistant Secretary for Health and other PHS officials to the Regional Health Administrators and all redelegations of such authority to other PHS Regional Office officials.

3. Delegation by the Deputy Assistant Secretary for Health Programs to the Deputy Assistant Secretary for Health Policy, Research, and Statistics, with authority to redelegate consistent with the provisions of the respective delegations, of all authorities which pertain to the functions currently assigned to the National Center for Health Statistics and the National Center for Health Services Research and which had been delegated to the Administrator, Health Resources Administration, prior to December 2, 1977. Provision was made for all delegations or redelegations of such authorities to officials or employees of the National Center for Health Statistics and the National Center for Health Services Research, which were in effect immediately prior to December 2, 1977, to continue in effect in them or their successors, pending issuance of further redelegations.

4. Delegation by the Deputy Assistant Secretary for Health Programs to the Administrator, Alcohol, Drug Abuse, and Mental Health Administration; the Director, Center for Disease Control; the Commissioner of Food

and Drugs; the Administrator, Health Resources Administration; the Administrator, Health Services Administration; and the Director, National Institutes of Health, with authority to redelegate consistent with the provisions of the respective delegations, of all the authorities which pertain to the functions currently assigned to their respective organizations, and which had been delegated to them prior to December 2, 1977. Provision was made for all delegations or redelegations of such authorities to other PHS officials or employees within the Alcohol, Drug Abuse, and Mental Health Administration, the Center for Disease Control, the Food and Drug Administration, the Health Resources Administration, the Health Services Administration, and the National Institutes of Health, which were in effect immediately prior to December 2, 1977, to continue in effect in them or their successors, pending issuance of further redelegations.

The actions cited above became effective December 2, 1977.

Dated: December 12, 1977.

RUPERT MOURE,
Executive Officer,
Public Health Service.

[FR Doc. 77-36079 Filed 12-19-77; 8:45 am]

[4310-84]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AA-6707-A]

ALASKA

Alaska Native Claims Selection

On February 27, 1915, certain lands located on the west side of Cook Inlet were withdrawn from disposal and reserved for the use of the U.S. Bureau of Education by Executive Order No. 2141. The tract of land, formerly known as the Moquawkie Indian Reservation, was surveyed in 1930 and described as U.S. Survey No. 1865, containing 26,918.56 acres.

This reserve was revoked by section 19(a) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 710; 43 U.S.C. 1601-1618 (Supp. V, 1975)), hereinafter ANCSA.

Section 19(b) of ANCSA provided the reserves existing on December 18, 1971, the option of acquiring title to the surface and subsurface estates of the lands in the reserve or to receive the other benefits under ANCSA. Tyonek Native Corp. elected for itself and its members by letter of March 22, 1974, to the former Secretary of the Interior, Rogers Morton, to receive the benefits under ANCSA (43 CFR 2654.1).

On May 9, 1974, Tyonek Native Corp. filed selection application AA-6707-A under the provisions of section 12(a) of the ANCSA of December 18, 1971 (85 Stat. 688, 701; 43 U.S.C. 1601, 1611 (Supp. V, 1975)), for the surface estate of lands located in the Tyonek area. The selection application as to the lands described below is properly filed and meets the requirements of the act and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, aggregating approximately 26,917.56 acres, is considered proper for acquisition by Tyonek Native Corp., and is hereby approved for conveyance pursuant to section 14(a) of the act:

U.S. Survey 1865 situated on the west side of Cook Inlet, south of the Chuitna (Chuit), River, excluding U.S. Coast Guard navigation aid AA-14290.

Containing approximately 26,917.56 acres.

The conveyance issued for the surface estate of the lands described above shall contain only the following reservations and no others:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, as prescribed and directed by the act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945;

2. A right-of-way thereon for the construction of railroads, telegraph and telephone lines, as prescribed and directed by the act of March 12, 1914, 38 Stat. 305; 43 U.S.C. 975d;

3. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613 (Supp. V, 1975)); and

4. Pursuant to section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 State. 688, 708; 43 U.S.C. 1601, 1616 (Supp. V, 1975)), the following public easements referenced by easement identification number (EIN), on the easement map in case file AA-6707-EE are reserved to the United States and subject to further regulation thereby:

(a) (EIN 1 C, D, D9, D1) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses; provided that the twenty-five (25) foot marine coastline easement shall be reduced to a ten (10) foot width for any permanent fish camp which has at least one permanent structure within twenty-five (25) feet of the mean high tide line and is in existence on the date of conveyance. The ten (10) foot easement is to run ten (10) feet upland of and parallel to the mean high tide line and shall be two hundred (200) feet in length, one hundred (100) feet on each side of the approximate center of the fishcamp measured in directions generally parallel to the mean high tide line. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

(b) (EIN 15 C) The right of the United States to enter upon the lands herein granted for cadastral, geodetic, or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.

(c) (EIN 16 C) Easements for the transportation of energy, fuel, and natural resources which are the property of the United States or which are intended for delivery to the United States or which are produced by the United States. These easements also include the right to build any related facilities necessary for the exercise of the right to transport energy, fuel, and natural resources, including those related facilities necessary during periods of planning, locating, constructing, operating, maintaining, or terminating transportation systems. The specific location of these easements shall be determined only after consultation with the owner of the servient estate. Whenever the use of such easement will require removal or relocation of any structure owned or authorized by the owner of the servient estate, such use shall not be initiated without the consent of the owner of such improvement; provided, however, that the United States may exercise the right of eminent domain if such consent is not given. Only those portions of these easements that are actually in use or that are expressly authorized on March 3, 1977, shall continue to be in force.

(d) (EIN 22 C4) A one-quarter (¼) acre easement for an existing stream gaging station in the NE¼ sec. 29, T. 12 N., R. 11 W., Seward Meridian, on the right bank of the Chuitna River. (This stream gaging station is operated and maintained by the U.S. Geo-

logical survey for collecting data on stream flow. The gaging station is located on the left bank of the river but the right bank is needed as an anchor for a cable car crossing which is used to measure water velocity. The easement is necessary to provide for the continued operation and maintenance of this public resource management facility.)

The grant of lands shall be subject to:

1 Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under section 6(g) of the Alaska Statehood Act (72 Stat. 339, 341; 48 U.S.C. 111719, 111720)), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him;

3. Requirements of section 14(c) of the ANCSA (85 Stat. 688, 703; 43 U.S.C. 1601, 1613 (Supp. V, 1975)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section;

4. The terms and conditions of the agreement dated January 18, 1977, between the Secretary of the Interior, Cook Inlet Region, Inc., Tyonek Native Corp., and other Cook Inlet village corporations. A copy of the agreement shall be attached to and become a part of the conveyance document and shall be recorded therewith. A copy of the agreement is located in the Bureau of Land Management easement case file for Tyonek Native Corp., serialized AA-6707-EE. Any person wishing to examine this agreement may do so at the Bureau of Land Management, Alaska State Office, 555 Cordova Street, Anchorage, Alaska 99501; and

5. The following third-party interest, if valid, created and identified by the Bureau of Indian Affairs, as provided by section 14(g) of the ANCSA of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(g) (Supp. V, 1975)).

(a) Right-of-Way for underground gas pipeline. (1) File No. 72-1 traversing selected lands in the former sections 22, 23, 25, 26, and 27, T. 11 N., R. 12 W., Seward Meridian.

Conveyance of the remaining entitlement to Tyonek Native Corp., shall be made at a later date. When conveyance is granted to Tyonek Native Corp. for the surface estate, conveyance of the subsurface estate of the lands described above shall be granted to Cook Inlet Region, Inc., pursuant to section 14(f) of ANCSA, and shall be subject to the same conditions as the surface conveyance.

In accordance with departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the FEDERAL REGISTER and once a week, for four (4) consecutive weeks, in the Anchorage Times. Any party claiming a property interest in lands affected by this decision may appeal the decision to the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501, and the Regional Solicitor, Office of the Solicitor, 510 L Street, suite 408, Anchorage, Alaska 99501; also:

1. Any party receiving service of this decision by mail shall have 30 days from the receipt of this decision to file an appeal.

2. Any unknown parties, any parties unable to be located after reasonable efforts have been expended to locate, and any parties who failed or refused to sign the return receipt shall have until January 19, 1978, to file an appeal.

3. Any party known or unknown who may claim a property interest which is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

4. If Tyonek Native Corp., or Cook Inlet Region, Inc., objects to any easement which is identified herein for reservation in the conveyance which is subject to the discretion of the State Director and not reserved pursuant to an express secretarial directive, a petition for reconsideration must be filed within 30 days with the State Director, Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501. A copy of the petition should be served upon the Regional Solicitor, Office of the Solicitor, 510 L Street, suite 408, Anchorage, Alaska 99501. If a petition for reconsideration is not filed, it will be deemed that the right to contest any such easement has been waived.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeal. Further information on the manner of, and requirements for, filing an appeal may be obtained from the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

ROBERT E. SORENSON,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 77-36214 Filed 12-19-77; 8:45 am]

[4310-84]

[Wyoming 61553]

WYOMING

Application

DECEMBER 12, 1977.

Notice is hereby given that pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northwest Pipeline Corp. of Salt Lake City, Utah, filed an application for a right-of-way to construct a 4½ inch O.D. buried pipeline for the purpose of transporting natural gas across the following described public lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 21 N., R. 111 W.,
Sec. 32, W½NW¼.
T. 20 N., R. 112 W.,
Sec. 4, SE¼SE¼,
Sec. 8, SE¼SE¼,
Sec. 30, lot 4, W½NE¼, SE¼NW¼, E½SW¼.

The proposed pipeline, which is an extension of an existing pipeline beginning in the NW¼NW¼ of section 23, T. 19 N., R. 113 W. will transport natural gas from a point in the NE¼SE¼ of section 1, T. 19 N., R. 113 W. to a point in the NW¼SE¼ of section 29, T. 21 N., R. 111 W. in Sweetwater and Lincoln Counties, Wyo. The proposed pipeline will gather natural gas from Northwest Pipeline Corp.'s lateral A-1 and Amoco Production Co.'s Seven Mile Gulch Well Nos. 1, 2, and 3, all in Sweetwater County, Wyo.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, P.O. Box 1869, Rock Springs, Wyo. 82901.

HAROLD G. STINCHCOMB,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 77-36185 Filed 12-19-77; 8:45 am]

[4310-70]

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before December 9, 1977. Pursuant to § 60.13(a)

of 36 CFR Part 60, published in final form on January 9, 1976, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the Keeper of the National Register, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240. Written comments or a request for additional time to prepare comments should be submitted by December 30, 1977.

WILLIAM J. MURTAGH,
Keeper of the National Register.

MARYLAND

Baltimore (independent city)

Chizuk Amuno Synagogue, 27-35 Lloyd St.
Lloyd Street Synagogue, 11 Lloyd St.

Caroline County

Denton, *Schoolhouse, Denton*, 104 S. 2nd St.

St. Marys County

Oakville vicinity, *Sandgates on Cat Creek*, E of Oakville on MD 472.

Talbot County

Bellevue vicinity, *Orem's Delight*, S of Bellevue off Ferry Neck Rd.

Washington County

Hagerstown vicinity, *Dorsey-Palmer House*, N of Hagerstown on MD 60.

MISSISSIPPI

Carroll County

North Carrollton vicinity, *Cotesworth*, N of North Carrollton on Old Grenada Rd.

Rankin County

Brandon vicinity, *Hebron Academy*, S of Brandon on MS 18.

NEW YORK

Schenectady County

Rotterdam Junction vicinity, *Mabee House*, S of Rotterdam Junction on NY 5s.

NORTH CAROLINA

Brunswick County

Kure Beach vicinity, *Cape Fear Lighthouse Complex*, S of Kure Beach on Smith Island.

Forsyth County

Winston-Salem, *Graylyn*, between Renolda and Robinhood Rds.
Winston-Salem, *Shamrock Mills*, 3rd and Marshall Sts.

Mecklenburg County

Charlotte, *Duke, James Buchanan, House*, 400 Hermitage Rd.
Charlotte vicinity, *White Oak Plantation*, E of Charlotte on SR 2826.

Vance County

Kittrell, *St. James Episcopal Church and Rectory*, jct of SR 1551 and SR 1555.

OREGON

Clackamas County

Government Camp vicinity, *Barlow Road Historic District, Laurel Hill Segment*, W of Government Camp.

SOUTH DAKOTA

Brookings County

Bruce, *Walters, Solomon, House*, off U.S. 77.

Minnehaha County

Sioux Falls, *Phillips Block*, 333-335 N. Main Ave.

VIRGINIA

Botetourt County

Buchanan vicinity, *Looney Mill Creek Site*, W of Buchanan.
Springwood, *Springwood Truss Bridge*, VA 630 over James River.

Brunswick County

Lawrenceville vicinity, *Gholson Bridge*, S of Lawrenceville on VA 715 over Meherrin River.

Campbell County

Mansion vicinity, *Manston Truss Bridge*, VA 640 over Staunton River.

Fredericksburg (ind. city)

Fredericksburg Gun Manufactory Site, off U.S. 17.

King William County

Sweet Hall vicinity, *Windsor Shades*, off VA 30.

Nelson County

Shipman vicinity, *Oak Ridge Railroad Overpass*, SW of Shipman on VA 653.

Orange County

Culpepper vicinity, *Germanna Site*, SE Culpepper.

Page County

Hamburg vicinity, *White House (Kauffman House)*, SW of Hamburg on U.S. 211.
Luray vicinity, *Fort Rodes*, NW of Luray.
Luray vicinity, *Fort Stover*, N of Luray off VA 660. HABS.

Prince William County

Nokesville vicinity, *Nokesville, Truss*, NE of Nokesville on VA 646.

Rockbridge County

Goshen vicinity, *Goshen Land Company Bridge*, E of Goshen on VA 746.

Rockingham County

Broadway vicinity, *Linville Creek Bridge*, S of Broadway on SR 1421.

Russell County

Lebanon vicinity, *Daugherty's Cave and Breeding Sites*, N of Lebanon.

Smyth County

Marion vicinity, *Fox Farm Site*, W of Marion.

Westmoreland County

Oak Grove, *Monroe, James, Family Home Site*, N of Oak Grove.

Williamsburg (ind. city)

Capitol Landing, off VA 163.
College Landing, off VA 31.

York County

Williamsburg vicinity, *Bryan Site*, E of Williamsburg.

[FR Doc. 77-35778 Filed 12-19-77; 8:45 am]

[6820-35]

LEGAL SERVICES CORPORATION

IDAHO LEGAL AID SERVICES, INC. ET AL.

Grants and Contracts

DECEMBER 15, 1977.

The Legal Services Corp. was established pursuant to the Legal Services Corporation Act of 1974. Pub. L. 93-355, 88 Stat. 378, 42 U.S.C. 2996-2996*l*. Section 1007(f) provides: "At least 30 days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly, and shall notify the Governor and the State Bar Association of any State where legal assistance will thereby be initiated of such grant, contract, or project * * *."

The Legal Services Corp. hereby announces publicly that it is considering the grant applications submitted by:

1. Idaho Legal Aid Services, Inc., in Boise, Idaho, to serve Bonneville, Bingham, Teton, Madison, Freemont, Jefferson, Clark, Butte, Custer, and Lembi Counties, Idaho.
2. Oregon Legal Services Corp. in Portland, Oreg., to serve Yamhill County, Oreg.
3. Evergreen Legal Services in Seattle, Wash., to serve Cowlitz, Wahkiakum, Clark, Grays Harbor, and Pacific Counties, Wash.
4. Legal Services for Laramie County, Inc., in Cheyenne, Wyo., to serve Platte, Goshen, and Niobrara Counties, Wyo.

Interested persons are hereby invited to submit written comments or recommendations concerning the above applications to the Regional Office of the Legal Services Corp. at:

Legal Services Corp., Seattle Regional Office, 506 Second Avenue, Seattle, Wash. 98104.

THOMAS EHRLICH,
President.

[FR Doc. 77-36224 Filed 12-19-77; 8:45 am]

[6820-35]

LEGAL ACTION OF WISCONSIN, INC.

Grants and Contracts

DECEMBER 15, 1977.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355, 88 Stat. 378, 42 U.S.C. 2996-2996*l*. Section 1007(f) provides: At least 30 days prior to the approval of any grant application or prior to en-

tering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly, and shall notify the Governor and the State Bar Association of any State where legal assistance will thereby be initiated of such grant, contract, or project * * *"

The Legal Services Corporation hereby announces publicly that it is considering the grant application submitted by:

Legal Action of Wisconsin, Inc. in Milwaukee, Wis. to serve Kenosha, Racine, Walworth, rock, and Green Counties, Wis.

Interested persons are hereby invited to submit written comments or recommendations concerning the above application to the Regional Office of the Legal Services Corporation at:

Legal Services Corporation, Chicago Regional Office, 310 South Michigan Avenue, 24th floor, Chicago, Ill. 60604.

THOMAS EHRLICH,
President.

[FR Doc. 77-36222 Filed 12-19-77; 8:45 am]

[6820-35]

LEGAL SERVICES CORP. OF NORTH FLORIDA, ET AL.

Grants and Contracts

DECEMBER 15, 1977.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355, 88 Stat. 378, 42 U.S.C. 2996-2996*l*. Section 1007(f) provides: "At least 30 days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly, and shall notify the Governor and the State Bar Association of any State where legal assistance will thereby be initiated of such grant, contract, or project * * *"

The Legal Services Corporation hereby announces publicly that it is considering the grant applications submitted by:

1. Legal Services Corporation of North Florida in Tallahassee, Fla. to serve Jefferson, Wakulla, Gadsden, Liberty, Franklin, Gulf, and Calhoun Counties, Fla.
2. Rural Legal Services of Tennessee in Jacksboro, Tenn. to serve Anderson, Campbell, Claiborne, Scott, Morgan, Roane, Pickett, Fentress, Cumberland, Overton, and Putnam Counties, Tenn.

Interested persons are hereby invited to submit written comments or recommendations concerning the above applications to the Regional Office of the Legal Services Corporation at:

Legal Services Corporation, Atlanta Regional Office, 615 Peachtree Street NE., 9th floor, Atlanta, Ga. 30308.

THOMAS EHRLICH,
President.

[FR Doc. 77-36223 Filed 12-19-77; 8:45 am]

[7510-01]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (77-75)]

STRATOSPHERIC RESEARCH ADVISORY COMMITTEE

Meeting

The Stratospheric Research Advisory Committee will meet at the National Aeronautics and Space Administration Headquarters on January 16-17, 1978. The meeting will be open to members of the public. The meeting will take place from 9 a.m. to 5 p.m. on January 16 and from 9 a.m. to 4:30 p.m. on January 17 in room 5026 of Federal Office Building 6, 400 Maryland Avenue SW., Washington, D.C. 20546.

The Stratospheric Research Advisory Committee advises NASA concerning the contents and direction of the NASA Upper Atmospheric Research Program. Topics under discussion at this meeting will include: The Upper Atmospheric Research Office Program; recent measurements of stratospheric radical concentrations; the Office of Space and Terrestrial Applications Atmospheres Program; and status reports on AMPS, the LIDAR Working Group and the UARS Science Mission Definition Group. Discussion of the 1977 Amendments of the Clean Air Act, and the CFM Assessment report will be held.

For further information regarding the meeting, please contact Dr. Shelby G. Tilford, Executive Secretary, at Area Code 202-755-3766, National Aeronautics and Space Administration, Washington, D.C. 20546.

KENNETH R. CHAPMAN,
Acting Associate Administrator for External Relations.

DECEMBER 13, 1977.

[FR Doc. 77-36166 Filed 12-19-77; 8:45 am]

[7527-01]

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

TASK FORCE ON THE ROLE OF THE SCHOOL LIBRARY MEDIA PROGRAM IN NETWORKING

Meeting

Notice is hereby given of the National Commission on Libraries and Information Science (established by Pub. L. 91-345) holding a meeting of the Task Force on the role of the School Library Media Program in Networking. This meeting of the task force will be held January 20-21, 1978, at the Palmer House Hotel, Chicago, Ill.

PROPOSED AGENDA

(1) Progress report;
(2) Discussion on preliminary draft of final report;
(3) Open Forum final planning;
(4) Activities to be accomplished by next meeting.

ALPHONSE F. TREZZA,
Executive Director.

DECEMBER 9, 1977.

[FR Doc. 77-36187 Filed 12-19-77; 8:45 am]

[7590-01]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-255]

CONSUMERS POWER CO.

Issuance of Amendment to Provisional Operating License

The U.S. Nuclear Regulatory Commission (the Commission), has issued Amendment No. 32 to Facility Operating License No. DPR-20, issued to Consumers Power Co. (the licensee), which revised Technical Specifications for operation of the Palisades Plant, (the facility), located in Covert Township, Van Buren County, Mich. The amendment is effective as of its date of issuance.

This amendment makes revisions to the Palisades Plant Technical Specifications to incorporate the minimum qualification requirements of the Radiation Protection Manager (Health Physicist). This amendment also revised the maximum authorized reactor power level specified in the Palisades license to reflect the increase from 2200 MWt to 2530 MWt approved in the Technical Specification changes and Safety Evaluation issued with Amendment No. 31 on November 1, 1977.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment

will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment. For further details with respect to this action, see (1) the applications for amendment dated May 17, and August 12, 1977, (2) Amendment No. 32 to License No. DPR-20, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Kalamazoo Public Library, 315 South Rose Street, Kalamazoo, Mich., 49006. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 28th day of November 1977.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc. 77-36157 Filed 12-19-77; 8:45 am]

[7590-01]

[Docket No. 50-250]

FLORIDA POWER AND LIGHT CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission), has issued Amendment No. 30 to Facility Operating License No. DPR-31, issued to Florida Power and Light Co., which revised Technical Specifications for Operation of the Turkey Point Nuclear Generating Station, Unit No. 3, located in Dade County, Fla. The amendment is effective as of the date of issuance.

The amendment will modify operating limits in the Technical Specifications to allow operation of Unit No. 3 at the original design condition of 2250 psia and 546.2°F inlet temperature. The changes will also increase the allowable fuel residence time to 27,000 effective full power hours.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 4, 1976, which was superseded in its entirety by letter dated December 21, 1976 (as supplemented by letters dated January 7 and February 16, 1977), (2) Amendment No. 30 to License No. DPR-31, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Environmental and Urban Affairs Library, Florida International University, Miami, Fla. 33199. A copy of items (2) (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 13th day of December 1977.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3 Division of Operating Reactors.

[FR Doc. 77-36158 Filed 12-19-77; 8:45 am]

[7590-01]

[Docket Nos. STN 50-498, STN 50-499, STN 50-498A, and STN 50-499A]

HOUSTON LIGHTING & POWER CO., ET AL.

Receipt of Application for Operating License

Houston Lighting & Power Co., on its behalf and as agent for the city of San Antonio, Central Power and Light Co., and the city of Austin (the applicants), pursuant to section 103 of the Atomic Energy Act of 1954 as amended, filed with the Nuclear Regulatory Commission (the Commission) Amendment No. 4 to their application to construct and operate two pressurized water reactors known as the South Texas Project which are located approximately 15 miles southwest of Bay City on the west side of the Colorado River in Matagorda County, Tex. Amendment No. 4 filed on August 24, 1977, contains a general updating of information found in the application and the latest annual reports for each applicant. The applicants request that the application (filed July 5, 1974) as revised by Amendment Nos. 1, 2, 3, and 4 be accepted as their application for a 40-year operating license.

In connection with a petition filed by Central Power and Light Co. requesting an antitrust hearing, Houston Lighting & Power Co. filed a motion on February 10, 1977, with the Commission pursuant to 10 CFR 2.758 for waiver of the requirement that a Final Safety Analysis Report be filed at the same time as the application for an operating license, in order that the review of the antitrust issues could begin. By Memorandum and Order dated June 15, 1977 (Houston Light & Power Co., et al. (South Texas Project, Unit Nos. 1 and 2), CLI-77-13, 5 NRC 1303 (1977)), the Commission decided that further consideration of antitrust issues should take place in the context of an operating license proceeding and granted the waiver to permit early submission of the application and consideration of these issues.

On August 25, 1977, the Office of Nuclear Reactor Regulation requested the advice of the Attorney General on the antitrust matters pursuant to section 105(c)(1) of the Atomic Energy Act of 1954.

Notices of receipt of the remaining portions of the application dealing with radiological health and safety matters (Final Safety Analysis Report) and environmental matters (Environmental Report) will be published by the Commission upon their receipt, and notice of opportunity for hearing will be published at the appropriate time. It is anticipated that the Final Safety Analysis Report and the Environmental Report will be submitted about April 1978.

A copy of the application (Application and Amendment Nos. 1 to 4) and the Commission's Memorandum and Order, dated June 15, 1977, are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and at the local public document room located in the Matagorda County Courthouse, 1700 Seventh Street, Bay City, Tex. 77414. Copies of the Commission's Memorandum and Order, dated June 15, 1977, may be obtained by a request addressed to the Director, Division of Project Management, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Bethesda, Md., this 9th day of December 1977.

For the Nuclear Regulatory Commission.

OLAN D. PARR,
Chief, Light Water Reactors Branch No. 3, Division of Project Management.

[FR Doc. 77-36159 Filed 12-19-77; 8:45 am]

[7590-01]

[Docket No. 50-263; Amendment to License No. DPR-22]

NORTHERN STATES POWER CO., (MONTICELLO NUCLEAR GENERATING PLANT, UNIT 1)

Hearing on Amendment of Facility Operating License

Pursuant to the Atomic Energy Act of 1954, as amended (the Act) and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", Part 51, "Licensing and Regulatory Policy and Procedures for Environmental Protection", and Part 2, rules of practice, notice is hereby given that a hearing will be held before an Atomic Safety and Licensing Board (Board) to consider the request of Northern States Power Co. (the licensee) for an amendment to Provisional Operating License no. DPR-22 which currently authorizes Northern States Power Co. to possess, use and operate the Monticello Nuclear Generating Plant (the facility) located in Wright County, Minn., at power levels up to 1670 megawatts (thermal). The proposed amendment would authorize replacement of the existing racks in the spent fuel storage pool of the facility which have a capacity for storage of 740 fuel assemblies, with racks of a design capable of accommodating up to 2237 fuel assemblies in accordance with the licensee's letter dated August 17, 1977, and license amendment request dated September 12, 1977. Thereafter, the licensee would be permitted to operate the facility with this larger spent fuel storage capacity.

The hearing which will be scheduled to begin in the vicinity of the site of the Monticello facility will be conducted by an Atomic Safety and Licensing Board which has been designated by the Chairman of the Atomic Safety and Licensing Board Panel. The Board consists of Dr. Walter H. Jordan and Dr. Richard F. Cole, Members, and Robert M. Lazo, Esq., Chairman.

A notice entitled "Notice of Consideration of Proposed Modification to Facility Spent Fuel Storage Pool" was published by the Nuclear Regulatory Commission in the FEDERAL REGISTER on September 19, 1977 (42 FR 46963). The notice provided that by October 19, 1977, any person whose interest may be affected by this proceeding may file a petition for leave to intervene in accordance with the Commission's rules of practice in 10 CFR Part 2. A timely petition for leave to intervene was filed thereafter by the Minnesota Pollution Control Agency (MPCA), an agency of the State of Minnesota. Petitioner MPCA was admitted as a party to the proceeding pursuant to the provisions of 10 CFR 2.714.[1]

[1] Memorandum and order of the Atomic Safety and Licensing Board designated to rule on petitions for leave to intervene, dated December 13, 1977.

A prehearing conference or conferences will be held by the Board, at a date and place to be set by it, to consider pertinent matters in accordance with the Commission's rules of practice. The date and place of the hearing will be set by the Board at or after the prehearing conference. Notices as to the dates and places of the prehearing conference and the hearing will be published in the FEDERAL REGISTER. The specific issues to be considered at the hearing will be determined by the Board.

For further details with respect to the matters under consideration, see the licensee's letter dated August 17, 1977, and related license amendment request dated September 12, 1977, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at The Environmental Conservation Library, Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minn. 55401.

Any person who wishes to make an oral or written statement in this proceeding but who has not filed a petition for leave to intervene as noted above may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715 of the Commission's rules of practice. Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be determined by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, not later than January 19, 1978. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR 2.705 of the Commission's rules of practice, must be filed by the parties to this proceeding (other than the Regulatory Staff) not later than January 9, 1978.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Pending further order of the Hearing Board designated for this proceeding, parties are required to file, pursuant to the provisions of 10 CFR 2.708 of the Commission's rules of practice, an original and twenty (20) conformed copies of each such paper with the Commission.

Issued at Bethesda, Md., this 13th day of December 1977.

It is so ordered.

For the Atomic Safety and Licensing Board designated to rule on petitions for leave to intervene.

ROBERT M. LAZO,
Chairman.

[FR Doc. 77-36158 Filed 12-19-77; 8:45 am]

[7590-01]

[Docket No. 50-133]

PACIFIC GAS & ELECTRIC CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 16 to Facility Operating License No. DPR-7, issued to Pacific Gas & Electric Co. (the licensee), which revised Technical Specifications for operation of the Humboldt Bay Power Plant, Unit No. 3 (the facility) located near Eureka, Calif. The amendment becomes effective 30 days after its date of issuance.

The amendment incorporates fire protection Technical Specifications on the existing fire protection equipment and adds administrative controls related to fire protection at the facility. This action is being taken pending completion of the Commission's overall fire protection review of the facility.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for

amendment dated July 14, 1977, (2) Amendment No. 16 to License No. DPR-7, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Humboldt County Library, 636 F Street, Eureka, Calif. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 2d day of December 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc. 77-36160 Filed 12-19-77; 8:45 am]

[7590-01]

[Dockets Nos. 50-277, 50-278]

PHILADELPHIA ELECTRIC CO. et al.

Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 37 and 37 to Facility Operating Licenses Nos. DPR-44 and DPR-56, respectively, issued to Philadelphia Electric Co., Public Service Electric & Gas Co., Delmarva Power & Light Co., and Atlantic City Electric Co., which revised Technical Specifications for operation of the Peach Bottom Atomic Power Station, Units Nos. 2 and 3, located in Peach Bottom, York County, Pa. The amendments are effective as of the date of issuance.

These amendments will (1) delete the requirement for an Annual Operating Report in order to be consistent with Commission guidance; (2) revise the plant organization and the membership of the Plant Operation Review Committee (PORC) to reflect the addition of a Plant Engineer—Operations to the facility staff; and (3) revise other sections of the Technical Specifications where the changes are either editorial or pro forma in nature.

The applications for the amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the applications for amendments dated August 26, 1976, May 6, 1977, September 21, 1977, and October 31, 1977, (2) Amendments No. 37 and 37 to Licenses DPR-44 and DPR-56, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pa. 17126. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 13th day of December 1977.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Operating Reactors.

[FR Doc. 77-36161 Filed 12-19-77; 8:45 am]

[7590-01]

ACRS SUBCOMMITTEE ON REGULATORY ACTIVITIES

Meeting

The ACRS Subcommittee on Regulatory Activities will hold an open meeting on January 4, 1978 in Room 1046, 1717 H Street NW., Washington, D.C. 20555.

In accordance with the procedures outlined in the FEDERAL REGISTER on October 31, 1977, page 56972, oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The agenda for subject meeting shall be as follows:

WEDNESDAY, JANUARY 4, 1978

8:45 a.m. until about 12 noon. A. The Subcommittee will hear presentations from the NRC Staff and will hold discussions with this group pertinent to the following:

(1) Proposed Regulatory Guide 1.XXX, "Nuclear Safety Related Concrete Structures"

(2) Proposed Regulatory Guide 1.XXX, "Functional Specification for Safety Related Valve Assemblies in Nuclear Power Plants"

(3) Proposed Regulatory Guide 1.56, Revision 1, "Maintenance of Water Purity in Boiling Water Reactors"

(4) Proposed Regulatory Guide 1.71, Revision 1, "Welder Qualification for Welds Which Have Restricted Physical Accessibility"

(5) Regulatory Guide 1.68.2, Revision 1, "Initial Startup Test Program to Demonstrate Remote Shutdown Capability for Water-Cooled Nuclear Power Plants"

(6) Regulatory Guide 1.126, Revision 1, "An Acceptable Model and Related Statistical Methods for Analysis of Fuel Densification"

12 noon until the conclusion of business. B. The Subcommittee will hear presentations from the NRC Staff and will hold discussions with this group pertinent to "Proposed Implementation Procedures for Division 1 Regulatory Guides," and other activities which affect the current licensing process or reactor operations.

Other matters which may be of a predecisional nature relevant to reactor operation or licensing activities may be discussed following this session.

Persons wishing to submit written statements regarding Regulatory Guides 1.68.2 and 1.126 may do so by providing a readily reproducible copy to the Subcommittee at the beginning of the meeting. Such comments shall be based upon documents on file and available for public inspection at the NRC Public Document Room, 1717 H Street NW., Washington, D.C. 20555.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the Designated Federal Employee for this meeting, Mr. Gary Quittschreiber, 201-634-1374 between 8:15 a.m. and 5 p.m., EST.

Dated: December 15, 1977.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc. 77-36209 Filed 12-19-77; 8:45 am]

[7590-01]

[Docket No. 50-294]

MICHIGAN STATE UNIVERSITY

Proposed Renewal of Facility License

The U.S. Nuclear Regulatory Commission (the Commission) is considering renewal of Facility License No. R-114 (the license) issued to Michigan State University (the licensee) for operation of the TRIGA Mark I research reactor located on the campus of Michigan State University at East Lansing, Mich.

The renewal would extend the expiration date of the license to February 15, 1998 in accordance with the licensee's application for renewal dated September 19, 1977.

Prior to renewal of the license, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By January 19, 1978, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to renewal of the subject facility license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and Section 2.174, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for license renewal dated September 19, 1977, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 8th day of December 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc. 77-36210 Filed 12-19-77; 8:45 am]

[7590-01]

[Docket No. 50-289]

METROPOLITAN EDISON CO., ET AL.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 33 to Facility Operating License No. DPR-50, issued to Metropolitan Edison Co., Jersey Central Power and Light Co. and Pennsylvania Electric Co. (the licensees), which revised Technical Specifications for operation of the Three Mile Island Nuclear Station, Unit No. 1 (the facility) located in Dauphin County, Pa. The amendment is effective as of its date of issuance.

This amendment modifies the provisions of the Technical Specifications to increase from 48 hours to 72 hours the period during which one of a group of redundant components in the emergency core cooling, reactor building emergency cooling or reactor building spray systems could be in- operable during power operation.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated October 28, 1977, (2) Amendment No. 33 to License No. DPR-50, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Government Publications Section, State Library of Pennsylvania, Box 1601 (Education Building), Harrisburg, Pa. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 11th day of December 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc. 77-36211 Filed 12-19-77; 8:45 am]

[7590-01]

[Docket Nos. STN 50-546 and STN 50-547]

PUBLIC SERVICE CO. OF INDIANA, INC.

Notice of Issuance of Revision to Limited Work Authorization

Pursuant to the provisions of 10 CFR Part 50.10(e) (1) and (2) of the Nuclear Regulatory Commission's (Commission) regulations, the Commission had authorized the Public Service Co. of Indiana, Inc., on behalf of itself and the Wabash Valley Power Association (applicant), to conduct certain site activities in connection with the Marble Hill Nuclear Generating Station, Units 1 and 2, prior to a decision regarding the issuance of construction permits. Notices of that Limited Work Authorization and of an amendment thereto were published in the FEDERAL REGISTER on September 1, 1977 (42 FR 44037) and on October 25, 1977 (42 FR 56386), respectively.

Pursuant to the provisions of § 50.10(e)(3), the Commission has not determined that additional activities may be authorized. The additional activities are within the scope of those authorized by § 50.10(e)(3) and include certain necessary subsurface preparations and the installation of embedments and/or foundation basemats for

the containment, auxiliary, and fuel handling buildings.

Any activities undertaken pursuant to this additional authorization are entirely at the risk of the applicants and, except as to matters determined under § 50.10(e)(2) and (e)(3)(ii), the grant of the authorization has no bearing on the issuance of construction permits with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders promulgated pursuant thereto.

A Second Partial Initial Decision on matters relating to radiological health and safety was issued by the Atomic Safety and Licensing Board in the above captioned proceeding on December 9, 1977. A copy of (1) the Second Partial Initial Decision, (2) the Partial Initial Decision dated August 22, 1977, (3) the applicant's Preliminary Safety Analysis Report and amendments thereto, (4) the staff's Safety Evaluation Report and Supplement thereto, (5) the Commission's letter of authorization dated August 24, 1977, as amended October 14, 1977, and (6) the Commission's further letter of authorization dated December 13, 1977, are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and the Madison-Jefferson County Public Library, 420 West Main Street, Madison, Ind. 47250.

Dated at Bethesda, Md., this 13th day of December 1977.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch No. 1, Division of Site Safety and Environmental Analysis.

[FR Doc. 77-36212 Filed 12-19-77; 8:45 am]

[7590-01]

[Dockets Nos. 50-280 and 50-281]

VIRGINIA ELECTRIC & POWER CO.

Issuance of Amendments To Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 35 and 34 to Facility Operating Licenses Nos. DPR-32 and DPR-37, issued to Virginia Electric & Power Co. (the licensee), which revised the license and Technical Specifications for operation of the Surry Power Station, Units Nos. 1 and 2 (the facilities) located in Surry County, Va. The amendments are effective as of the date of issuance.

These amendments establish peaking factors to be used when the steam generator tube plugging limit exceeds 19 percent for Surry Unit No. 1 and 20 percent for Surry Unit No. 2; in addition, a tube plugging limit of 25 percent is authorized for both units.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments.

Notice of Proposed Issuance of Amendments to Facility Operating Licenses in connection with this action was published in the FEDERAL REGISTER on September 15, 1977 (42 FR 46431) and corrected on September 29, 1977 (42 FR 51680). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated August 9, 1977, as supplemented August 26, 1977, October 14, 1977, and November 16, 1977, (2) Amendments Nos. 35 and 34 to Licenses Nos. DPR-32 and DPR-37, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Swem Library, College of William and Mary, Williamsburg, Va. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 2nd day of December 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc. 77-36213 Filed 12-19-77; 8:45 am]

[7715-01]

POSTAL RATE COMMISSION

[Docket No. R77-1]

POSTAL RATE AND FEE CHANGES, 1977

Modification to Proposed Changes in Postal Rates and Fees

DECEMBER 14, 1977.

Notice is hereby given that on November 18, 1977, the United States Postal Service filed in the above-captioned proceeding a document entitled "Corrections to Prepared Testimony, Exhibit, and Workpaper of Don S. Allen and to Attachment A, Schedule G-8 of the United States Postal Service Requests." The document amends the original rate request filed with the Postal Rate Commission on July 13, 1977, and published at 42 FR 37330 (July 20, 1977).[1] It lowers the proposed fees for Stamped Envelopes, and makes the corresponding adjustments to Allen's workpapers and direct testimony.

The changes to USPS-T-68, pp. 5-14 and pp. 75-80, the Revised Schedule G-8, and Revised Allen W/P-9, are available for public inspection in the Commission's reading room during regular business hours.

The Commission does not anticipate that there will be a need to alter the current schedule or proceedings on this docket. However, in the event any current or potential party's interests are affected, the Commission will entertain appropriate motions for intervention or for the acceptance of supplemental testimony on or before December 22, 1977.

DAVID F. HARRIS,
Secretary.

[FR Doc. 77-36155 Filed 12-19-77; 8:45 am]

[8010-01]

SECURITIES AND EXCHANGE COMMISSION

[Release 34-14252; File No. SR-NASD-77-19]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975) notice is hereby given that on November 14, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule changes as follows:

TEXT OF PROPOSED RULE CHANGES

In a letter dated September 27, 1977, the Commission cited transaction completion rules of the self-regulatory organization that do not comply with the Act as amended by the Securities Acts Amendments of 1975. The Commission requested that the organization submit proposed rule changes to conform such rules to the Act as

[1] We note that formal amendment of the request would be a preferable procedure. See PRC Op. R76-1, p. 64. This procedure would not result in recommencement of the time schedule for the rate proceeding.

amended or to submit further arguments concerning why no changes to the cited rules are necessary or appropriate. The following proposed rule changes were submitted in partial response to that letter.

The following is the full text of the proposed amendments to rules which relate to the comparison, clearance and settlement of securities transactions included in the By-Laws, Code of Arbitration Procedure and Uniform Practice Code of the National Association of Securities Dealers, Inc. ("Association").

New language is italicized, deleted language is bracketed or indicated by the phrase "[rescinded]" where the whole rule is being repealed, and unchanged subsections are indicated by asterisks:

BY-LAWS

ARTICLE XVII

CLEARING AND SETTLING OF TRANSACTIONS OF MEMBERS

TRANSACTIONS TO BE CLEARED THROUGH FACILITIES OF REGISTERED CLEARING AGENCIES

SCHEDULE F [rescinded]

CODE OF ARBITRATION PROCEDURE

Matters Eligible for Submission

Sec. 1. This Code of Arbitration Procedure is prescribed and adopted pursuant to Article IV, Section 2(b) of the By-Laws of the National Association of Securities Dealers, Inc. (the Association) for the arbitration of clearing controversies and any other dispute arising out of or in connection with the securities business of any member of this [a] *Association*:

(1) between or among members;

(2) between or among members and public customers, or others;

(3) between or among members, [the clearing corporation,] *any registered clearing agency with which the Association has entered into an agreement to utilize the Association's arbitration facilities and procedures, and,* clearing banks or associated banks as these terms are defined under the [Operating R] rules of [the NCC Division of the National Securities Clearing Corporation] *such a registered clearing agency.*

Submissions

Sec. 2. (a) Required Submissions. Any dispute, claim or controversy subject to arbitration under this Code arising on or after the effective date of the relevant section or subsection hereof shall be submitted to arbitration pursuant to this Code at the instance of:

(1) a member against another member;

(2) a public customer against a member;

(3) a member against a public customer if the submission to arbitration of the dispute, claim or controversy is permitted by a duly executed and enforceable agreement to arbitrate;

(4) a member, [the NCC Division of the National Securities Clearing Corporation,] *any registered clearing agency with which the Association has entered into an agreement to utilize the Association's arbitration facilities and procedures, and* a clearing bank or associated bank, *as defined in the rules of such registered clearing agency,* against the other(s);

(5) a member against a person associated with a member or a person associated with a member against a member.

* * * * *

Disputes—[National Securities Clearing Corporation] *Registered Clearing Agencies*

Sec. 3. Any dispute, claim or controversy involving an act or failure to act by *a* [C]clearing [M]member[s;], [the] *a registered* [C]clearing [corporation] *agency*[;], *a* [C]clearing [B]bank[s] or *an* [A]associated [B]bank[s], under the [Operating R]*rules* of [the NCC Division of the National Securities Clearing Corporation,] *any registered clearing agency with which the Association has entered into an agreement to utilize the Association's arbitration facilities and procedures* shall be arbitrated in accordance with [this section and shall be instituted in the following manner and in no other manner or forum:] [balance of Sec. 3 rescinded] *such agreement and the rules of such registered clearing agency.*

Simplified Arbitration

Sec. 4. (a) [With the exception of controversies arising between the National Securities Clearing Corporation through the NCC Division and its NCC Division clearing members pursuant to subsection (a) hereof, a] *Any* dispute, claim or controversy arising between or among members submitted to arbitration under this Code involving a dollar amount not exceeding $5,000, exclusive of attendant costs, shall be resolved by an arbitration panel constituted pursuant to the provisions of subsection (c) hereof solely upon the pleadings and documentary evidence filed by the disputants, unless one of the parties to the proceeding files with the Office of the Director of Arbitration within ten (10) business days following the filing of the last pleading a request for a hearing of the matter.

Public-Member Controversies

(b) [With the exception of the controversies arising between the National Securities Clearing Corporation and its NCC Division clearing members, pursuant to subsection (a) hereof, a] *Any* dispute, claim or controversy arising between a public customer or others, including nonmember broker/dealers, and a member or members submitted to arbitration under the Code involving a dollar amount not exceeding $2,000, exclusive of attendant costs, shall be resolved by an arbitration panel constituted pursuant to the provisions of subsection (c) hereof solely upon the pleadings and documentary evidence filed by the disputants unless one of the parties files with the Office of the Director of Arbitration within ten (10) business days following the filing of the last pleading a request for a hearing of the matter.

* * * * *

Hearing Requirement—Waiver of Hearing

Member and Non-Member Controversies

Sec. 5. (a) [With the exception of controversies arising between the National Securities Clearing Corporation through its NCC Division and its NCC Division Clearing members, a]*Any* dispute, claim or controversy submitted to arbitration under this Code involving a dollar amount, exclusive of attendant costs, in excess of the specified amounts in Section 4, whichever is applicable, shall require a hearing unless all parties waive such hearing by filing with the Office of the Director of Arbitration a request that the matter be resolved solely upon the pleadings and documentary evidence filed by the disputants.

* * * * *

Time Limitation Upon Submission

Sec. 6. No dispute, claim or controversy shall be eligible for submission to arbitration under this Code in any instance where five years shall have elapsed from the date the dispute, claim or controversy arose[.], *except that a dispute, claim or controversy arising under Section 3 of this Code shall be subject to the time limitation specified in the agreement entered into with a registered clearing agency pursuant to Section 3 of this Code.*

UNIFORM PRACTICE CODE

Scope of Uniform Practice Code

Sec. 1. (a) All over-the-counter transactions in securities between members, except transactions in securities between members which are compared, cleared or settled through the facilities of [the NCC Division of the National Securities Clearing Corporation] *a registered clearing agency* [and

which shall be subject to the rules of the National Securities Clearing Corporation], *unless otherwise provided herein*, and except transactions in securities exempted under Section 3(a)(12) of the Securities Exchange Act of 1934 *and municipal securities as defined in Section 3(a)(29) of the Securities Exchange Act of 1934*, shall be subject to the provisions of this Code.

* * * * *

Close-Out Procedure

"Buying-In"

Sec. 59. A contract which has not been completed by the seller according to its terms may be closed by the buyer not sooner than the third business day following the date delivery was due, in accordance with the following procedure.

* * * * *

Information Contained in "Buy-In" Notice

(b)1. Every notice of "buy-in" shall state the date of the contract to be closed, and the quantity and contract price of the securities covered by said contract, and shall state further that unless delivery is effected at or before a certain specified time, which may not be prior to 11:30 a.m. local time in the community where the buyer maintains his office, the security may be "brought-in" on the date specified for the account of the seller. Every notice of buy-in [issued] *transmitted* pursuant to [an NCC Division issued buy-in] *a buy-in issued by a registered clearing agency* must contain the [NCC Division] "buy-in reference number," [which number shall be] *if any*, assigned by [the National Securities Clearing Corporation] *such registered clearing agency*. This number, if preceded by the letters "EXT", will also indicate that the buy-in has already been extended seven (7) calendar days past its original proposed execution date pursuant to Section 59(g) of the UPC. Each "buy-in" notice shall also state the name of the individual with whom further discussions concerning the "buy-in" may be carried on or the telephone extension where an individual authorized to pursue further discussions can be reached.

* * * * *

3. A broker/dealer "re-transmitting" to another broker/dealer [an NCC Division issued] *a* buy-in *issued by a registered clearing agency* must, in order to do so, re-transmit the buy-in pursuant to the time period set forth in subsection (a) hereof, using the same time and execution date as appears on [the NCC Division] *such* buy-in notice. Subsequent "re-transmittals" of such [NCC Division issued] buy-ins will be treated in the manner prescribed in subsection (b)2. Also, any subsequent re-transmittals of such a buy-in must contain the [NCC Division] "buy-in reference number" as provided in subsection (b)1 hereof.

* * * * *

Securities in Transit

(f) 1. * * *

2. Such seven (7) calendar day extensions as provided in this subsection will not be granted on a notice of "buy-in" or a re-transmitted notice of "buy-in" for that portion of the "buy-in" which has [an NCC Division issued] *a* "buy-in" *issued by a registered clearing agency* (as explained in subsection (b)3 hereof), as its source, and upon which a seven (7) calendar day extension has been put into effect pursuant to subsection (g) hereof.

Securities Due From [the NCC Division of the National Securities Clearing Corporation] *a Registered Clearing Agency*

(g) 1. If by the date proposed for the execution of a "buy-in" a member has not been able to fully satisfy the "buy-in" via the following steps:

* * * * *

(iii) re-transmit the "buy-in" against "ex-clearing house" fails to receive for all or part of the amount pursuant to subsection (b) hereof—and such member, receiving an original or re-transmitted notice of intent to "buy-in", has an open long position due from [the NCC Division of the National Securities Clearing Corporation] *a registered clearing agency* as indicated on his Net Position and Accounting report of the same date, a seven (7) calendar day "stay" or deferment of the execution of the "buy-in" may be obtained for that portion of the "buy-in" due from [the NCC Division] *such registered clearing agency* by giving the presentor of the notice of intent to "buy-in", written notice that the securities are due from [the NCC Division of the National Securities Clearing Corporation] *such registered clearing agency*.

2. The written notice of a "stay" or deferment pursuant to this subsection need not contain the certificate numbers of the securities due from [the NCC Division of the National Securities Clearing Corporation.] *such registered clearing agency*.

3. Members obtaining a "stay" or deferment pursuant to this subsection must, prior to 10:00 a.m. on the day of the proposed execution, submit to [the National Securities Clearing Corporation] *such registered clearing agency* written notice of intent to "buy-in" pursuant to the [Operating R]rules of [the NCC Division of the National Securities Clearing Corporation] *such registered clearing agency*.

4. A calendar day "stay" or deferment granted under this subsection cannot be further extended due to subsequent re-transmissions.

* * * * *

PURPOSE OF PROPOSED RULE CHANGES

The proposed amendment to Article XVII of the Association's By-Laws will accomplish the following:

SCHEDULE F

This proposed amendment will rescind Schedule F which currently provides procedures for handling complaints related to the NCC Division of the National Securities Clearing Corporation (NSCC). This schedule is proposed to be deleted in view of the fact that it is directly within the purview of the NSCC and not the Association at this time.

The proposed amendments to the Code of Arbitration Procedure will accomplish the following:

SECTION 1—MATTERS ELIGIBLE FOR SUBMISSION

This proposed amendment will eliminate any reference to any particular clearing agency but allow the Association to enter into an agreement with any registered clearing agency to utilize the Association's arbitration facilities and procedures.

SECTION 2(a)—REQUIRED SUBMISSIONS

The proposed amendment to subsection 2(a)(4) of the Code will eliminate any reference to any particular clearing agency and substitute in lieu thereof a reference to any registered clearing agency with which the Association has entered into an agreement to utilize the Association's arbitration facilities and procedures.

SECTION 3—DISPUTES—REGISTERED CLEARING AGENCIES

The proposed amendment to section 3 eliminates any reference to any particular clearing agency and substitutes in lieu thereof a reference to any registered clearing agency with which the Association has entered into an agreement to utilize the Association's arbitration facilities and procedures. In addition, the detailed special procedures for handling clearing related arbitrations have been proposed to be eliminated so that clearing related arbitrations will be handled under the same procedures utilized for arbitration of other matters.

SECTION 4—SIMPLIFIED ARBITRATION

The proposed amendment to section 4 of the Code will eliminate the ex-

emption currently granted to the NSCC from the scope of the Association's system for simplified arbitration and would bring any registered clearing agency, through agreement with the Association, within the scope of the simplified arbitration system.

SECTION 5—HEARING REQUIREMENT—WAIVER OF HEARING

The proposed amendment to section 5 of the Code will eliminate the exemption currently granted to the NSCC from the hearing procedures of simplified arbitration and allow any registered clearing agency, through agreement with the Association, to subject itself to the hearing procedures.

SECTION 6—TIME LIMITATION UPON SUBMISSION

The proposed amendment to section 6 of the Code will permit the Association and any registered clearing agency to agree to a different time limit for submitting clearing related matters to arbitration than the general requirement of 5 years for other arbitration matters. This is consistent with current section 3(10) of the Code which allows for a sixty (60) day time limit for submitting NSCC arbitrations and it would allow for the need for the more expedited treatment of clearing related disputes in accordance with the capabilities and special circumstances of each registered clearing agency.

The proposed amendments to the Uniform Practice Code will accomplish the following:

SECTION 1—SCOPE OF UNIFORM PRACTICE CODE

The proposed amendment will expand the exemption from the coverage by the Uniform Practice Code granted to over-the-counter transactions cleared through the NSCC to over-the-counter transactions cleared through any registered clearing agency, except as specifically stated otherwise in the Code. The proposed amendment will also clearly state that transactions in municipal securities are exempted from coverage by the Uniform Practice Code.

SECTION 59—"BUYING-IN"

The proposed amendments to section 59 (b), (f), and (g) will eliminate references to the NSCC and substitute in lieu thereof references to any registered clearing agency.

BASIS UNDER THE ACT FOR PROPOSED RULE CHANGE

Section 11A(c)(5) of the Act stipulaters that "[n]o national securities exchange or registered securities association may limit or condition the participation of any member in any registered clearing agency." Section 15A(b)(6) of the Act requires that the rules of a national securities association be designed "to foster cooperation and coordination with persons engaged in regulating, clearing, settling * * * and facilitating transactions in securities * * *," and section 15A(b)(9) of the Act prohibits the rules of national securities associations from imposing any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. These sections complement section 17A(a)(2) of the Act, which directs the Commission "to use its authority under [the Act] to facilitate the establishment of a national system for the prompt and accurate clearance and settlement of transactions in securities * * *" having due regard for, among other things, the maintenance of fair competition among brokers and dealers, clearing agencies and transfer agents. Section 17(d) of the Act directs the Commission to foster cooperation and coordination among self-regulatory organizations and consistent with that policy, the Commission has encouraged the industry to promulgate a uniform system of arbitration. Section 31(b) of the Securities Acts Amendments of 1975 requires that the rules of self-regulatory organizations must conform to the requirements of the Act.

The proposed amendments will assure that the rules of the Association which relate to the comparison, clearance, and settlement of securities transactions will be consistent with the requirements of the Act.

COMMENTS RECEIVED FROM MEMBERS, PARTICIPANTS OR OTHERS OF THE PROPOSED RULE CHANGE

Because article IV, section 2(b) of the Association's By-Laws authorizes its Board of Governors alone to prescribe the rule amendments proposed herein, comments of the membership on the proposed amendments were not solicited nor received.

BURDEN ON COMPETITION

The proposed rule changes impose no burdens on competition not necessary in the furtherance of the purposes of the Act.

On or before January 24, 1978, or within such longer period (i) as the Commission may designate up to ninety (90) days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six (6) copies thereof with George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 10, 1978.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1977.

[FR Doc. 77-36191 Filed 12-19-77; 8:45 am]

[8010-01]

[Release 34-14253; File No. SR-NASD-77-20]

NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the act), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975) notice is hereby given that on November 14, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

TEXT OF PROPOSED RULE CHANGE

In a letter dated September 27, 1977, the Commission cited transaction completion rules of the self-regulatory organization that do not comply with the act as amended by the Securities Acts Amendments of 1975. The Commission requested that the organization submit proposed rule changes to conform such rules to the act as amended or to submit further arguments concerning why no changes to the cited rules are necessary or appropriate. The following proposed rule change was submitted in partial response to that letter.

The following is the full text of the proposed amendments to a rule which relates to the comparison, clearance and settlement of securities transactions included in the By-Laws of the National Association of Securities Dealers, Inc. (Association). New language is italicized and deleted language is bracketed or indicated by the

phrase "[rescinded]" where the whole rule is being repealed:

BY-LAWS

ARTICLE XVII

Clearing and Settling of Transactions of Members

TRANSACTIONS TO BE CLEARED THROUGH FACILITIES OF REGISTERED CLEARING AGENCIES

Sec. 1. All over-the-counter transactions in securities between members shall be cleared and settled through the facilities of [the NCC Division of the National Securities Clearing Corporation or such other] *a* clearing agency registered with the Commission pursuant to the Securities Exchange Act of 1934, which clears and settles such over-the-counter transactions in securities, unless,

(a) The security involved in the transaction shall not have been qualified for clearance by the Board of Directors of the registered clearing agency under the standards established by the [R]*r*ules of the registered clearing agency,

(b) One or more of the members involved in the transaction shall not have been qualified as a [C]clearing [M]*m*ember by the Board of Directors of the registered clearing agency pursuant to standards established by the [R]*r*ules of the registered clearing agency, [or]

(c) the rules of the registered clearing agency provide that the transaction shall not be cleared through the facilities of the registered clearing agency[.], *or*

(d) the members involved in the transaction otherwise mutually agree.

TRANSACTIONS SUBJECT TO RULES OF NATIONAL SECURITIES CLEARING CORPORATION

Sec. 2. [rescinded]

AGGRIEVEMENT PROCEDURES

Sec. 3. [rescinded]

PURPOSE OF PROPOSED RULE CHANGE

The proposed amendments to Article XVII of the Association's By-Laws will accomplish the following:

Section 1—Transactions to be Cleared Through Facilities of Registered Clearing Agencies

The proposed amendment to Section 1 eliminates any reference to the National Securities Clearing Corporation ("NSCC"), and thereby makes it clear that over-the-counter transactions in securities between members may be cleared and settled through the facilities of any registered clearing agency. The proposed amendment to Section 1 includes a new paragraph (d) which allows members involved in a transaction to mutually agree to clear and settle outside the facilities of a registered clearing agency.

Section 2—Transactions Subject to Rules of National Securities Clearing Corporation

This proposed amendment will rescind Section 2 which currently requires all transactions cleared through the NSCC to be subject to the rules of the NSCC. This section is proposed to be deleted in view of the fact that it is directly within the purview of the NSCC and not the Association at this time.

Section 3—Aggrievement Procedures

This proposed amendment will rescind Section 3 which currently provides procedures for handling complaints related to the NSCC. This section is proposed to be deleted in view of the fact that it is directly within the purview of the NSCC and not the Association at this time.

BASIS UNDER THE ACT FOR PROPOSED RULE CHANGE

Section 11A(c)(5) of the Act stipulates that "[n]o national securities exchange or registered securities association may limit or condition the participation of any member in any registered clearing agency." Section 15A(b)(6) of the Act requires that the rules of a national securities association be designed "to foster cooperation and coordination with persons engaged in regulating, clearing, settling * * * and facilitating transactions in securities * * *," and Section 15A(b)(9) of the Act prohibits the rules of a national securities association from imposing any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. These sections complement Section 17A(a)(2) of the Act, which directs the Commission "to use its authority under [the Act] to facilitate the establishment of a national system for the prompt and accurate clearance and settlement of transactions in securities * * *" having due regard for, among other things, the maintenance of fair competition among brokers and dealers, clearing agencies and transfer agents. Section 31(b) of the Securities Acts Amendments of 1975 requires that the rules of self-regulatory organizations must conform to the requirements of the Act.

The proposed amendments will assure that the rules of the Association which relate to the comparison, clearance and settlement of securities transactions will be consistent with the requirements of the Act.

Because article IV, section 2(b) of the Association's By-Laws authorizes its Board of Governors alone to adopt for submission to the membership for a vote the rule amendments proposed herein, comments of the membership on the proposed amendments were not otherwise solicited nor received.

The proposed rule changes impose no burdens on competition not necessary in the furtherance of the purposes of the act.

On or before January 24, 1978, or within such longer period (i) as the Commission may designate up to ninety (90) days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or,

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six (6) copies thereof with George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the abovementioned self-regulatory organization.

All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 10, 1978.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1977.

[FR Doc. 77-36192 Filed 12-19-77; 8:45 am]

[8010-01]

[Release No. 34-14250; File No. SR-PSE-77-35]

PACIFIC STOCK EXCHANGE INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the act), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on November 14, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission proposed rule changes as follows:

TEXT OF PROPOSED RULE CHANGES

In a letter dated September 27, 1977, the Commission cited transaction com-

pletion rules of the self-regulatory organization that do not comply with the act as amended by the Securities Acts Amendments of 1975. The Commission requested that the organization submit proposed rule changes to conform such rules to the act as amended or to submit further arguments concerning why no changes to the cited rules are necessary or appropriate. The following proposed rule changes were submitted in partial response to that letter.

The Pacific Stock Exchange Inc. (PSE) hereby requests to amend rule V, section 1, rule X, section 18(1), and rule XVIII, section 12 as follows (brackets indicate deletions and italics indicate additions):

RULE V

CAPITAL REQUIREMENTS

Minimum Net Capital

Sec. 1. Every member organization shall maintain a minimum net capital in accordance with the provisions of Rule 15c3-1 under the Securities Exchange Act of 1934, as amended. Each member organization shall promptly notify the Exchange if its net capital does not equal or exceed the appropriate minimum required by this paragraph. If, in order to comply with the Constitution and Rules of the Exchange, the terms of Rule 15c3-1 and any amendment or proposed amendment thereto, or any other rule under the Securities Exchange Act of 1934, as amended, the member organization is required to deposit any sum of money into an escrow account for purposes of meeting minimum net capital requirements, then such sum, together with the proceeds from the sale of the membership under which the member organization does business on the Exchange, shall be subject to the prior claims of the Exchange, [the Pacific Clearing Corporation] and claims arising from member contracts as provided in Article VII, Section 4 of the Exchange's Constitution.

RULE X

CONDUCT OF ACCOUNTS

Doing A Public Business In Options

Sec. 18.

[(1) Violation of By-Laws and Rules of Options Clearing Corporation.]

[A member, allied member, or a member firm, or an approved person, officer, director, stockholder associate, or employee of a member firm, who or which shall be adjudged guilty in a proceeding under Article XI of the Constitution of a violation of any provision of the rules of the Options Clearing Corporation shall be subject to the same penalty as may be imposed for violation of an Exchange Rule.]

RULE XVIII

CLOSING CONTRACTS

[Clearings and Deliveries]

[Sec. 12. In the event any member firm fails to settle its Clearing House Account on the due date, the Clearing House shall close said account forthwith.]

RULE XIX

MARKING TO THE MARKET

Demands

Sec. 1. The party who is partially unsecured by reason of a change in the market value of the subject of an Exchange contract, may demand from the other party the difference between the contract price and the market price. The party from whom such difference is demanded shall immediately either (a) pay the same directly [or through the Clearing House] to the party who is partially unsecured, or (b) deposit the same with [the Clearing House] *a registered clearing agency* or with a bank.

Sec. 2. No change.

[Deposits Clearing Members Only]

Sec. 3. [If the party required to make a deposit with the Clearing House is not a clearing member of the Exchange, he shall cause the deposit to be made for him by a clearing member. The cash so deposited with the Clearing House shall be held by it, subject to its rules.] *If the party to a contract shall fail to comply with the provisions of this Rule, the other party to such contract may cause the same to be closed as provided in Rule XVIII.*

[Failure To Comply]

[Sec. 4. If a party to a contract shall fail to comply with the provisions of this rule, the other party to such contract may cause the same to be closed under the rule therefor.]

In addition to the proposed rule changes, the PSE submitted by letters dated November 10, 1977 and November 14, 1977, data, views, and arguments as to why it is not amending certain other PSE rules cited by the Commission in its September 27, 1977 notice to the PSE pursuant to section 31(b) of the Securities Acts Amendments of 1975.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule changes is as follows:

The purpose of the proposed rule changes is to assure that certain provisions of the Rules of the PSE meet the requirements of the Securities Acts Amendments of 1975.

The basis under the Act for the proposed rule changes is found in those provisions of Sections 6(b), 11A(c)(5), and 17A(a)(2) of the Act which require the removal of impediments to and perfection of the mechanism of a free and open market and a national market system, promotion of just and equitable principles of trade and protection of investors and of the public interest.

Comments have neither been solicited nor received from members on the proposed rule changes.

The proposed rule changes impose no burden upon competition.

On or before January 24, 1978, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule changes, or

(B) Institute proceedings to determine whether the proposed rule changes should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 10, 1978.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1977.

[FR Doc. 77-36193 Filed 12-19-77; 8:45 am]

[8010-01]

[Release No. 34-14254; File No. SR-PHLX 77-15]

PHILADELPHIA STOCK EXCHANGE, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the act), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on November 15, 1977, the above-mentioned self-

regulatory organization filed with the Securities and Exchange Commission proposed rule changes as follows:

STATEMENT OF TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

In a letter dated September 27, 1977, the Commission cited transaction completion rules of the self-regulatory organization that do not comply with the act as amended by the Securities Acts Amendments of 1975. The Commission requested that the organization submit proposed rule changes to conform such rules to the act as amended or to submit further arguments concerning why no changes to the cited rules are necessary or appropriate. The following proposed rule changes were submitted in partial response to that letter.

The Philadelphia Stock Exchange, Inc. (Phlx), proposed amendments to the following of its rules relating to the comparison, clearance and settlement of securities transactions: By-Laws 16-3, 16-4, and 18-6; rules 131, 252, 253, 274, 276, 301, 402, and 421. The list of proposed amendments is attached hereto as exhibit A. In addition to the proposed amendments, Phlx submitted by letter dated November 11, 1977, data, views, and arguments as to why it is not amending certain other Phlx rules cited by the Commission in its September 27, 1977, notice to the Phlx pursuant to section 31(b) of the Securities Acts Amendments of 1975.

The basis and purpose of the foregoing proposed rule amendments is as follows:

The filing is to clarify the intent and scope of the rules cited by the Commission in its notice to the Exchange dated September 27, 1977. The amendments are based upon the standards of sections 6(b)(5), 6(b)(8), 11A(c)(5), and 17A(a)(2) of the act as they may be applicable to the various rules included in this submission.

No comments have been received from members or others on the proposed rule amendments.

No burden on competition will be imposed by the proposed amendments. On or before January 24, 1978, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule amendments, or

(B) Institute proceedings to determine whether the proposed rule amendments should be disapproved.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof, with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 10, 1978.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1977.

EXHIBIT A—FILE NO. SR-PHLX-77-15

Brackets indicate deletions; italics indicate new material.

By-Law Sec. 16-3. The provisions of the By-Laws of the Corporation and of the Rules adopted pursuant thereto shall be a part of the terms and conditions of all exchange contracts. [and the By-Laws and the Rules of Stock Clearing Corporation approved by the Board of Directors of Stock Clearing Corporation shall be a part of the terms and conditions of every contract which is to be cleared or settled through Stock Clearing Corporation, and] [a]All such contracts shall be subject to the exercise by the Board and the Standing Committees of the Corporation [and by Stock Clearing Corporation] of the powers with respect thereto vested in them by the By-Laws and rules adopted pursuant thereto. [and by the By-Laws and the Rules of Stock Clearing Corporation, respectively.]

By-Law Sec. 16-4. [On every exchange contract delivery and payment shall be made through Stock Clearing Corporation as required by the By-Laws and Rules of Stock Clearing Corporation unless Stock Clearing Corporation either in the particular instance or in pursuance of its By-Laws and Rules refuses to act in the matter.

A party to any such contract who is not a Clearing Member as defined in the By-Laws of Stock Clearing Corporation shall cause the transaction to be cleared or settled for him by a Clearing Member.]

Clearance and settlement of transactions effected on the exchange shall be made through one or more registered clearing agencies providing such services unless it is otherwise agreed by the parties to the transaction.

By-Law Sec. 18-6. A member who shall be adjudged guilty by the Board of Governors of making a misstatement upon a material point to the Board of Governors or to a Standing or Special Committee of the Corporation or to the Board of Directors [of Stock Clearing Corporation or] of the Options Clearing Corporation or of making on his application for membership a material misstatement to the Committee on Admissions may be suspended or expelled as the Board may determine.

[Rule 131. All transactions in cleared securities must be cleared through Stock Clearing Corporation in accordance with its By-Laws and Rules. No member or member firm shall give up his or its name on any transaction unless such member or member firm is a clearing member of Stock Clearing Corporation.]

Rule 252. In all transactions which [are to be cleared through Stock Clearing Corporation, no] *take place through the exchange facility, an* exchange of tickets or comparison shall be made.

[Stock Clearing Corporation] *The Exchange* will prepare a confirmation of each such transaction and distribute a copy to both buyer and seller. Any error therein must be promptly reported to [Stock Clearing Corporation] *the Exchange.*

[In all cases in which such exchange of tickets is not required, or written contracts to be exchanged, comparisons shall be made by an exchange of an original and a duplicate comparison ticket; the party to whom the comparison ticket is presented shall retain the original, if it be correct, and immediately return the duplicate duly signed.]

Rule 253. It shall be the duty of the *buyer and* seller to exchange tickets or *written contracts or* to make comparison in respect [to] *of* each transaction *through the exchange facility* not later than one hour after the closing of the Exchange[,]. [except as otherwise prescribed by the By-Laws and Rules of Stock clearing Corporation.] Nothing in these Rules shall be construed to justify a refusal to compare before the closing of the Exchange.

[It shall be the duty of the buyer to investigate before 10:00 o'clock a.m. of the business day after the purchase, each transaction which has not been compared by the seller.]

When a comparison or ticket *or written contract* is received, pertaining to a transaction of which the recipient has no knowledge, it shall be marked [with a rubber stamp (Form No. 23) which shall be] *"Don't Know"*, dated and [initialed] *signed* by the person so marking the same and the comparison or ticket *or written contract*, so [stamped] *marked*, shall be returned immediately to the [maker] *other party to the transaction. (See also Form No. 23)*

Rule 274. In all deliveries of securities, the party delivering shall have

the right to require the purchase money to be paid upon delivery; if delivery is made by transfer, payment may be required at the time and place of transfer. [provided, however, that payment on deliveries through Stock Clearing Corporation shall be made in conformity with its By-Laws and Rules.]

[Rule 276. Each delivery of securities subject to tax on transfer or sale must be accompanied by a sales ticket (in form approved by Stock Clearing Corporation) stamped in accordance with the laws of the United States, except that in the case of securities deliverable to Stock Clearing Corporation, the preparation and delivery of sales tickets shall be in accordance with the By-Laws and Rules of Stock Clearing Corporation.]

Rule 301, Third Paragraph

[If the receipt or delivery is made to Stock Clearing Corporation the right to require receipt or delivery by transfer shall be exercised only as prescribed in the By-Laws and Rules of Stock Clearing Corporation.]

Rule 402. When announcement is made of the suspension of a member or member organization pursuant to the provisions of Article [XVIII] *XVII* of the [Constitution] *By-Laws*, members or member organizations having Exchange contracts with the suspended member or member organization for the purchase, sale or loan of securities, shall without unnecessary delay proceed to close such contracts on the Exchange or in the best available market, except insofar as the By-Laws and Rules of [Stock Clearing Corporation] *any registered clearing agency of which the member or member organization is a participant* are applicable and provide the method of closing. Should such a contract not be closed as above provided, the price of settlement for the purpose of Article [XVIII *XVII* of the [Constitution] *By-Laws* shall be fixed by the fair market value at the time when such contract should have been closed under this Rule.

Rule 421. The party who is partially unsecured by reason of a change in the market value of the subject of an Exchange contract may demand from the other party the difference between the contract price and the market price. The party from whom such difference is demanded shall immediately pay the same [directly or through Stock Clearing Corporation] to the party who is partially unsecured.

Such payments of differences shall bear no interest (unless by mutual agreement), except in the case of a loan of securities, when such difference shall be considered part of such loan.

NOTE.—The titles of rules are not deemed to be part of the rules. They are edited in the PHLX Stock Exchange Guide to conform with the content of the rules.

[FR Doc. 77-36194 Filed 12-19-77; 8:45 am]

[8010-01]

PHILADELPHIA STOCK EXCHANGE, INC.

Applications for Unlisted Trading Privileges and of Opportunity for Hearing

DECEMBER 9, 1977.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the securities of the companies as set forth below, which securities are listed and registered on one or more other national securities exchanges:

Amdahl Corp., common stock, $0.05 par value, File No. 7-5018.
Diamond M Co., common stock, $1 par value, File No. 7-5019.
Globe-Union, Inc., common stock, $5 par value, File No. 7-5020.
Unitek Corp., common stock, no par value, File No. 7-5021.

Upon receipt of a request, on or before December 27, 1977, from any interested person, the Commission will determine whether the applications with respect to the companies named shall be set down for hearing. Any such request should include a brief statement as to the title of the security in which the person is interested, the nature of his interest in making the request, and the position which he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing with respect to the particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-36189 Filed 12-19-77; 8:45 am]

[8010-01]

[Release No. 34-14251; File No. SR-CBOE-77-27]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1) as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on November 21, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission proposed rule changes as follows:

TEXT OF PROPOSED RULE CHANGES

In a letter dated September 27, 1977, the Commission cited transaction completion rules of the self-regulatory organization that do not comply with the Act as amended by the Securities Acts Amendments of 1975. The Commission requested that the organization submit proposed rule changes to conform such rules to the Act as amended or to submit further arguments concerning why no changes to the cited rules are necessary or appropriate. The following proposed rule changes were submitted in partial response to that letter.

The text of the proposed rule changes is as follows (italics indicate new material and brackets indicate deletions):

CHAPTER IV

BUSINESS CONDUCT

JUST AND EQUITABLE PRINCIPLES OF TRADE

Rule 4.1. No member [*] shall engage in *acts or practices* [conduct or proceedings] inconsistent with just and equitable principles of trade. *Persons associated with members shall have the same duties and obligations as members under the Rules of this Chapter.* [The willful violation of any provision of the Securities Exchange Act of 1934 or any rule or regulation thereunder shall be considered conduct or proceeding inconsistent with just and equitable principles of trade.]

ADHERENCE TO LAW

Rule 4.2. No member shall engage in conduct in violation of *the Securities Exchange Act of 1934, as amended, rules or regulations thereunder,* the Constitution or the Rules of the Exchange, or the Rules of the Clearing Corporation *insofar as they relate to the reporting or clearance of any Exchange transaction,* or any written interpretation thereof. Every member shall so supervise [its employees] *persons associated with the member* as to assure compliance therewith.

FALSE STATEMENTS

Rule 4.6. No member or applicant for membership shall make any false statements or misrepresentations in any application, report or other communication to the Exchange, *and no member shall make any false statement or misrepresentation to* [or] the Clearing Corporation *with respect to the reporting or clearance of any Exchange transaction or adjust any positio at the Clearing Corporation in any class of options traded on the Exchange except for the purpose of correcting a bona fide error in recording or of transferring the position to another account.*

OTHER RESTRICTIONS ON MEMBERS

Rule 4.10. Whenever the Chairman or President shall find, on the basis of a report of the Department of Compliance or otherwise, that a member has failed to perform his contracts or is insolvent or is in such financial or operational condition or is otherwise conducting his business in such a manner that he cannot be permitted to continue in business with safety to his customers or creditors or the Exchange [or the Clearing Corporation], the Chairman or the President may summarily suspend the member in accordance with Chapter XVI or may impose such conditions and restrictions upon his membership as he considers reasonably necessary for the protection of the Exchange and the customers of such member.

CHAPTER VI

DOING BUSINESS ON THE EXCHANGE FLOOR

Rule 6.21. Must Give Up Clearing Member. * * * Interpretations and Policies.

.01 *Nothing herein shall be deemed to preclude the clearance of Exchange transactions by a non-member of the Exchange pursuant to the By-Laws of the Clearing Corporation so long as a Clearing Member who is a member of the Exchange is also designated as having responsibility under these Rules for the clearance and comparison of such transactions.*

CHAPTER XIII

NET CAPITAL REQUIREMENTS

POWER OF PRESIDENT TO IMPOSE RESTRICTIONS

Rule 13.5. Whenever it shall appear to the President of the Exchange that a member organization obligated to give notice to the Exchange under Rule 13.4 is unable within a reasonable period to reduce the ratio of its aggregate indebtedness to net capital, or to increase its net capital, to a point where it is no longer subject to such notification obligations, or that such member organization is engaging in any activity which casts doubt upon its continued compliance with the net capital requirements [of the Exchange], the President may impose such conditions and restrictions upon the operations, business and expansion of such member organization and may require the submission of, and adherence to, such plan or program for the correction of such situation as he determines to be necessary or appropriate for the protection of investors, other members [,] *and* the Exchange. [and the Clearing Corporation.]

CHAPTER XVI

SUSPENSION BY CHAIRMAN OR PRESIDENT

IMPOSITION OF SUSPENSION

Rule 16.1. A member which fails or is unable to perform any of his contracts or is insolvent or is unable to meet the financial responsibility requirements of the Exchange, shall immediately inform the Secretary in writing of such fact. Upon receipt of said notice, or whenever it shall appear to the Chairman or President (after such verification and with such opportunity for comment by the member as the circumstances reasonably permit) that a member has failed to perform his contracts or is insolvent or is in such financial or operational condition or is otherwise conducting his business in such a manner that he cannot be permitted to continue in business with safety to his customers or creditors or to the Exchange [or the Clearing Corporation], the Chairman or President shall suspend such member and give prompt notice of such suspension to the membership. Unless the Chairman or the President shall determine that lifting the suspension without further proceedings is appropriate, such suspension shall continue until the member is reinstated as provided in Rule 16.3

DISCIPLINARY JURISDICTION

Rule 17.1. A member or a person associated with a member (the "Respondent") who is alleged to have violated or aided and abetted a violation of any provision of the Securities Exchange Act of 1934, as amended ("Exchange Act"), the rules and regulations promulgated thereunder, or any constitutional provisions by-law or rule of the Exchange [or of the Clearing Corporatin] or any interpretation thereof or resolution of the Board of the Exchange [or of the Clearing Corporation] regulating the conduct of business on the Exchange shall be subject to the disciplinary jurisdiction of the Exchange under this Chapter, and after notice and opportunity for a hearing may be appropriately disciplined by expulsion, suspension, limitation of activities, functions, and operations, fine, censure, being suspended or barred from being associated with a member or any other fitting sanction, in accordance with provisions of the Chapter.

An individual member, nominee or other person associated with a member organization may be charged with any violation committed by employees under his supervision or by the member organization with which he is associated, as though such violation were his own. A member organization may be charged with any violation committed by its employees or by a member or other person who is associated with such member organization, as though such violation were its own.

In addition to the proposed amendments, CBOE submitted by letter dated November 10, 1977, data, views and arguments as to why it is not amending certain other CBOE rules cited by the Commission in its September 27, 1977 notice to CBOE pursuant to Section 31(b) of the Securities Acts Amendments of 1975.

EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The proposed rules changes are, for the most part, in response to recent amendments to the Securities Exchange Act of 1934 ("the 1934 Act") and a request by the Commission that the Exchange evaluate certain of its rules to determine their consistency with the Act as amended.

Rule 4.1. Just and Equitable Principles of Trade; Rule 4.2. Adherence to Law; Rule 4.6. False Statements.

The proposed amendments to Rules 4.1 and 4.2 are intended to bring them into conformity with the statute by making them apply to persons other then members permitted to use the facilities of the Exchange and persons associated with members. The requirement that members adhere to the provisions of the 1934 Act has been moved from Rule 4.1 to Rule 4.2 for convenience in drafting.

In addition, Rule 4.2 is being amended in response to SEC insistence that the Exchange's jurisdiction respecting violations of OCC rules by Exchange members be limited only to those OCC rules respecting reporting and clearance of Exchange transactions.

Similarly, Rule 4.6 is being amended to reflect that the Exchange is concerned with false statements by Exchange members to the OCC only to the extent they involve reporting or clearance of Exchange transactions. Due to growing concern about potential misuse of adjustments through OCC, a prohibition against using the OCC adjustment process for improper purposes has been included in rule 4.6.

Rule 4.10. Other Restrictions on Members.

The reference to the "Clearing Corporation" is being deleted because the

Commission has taken the position that the Exchange may not take action against its members solely because their conduct may be detrimental to the Clearing Corporation.

Rule 6.21. Must Give up Clearing Member.

In response to SEC concerns, an interpretation which reflects existing Exchange policy is being added to Rule 6.21 which permits an executing CBOE member to clear through an OCC member who is not also a member of CBOE so long as the executing CBOE member agrees to remain responsible for clearance and comparison of CBOE transactions.

Rule 13.5. Power of President to Impose Restrictions.

Rule 16.1. Suspension by Chairman or President.

The references to the Clearing Corporation are being deleted in deference to the Commission's view that a threat to the safety of the Clearing Corporation is not a proper basis for Exchange action.

Rule 17.1. Disciplinary Jurisdiction.

The references to the Clearing Corporation are being deleted in light of the restrictive position taken by the Commission respecting the Exchange's ability to bring an action for violation of OCC Rules. A violation of the types of OCC Rules specified in Rule 4.2 will be brought as a violation of Rule 4.2.

The statutory bases for the changes to Exchange Rules proposed herein are Sections 6(b)(1), (5), (6) and (8), 11A(c)(5) and 17A(a)(2) of the Act.

Comments were not solicited from members on the proposed rules change.

The Exchange does not believe the proposed rules change will impose any burden on competition.

On or before January 24, 1978, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and all written submission will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 10, 1978.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1977.

[FR Doc. 77-36190 Filed 12-19-77; 8:45 am]

[8010-01]

[Release No. 34-14274; File No. SR-BSPS-77-7]

BRADFORD SECURITIES PROCESSING SERVICES, INC.

Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on December 15, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission proposed rule changes as follows:

TEXT OF PROPOSED RULE CHANGE

The text of the proposed rule changes submitted is as follows:

SERVICE FOR REPORTING AND INQUIRING CONCERNING MISSING, LOST, STOLEN, OR COUNTERFEIT SECURITIES

(a) Bradford Securities Processing Services Inc. (the "Corporation") shall offer a service (the "Service") enabling participants to report missing, lost, stolen or counterfeit securities and to inquire whether securities received or held by such participants have been reported as lost, stolen, missing or counterfeit. The Service can be used in addition to or separately from other services offered by the Corporation.

(b) To use the Service a participant shall sign an agreement the same as or similar to the agreement attached and identified as Exhibit 4, and shall pay the fees therefor as set forth in the Fee Schedule.

(c) To use the Reporting Service, a participant shall submit the information concerning missing, lost, stolen or counterfeit securities, the recovery thereof and the receipt of securities, as specified by the Corporation in the forms or format specified therefor, to enable the Corporation to file on behalf of the participant a Form X-17F-1A with the Securities Information Center (SIC) or other appropriate instrumentality and registered transfer agent for the security, and where appropriate, the appropriate law enforcement agency.

(d) To use the Inquiry Service, the participant shall submit the information specified by the Corporation in the form or format specified therefor to enable the Corporation to make the appropriate inquiries to determine whether securities coming into the possession or keeping of the participant or the Corporation acting on behalf of the participant have been previously reported as missing, lost, stolen or counterfeit.

(e) Reports and inquiries will be made on the day requests therefor are received by the Corporation. Requests shall be considered received on the date actually received if received no later than 4 p.m. of the time in effect at the main office of the Corporation. Requests received after 4 p.m. shall be processed no later than the next business day.

(f) The Corporation will promptly advise a participant that the requested report or inquiry has been made and the substance of such report or inquiry. The Corporation will promptly furnish the participant a confirmation of the requested report or inquiry which may be a copy of the reports made and the results of the inquiries made. A participant shall promptly review such confirmation and immediately advise the Corporation of any errors or omissions or variances between the confirmation and the request.

B. FEE SCHEDULE

(i) There shall be a monthly service charge of $50 per month entitling a participant to an aggregate of 25 inquiries or reports, plus any costs incurred by the Corporation to process such transactions.

(ii) For each reporting or inquiry transaction in excess of the aggregate of 25 inquiries or reports in a month there shall be a charge of $1.50 plus any costs incurred by the Corporation to process such transactions.

(iii) Where the volume and/or nature of a participant's use of the Service merits it, discounts from the above schedule may be granted.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of this new Rule is to enable the Corporation to offer to present participants and other financial institutions which become participants a service to report missing, lost, stolen or counterfeit securities and to inquire whether securities coming into their possession or keeping have been so reported.

Securities Exchange Act Rule 17f-1 requires, among others, banks, broker-dealers, municipal securities dealers and clearing agency participants to report missing, lost, stolen or counterfeit securities beginning October 3, 1977, and to make inquiries directly or

indirectly to the SIC or Federal Reserve beginning January 2, 1978 to determine whether securities coming into their possession or keeping have previously been reported as missing, lost, stolen or counterfeit.

The Service is being offered for those institutions which are or can be participants in the Corporation and desire to forego the expenses of reporting and making direct inquiries and feel it is more efficient to designate the Corporation for such purposes. Provision of this service will aid in preventing the dissemination of missing, lost, stolen or counterfeit securities, and in doing so will foster coordination among persons engaged in the clearance and settlement of securities transactions, remove impediments to the perfection of a national system for prompt and accurate clearance and settlement of securities transactions, and will provide for the protection of investors and the public interest.

The Rule Change is part of a program which the Corporation has adopted to provide a complete range of services to its participants.

The proposed Rule Change will enable participants to protect against the receipt or dissemination of missing, lost, stolen or counterfeit securities, to safeguard securities in their custody or control or for which they are responsible, to comply with the provisions of the Act and the rules and regulations thereunder, to foster compliance with Securities Exchange Act Section 17f-1, and to provide for the protection of investors and the public interest.

The Corporation does not believe that the Proposed Rule Change will impose any burden on competition.

BSPS requested that the Securities and Exchange Commission approve the proposed rule change prior to the thirtieth day after notice has been published in order to facilitate the implementation of the proposed service prior to January 2, 1978, the date upon which the inquiry obligations under Securities Exchange Act Rule 17f-1 become effective.

On or before January 24, 1978, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed Rule Change, or

(B) Institute proceedings to determine whether the proposed Rule Change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above. Although the proposed rule change may become effective within thirty days after notice is published, interested persons may submit comments on or before January 10, 1978.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: December 15, 1977.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 77-36269 Filed 12-19-77; 8:45 am]

[8025-01]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 1409]

COMMONWEALTH OF PUERTO RICO

Declaration of Disaster Loan Area

The Municipalities of Caguas, Patillas, San Juan, Carolina, Fajardo, and Yabucoa and adjacent Municipalities within the commonwealth of Puerto Rico constitute a disaster area because of physical damage resulting from heavy rains, severe flooding and landslides which occurred on October 7, 1977 through November 28, 1977. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on Feburary 16, 1978, and for economic injury until September 13, 1978 at:

Small Business Administration, District Office, U.S. Courthouse and Federal Office Building, 6th Floor, Room 691, Carlos Chardon Ave., Hato Rey, Puerto Rico 00919.

or other locally announced locations.

Dated: December 13, 1977.

(Catalog of Federal Domestic Assistance Program Nos. 59002, 59008.)

A. VERNON WEAVER,
Administrator.

[FR Doc. 77-36216 Filed 12-19-77; 8:45 am]

[8025-01]

[Delegation of Authority No. 15-A; Revision 1]

CONTRACTING OFFICERS, PROCUREMENT AND SUPPLY BRANCH

Redelegation of Administrative and Financial Activities

Delegation of Authority No. 15-A (37 FR 24716), and amendments (38 FR 19294, 40 DR 23125, 41 FR 15762, 42 FR 19538, and 42 FR 29353) are hereby superseded by Delegation of Authority No. 15-A (Revision 1). This Revision 1 delegates authority for administrative services in broad, general terms and delegates authority to Contracting Officers within Procurement and Supply Branch.

Delegation of Authority No. 15-A, Revision 1, reads as follows:

I. Pursuant to the authority delegated by the Administrator to the Assistant Administrator for Administration in Delegation of Authority No. 15 (37 FR 20753) and amendments (39 FR 1897, 40 FR 18054, and 42 FR 18320), the following authority is hereby redelegated to the specific positions as indicated herein:

A. *Administrative Services*—1. *Director, Office of Management Services.* To contract for supplies and services for the agency pursuant to Chapter 4 of Title 41, United States Code, subject to the limitations contained in section 257 (a) and (b) of that chapter.

2. *Director, Administrative Services Division.* Same as paragraph A.1. above.

3. *Chief, Procurement and Supply Branch.* a. Same as paragraph A.1. above.

4. *Contracting Officer, Procurement and Supply Branch.* (Contracting officers are appointed by the Assistant Administrator for Administration using Certificates of Appointment.)

To contract for supplies and services for the agency not exceeding the monetary amount of $100,000 pursuant to Chapter 4 of Title 41, United States Code, subject to the limitations contained in section 257 (a) and (b) of that Chapter, and subject to the terms of the Certificate of Appointment.

5. *Chief, Space Management Branch.* a. To issue work authorizations and telephone orders.

B. *Financial Management*—1. *Director, Office of Budget and Finance.* a. To assign, endorse, transfer, deliver or release (but in all cases without representation, recourse, or warranty) promissory notes, bonds, debentures, and other obligating instruments on all loans or investments made or serviced by SBA when paid in full or when transferred to the Department of Justice for liquidation.

2. *Chief, Accounting Operations Division.* Same as paragraph B.1. above.

3. *Chief, Accounting Branch.* Same as paragraph B.1. above.

4. *Chief, Fiscal Branch.* Same as paragraph B.1. above.

C. *Personnel Training Authority*—1. *Director, Office of Personnel.* To obligate the Agency for procurement of outservice training of Central office personnel not exceeding the monetary amount of $750.00 per single transaction.

2. *Assistant Director, Office of Personnel.* Same as paragraph C.1. above.

3. *Chief, Training Division.* Same as paragraph C.1. above.

II. The specific authorities delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as acting in that position.

Effective December 20, 1977.

Dated: October 4, 1977.

ROGER H. JONES,
Assistant Administrator for Administration.

[FR Doc. 77-36217 Filed 12-19-77; 8:45 am]

[8025-01]

[Proposed License No. 06/06-0195]

CAPITAL FOR TERREBONNE, INC.

Notice of Application for a License To Operate as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to section 107.102 of the Regulations governing small business investment companies (13 CFR section 107.102 (1977)), under the name of Capital for Terrebonne, Inc., 1613 Barrow Street, P.O. Box 1868, Houma, Louisiana 70360, for a license to operate as a small business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (the Act), and the Rules and Regulations promulgated thereunder.

The proposed officers, directors and shareholders are as follows:

Hartwell A. Lewis, 27 Austin Drive, Houma, La. 70360, president, director, 50 percent owner.

Dwayne Tracy, 806 Point Street, Houma, La. 70360, secretary-treasurer, director, 50 percent owner.

The only class of authorized capital stock is common stock. Each share will be equal to every other share in all respects. There are preemptive rights. Holders of the common stock will be entitled to one vote for each share held of record at every meeting of shareholders.

The Applicant Licensee proposes to commence operations with private capital of $500,000. Applicant proposes to conduct its operations principally in the State of Louisiana and particularly within the Parish of Terrebonne. The Applicant intends to establish a broad investment policy and does not intend to use the services of an investment advisor.

Matters involved in SBA's consideration of the application include the general business reputation and character of shareholders and management, and the probability of successful operation of the new company in accordance with the Act and Regulations.

Notice is further given that any person may, not later than January 4, 1978, submit to SBA, in writing, comments on the proposed licensing of this company. Any such communications should be addressed to: Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street NW., Washington, D.C.20416.

A copy of this notice shall be published by the Applicant in a newspaper of general circulation in Houma, La.

Dated: December 7, 1977.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

PETER F. MCNEISH,
Deputy Associate Administrator, for Investment.

[FR Doc. 77-36218 Filed 12-19-77; 8:45 am]

[8025-01]

[Application No. 05/05-5124]

THE NEIGHBORHOOD FUND, INC.

Notice of Application for License To Operate as a Small Business Investment Company

An Application for a license to operate as a small business investment company under the provisions of section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), has been filed by The Neighborhood Fund, Inc. (applicant), with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1977).

The officers, directors, and stockholders of the applicant are as follows:

Ronald A Grzywinski, 4830 South Kenwood Ave., Chicago, Ill. 60615—president, director.

Milton O. Davis, 7026 South Constance Ave., Chicago, Ill. 60649—vice president, treasurer, director.

Mary A. Houghton, 4811 South Kimbark Ave., Chicago, Ill. 60615—vice president, assistant secretary, director.

Robert A. Heiman, 4940 South Kimbark Ave., Chicago, Ill. 60615—secretary, director.

Illinois Neighborhood Development Corp., 7054 South Jeffery Blvd., Chicago, Ill. 60649—100 percent stockholder.

The applicant, a Delaware corporation, with its principal place of business located at 7054 South Jeffery Boulevard, Chicago, Ill. 60649, will begin operations with $150,000 of paid-in capital and paid-in surplus, derived from the sale of 1,500 shares of common stock.

The applicant will conduct its activities principally in the State of Illinois, and in other areas within the U.S.A. Applicant intends to provide assistance to all qualified socially or economically disadvantaged small business concerns as the opportunity to profitably assist such concerns is presented.

As a small business investment company under section 301(d) of the act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities comtemplated under the Small Business Investment Act of 1958, as amended from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed management, and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and SBA rules and regulations.

Any person may, not later than January 4, 1978, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Chicago, Ill.

Dated: December 12, 1977.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

PETER F. MCNEISH,
Deputy Associate Administrator, for Investment.

[FR Doc. 77-36219 Filed 12-19-77; 8:45 am]

[8025-01]

[Proposed License No. 02/02-0344]

NEW HORIZONS CAPITAL CORP.

Application for a License To Operate as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA), pursuant to section 107.102 of the regulations governing small business investment companies (CFR 107.102 (1977)),

under the name of New Horizons Capital Corp., 160 Water Street, New York, N.Y. 10005, for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (the act), and the rules and regulations promulgated thereunder.

The proposed officers, directors, and shareholders are as follows:

Jay Robert Inglis, 28 Willow Street, Brooklyn Height, N.Y. 11201—president-director.
Robert George Donnalley, Jr., 8 Oak Road, New City, N.Y. 10956—vice precident, finance-treasurer.
Frank Peter Zoch III, 370 Grace Church Street, Rye, N.Y. 10580—director.
Edward NMN Netter, 69 Lookout Circle, Larchmont, N.Y. 10538—director.
Robert Theodore Keiser, 34 Brookby Road, Scarsdale, N.Y. 10583—director.
Geneve Corp., 39 Broadway, New York, N.Y. 10006—parent company, 100 percent owner.

The applicant proposes to commence operations with a capitalization of $1,503,000 provided by Geneve Corp. (Geneve), 39 Broadway, New York, N.Y. 10006. Geneve is a publicly traded corporation whose stock is traded over the counter. Geneve is primarily engaged in seeking investments in businesses where the company (Geneve), can exert significant influence in their structure, management, and operation. Geneve is also the parent to Cable Consulting Corp., Geneve Securities Ltd., Genevco Capital Services Ltd., Amethyst Distributing Co., and International Foliage Corp.

The applicant will conduct its operations primarily in the State of New York, expects to be equity rather than collateral orientated in its investment decisions, intends to render management consulting services, and does not intend to use the services of an investment advisor.

Matters involved in SBA's consideration of the application include the general business reputation of the owner and management, and the probability of successful operations of the new company, in accordance with the act and regulations.

Notice is further given that any person may, on or before January 4, 1978, submit to SBA, in writing, relevant comments on the proposed licensing of this company. Any such communications should be addressed to: Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

Dated: December 12, 1977.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies.)

PETER F. MCNEISH,
Deputy Associate Administrator, for Investment.

[FR Doc. 77-36220 Filed 12-19-77; 8:45 am]

[8025-01]

[Application No. 06/06-5197]

PAN AMERICAN CAPITAL CORP.

Notice of Application for a License To Operate as a Small Business Investment Company

An application for a license to operate as a Small Business Investment Company under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), has been filed by Pan American Capital Corp. (applicant), with the Small Business Administration pursuant to 13 CFR 107.102 (1977).

The officers and directors are as follows:

Mr. Albert J. Prevot, 1700 Larkspur, McAllen, Tex. 78501—president, general manager, director, and sole stockholder.
Mrs. Connie J. Prevot, 1700 Larkspur, McAllen, Tex. 78501—secretary and director.
Mr. Michael H. Lensing, 1 Anna Street, Lake Providence, La. 71254—Director.

The applicant, a Louisiana corporation, will maintain its principal office in Suite "A", Planters Trust and Savings Bank Building, 110 Bellevue Street, Opelousas, La. 70570. It will begin operations with $500,000 of private capital derived from the sale of 1,000 shares of common stock to the stockholder shown above.

The applicant will conduct its operations initially in the States of Louisiana, Arkansas, and Texas.

As a small business investment company under section 301(d) of the Act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed owners and management and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and the SBA rules and regulations.

Notice is hereby given that any person may, on or before January 9, 1978, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Opelousas, La.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies.)

PETER F. MCNEISH,
Deputy Associate Administrator, for Investment.

[FR Doc. 77-36221 Filed 12-19-77; 8:45 am]

[4910-06]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

PETITIONS FOR WAIVER OF RAILROAD OPERATING RULES

As required by 45 U.S.C. 431(c), notice is hereby given that seven railroads have submitted waiver petitions to the Federal Railroad Administration (FRA). Each petition requests that the railroad be granted either a temporary or a permanent waiver of compliance with certain safety standards contained in the railroad operating rules (49 CFR Part 218).

Initial railroad operating rules were issued by FRA on March 15, 1976 (41 FR 10904) and became effective on June 1, 1976. In part this safety regulation requires railroads to take certain protective measures to assure the safety of railroad personnel engaged in the inspection, testing, servicing, and repair of locomotives and other rolling equipment. These protective measures are commonly referred to in the industry as providing "blue flag" or "blue signal" protection for workmen.

FRA subsequently amended these provisions on January 11, 1977 (42 FR 2318) in response to statutory requirements contained in section 5(b) of the Federal Railroad Safety Authorization Act of 1976, Pub. L. 94-348 which was enacted on July 8, 1976.

Additional amendments were issued on June 29, 1977 (42 FR 33037) and August 31, 1977 (42 FR 43853). The amended provisions became effective on October 1, 1977, although the FRA authorized earlier compliance by the railroads. Furthermore, the FRA has stayed the effective date of a portion of the August 31, 1977, amendment in order to permit an additional opportunity for public comment. The public notices concerning these actions were published on September 28, 1977 (42 FR 49812-49813).

Each of the railroads, which are identified below, is seeking a waiver of compliance with one or more specific provisions of these standards. A brief description of the facts involved in each request, as well as the particular regulatory provision involved has been provided. It should be noted that in some instances the waiver request involves the provision of the regulation that is currently subject to the stayed effective date and open to public comment.

Interested persons are invited to participate in these proceedings by submitting written data, views or comments. All communications concerning these petitions must identify the appropriate document number (e.g. FRA Waiver Petition Docket No. RSOR-77-2) and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street SW., Washington, D.C. 20590. Communications received before January 27, 1978, will be considered by the Federal Railroad Administration before final action is taken. Comments received after that date will be considered as far as practicable. Detailed information concerning each petition is on file with the Federal Railroad Administration and is available for examination by interested persons. Any comments received will also be on file. This material is available for examination during regular business hours in room 5101, Nassif Building, 400 Seventh Street SW., Washington, D.C.

The Railroad Safety Board (Board) of the FRA, which has been delegated authority to determine whether to grant these waiver requests, has decided to hold a public hearing before entering a decision in these proceedings. Accordingly, a public hearing is hereby set for 1 p.m. on January 12, 1978 in room 4234, of the Nassif Building, located at 400 Seventh Street SW., Washington, D.C.

The hearing will be an informal one and will be conducted in accordance with the provisions of section 211.25 of the FRA rules of practice and procedure (49 CFR Part 211). A representative designated by the Board will conduct this hearing.

The hearing will not be an adversary proceeding and, consequently, there will be no cross examination of persons making statements. The Board's representative will make an opening statement outlining the scope of the hearing and will provide interested parties with an opportunity to make statements or rebuttal statements. Additional procedures, if necessary, for the conduct of the hearing will be announced at the hearing.

Waiver Petition Docket RSOR-77-25

PEORIA AND PEKIN UNION RAILWAY

The Peoria and Pekin Union Railway (P&PU) seeks a limited waiver of compliance with the provisions of § 218.25 of the regulation. That section requires that each switch which provides access to the work area must be lined against movement to that track and locked with an effective locking device before workmen may perform specific servicing activities for equipment standing on the protected track.

The P&PU is a small railroad that provides terminal and switching service in the State of Illinois. In East Peoria, Ill., the P&PU maintains a yard facility which is equipped with air compressors to furnish what is known in the industry as "yard air." This yard air is used by the P&PU to conduct portions of the air brake tests required under FRA regulations (49 CFR Part 232).

The current practice of the P&PU is to use this yard air in order to conduct a portion of the air brake tests mentioned above and then to add a caboose and the necessary locomotive to the train. Once the locomotive and caboose have been added, the P&PU then completes the air brake test by performing the set and release and brake pipe leakage portions of the test. During this final portion of the test, the workmen, normally a car inspector, enters the caboose to read the air gauge installed on the caboose.

The P&PU seeks a waiver of compliance with the requirements for providing blue signal protection for that workman when he is performing this particular servicing function. The P&PU states under its operating rules such a workman is prohibited from doing any repair work on such a train until he has established proper blue signal protection. Given this situation the P&PU indicates that the danger of injury for such a workman is the same as that for a member of the train crew who is not afforded blue signal protection.

Waiver Petition Docket RSOR-77-30

SOUTHERN RAILWAY SYSTEMS

The Southern Railway (Southern) seeks a limited temporary waiver of compliance with the provisions of § 218.25. This section requires that each switch providing access to the work area be lined against movement to that track and locked with an effective locking device before workmen may perform specific servicing and inspection activities for equipment standing on the protected track.

The Southern seeks a waiver of compliance with this section for two diesel servicing facilities identified as Inman Yard, located in Atlanta, Ga., and Chattanooga Diesel Shop, located in Chattanooga, Tenn. The Southern indicates that it has designed complex systems of electrically operated derails for both facilities and that these systems will be installed within several months. However, these systems require time to fabricate and construct at the two sites and the requested waiver seeks permission to conduct operations at these two locations without full compliance with the regulation until those derails are installed and fully operational.

The Southern indicates that these derails should be operational by April of 1978 and seeks a waiver of compliance until that time. Review of the existing FRA provision for operations at a locomotive servicing area has convinced the Southern that interim compliance with the regulation is not feasible without unduly curtailing the current work done at these major diesel shops. The reduced capacity and operational delays at these facilities caused by such interim compliance will, in Southern's judgment, produce serious train delays. Consequently, the Southern has requested this temporary waiver. In the interest of enhanced safety for the period of the requested waiver, the Southern proposes to employ special operating rules and a maximum speed of 5 miles per hour at these two locations.

Waiver Petition Docket RSOR-77-31

RICHMOND, FREDERICKSBURG & POTOMAC RAILROAD

The Richmond, Fredericksburg & Potomac Railroad (RF&P) seeks a limited waiver of compliance with the provisions of § 218.25 in two different aspects. Each of these aspects is described separately.

The RF&P seeks a waiver of compliance with the distance provision of § 218.25(b) for its car repair facility, known as the Bryan Park Terminal, which is located in Richmond, Virginia. This section requires that, when a derail is used as a substitute for a manually operated switch, the derail must be positioned at least 150 feet from the rolling equipment being protected by that derail.

The RF&P seeks a waiver for this facility in order to position two derails at a minimum distance of 50 feet from the rolling equipment being protected. The problem encountered by the RF&P currently involves two tracks designated as tracks 3 and 4 where RF&P desires to install the derails 50 feet from the end of the building where the repair work is being performed. In support of its request the RF&P notes that all movements within the protected area are under the control of the workmen performing repairs and that the movement of all equipment is restricted to 5 miles per hour.

The RF&P also seeks a limited waiver of compliance with the provisions of § 218.25 for workmen who perform a portion of the air brake tests required by FRA regulations (49 CFR

Part 232). This section requires that each switch which provides access to the work area must be lined against movement to that track and secured by an effective locking device before workmen may perform specific servicing and inspection activities for equipment standing on the protected track.

The limited waiver sought by the RF&P would permit a car inspector to participate in the air brake tests of completely assembled freight trains without providing the protection required under the regulation. The RF&P indicates that the workmen would be entering the caboose car only to read the air gauge located there. The train crew, particularly the engineman, would be fully aware of his presence and consequently there would be no movement of the train thereby eliminating the primary source of danger for the workman. The waiver sought by the RF&P would be applicable at all locations on the railroad.

WAIVER PETITION DOCKET RSOR-77-32

CONSOLIDATED RAIL CORPORATION

The Consolidated Rail Corp. (ConRail), seeks a waiver of compliance with the provisions of section 218.25 for the passenger commuter operations which it conducts in the Philadelphia, Pa. area. This section requires that each switch providing access to a work area must be lined against movement to that track and locked with an effective locking device before workmen may perform specific servicing and inspection activities for equipment standing on the protected track.

The waiver sought by ConRail would be applicable to passenger operations in the Philadelphia region where ConRail provides service under contractual agreement with the Southeast Pennsylvania Transportation Authority (SEPTA). This region includes facilities such as Penn Center Station, Pa.; Chestnut Hill; and Paoli in the State of Pennsylvania as well as Wilmington, Delaware, and Trenton, N.J.

In its request ConRail indicates that the most critical facility is Penn Center Station, also known as Suburban Station, which is serviced by in excess of 400 trains per day. In ConRail's judgment, full compliance with the regulation at this facility alone would make it impossible for ConRail to continue providing its current or even a reduced, but adequate, level of rail service. Consequently, ConRail proposes to comply with the regulation in those instances where it deems compliance feasible and to continue to provide its current level of protection in all other instances.

In that context ConRail notes that its current methods of operation include such practices as allowing workmen to clean passenger coach interiors without any blue signal protection and permitting workmen to perform inspection and testing duties at certain facilities when blue signal protection is provided only by the use of ceiling mounted blue lights.

WAIVER PETITION DOCKET RSOR-77-33

CHESSIE SYSTEM

The Chessie System (Chessie), seeks a waiver on behalf of its component railroads, the Baltimore and Ohio, Chesapeake and Ohio, and the Western Maryland. The request seeks a temporary waiver of compliance with the entire regulation as well as a waiver of compliance with the filing requirements contained in section 217.7(b).

The waiver sought by Chessie would permit the Chessie to delay compliance with the entire regulation concerning blue signal protection until such time as FRA concludes all outstanding rulemaking activities involving this regulation. In support of this waiver request Chessie notes that it is fearful that the operating personnel are being confused by the frequent changes being made to the rules intended to protect such people. Chessie notes the number of amendments made by FRA, in the short history of Federal regulation of this area, and states that each change in the regulation causes changes in the way operating personnel must perform their functions. Each change, in Chessie's view, creates a need to educate the workmen and train crews who must abide by this regulation and such repeated changes in the education process create a danger of misunderstanding and confusion.

The Chessie request also notes that its railroads have experienced difficulties in acquiring sufficient numbers of appropriate derails. This derail problem is also related to problems stemming from the issue of the scope of this regulation. The Chessie request notes that the issue of the scope of the regulation, as well as other problems were noted by the Association of American Railroads in its most recent submission on the existing rule making.

WAIVER PETITION DOCKET RSOR-77-34

CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD

The Chicago, Milwaukee, St. Paul and Pacific Railroad (Milwaukee), seeks a waiver of compliance with a portion of the provisions of § 218.25(b). This section requires that when a derail is used as a substitute for a manually operated switch the derail must be positioned at least 150 feet from the rolling equipment being protected by that derail.

The Milwaukee seeks a limited waiver for its heavy freight car repair shop located in Milwaukee, Wis. The limited waiver is sought in order to position such derails at a minimum distance of 50 feet from the ends of the rolling equipment being protected.

The Milwaukee indicates that the requested waiver is being sought for existing derails that were installed many years ago. Compliance with the distance requirements of the current regulation would necessitate the relocation of these derails. Such relocation, in the Milwaukee's judgment, would be expensive and result in the loss of some 40 car lengths of storage track without any improvement in safety.

The Milwaukee suggests that if the waiver were granted it would reduce the speed of operations on the affected track to 5 miles per hour. Such a speed reduction would then create distance and speed characteristics similar to that permitted by FRA in the locomotive servicing area. Consequently, the Milwaukee urges that the safety of the workmen would not be reduced by granting this waiver.

WAIVER PETITION DOCKET RSOR-77-35

DELTA VALLEY AND SOUTHERN RAILWAY

The Delta Valley and Southern Railway (DV&S), seeks a complete waiver of compliance with the entire regulation.

The DV&S is a small railroad operating over approximately 2 miles of trackage in the State of Arkansas. The DV&S indicates that only one small engine is operated on the railroad and that speeds never exceed 10 miles per hour. The DV&S indicates that, because of its small size, this regulation has no significant safety value for the railroad and therefore seeks to be exempt from issuing such an operating rule or complying with the rule once issued.

(Sec. 202, Federal Railroad Safety Act of 1970 (45 U.S.C. 431), as amended by sec. 5(b) of the Federal Railroad Authorization Act of 1976, Pub. L. 94-348, 90 Stat. 817, July 8, 1976; § 1.49(n) of the regulations of the Office of the Secretary, 49 CFR 1.49(n).)

Issued in Washington, D.C., on December 16, 1977.

ROBERT H. WRIGHT,
Acting Chairman,
Railroad Safety Board.

[FR Doc. 77-36319 Filed 12-19-77; 8:45 am]

[4810-25]

DEPARTMENT OF THE TREASURY

Office of the Secretary

RAILWAY TRACK MAINTENANCE EQUIPMENT FROM AUSTRIA

Modification of Determination of Sales at Less Than Fair Value

AGENCY: U.S. Treasury Department.

ACTION: Modification of determination of sales at less than fair value.

SUMMARY: This notice is to advise the public that the determination of sales at less than fair value under the Antidumping Act, 1921, as amended, on railway track maintenance equipment from Austria is being amended.

EFFECTIVE DATE: December 20, 1977.

FOR FURTHER INFORMATION CONTACT:

David Mueller, Operations Officer, U.S. Customs Service, Office of Operations, Duty Assessment Division, Technical Branch, 1301 Constitution Avenue NW., Washington, D.C. 20229, 202-566-5492.

SUPPLEMENTARY INFORMATION: A "Determination of Sales at Less Than Fair Value" with respect to railway track maintenance equipment from Austria was published in the FEDERAL REGISTER of August 16, 1977 (42 FR 41339).

In the "Statement of Reasons" of that notice, under the subheading (f) "Results of Fair Value Comparison," it was indicated that the weighted average margin on those sales on which margins were found was approximately 32 percent. While the referenced weighted average margin figure is correct, it has been decided that it is also appropriate to determine and state the weighted average margin by considering all sales examined, including sales both above and below fair value. In this investigation the weighted average margin based upon all sales examined is 19.5 percent. These two methods of expressing weighted average margins will henceforth be followed in all antidumping determinations.

Accordingly, the "Notice of Determination of Sales at Less Than Fair Value" referred to above is modified to reflect the alternative method of reporting the weighted average margin discussed in the preceding paragraph.

This modification does not in any way affect the information previously provided to the U.S. International Trade Commission in connection with the determination noted above.

This notice is being published pursuant to section 201(d) of the Act (19 U.S.C. 160(d)).

Dated: December 9, 1977.

ROBERT H. MUNDHEIM,
General Counsel of the Treasury.

[FR Doc. 77-36115 Filed 12-19-77; 8:45 am]

[7035-01]

INTERSTATE COMMERCE COMMISSION

[Notice No. 160TA]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 1, 1977.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 21436 (Sub-No. 5TA), filed November 4, 1977. Applicant: RELIANCE VAN COMPANY, INC., 215 West 2d Avenue, Conshohocken, Pa. 19428. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Avenue NW., suite 1200, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, in containers, between all States east of the Mississippi, that is, the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Ohio, Indiana, Mississippi, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, and the District of Columbia, for 180 days. Supporting shippers: (1) 438 APS/TRT, McGuire, AFB, N.J. 08641. (2) Allstates Van Lines Corp., 150 East 58th Street, New York, N.Y. 10022. (3) Door-To-Door International, Inc., 7109 Woodlawn Avenue NE., Seattle, Wash. 98115. (4) Reliance Forwarding Corp., 875 North Nova Road, Ormond Beach, Fla. 32074. Send protests to: District Supervisor, Interstate Commerce Commission, 428 East State Street, room 204, Trenton, N.J. 08608.

No. MC 38898 (Sub-No. 1TA), filed November 4, 1977. Applicant: JAMES M. NAYE, INCORPORATED, Delaware Avenue and Tasker Street, Philadelphia, Pa. 19148. Applicant's representative: Raymond A. Thistle, Jr., Four Penn Center Plaza, Suite 1012, Philadelphia, Pa. 19103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum grease*, in pressurized bins loaded in specially adapted van trailers, excluding transportation in tank vehicles, from Philadelphia, Pa. to Sparrows Point, Md. and Ashland, Ky., and returned shipments, under a continuing contract or contracts with keystone lubricating Department, Chemical Specialties Division of Pennwalt Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Keystone Lubricating Department, Chemical Specialties Division of Pennwalt Corp., Three Parkway, Philadelphia, Pa. 19102. Send protests to: Monica A. Blodgett, Transportation Consumer Specialist, Interstate Commerce Commission, 600 Arch Street, room 3238, Philadelphia, Pa. 19106.

No. MC 51146 (Sub-No. 542TA), filed November 8, 1977. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are manufactured, distributed, or used by manufacturers and distributors of chemicals (except commodities in bulk), between the facilities of McKesson Chemical, at or near Appleton, Wis. on the one hand and, on the other, points in Michigan, Ohio, Kentucky, Tennessee, New Jersey, New York, Delaware, Pennsylvania, Maryland, Iowa, Missouri, Minnesota, Illinois, Indiana, Virginia, West Virginia, and the District of Columbia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): McKesson

Chemical, 1836 W. Rogers, Appleton, Wis. 54911. (Mike G. Graf). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 103926 (Sub-No. 63TA), filed November 7, 1977. Applicant: W. T. MAYFIELD SONS TRUCKING CO., INC., P.O. Box 947, Mableton, Ga. 30059. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed or ground slate*, in bags (except in bulk), from the facilities of Georgia Lightweight Aggregate Co. at Polk County, Ga., to points in Alabama, Florida, Illinois, Indiana, Kentucky, Louisiana, Missouri, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virginia, West Virginia, and District of Columbia, for 180 days. Supporting shipper(s): Georgia Lightweight Aggregate Co., A Division of Ashland-Warren, Inc., P.O. Box 19781, Station N, Atlanta, Ga. 30325. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 W. Peachtree Street NW., room 300, Atlanta, Ga. 30309.

No. MC 108341 (Sub-No. 73TA), filed November 7, 1977. Applicant: MOSS TRUCKING COMPANY, INC., P.O. Box 8409, 3027 N. Tryon Street, Charlotte, N.C. 28208. Applicant's representative: Jack F. Counts, P.O. Box 8409, Charlotte, N.C. 28208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts, and materials, accessories, and supplies*, used in the installation, erection, and construction of buildings, building panels, and building parts (except commodities in bulk), from the plantsite and storage facilities of Butler Manufacturing Co., located at or near Annville, Pa., to points in Colorado, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Michigan, Illinois, Indiana, Mississippi, Alabama, Georgia, South Carolina and Florida, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Butler Manufacturing Co., 1020 South Henderson Street, Galesburg, Ill. 61401. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, room CC516, Mart Office Building, Charlotte, N.C. 28205.

No. MC 108380 (Sub-No. 92TA), filed October 25, 1977. Applicant: JOHNSTON'S FUEL LINERS, INC., Box 100, 808 Birch Street, Newcastle, Wyo. 82701. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diesel fuel*, in bulk, in tank vehicles, from Wolfe Point, Mont., to Rapid City, S. Dak., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Wyoming Refining Co., 625 Ninth Street, Rapid City, S. Dak. 57709. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, 111 South Wolcott Street, Casper, Wyo. 82601.

No. MC 108676 (Sub-No. 112TA), filed November 7, 1977. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, Tenn. 37917. Applicant's representative: William T. McManus, 117 Chicamauga Avenue, Knoxville, Tenn. 37917. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers or equalizers*, for air, gas, or liquids, (2) *machinery and equipment*, for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids, and (3) *parts, attachments, and accessories*, for use in the installation and operation of the items used named in (1) and (2) above, from the facilities of the Trane Co. in Fayette County, Ky., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper(s): The Trane Co., 1500 Mercer Road, Lexington, Ky. 40574. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, suite-A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 113561 (Sub-No. 239TA), filed November 7, 1977. Applicant: INDIANA REFRIGERATOR LINES, INC., P.O. Box 552, Rigging Road, Muncie, Ind. 47305. Applicant's representative: Daniel C. Sullivan, Singer & Sullivan, 10 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery items* (except commodities in bulk), and advertising and display materials in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of E. J. Brach & Sons, at or near Chicago, Ill., to points in Arkansas, Alabama, Louisiana, and Mississippi, restricted to traffic originating at the above-named facility for 180 days. Supporting shipper(s): E. J. Brach & Sons, 4656 West Kenzie Avenue, Chicago, Ill. 60644. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, suite 113, Fort Wayne, Ind. 46802.

No. MC 115162 (Sub-No. 393TA), filed October 28, 1977. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products*, in containers, from Kansas City, Kans., to points in the States of Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and (2) *empty containers*, for petroleum products, from points in the States of Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, to Kansas City, Kans., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Phillips Petroleum Co., 151 Phillips Building Annex, Bartlesville, Okla. 74004. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, room 1616, 2121 Building, Birmingham, Ala. 35203.

No. MC 115496 (Sub-No. 69TA), filed October 31, 1977. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Highway 23 South, Cochran, Ga. 31014. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plywood, paneling, and composition board*, from the plantsite of Champion International Corp., located at or near Orangeburg, and Charleston, S.C., to points in Alabama, Florida, Illinois, Indiana, North Carolina, Kentucky, Ohio, Tennessee, Virginia, and West Virginia, and (2) *composition hardboard*, from the plantsite of Champion International Corp., located at or near Catawba, S.C., to points in Alabama, Florida, Illinois, Indiana, Kentucky, North Carolina, Ohio, Tennessee, Vir-

ginia, and West Virginia, restricted to the service sought in (1) and (2) is restricted to the transportation of traffic originating at the named plantsites, for 180 days. Supporting shipper(s): Champion International Corp., Knightsbridge Drive, Hamilton, Ohio 45020. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., room 300, Atlanta, Ga. 30309.

No. MC 119641 (Sub-No. 142TA), filed November 7, 1977. Applicant: RINGLE EXPRESS, INC., 628 East Ninth Street, Fowler, Ind. 47944. Applicant's representative: Leo A. Maciolek, Box 335, route No. 1, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, plywood, and plywood wall paneling*, from the plantsite and storage facilities of Plywood Panels, Inc., located in Norfolk, Va., to all points in Ohio, West Virginia, Michigan, Indiana, Wisconsin, Illinois, Missouri, Kansas, Nebraska, Kentucky, Iowa, Minnesota, South Dakota, and North Dakota, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Plywood Panels, Inc., P.O. Box 12678, Norfolk, Va. 23502. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, suite 113, Fort Wayne, Ind. 46802.

No. MC 124896 (Sub-No. 36TA), filed November 4, 1977. Applicant: WILLIAMSON TRUCK LINES, INC., Thorne and Ralston Streets, P.O. Box 3485, Wilson, N.C. 27893. Applicant's representative: Daniel O. Hands, 205 West Touhy Avenue, suite 200, Park Ridge, Ill. 60068. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, in vehicles equipped with mechanical refrigeration (except in bulk), from the plantsite and warehouse facilities of E. J. Brach & Sons at Chicago and Carol Stream, Ill., to points in Alabama, Florida, Georgia, Louisiana, Maryland, North Carolina, South Carolina, Tennessee, and Virginia, restricted to traffic originating at the named origins and destined to the named destinations, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: E. J. Brach & Sons, P.O. Box 802, Chicago, Ill. 60690. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, 624 Federal Building, 310 New Bern Avenue, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 133689 (Sub-No. 152TA), filed November 8, 1977. Applicant: OVERLAND EXPRESS, INC., 719 First Street SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale and retail department stores (except foodstuffs and commodities in bulk), from Dalton, Ga., to Minneapolis-St. Paul, Minn., restricted to traffic originating at and destined to the facilities of Northern Cargo Association and its members, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately 7 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Marion L. Cheney, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 129296 (Sub-No. 1TA), filed November 7, 1977. Applicant: M & D HAULING, INC., 260 Jordan Avenue, Montoursville, Pa. 17754. Applicant's representative: John M. Musselman, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt and salt products* (except in bulk), (2) *pepper* (except in bulk), in mixed loads with salt, and (3) *animal mineral feed mixtures* (except in bulk), in mixed loads with salt, from Silver Springs, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Morton Salt Co., 110 North Wacker Drive, Chicago, Ill. 60606. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 314 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 134477 (Sub-No. 195TA), filed November 7, 1977. Applicant: SCHANNO TRANSPORTATION, INC., P.O. Box 3496, St. Paul, Minn. 55165. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared frozen foods* (except commodities in bulk), from the plantsite and warehouse facilities of Banquet Foods Corp., at or near Carrollton, Macon, Marshall, and Moberly, Mo., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the above-named origins and destined to the above-named destinations, for 180 days. Supporting shipper(s): Banquet Foods Corp., 100 North Broadway, St. Louis, Mo. 63102. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 138875 (Sub-No. 61TA), filed November 8, 1977. Applicant: SHOEMAKER TRUCKING CO., 11900 Franklin Road, Boise, Idaho 83705. Applicant's representative: F. L. Sigloh, 11900 Franklin Road, Boise, Idaho 83705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in section A and C of appendix I to the report in Descriptions to Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except products in bulk and hides), from the plantsite of Columbia Foods, Inc., as subsidiary of Iowa Beef Processors, Inc., at or near Boise, Idaho, to Arizona and Utah, for 180 days. Applicant does not intend to tack or interline authority. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Iowa Beef Processors, Inc., Dakota city, Nebr. 68731. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, 550 West Fort Street, Box, 07, Boise, Idaho 83724.

No. MC 139495 (Sub-No. 280TA), filed November 7, 1977. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, 1501 East 8th Street, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, Sullivan, Dubin & Kingsley, 1320 Fenwick Lane, Silver Springs, Md. 20910. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by discount and variety stores, from the facilities of McCrory Stores located at or near York, Pa., to Oregon and Washington, restricted to traffic originating at the facilities of McCrory Stores and destined to the above-named destination States, for 180 days. Supporting shipper(s): McCrory Stores, 2955 East Market Street, York, Pa. 17402. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 101 Litwin Building, Wichita, Kans. 67202.

No. MC 140068 (Sub-No. 3TA), filed November 11, 1977. Applicant: KARL

EMDE, 3855 East 2nd Avenue, North Burnab, British Columbia, Canada. Applicant's representative: George R. LaBissoniere, 1100 Norton Building, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned fruits, fruit juices, and meats*, between ports of entry on the United States-Canadian boundary line at or near Blaine, Wash., and Bellingham, Wash., restricted to traffic moving to British Columbia, Canada, for 180 days. Supporting shipper: Cosmopolitan Importers, Ltd., 7400 River Road, Richmond, British Columbia, Canada V6X 1X6. Send protests to: Hugh H. Chaffee, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 858 Federal Building, Seattle, Wash. 98174.

No. MC 140581 (Sub-No. 15TA), filed November 7, 1977. Applicant: TOMMY HAGWOOD, d.b.a. HAGWOOD ENTERPRISES, Route 1, Box 222-A, Trafford, Ala. 35172. Applicant's representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, P.O. Box 1267, Arlington, Va. 22210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used motor vehicles*, in truckaway service, between Sulphur Springs, Tex. on the one hand, and, on the other, points in the United States (except Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Alaska, and Hawaii), restricted against the transportation of trailers, semitrailers, and trailer chassis (other than those designed to be drawn by passenger automobiles), in secondary movements, in truckaway service, for 180 days. Supporting shipper(s): Village Used Cars, Inc., 200 Linda Drive, Sulphur Springs, Tex. 75482. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, room 1616, 2121 Building, Birmingham, Ala. 35203.

No. MC 141694 (Sub-No. 3TA), filed November 8, 1977. Applicant: HARCO CARRIERS, INC., 1808 Ford Road, Minnetonka, Minn. 55343. Applicant's representative: John B. Van de North, Jr., 3200 First National Bank Building, St. Paul, Minn. 55101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ceramic tile*, from the plantsite and warehouse facilities of Kate-Lo Ceramics, Inc., located at Brooklyn Park, Minn., to Omaha, Nebr.; Wichita, Kans.; Tulsa and Oklahoma City, Okla.; San Antonio, Tex.; Des Moines, Iowa; Kansas City and Springfield, Mo.; Tantitown and Little Rock, Ark.; Memphis, Tenn.; Wheaton and Bloomington, Ill.; Indianapolis, Ind.; and Middleberg Heights, Ohio, for 180 days. Supporting shipper(s): Kate-Lo Ceramics, Inc., 6750 West Broadway, Minneapolis, Minn. 55428. Send protests to: A. N. Spath District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building, U.S. Court House, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 142177 (Sub-No. 4TA), filed November 7, 1977. Applicant: B.W.C.S., INC, 14 Park Avenue, Salem, N.H. 03079. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonnegotiable checks, drafts, deposit slips, and documents*, from New London, N.H. to Framingham, Mass., and *data processing papers, customers' statements, cancelled checks, and audit and accounting media*, from Framingham, Mass. to New London, N.H., restricted against the transportation of any package or article weighing more than 70 pounds or exceeding 108 inches in length and girth combined and each package or article shall be considered as a separate and distinct shipment, and restricted against transportation of packages or articles weighing in the aggregate more than 150 pounds from one consignor at one location to one consignee at one location on any one day, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The New London Trust Co., Main Street, New London, N.H. 03257. Judith Cormier, Operations Officer. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 425 Federal Building, 55 Pleasant Street, Concord, N.H. 03301.

No. MC 142177 (Sub-No. 5TA), filed November 7, 1977. Applicant: B.W.C.S., INC., 14 Park Avenue, Salem, N.H. 03079. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Data processing materials*, between Salem, N.H. on the one hand and, on the other, points in Massachusetts, restricted against the transportation of any package or article weighing more than 70 pounds or exceeding 108 inches in length and girth combined and each package or article shall be considered as a separate and distinct shipment, and restricted against transportation of packages or articles weighing in the aggregate more than 150 pounds, from one consignor at one location to one consignee at one location on any one day, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Standard Data, Division of Standex International Corp., Manor Parkway, Salem, N.H. 03079, Edward J. Murphy, Director of Marketing. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 425 Federal Building, 55 Pleasant Street, Concord, N.H. 03301.

No. MC 143610 (Sub-No. 4TA), filed November 3, 1977. Applicant: PAUL YATES, INC., 6601 West Orangewood, Glendale, Ariz. 85301. Applicant's representative: Edward N. Button, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs and toilet articles and materials and supplies* used in the manufacture, sale, and distribution thereof, between Allegan, Mich. and its commercial zone on the one hand and, on the other, points in Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhole Island, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin, under a continuing contract or contracts with L. Perrigo Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: L. Perrigo Co. 117 Water Street, Allegan, Mich. 49010. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, room 2020 Federal Building, 230 North First Avenue, Phoenix, Ariz. 85025.

No. MC 143808 (Sub-No. 1TA), filed November 7, 1977. Applicant: XXOFF, INC., 1135 Bank for Savings Building, 1900 Morris Avenue, Birmingham, Ala. 35203. Applicant's representative: D. H. Markstein, Jr., 512 Massey Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, materials used in data processing, accounting media, cash letters, and related items*, between Birmingham, Ala. and Atlanta, Ga., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Birmingham Trust National Bank, P.O. Box 2554, Birmingham, Ala. 35290. (2) First National Bank of Birmingham, P.O. 11007, Birmingham, Ala. 35203. (3) Southern National Bank, P.O. Box 1054, Birmingham, Ala. 35201. (4) Central Bank of Birmingham, 701 South 20th Street, Birmingham, Ala. 35203. (5) First Alabama Bank of Birmingham, 234 West

Valley Avenue, Birmingham, Ala. 35209. Send protests to: Mabel E. Holston, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, room 1616, 2121 Building, Birmingham, Ala. 35203.

No. MC 143886 (Sub-No. 1TA), filed November 1, 1977. Applicant: BEST MOVING SERVICES, INC., 201 Colbert Avenue, Hampton, Va. 23669. Applicant's representative: Reginald Eugene Cook, 201 Colbert Avenue, Hampton, Va. 23669. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods* (restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized and to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic), between cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, Va., Virginia Counties of Gloucester, Isle of Wight, James City, King and Queen, King William, Lancaster, Mathews, Middlesex, Nansemond, New Kent, Southampton, Surry, Sussex, and York, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Sunpak Movers, Inc., 100 West Harrison Plaza, Seattle, Wash. 98119, (2) Imperial Van Lines, International, Inc., 2805 Columbia Street, Torrance, Calif. 90503, (3) Department of Defense, Dellon E. Coker, Chief Regulatory Law Office, Office of the Judge Advocate General, Department of the Army, Washington, D.C. 20310, (4) VANPAC Carriers, Inc., 2114 Macdonald Avenue, Richmond, Va. 94801, and (5) Allstates Van Lines Corp., 50-18 97th Place, Corona, N.Y. 11368. Send protests to: Paul D. Collins, District Supervisor, Bureau of Operations, room 10-502, Federal Building, 400 North 8th Street, Richmond, Va. 23240.

No. MC 143902TA, filed October 27, 1977. Applicant: ENIS P. BAUDINO, d.b.a. BAUDINO TRANSFER, 415 East Main, P.O. Box 525, Aguilar, Colo. 81020. Applicant's representative: Edward A. O'Donnell, 1004 29th Street, Sioux City, Iowa 51104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Railroad sidings*, located at or near Lynn and Trinidad, Colo., from the minesites, and storage facilities utilized by Delagua Coal Co. and Horner Coal Co., located in Huerfano and Las Animas Counties, Colo., and (2) restricted to the transportation of shipments that will have a subsequent movement by rail, to points in New Mexico, Barber, Barton, Cheyenne, Clark, Comanche, Decatur, Edwards, Ellis, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearney, Kiowa, Lane, Logan, Meade, Morton, Ness, Norton, Pawnee, Pratt, Rawlins, Rush, Russell, Scott, Seward, Sheridan, Sherman, Stafford, Stanton, Stevens, Thomas, Trego, Wallace, Wichita Counties, Kans.; Arthur, Banner, Chase, Cheyenne, Deuel, Dundy, Frontier, Gorden, Hays, Hitchcock, Keith, Kimball, Lincoln, Morrill, Perkins, Red Willow, Scottsbluff Counties, Nebr.; Beaver, Cimmarron, Texas Counties, Okla.; Armstrong, Bailey, Briscoe, Carson, Castro, Cochrane, Childress, Collingsworth, Cottle, Crosby, Dallam, Deafsmith, Dickens, Donley, Floyd, Gray, Hansford, Hale, Hall, Hartley, Hemphill, Hockley, Hutchinson, King, Lamb, Lipscomb, Lubbock, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler Counties, Tex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Horner Coal Co., P.O. Box 5007, Aguilar, Colo. 81020. Delagua Coal Co., route 2, Box 80, Trinidad, Colo. 81082. Send protests to: Herbert C. Ruoff, District Supervisor, 492 U.S. Customs House, 721 19th Street, Denver, Colo. 80202.

No. MC 143910TA, filed October 21, 1977. Applicant: NEW HAMPSHIRE CONTINENTAL EXPRESS, INC., P.O. Box 4956, Manchester, N.H. 03108. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foods, foodstuffs, food-treating compounds, chemicals and additives* (except in bulk), *and advertising paraphernalia, and materials, equipment, and supplies*, used in the manufacturer, preparation, sale and distribution of spices, extracts, convenience foods, confectionery products, food products, salad dressing, and foodstuffs (except in bulk), and (2) *commodities*, the transportation of which is exempt from regulation under the provisions of section 203(b) of the Interstate Commerce Act, in mixed loads with the commodities described in (1) above, for the account of McCormick & Co., Inc., over irregular routes, (A) between Salinas, Gilroy, San Francisco, and Vacaville, Calif., including their respective commercial zones, on the one hand, and, on the other, points in Alabama, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, Nebraska, Oklahoma, Ohio, Oregon, North Carolina, South Carolina, Tennessee, Texas, Utah, Virginia, Wisconsin, and Wash.; (B) between Baltimore, Md., including its commercial zone, on the one hand, and, on the other, points in Alabama, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, MInnesota, Missouri, Mississippi, Ohio, North Carolina, South Carolina, Tennessee, Texas, Virginia, and Wisconsin; (C) between South Bend and Bremen, Ind., including their respective commercial zones, on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Massachusetts, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Tennessee, Utah, Washington, West Virginia, Wisconsin, and Wyoming; and (D) from Atlanta, Ga., and its commercial zone to points in New Jersey, New York, Pennsylvania, and Virginia, under a continuing contract, or contracts, with McCormick & Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): McCormick & Co., Inc., 414 Light Street, Baltimore, Md. 21202. (William M. Pappas, Manager, Distribution Grocery Products Division.) Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 425 Federal Building, 55 Pleasant Street, Concord, N.H. 03301.

No. MC 143912 (Sub-No. 1TA), filed November 4, 1977. Applicant: WESTERN CONTAINER TRANSPORT, INC., 1200 Ferry Street, Oakland, Calif. 94607. Applicant's representatives: David J. Merchant, James T. Proctor, Graham & James, One Maritime Plaza, suite 300; San Francisco, Calif. 94111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives), in containers or in trailers, having an immediately prior or subsequent movement by water, and (2) *of empty containers, used trailers, and used trailer chassis*, between ports of entry located in California, Washington, and Oregon, on the one hand, and, on the other, points in Washington, Oregon, Nevada, Arizona, and California, restricted to have a prior or subsequent movement by water, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately 14 statements of support attached to this application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: A. J. Rodriguez, District Supervisor, Interstate Commerce Commission, 211

Main, suite 500, San Francisco, Calif. 94105.

PASSENGER APPLICATION

No. MC 142781 (Sub-No. 2TA), filed November 7, 1977. Applicant: GREEN LINE CHARTERS, LTD., 2769 East 4th Avenue, Vancouver, British Columbia, Canada. Applicant's representative: Charles M. LaHue, 2769 East 4th Avenue, Vancouver, British Columbia, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in round-trip charter operations, between United States and Canada international boundary line located at points in Washington, on the one hand, and, on the other, points in Washington, restricted to service originating at and destined to Vancouver, British Columbia, Canada, for 180 days. Supporting shipper(s): There are approximately 5 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Hugh H. Chaffee, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 858 Federal Building, Seattle, Wash. 98174.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 77-36123 Filed 12-19-77; 8:45 am]

[7035-01]

[Notice No. 161TA]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 4, 1977.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 28551 (Sub-No. 6TA), filed November 14, 1977. Applicant: GENERAL CARTAGE CO., 1511 Pearl Street, Waukesha, Wis. 53186. Applicant's representative: Homer Walls (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in containers having a prior or subsequent movement by rail, between Waukesha, Wis., and points in the State of Wisconsin (except points in Milwaukee, Waukesha, Jefferson, Ozaukee, Racine, Walworth, and Washington Counties, Wis.), for 180 days. Supporting shippers: There are approximately 6 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 40978 (Sub-No. 37TA), filed November 15, 1977. Applicant: CHAIR CITY MOTOR EXPRESS CO., 3321 Highway 141 South, P.O. Box 686, Sheboygan, Wis. 53081. Applicant's representative: William C. Dineen, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bicycles and parts and accessories thereof*, from Chicago, Ill., and points in the Chicago, Ill. commercial zone to points in the upper peninsula of Michigan, Minnesota, and Wisconsin, for 180 days. Supporting shippers: Schwinn Bicycle Co., 1856 North Kostner Avenue, Chicago, Ill. 60639 (E. H. Ware, Jr.). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 48958 (Sub-No. 144TA), filed November 1, 1977. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, P.O. Box 16404, Denver, Colo. 80216. Applicant's representative: Lee E. Lucero (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except class A and B explosives, household goods as defined by the Commission, commodities in bulk, articles of unusual value, and articles requiring special equipment) serving Prescott Valley, Ariz., as an off-route point in connection with carrier's authorized regular routes, for 180 days. Supporting shipper(s): There are approximately 7 statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, Denver, Colo. 80202.

No. MC 48958 (Sub-No. 145TA), filed November 9, 1977. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, P.O. Box 16404, Denver, Colo. 80216. Applicant's representative: Lee E. Lucero (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Dallas, Fort Worth, and Mansfield, Tex., to all points in the States of Nevada and California, for 180 days. Applicant will not tack or interline. Supporting shipper(s): Portion-Trol Foods, Inc., 821 South 5th Avenue, Mansfield, Tex. 76063. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, Denver, Colo. 80202.

No. MC 48958 (Sub-No. 147TA), filed November 14, 1977. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, P.O. Box 16404, Denver, Colo. 80216. Applicant's representative: Lee E. Lucero (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requir-

ing special equipment, and those injurious or contaminating to other lading), (1) between Denver, Colo. and Cheyenne, Wyo., serving the intermediate point of Fort Collins, Colo. (and its commercial zone) only: From Denver, Colo., over U.S. Highway 287 to Fort Collins, Colo., thence over Colorado State Highway 14 to junction Interstate Highway 25, thence over Interstate Highway 25 to Cheyenne, Wyo., and return over the same route. (2) Between Greeley, Colo. and Fort Collins, Colo. (and its commercial zone), serving no intermediate points: From Greeley, Colo., over U.S. Highway 34 to junction Interstate Highway 25, thence over Interstate Highway 25 to junction Colorado State Highway 68, thence over Colorado State Highway 68 to junction U.S. Highway 287, thence over U.S. Highway 287 to Fort Collins, and return over the same route. (3) Between Greeley, Colo. and Fort Collins, Colo. (and its commercial zone), serving no intermediate points: From Greeley, Colo., over U.S. Highway 34 to junction Interstate Highway 25, thence over Interstate Highway 25 to junction Prospect Street (or over Interstate Highway 25 to junction Colorado State Highway 14), thence over Prospect Street or Colorado State Highway 14 to Fort Collins, and return over the same route. (4) Between Eaton, Colo. and Fort Collins, Colo. (and its commercial zone), serving no intermediate points: From Eaton, Colo., over Weld County Road 74 and Colorado State Highway 68 to junction U.S. Highway 287, thence over U.S. Highway 287 to Fort Collins, and return over the same route. (5) Between Eaton, Colo. and Fort Collins, Colo. (and its commercial zone), serving no intermediate points: From Eaton, Colo., over Weld County road 75 to junction Interstate Highway 25, thence over Interstate Highway 25 to junction Prospect Street (or over Interstate Highway 25 to junction Colorado State Highway 14), thence over Prospect Street or Colorado State Highway 14 to Fort Collins, and return over the same route. (6) Between Ault, Colo. and Fort Collins, Colo. (and its commercial zone), serving no intermediate points: From Ault, Colo., over Colorado State Highway 14 to Fort Collins, Colo., and return over the same route. (7) Between Denver, Colo. and Fort Collins, Colo. (and its commercial zone), serving no intermediate points: From Denver, Colo., over U.S. Highway 87 (Interstate Highway 25) to junction Colorado State Highway 68, Prospect Road, or Colorado State Highway 14, thence over Colorado State Highway 68, Prospect Road, or Colorado State Highway 14 to Fort Collins, and return over the same route, for 180 days. Supporting shipper(s): There are approximately (56) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, Denver, Colo. 80202.

No. MC 51146 (Sub-No. 541TA), filed November 3, 1977. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen bakery goods and sandwiches* (except commodities in bulk), and (2) *materials, equipment, and supplies* used in the manufacture and distribution of commodities noted above (except in bulk), from (1) Madison and Milwaukee, Wis., to points in the United States (except Alaska, Hawaii, Washington, Oregon, California, Nevada, Idaho, Utah, Montana, Wyoming, Colorado, New Mexico, Arizona, Illinois, and Minnesota), and (2) from points in the United States (except Alaska, Hawaii, Washington, Oregon, California, Nevada, Idaho, Utah, Montana, Wyoming, Colorado, New Mexico, Arizona, Illinois, and Minnesota), to Madison and Milwaukee, Wis., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Great American Basic Commodities, Inc., 1001 Hoover Road, Plover, Wis. 54467. (Dean W. Bledsoe.) Send protests to: Gail A. Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building & Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 51146 (Sub-No. 544TA), filed November 16, 1977. Applicant: SCHNEIDER TRANSPORT, INC. P.O. Box 2298, 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, from Redondo Beach, Calif. to Des Moines, Iowa, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Los Angeles Lithograph, 2411 Santa Fe Avenue, Redondo Beach, Calif. 90278. (Roy Barnes). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building & Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 54847 (Sub-No. 13TA), filed November 4, 1977. Applicant: INTRA-COASTAL TRUCK LINE, INC., 1200 Peters Road, P.O. Box 354, Harvey, La. 70058. Applicant's representative: Daniel Lund, 806 First National Bank of Commerce Building, New Orleans, La. 70112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, and *machinery, materials, equipment, and supplies* used in or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, except the picking up or stringing of pipe in connection with main pipelines, between points in Texas, Louisiana, Mississippi, Alabama, and Florida on the one hand and, on the other, points in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Virginia, North Carolina, South Carolina, Pennsylvania, and Maryland, for 180 days. Supporting shippers: Shell Oil Co., P.O. Box 2099, Houston, Tex. 77001. Exxon Co., U.S.A., 800 Bell Street, Houston, Tex. 77001. Send protests to: Ray C. Armstrong, Jr., District Supervisor, T-9038 U.S. Postal Service Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 63417 (Sub-No. 118TA), filed November 17, 1977. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, Va. 24034. Applicant's representative: William E. Bain, P.O. Box 13447, Roanoke, Va. 24034. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture and furniture parts*, from the plantsite and facilities of Coleman Furniture Co. at Pulaski, Va., to points in Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, and (2) *returned shipments* of above commodities from above destinations to above origins, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Coleman Furniture Corp., Drawer 908, Pulaski, Va. 24301. Send protests to: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

No. MC 74681 (Sub-No. 9TA), filed November 10, 1977. Applicant: STEVENS VAN LINES, INC., 121 South Niagara Street, Saginaw, Mich. 48602.

Applicant's representative: Robert J. Gallagher, 1000 Connecticut Avenue NW., suite 1200, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pads or padding, NOI plastic or rubber foam, cellular expanded or sponge*, having a density of 1.7 pounds per cubic foot. From the plantsite of Reeves Brothers, Inc., Automotive Department, Cornelius, N.C., to Fisher Body Division, GMC, Flint, Cold Water Road Plant, Cold Water Road, Flint, Mich., for 180 days. Supporting shipper: Fisher Body Division, General Motor Corp., Warren, Mich. 48090. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 103051 (Sub-No. 414TA), filed November 16, 1977. Applicant: FLEET TRANSPORT CO., INC., 934 44th Avenue, P.O. Box 90408, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone, 934 44th Avenue North, Nashville, Tenn. 37209. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lard*, in bulk, in tank vehicles, from Tupelo, Miss., to Joplin, Mo., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Mid-South Trucking, Inc., 614 North Commerce, Tupelo, Mo. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 106407 (Sub-No. 32TA), filed November 16, 1977. Applicant: T. E. MERCER TRUCKING CO., P.O. Box 1809, Fort Worth, Tex. 76101. Applicant's representative: Clint Oldham, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies*, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, and machinery, materials, equipment, and supplies, used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, and Virginia, on the one hand, and, on the other, points in the United States, including Alaska and Hawaii, for 180 days. Supporting shipper: Shell Oil Co., P.O. Box 2099, Houston, Tex. 77001. Send protests to: Robert J. Kirspel, District Supervisor, room 9A27, Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 107403 (Sub-No. 1045TA), filed November 16, 1977. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand*, in bulk, in tank vehicles, from Lipe, Tenn., to Chattanooga, Tenn., having a prior movement by rail, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Hardy Sand Co., 507 Southeast Second Street, P.O. Box 629, Evansville, Ind. 47704. Send protests to: T. M. Esposito, Transportation Assistant, 600 Arch Street, room 3238, Philadelphia, Pa. 19106.

No. MC 107515 (Sub-No. 1112TA), filed November 15, 1977. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, 3901 Jonesboro Road SE., Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged petroleum products and vehicle body sealers* (except in bulk), from the plantsites and warehouse facilities utilized by Quaker State Oil Refining Corp. at or near Congo and St. Mary's W. Va., and Emienton and Farmers Valley, Pa., to points throughout Alabama, Florida, Georgia, Kentucky, Louisiana, Missouri, North Carolina, South Carolina, and Tennessee, for 180 days. Applicant had also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Quaker State Oil Refining Corp., P.O. Box 989, Oil City, Pa. 16301. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., room 300, Atlanta, Ga. 30309.

No. MC 107912 (Sub-No. 19TA), filed November 15, 1977. Applicant: REBEL MOTOR FREIGHT, INC., 3060 Gill Road, P.O. Box 9384, Memphis, Tenn. 38109. Applicant's representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of National Presto Industries, Inc., at or near Canton, Miss., as an off-route point in connection with applicant's regular route operations between Memphis, Tenn., and Jackson, Miss., for 180 days. Applicant intends to tack the authority sought herein with present authority in MC 107912. Applicant further intends to interline with carriers at Memphis, Tenn., and Jackson, Miss. Applicant also requests authority to serve the commercial zones of cities on its authorized routes in connection with this off-route point. Supporting shipper: National Presto Industries, Inc., 3925 Hastings Way, Eau Claire, Wis. 54701. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, 100 North Main Building, suite 2006, 100 North Main Street, Memphis, Tenn. 38103.

No. MC 111302 (Sub-No. 113TA), filed November 15, 1977. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10470, 1500 Amherst Road, Knoxville, Tenn. 37919. Applicant's representative: David A. Petersen, P.O. Box 10470, 1500 Amherst Road, Knoxville, Tenn. 37919. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sodium aluminate*, in bulk, in tank vehicles, from the plantsite of W. R. Grace & Co., in South Pittsburgh, Tenn., to the plantsite of Vinings Chemical Co., in Marietta, Ga., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: W. R. Grace & Co., Davison Chemical Division, P.O. Box 379, South Pittsburgh, Tenn. 37380. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 111812 (Sub-No. 543TA), filed November 16, 1977. Applicant: MIDWEST COAST TRANSPORT, INC., 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks, 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Authority sought to operate as a *common carri-*

er, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Minneapolis-St. Paul, Minn., to points in California, Oregon, Washington, Idaho, Montana, Utah, Nevada, Arizona, New Mexico, Colorado, and Wyoming, for 180 days. Supporting shipper(s): Food Producers International, 2401 Edgewood Ave., South, Minneapolis, Minn., G. M. Utterbert, Vice President. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 455, Federal Building, Pierre, S. Dak. 57501.

No. MC 113651 (Sub-No. 233TA) (partial correction), filed October 17, 1977, published in the FEDERAL REGISTER issue of November 11, 1977, and republished as corrected this issue. Applicant: INDIANA REFRIGERATOR LINES, INC., P.O. Box 552, Riggin Road, Muncie, Ind. 47305. Applicant's representative: Paul R. Bergant, 10 South LaSalle Street, suite 1600, Chicago, Ill. 60603.

NOTE.—The purpose of this partial correction is to indicate where to send protests to.

Send protests to: Justus H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, suite 113, Fort Wayne, Ind. 46802. The rest of the publication remains the same.

No. MC 115331 (Sub-No. 436TA), filed November 15, 1977. Applicant: TRUCK TRANSPORT INC., 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, from Frankfort, Ky., to Chicago, Ill., for 180 days. Supporting shipper(s): Consolidated Distilled Products, Inc., 3247 South Kedzie Avenue, Chicago, Ill. 60623. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 1465, 210 North 21st Street, St. Louis, Mo. 63101.

No. MC 115654 (Sub-No. 70TA), filed November 15, 1977. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23193, Nashville, Tenn. 37202. Applicant's representative: Henry E. Seaton, 915 Pennsylvania Building, 13th & Pennsylvania Avenue, NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, used in the manufacture of pizza, from Russell Springs, Ky. to Joplin, Mo., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Totino's, Division of The Pillsbury Co., 7350 Commerce Lane, Fridley, Minn. 55432. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite-A-422, U.S. Court House, 801 Broadway, Nashville, Tenn. 37203.

No. MC 118838 (Sub-No. 16TA) (partial correction), filed October 20, 1977, published in the FEDERAL REGISTER issue of November 16, 1977, and republished as corrected this issue. Applicant: GABOR TRUCKING, INC., Rural Route 3, Box 124B, Detroit Lakes, Minn. 56501. Applicant's representative: Richard P. Anderson, 502 First National Bank Building, Fargo, N. Dak. 58102.

NOTE.—The purpose of this partial correction is to add another supporting shipper to this proceedings.

Supporting shipper(s): Agri Trading Corp., P.O. Box 457, Hutchinson, Minn. 55350. The Pillsbury Co., 7900 Xerxes Avenue South, Minneapolis, Minn. 55431. The rest of the publication remains the same.

No. MC 119619 (Sub-No. 117TA), filed November 15, 1977. Applicant: DISTRIBUTORS SERVICE CO., 2000 W. 43rd Street, Chicago, Ill. 60609. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Commission Act, when transported in mixed loads with bananas, from Port Newark, N.J. and New York, N.Y. ports, to points in, and including the Commercial Zones thereof as defined by the Commission, Indiana, Ohio, Illinois, and Michigan, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Pacific Fruit, Inc., Bernard Swedelson, Sales and Traffic Manager, 19 Rector Street, New York, N.Y. 10006. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, room 1386, Chicago, Ill. 60604.

No. MC 119789 (Sub-No. 386TA), filed November 14, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr., P.O. Box 6188, 605 S. Loop 12, Irving, Tex., Dallas, Tex. 75222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Milford, Conn. to Milwaukie, Oreg., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Nestle Co., Inc., 100 Bloomingdale Road, White Plains, N.Y. 10605. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75242.

No. MC 120618 (Sub-No. 5TA), filed November 9, 1977. Applicant: SCHALLER TRUCKING CORPORATION, 5700 W. Minnesota Street, Indianapolis, Ind. 46241. Applicant's representative: John R. Bagileo, 700 World Center Building, 918 16th Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as dealt with and in the business of retail merchants, from the plantsite and storage facilities of Colgate-Palmolive Co. located at or near Jeffersonville, Ind., to points located in the commercial zones of Champaign, Danville, Eldorado, Peoria, and Urbana, Ill., and the return of damaged, refused, or rejected materials to Colgate-Palmolive Co., located at or near Jeffersonville, Ind., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Colgate-Palmolive Co., P.O. Box 1445, Louisville, Ky., 40201. Send protests to: Beverly J. Williams, Transportation Assistant, Interstate Commerce Commission, Federal Building & U.S. Courthouse, 46 East Ohio Street, Room 429, Indianapolis, Ind. 46204.

No. MC 123048 (Sub-No. 376TA), filed November 16, 1977. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st Street, P.O. Box A, Racine, Wis. 53401. Applicant's representative: Carl S. Pope (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Outdoor plastic and metal internally lighted signs*, from Knoxville, Tenn. to points in the United States (except Alaska and Hawaii), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): A. & E. Plasti-Line, Emory Road, P.O. Box 5006, Knoxville, Tenn. 37918. (C. K. Rivard) Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building & Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, Wis. 53202.

No. MC 13408 (Sub-No. 377TA), filed November 16, 1977. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st Street, P.O. Box A, Racine, Wis. 53406. Applicant's representative: Carl S. Pope (same address as applicant). Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Environmental control equipment*, from Memphis, Tenn. to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Triskellion, Inc., 3529 Lamar Avenue, Memphis, Tenn. 38118 (Albert J. Neumann). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 124887 (Sub-No. 43TA), filed November 16, 1977. Applicant: SHELTON TRUCKING SERVICE, INC., route 1, Box 230, Altha, Fla. 32421. Applicant's representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cut log buildings knocked down and materials and supplies*, used in the construction of such commodities, between Blountstown, Fla. on the one hand and, on the other, points in the United States in and east of Minnesota, Iowa, Illinois, Kentucky, Tennessee, and Mississippi, for 180 days. Supporting shipper: Beaver Log Homes of Florida, P.O. Box 458, Blountstown, Fla. 32424. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 124985 (Sub-No. 21TA), filed November 16, 1977. Applicant: DRIVEAWAY COMPANY, 310 South Michigan Avenue, Chicago, Ill. 60604. Applicant's representative: Daniel B. Johnson, 4304 East-West Highway, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor Homes*, between Mount Clemens, Mich. on the one hand and, on the other, points in the United States, including Alaska and Hawaii, for 180 days. Supporting shipper: Travco Family-Wagon Division, Travco Corp., Dennis Garbutt, Division Sales Manager, 340 Hubbard, Mt. Clemens, Mich. 48043. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, room 1386, Chicago, Ill. 60604.

No. MC 128007 (Sub-No. 115TA), filed November 16, 1977. Applicant: HOFER, INC., P.O. Box 583, 4032 Parkview Drive, Pittsburg, Kans. 66762. Applicant's representative: Larry E. Gregg, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Premixed mineral feed ingredients* (except in bulk, in tank trailers), from Harrison County, Tex., to points in California, Montana, North Dakota, Oregon, South Dakota, and Washington, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Marshal Minerals, Inc., P.O. Box 506, Banbridge, Ga. 31717. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 101 Litwin Building, Wichita, Kans. 67202.

No. MC 128273 (Sub-No. 271TA), filed November 16, 1977. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, 121 Humboldt Street, Fort Scott, Kans. 66701. Applicant's representative: Elden Corban, P.O. Box 189, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise* as is, used by, dealt in, or distributed by wholesale or retail grocery, department, drug and variety stores, and institutional supply firms, and (2) *supplies and materials* used in the manufacture and sale of commodities described in (1) above, between Byhalia, Miss., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Gem, Inc., Box 18258, Memphis, Tenn. 38118. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 101 Litwin Building, Wichita, Kans. 67202.

No. MC 128638 (Sub-No. 16TA), filed November 4, 1977. Applicant: CENTRAL GRAIN HAULERS, INC., route 1, P.O. Box 746, Winchester, Ky. 40391. Applicant's representative: William L. Willis, suite 708, McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehcile, over irregular routes, transporting: *Pelletized agricultural limestone and gypsum* (except in tank vehicles), from Irvington, Ky., and points in its commercial zone, to points and places in Alabama, Arkansas, Connecticut, District of Columbia, Florida, Georgia, Illinois, Indiana, Louisiana, Maryland, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Pelletizing Corp., 7200 Hichmand Road, Des Moines, Iowa. Send protests to: Linda H. Sypher, District Supervisor, Interstate Commerce Commission, 216 Bakhaus Building, 1500 West Main Street, Lexington, Ky. 40505.

No. MC 128860 (Sub-No. 15TA), filed November 16, 1977. Applicant: LARRY'S EXPRESS, INC., 720 Lake Street, Tomah, Wis. 54660. Applicant's representative: Edward Solie, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated residential heating units*, from Tomah, Wis., to points in Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, and Wyoming, restricted to traffic originating at the facilities of Energy Research & Development Corp., at Tomah, Wis., and destined to points in the States named herein, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting ship- per: Energy Research & Development Corp., Tomah, Wis. 54660. Send protests to: Ronald A. Morken, District Supervisor, Interstate Commerce Commission, 139 West Wilson Street, Madison, Wis. 53703.

No. MC 134286 (Sub-No. 36TA), filed November 9, 1977. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, Iowa 51102. Applicant's representative: Charles M. Williams, Kimball and Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory chemicals, electrical equipment, laboratory apparatus, laboratory glassware, and related and associated items used in the laboratory supply field* (except in bulk), from the plant-site and/or storage facilities of Fischer Scientific Co., located at or near Bridgewater Township, N.J., to Atlanta, Ga.; Chicago, Ill.; Cincinnati, Ohio; Cleveland, Ohio; Houston, Tex.; Los Angeles, Calif.; Orlando, Fla.; Pittsburg, Pa.; St. Louis, Mo.; Raleigh, N.C., and points in the commercial zones of each respective city, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Fischer Scientific Co., A. F. Sabol, Director of Transportation, 711 Forbes Avenue, Pittsburg, Pa. 15219. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, suite 620, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 135007 (Sub-No. 61TA), filed November 4, 1977. Applicant: AMERICAN TRANSPORT, INC., 7850 F

Street, Omaha, Nebr. 68127. Applicant's representative: Arthur J. Crrra, P.O. Box 19251, Ten Main Center, Kansas City, Mo. 64141. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and/or warehouse facilities utilized by Iowa Beef Processors, Inc., located at or near Denison and Fort Dodge, Iowa; Luverne, Minn.; Dakota City and West Point, Nebr., to points in the States of Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, under a continuing contract, or contracts, with Iowa Beef Processors, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Iowa Beef Processors, Inc., Robert E. Gillespie, Manager, Rates and Regulatory Affairs, Dakota City, Nebr. 68731. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, suite 620, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 135861 (Sub-No. 21TA), filed November 14, 1977. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, 2715 Ellis Avenue, Fort Worth, Tex. 76106. Applicant's representative: Billy R. Reid, P.O. Box 9093, Fort Worth, Tex. 76107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs and medicines and related advertising materials and display racks*, from the facilities of E. R. Squibb & Sons, Inc., at New Brunswick, Somerset, and South Plainfield, N.J., to La Mirada, Calif., under a continuing contract, or contracts, with E. R. Squibb & Sons, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): E. R. Squibb & Sons, Inc., 5 Georges Road, New Brunswick, N.J. 08903. Send protests to: Robert J. Kirspel, District Supervisor, room 9A27, Federal Building, 819 Taylor Street, Fort Worth, Tex, 76102.

No. MC 138026 (Sub-No. 11TA) (partial correction), filed September 23, 1977, published in the FEDERAL REGISTER issue of November 9, 1977, and republished as corrected this issue. Applicant: LOGISTICS EXPRESS, INC., Etiwanda and Slover Avenues, Fontana, Calif. 92335. Applicant's representative: David P. Christianson, 1800 UCB Bank Building, 707 Wilshire Boulevard, Los Angles, Calif. 90017.

NOTE.—The purpose of this republication is to indicate applicant's correct address: Logistics Express, Inc., Etiwanda and Slover Avenues, Fontana, Calif. 92335, in lieu of Logistics Express, Inc., d.b.a. Logex, 8060 East Florence Avenue, Downey, Calif. 90341, which was previously published in error. The rest of the publication remains the same.

No. MC 138415 (Sub-No. 15TA), filed November 9, 1977. Applicant: TRAILER EXPRESS, INC., BOX 327, Topeka, Ind. 46571. Applicant's representative: Michael W. Yoder, Box 321, Topeka, Ind. 46571. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mini-motor homes and camping trailers*, from the plantsite of Rockwood, Inc., in Millersburg (Elkhart County), Ind., to all points in the States of Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, under a continuing contract, or contracts, with Rockwood, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Rockwood, Inc., Box 299, Millersburg, Ind. 46543. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, Suite 113, Fort Wayne, Ind. 46802.

No. MC 138841 (Sub-No. 8TA), filed November 14, 1977. Applicant: BLACK HILLS TRUCKING CO., P.O. Box 2130, Rapid City, S. Dak. 57701. Applicant's representative: James W. Olson, P.O. Box 1552, Rapid City, S. Dak. 57709. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages*, in containers, *wine* in containers, *malt beverages, in containers and related advertising materials*, from Peoria and Plainfield, Ill.; Cincinnati, Ohio; Louisville and Frankfort, Ky.; New York City, N.Y.; Jacksonville, Fla.; and Schenley, Pa., to Rapid City, S. Dak., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Dakota Wholesale Liquors, Inc., 1830 Limbardy, Rapid City, S. Dak. 57701. Michael G. Wordeman, Executive Vice President. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 455, Federal Building, Pierre, S. Dak. 57501.

No. MC 140024 (Sub-No. 78TA) (correction), filed October 18, 1977, published in the FEDERAL REGISTER issue of November 16, 1977, and republished as corrected this issue. Applicant: J. B. MONTGOMERY, INC., 5565 East 52d Avenue, Commerce City, Colo. 80022. Applicant's representative: John F. DeCock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the facilities of Nucor Steel Division of Nucor Corp. at or near Norfolk, Nebr., to Memphis, Tenn.; Gadsen, Ala.; Shreveport and Youngsville, La.; Natchez, Mo.; Louisville, Newport, Covington, and Lexington, Ky.; Williamsport, Pittsburgh, New Kensington, and Bethal Park, Pa.; Huntington, Williamson, and Beckley, W. Va.; for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Nucor Steel, Box 309, Norfolk, Nebr. 68701. Frederick Steel Co., 200 W. No. Bend Road, Cincinnati, Ohio 45216. Send protests to: Rogert L. Buchanan, District Supervisor, Interstate Commerce Commission, 721 19th Street, 492 U.S. Customs House, Denver, Colo. 80202. The purpose of this republication is to indicate the county of Bethal Park, Pa., in lieu of Bethan Park, Pa., which was previously published in error.

No. MC 140033 (Sub-No. 37TA), filed November 4, 1977. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75220. Applicant's representative: Lawrence A. Winkle, Winkle and Wells, P.O. Box 45538, suite 11125, Exchange Park, Dallas, Tex. 75245. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise* dealt in by wholesale, retail, chain grocery, and food business houses, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from the plant and warehouse facilities of Kraft, Inc., at Springfield, Mo., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oaklahoma, South Carolina, Tennessee, Texas, and Virginia, restricted to traffic originating at the above named origin and destined to the above-named destination points, for 180 days. Supporting shipper(s): Kraft, Inc., 500 Peshtigo Court, Chicago, Ill. 60690. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce Street, room 13C12, Dallas, Tex. 75242.

No. MC 141232 (Sub-No. 3TA) (correction), filed October 21, 1977, published in the FEDERAL REGISTER issue of November 16, 1977, and republished as corrected this issue. Applicant:

STATEWIDE TRUCKING CO., 1801 West Oxford, P.O. Box 1116, Englewood, Colo. 80110. Applicant's representative: A. B. Ballah, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials and* (2) *fence materials and supplies*, restricted against transportation of commodities in bulk, in tank vehicles, between Denver, Colo., on the one hand, and, on the other, points in New Mexico north of Interstate Highway 40, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Brooks Scanlong, Inc., Denver Division, 6700 Franklin, Denver, Colo. 80216. Weyerhaeuser Co., 5170 Klamath Street, Denver, Colo. 80221. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 721 19th Street, 492 U.S. Customs House, Denver, Colo. 80202. The purpose of this republication is to indicate Interstate Highway 40, in lieu of U.S. Highway 40, which was previously published in error.

No. MC 141652 (Sub-No. 21TA), filed November 4, 1977. Applicant: ZIP TRUCKING, INC., P.O. Box 5717, Jackson, Miss. 39208. Applicant's representative: K. Edward Wolcott, Watkins & Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lighting fixtures, parts, attachments, and accessories, therefor*, from Martin, Tenn., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Miller Co., P.O. Box 50, Martin, Tenn. 38237. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 142114 (Sub-No. 3TA), filed November 15, 1977. Applicant: RETAIL EXPRESS, INC., 9 Stuart Road, Chelmsford, Mass. 01824. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Avenue, suite 605, Washington, D.C. 20014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores (except commodities in bulk), from the consolidator and distribution center of King's Department Stores, Inc., in Charlotte, N.C., to King's Department Stores, located in Maine, New Hampshire, New Jersey, and Pennsylvania, under a continuing contract, or contracts, with Kings Department Stores, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Paul J. Kwasnick, President, Kings Department Stores, Inc., 150 California Street, Newton, Mass. 02158. Send protests to: Paul A. Roberts, District Supervisor, Interstate Commerce Commission, 150 Causeway Street, room 501, Boston, Mass. 02114.

No. MC 142130 (Sub-No. 1TA), filed November 4, 1977. Applicant: CRESCENT INDUSTRIES, INC., 851 Brookhurst Drive, Dallas, Tex. 75218. Applicant's representative: E. Larry Wells, Winkle & Wells, P.O. Box 45538, suite 1125, Exchange Park, Dallas, Tex. 75245. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aircraft, internal combustion*, including rocket motors, in transitainers and/or mobiltainers, not exceeding 9 and 11 inches wide by 10 feet 10 inches high by 14 feet long, weight not more than 11,000 pounds each, aircraft, missile, rocket, or projectile parts or components in transitainers or mobiltainers or similar shipping devices, empty transitainers and/or mobiltainers as described above, in straight or mixed loads, between Nimbus (Sacramento County), Calif., on the one hand, and, on the other, Waterton, Colo., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Department of Defense, Office of the Judge Advocate General, Department of the Army, Washington, D.C. 20310. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce Street, room 13C12, Dallas, Tex. 75242.

No. MC 142649 (Sub-No. 4TA), filed November 15, 1977. Applicant: H. O. SMESTAD CO., P.O. Box 2904, Great Falls, Mont. 59403. Applicant's representative: G. Robert Crotty, Jr., 400 First National Bank Building, Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt and carbonated beverages and related advertising materials, equipment and supplies*, empty containers on return, from ports of entry on the Canada-United States International Boundary line in the state of Montana, restricted to traffic originating in the Province of Alberta, to Michigan, Illinois, Minnesota, North Dakota, South Dakota, Montana, Wyoming, Colorado, Idaho, Washington, Oregon, California, and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): John R. Ginter, General Manager, Uncle Ben's Breweries of Alberta Ltd., Box 828, Red Deer, Alberta, Canada, (1) Bill Veitenheimer, President, Rocky Mountain Beer Distributors, Box 2442, Missoula, Montana 59801. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, 2602 1st Avenue North, Billings, Mont. 59101.

No. MC 142941 (Sub-No. 8TA), filed November 1, 1977. Applicant: SCARBOROUGH TRUCK LINES, 1313 North 25th Avenue, Phoenix, Ariz. 85009. Applicant's representative: Phil B. Hammond/Lewis P. Ames, Shimmel, Hill, Bishop & Gruender, 10th floor, 111 West Monroe, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages and wine* (except in bulk), from Lawrenceburg, Frankfort, Bardstown, and Louisville, Ky., Lawrenceburg, Ind., Dayton and Edison, N.J., Fairless Hills, Pa., Peoria, Ill., and Relay, Md., to Phoenix, Tucson, Flagstaff, and Yuma, Ariz., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: All American Distributing Co., 490 East Pima Street, Phoenix, Ariz. 85004. Send protests to: Andres V. Baylor, District Supervisor, Interstate Commerce Commission, room 2020, Federal Building, 230 North First Avenue, Phoenix, Ariz. 85025.

No. MC 143174 (Sub-No. 3TA), filed November 16, 1977. Applicant: KAPRI TRANSPORTATION CO., P.O. Box G, Valley, Nebr. 68064. Applicant's representative: Arlyn L. Westergren, 7100 West Center Road, suite 530, Univac Building, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from Winona, Minn., to points in Wisconsin, for 90 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Larry Cullen Energy Engineering, Inc., 4777 West Lake Street, River Forest, Ill. 60305. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, suite 620, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 143691 (Sub-No. 5TA), filed November 8, 1977. Applicant: PONY EXPRESS COURIER CORP., P.O. Box 4313, Atlanta, Ga. 30302. Applicant's representative: John Guandolo, Macdonald & McInerney, 1000 16th Street NW., Washington, D.C. 20036, and Francis J. Mulcahy, 6165 Barfield Road, suite 200, Atlanta, Ga. 30328. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments, audit and data processing media, and business records* (except currency and negotiable instruments),

as used in the business of banks and banking institutions, (1) between Spartanburg-Greenville Airport, S.C.; Columbia, S.C.; Florence, S.C., and Charleston, S.C., on the one hand, and, on the other, points in South Carolina, restricted to the transportation of shipments having an immediately prior or subsequent movement by air (2) between Douglas Airport, Charlotte, N.C., on the one hand, and, on the other, points in Greenville, S.C., restricted to the transportation of shipments having an immediately prior or subsequent movement by air; and (3) between Kanawah Airport, Charleston, W. Va., on the one hand, and, on the other, Parkersburg, W. Va., restricted to transportation of shipments having an immediately prior or subsequent movement by air, under a continuing contract, or contracts, with Wachovia Bank & Trust Co., N. A., for 180 days. Supporting shippers: (1) South Carolina National Bank, P.O. Box 120, Charlotte, N.C. 28255; (2) Allied Financial Services, Inc., 307 South Tryon Street, suite 500, Charlotte, N.C. 28282; (3) Wachovia Bank & Trust Co., N.A., Community Bank, P.O. Box 6526, Station B, Greenville, S.C. 29606; and (4) Wachovia Bank & Trust Co., N.A., P.O. Box 3099, Winston-Salem, N.C. 27101. Send protests to: Sara K. Davis, Transportation Assistant, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., room 300, Atlanta, Ga. 30309.

No. MC 143950TA, filed November 8, 1977. Applicant: MONGER TRANSFER & STORAGE CO., 517-521 North D Street, P.O. Box 164, Richmond, Ind. 47374. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Avenue NW., suite 1200, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used Household goods*, as defined by the Commission, with the usual "Kingpak" restrictions, between points in the following counties in Indiana; Decatur, Dearborn, Delaware, Fayette, Franklin, Henry, Jay, Madison, Randolph, Ripley, Rush, Union, and Wayne. The authority which is sought in this application is restricted (1) to the transportation of shipments having a prior or subsequent movement, in containers, beyond the points authorized, and (2) to the performance of pickup and delivery service in connection with packing, crating, or containerization, or unpacking, uncrating, or decontainerization of such shipments, for 180 days. Supporting shipper(s): Columbia Export Packers, Inc., 19032 South Vermont Avenue, Torrance, Calif. 90502. Send protests to: Beverly J. Williams, Transportation Assistant, Interstate Commerce Commission, Federal Building and U.S. Courthouse, 46 East Ohio Street, room 429, Indianapolis, Ind. 46204.

No. MC 143956TA, filed November 8, 1977. Applicant: GARDNER TRUCKING CO., INC., 320 Woodlawn, Box 567, Walterboro, S.C. 29488. Applicant's representative: Theodore Polydoroff, suite 600, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Horsemeat* (except in oceangoing and aircraft containers), (1) from the plantsite and warehouse facilities of M & R Packing Co., at or near Walterboro, S.C., to points in California, Florida, Georgia, South Carolina, North Carolina, New Jersey, and New York, restricted to traffic having a subsequent movement in foreign commerce; and (2) from Hartford, Conn., to Walterboro, S.C., restricted to traffic originating at and destined to the plantsite and warehouse facilities of M & R Packing Co., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): M & P Packing Co., 666 Windsor Street, P.O. Box 803, Hartford, Conn. 06101. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, room 302, 1400 Building, 1400 Pickens Street, Columbia, S.C. 29201.

No. MC 143959TA, filed November 9, 1977. Applicant: S & S TRANSFER & STORAGE, INC., d.b.a. ALL PRO DISTRIBUTION, 3501 East 11th Avenue, Hialeah, Fla. 33013. Applicant's representative: John P. Bond, 2766 Douglas Road, Miami, Fla. 33133. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except the transportation of said commodities in bulk, class A and B explosives, livestock, commodities requiring special handling and special equipment, and commodities requiring refrigeration, and cement), between points in Dade County, Fla., and all shipments having a prior or subsequent movement by water, for 180 days. There is no environmental impact involved in this application. Supporting shipper(s): (1) Ray Graulich & Sons, Inc., d.b.a. Graulich International, P.O. Box 660525, Miami Springs, Fla. 33166; (2) Edward Don & Co., 1550 North Miami Avenue, Miami, Fla. 33126; (3) Kravex Manufacturing Corp., 11300 Northwest 32 Avenue, Miami, Fla. 33167; (4) Pantry Pride Stores, Southern Division, 7000 Northwest 32 Avenue, Miami, Fla. 33147. Send protests to: Donna M. Jones, Transportation Assistant, Interstate Commerce Commission, Monterey Building, suite 101, 8410 Northwest 53d Terrace, Miami, Fla. 33166.

No. MC 143971TA, filed November 15, 1977. Applicant: JESSEE TRUCKING CO., INC., Route 1, Box 100, Dryden, Va. 24243. Applicant's representative: Harry J. Jordan, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Surface mining, earthmoving, and construction equipment*, from Wise, Va., to the following counties in West Virginia: Greenbrier, Summers, McDowell, Pocahontas, Mingo, Monroe, Mercer, Wyoming, Logan; from Wise, Va., to the following counties in Kentucky: Pike, Harlan, Leslie, Johnson, Knott, Letcher, Bell, Perry, Floyd, Knox; from Kingsport, Tenn., to the following counties in Virginia: Scott, Wise, Buchanan, Tazewell, Smythe, Pulaski, Washington, Lee, Dickenson, Russell, City of Bristol, Wythe, Roanoke; from Norton, Va., to the following counties in Kentucky: Pike, Harlan, Letcher, Bell; from Norton, Va., to the following counties in West Virginia: Greenbrier, Summers, McDowell, Pocahontas, Mingo, Monroe, Mercer, Wyoming, Logan. Supporting shipper(s): Shelton-Witt Equipment Corp., Wise, Va., 24293; (2) Power Equipment Co., 121 Clay Street, Box 597, Kingsport, Tenn. 37662; (3) Carter Machinery Co., Inc., P.O. Box 349, Norton, Va. 24273. Send protests to: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

No. MC 143995TA, filed November 16, 1977. Applicant: SLOAN TRANSPORTATION, INC., 6522 West River Drive, Davenport, Iowa 52802. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from the facilities of Anheuser-Busch, Inc. at St. Louis, Mo., to Rock Island, Ill. and Davenport, Iowa, under a continuing contract or contracts with A. D. Huesing Corp. of Rock Island, Ill. and Jack's Distributing Co. of Davenport, Iowa, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authoritiy. Supporting shipper(s): (1) A. D. Huesing Corp., 527 37th Avenue, Rock Island, Ill. 61201. (2) Jack's Distributing Co., 8717 NW. Boulevard, Davenport, Iowa. 52803. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, Iowa. 50309.

By the Commission.

H. G. Homme, Jr.,
Acting Secretary.

[FR Doc. 77-36122 Filed 12-19-77; 8:45 am]

[7035-01]

[Notice No. 162TA]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 6, 1977.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 46280 (Sub-No. 82TA), filed November 21, 1977. Applicant: KEY LINE FREIGHT, INC., 15 Andre Street SE., Grand Rapids, Mich. 49507. Applicant's representative: Matian J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Grand Rapids and Clare, Mich.; from Grand Rapids over U.S. 131 to junction with Michigan Highway 57, thence over Michigan Highway 57 to its junction with U.S. Highway 27, thence north on U.S. 27 to Clare, and return over the same route, serving all intermediate points except Greenville, and serving the off-route points of Alma, St. Louis, Winn, Weidman, Beal city, Vandercar, Delwin, Vernon Center, Rosebush, and Leaton, restricted to traffic interlined at Grand Rapids or Detroit, Mich., with other carriers, for 180 days. Carrier intends to tack the authority to authority held and intends to interline. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Formsprag Co., Mt. Pleasant, Mich. 48858. (2) C.M.F., Inc., Clare, Mich. 48617. (3) Crippen Mfg. Co., Inc., Alma, Mich. 48801, and also plus (6) additional supporting shippers. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, Mich. 48933.

No. MC 51146 (Sub-No. 546TA), filed November 18, 1977. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fireplace logs and fire starters, packed in cases*, from Alliance, Canton, and Sebring, Ohio, to points in Florida, Georgia, Massachusetts, Minnesota, New Jersey, New York, Pennsylvania, and South Carolina, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Sebring Forest Industries, Inc., 450 Courtney Road, P.O. Box 230, Sebring, Ohio. 44672 (John MacIsaac). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 51146 (Sub-No. 548TA), filed November 21, 1977. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 2661 South Broadway, Green Bay, Wis. 54306. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded cellular foam rubber*, from Baltimore, Md. to Cassville, Wis., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Support shipper: Wm. T. Burnett & Co., Inc., 1500 Bush Street, Baltimore, Md. 21230 (Leslie H. Sigman). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 59640 (Sub-No. 62TA), filed November 21, 1977. Applicant: PAULS TRUCKING CORPORATION, 3 Commerce Drive, Cranford, N.J. 07016. Applicant's representative: Charles J. Williams, 1815 Front Street, Scotch Plains, N.J. 07076. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by supermarkets, catalog showroom stores, and home center stores, and in connection therewith, equipment, materials, and supplies, used in the conduct of such business (except commodities in bulk), for the account of Supermarkets General Corp., (1) from Winchester, Va. to Somerset, N.J., and (2) from Chicago, Ill. to South Plainfield, Woodbridge, and Edison, N.J., and North Berwick, Maine, under a continuing contract or contracts with Supermarkets General Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Supermarkets General Corp., 301 Blair Road, Woodbridge, N.J. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton Street, Newark, N.J. 07102.

No. MC 63417 (Sub-No. 117TA), filed November 17, 1977. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, Va. 24034. Applicant's representative: William E. Bain, P.O. Box 13447, Roanoke, Va. 24034. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furniture parts*, from Youngstown, Ohio to Pulaski, Va., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Coleman Furniture Corp., Drawer 908, Pulaski, Va. 24301. Send protests to: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 210, Roanoke, Va. 24011.

No, MC 71593 (Sub-No. 4TA), filed November 11, 1977. Applicant: FORWARDERS TRANSPORT, INC., P.O. Box 1073, Secaucus, N.J. 07094. Applicant's representative: Charles J. Williams, 1815 Front Street, Scotch Plains, N.J. 07076. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), between points in the New York, N.Y., commercial zone, on the one hand, and, on the other, points in the Memphis, Tenn.,

commercial zone, restricted to the transportation of shipments moving on freight forwarder bills of lading, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Springmeier Shipping Co., Inc., 1123 Hadley Street, St. Louis, Mo. 63101, (2) ABC-Trans National Transport, Inc., 201 11th Avenue, New York, N.Y. 1001. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton Street, Newark, N.J. 07102.

No. MC 82841 (Sub-No. 217TA), filed November 21, 1977. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: WILLIAM E. CHRISTENSEN (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Irrigation systems*, from Brooten, Minn., to points in the United States, restricted to traffic originating at or near Brooten, Minn., for 180 days. Supporting shipper: Philip G. Williams, Corporate Traffic Manager, Valmont Industries, Inc., Valley, Nebr. 68064. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, suite 620, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 107403 (Sub-No. 1046TA), filed November 21, 1977. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric* (Muriatic) acid, in bulk, in tank vehicles, from Houston, Tex., to points in the States of Arkansas, Louisiana, Mississippi, and Oklahoma, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Arkla Chemical Corp., P.O. Box 751, Little Rock, Ark. 72203. Send protests to: T. M. Esposito, Transportation Assistant, 600 Arch Street, room 3238, Philadelphia, Pa. 19106.

No. MC 107403 (Sub-No. 1047TA), filed November 18, 1977. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Martin C. Hynes, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline*, in bulk, in tank vehicles, from Paulsboro, N.J., to Riverside, Calif., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017. Send protests to: Monica A. Blodgett, Transportation Consumer Specialist, Interstate Commerce Commission, 600 Arch Street, room 3238, Philadelphia, Pa. 19106.

No. MC 108393 (Sub-No. 129TA), filed November 21, 1977. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Avenue, Hinsdale, Ill. 60521. Applicant's representative: Thomas B. Hill (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts of electrical and gas applicances, and equipment, materials, and supplies* used in the manufacture, distribution and repair of electrical gas appliances (except commodities in bulk, in tank vehicles), between Danville, Ky., and Sidney, Ohio, under a continuing contract, or contracts, with Whirlpool Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Whirlpool Corp., Carl R. Anderson, Director of Transportation, Administrative Center, Benton Harbor, Mich. 49022. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 108393 (Sub-No. 130TA), filed November 21, 1977. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Avenue, Hinsdale, Ill. 60521. Applicant's representative: Thomas B. Hill (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts of electrical and gas applicances, and equipment, materials, and supplies*, used in the manufacture, distribution and repair of electrial and gas appliances, (except commodities in bulk, in tank vehicles), (1) between Livonia, Mich., on the one hand, and, on the other, points in Franklin, Mercer, Darke, Auglaize, Shelby, Miami, Clark, Champaign, Logan, Hardin, Wyandot, Crawford, Richland, Ashland, Wayne, Holmes, Knox, Morrow, Marion, Union, Delaware, Licking, Muskingum, Guernsey, Madison, Pickaway, Fairfield, Perry, Morgan, Noble, Athens, Hocking, Ross, Vinton, Pike, Jackson, Preble, Montgomery, Greene, Fayette, Butler, Warren, Clinton, Highland, Clermont, Brown, and Hamilton Counties, Ohio; (2) between Livonia, Mich., and Dayton, Ohio, on the one hand, and, on the other, points in Franklin, Ripley, Dearborn, Jefferson, Ohio, and Switzerland Counties, Ind.; Boone, Gallatin, Kenton, Campbell, Grant, Pendleton, Bracken, and Mason Counties, Ky., under a continuing contract, or contracts, with Whirlpool Corp., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Whirlpool Corp., Carl R. Anderson, Director of Transportation, Administrative Center, Benton Harbor, Mich. 49022. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, room 1386, Chicago, Ill. 60604.

No. MC 109689 (Sub-No. 320TA), filed November 17, 1977. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark E. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium chlorate*, in bulk, from Henderson, Nev., to Uravan, Naturita, Colorado, Moab, Utah.; Ambroasia Lake, Seboyeta, N. Mex.; and a site 8 miles west of Falls City, Tex., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kerr-McGee Chemical Corp., 680 South Wilshire Place, Los Angeles, Calif. 90005. Chapman G. Reynolds, Transportation Supervisor, Western Region. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 111401 (Sub-No. 506TA), filed November 18, 1977. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock, P.O. Box 632, Enid, Okla. 73701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, and *acid sludge*, in bulk, in tank vehicles, (1) from Baton Rouge, La., to Norphlet, Ark., and (2) from Norphlet, Ark., to Baton Rouge, La., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): MacMillan Ring-Free Oil Co., Inc., P.O. Box 1623, El Dorado, Ark. 71730. Send protests to: Joe Green, District Supervisor, room 240, Old Post Office and Courthouse Building, 215 Northwest 3d, Oklahoma City, Okla. 73102.

No. MC 111720 (Sub-No. 14TA), filed November 9, 1977. Applicant: RAY WILLIAMS AND ARLENE WILLIAMS, d.b.a. WILLIAMS TRUCK SERVICE, 1812 K Avenue, P.O. Box 40, Sioux Falls, S. Dak. 57101. Applicant's representative: Scott E. Daniel, 1200 North Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products,*

meat by-products, and articles distributed by meat packinghouses, as described in section A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 MCC 209 and 766 (except hides and commodities in bulk), from the plantsites and/or warehouse facilities utilized by Iowa Beef Processors, Inc., located or near Denison and Fort Dodge, Iowa; Luverne, Minn.; Dakota City, Nebr.; and West Point, Nebr., to points in the States of Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, under a continuing contract, or contracts, with Iowa Beef Processors, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Iowa Beef Processors, Inc., Dakota City, Nebr. 68731. Robert E. Gillespie, Manager Rates and Regulatory Affairs. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 455, Federal Building, Pierre, S. Dak. 57501.

No. MC 111812 (Sub-No. 544TA), filed November 21, 1977. Applicant: MIDWEST COAST TRANSPORT, INC., 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks, 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses,* as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Schuyler, Nebr., to points in Georgia and Florida, for 180 days. Supporting shipper(s): Spencer Foods, Inc., P.O. Box 1228, Spencer, Iowa 51301. (Kent Eggleston, Corporate Traffic Manager). Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 455, Federal Building, Pierre, S. Dak. 57501.

No. MC 113651 (Sub-No. 2241TA), filed November 21, 1977. Applicant: INDIANA REFRIGERATOR LINES, INC., Box 552, Riggin Road, Muncie, Ind. 47305. Applicant's representative: Paul R. Bergant, Singer & Sullivan, 10 South LaSalle Street, suite 1600, Chicago, Ill 60603. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Meats and meat products,* and; (2) *foodstuffs* when shipped in mixed loads with the commodities described in (1) above, from the facilities of Jones Dairy located Fort Atkinson, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to the transportation of traffic originating at the plantsite of Jones Dairy located at Fort Atkinson, Wis., and destined to the above named destinations, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Jones Dairy Farm, Box 28, Fort Atkinson, Wis. 53538. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 343 West Wayne Street, suite 113, Fort Wayne, Ind. 46802.

No. MC 114084 (Sub-No. 16TA), filed November 18, 1977. Applicant: S. AND S. TRUCKING COMPANY, P.O. Box 1546, Statesville, N.C. 28677. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Avenue, Suite 605, Washington, D.C. 20014. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *New furniture,* from points in Davie, Guilford, and Davidson Counties, N.C., to points and places in Maine, New Hampshire, and Vermont, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): There are approximately (7) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, room CC516, Mart Office Building, Charlotte, N.C. 28205

No. MC 114533 (Sub-No. 365TA), filed November 21, 1977. Applicant: BANKERS DISPATCH CORPORTATION, 1106 West 35th Street, Chicago, Ill. 60609. Applicant's representative: William Fitzgerald or Judy Swiontek (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Restorative dentistry products,* between Peoria, Ill. on the one hand, and, on the other, St. Louis, Mo., for 180 days. Supporting shipper(s): Dental Arts Laboratory, Inc., A. Terry Knueppel, President, 241 NE. Perry Street, Peoria, Ill. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, room 1386, Chicago, Ill. 60604.

No. MC 115331 (Sub-No. 437TA), filed November 21, 1977. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, E. St. Louis, Ill. 62201. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Alcoholic liquors,* in bulk, from Pekin, Ill. to Portland, Oreg., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The American Distilling Co., South Front Street, Pekin, Ill. 61554. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 14665, 210 North 12th Street, St. Louis, Mo. 63101.

No. MC 115654 (Sub-No. 71TA), filed November 21, 1977. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 23193, Nashville, Tenn. 37202. Applicant's representative: Henry E. Seaton, 915 Pennsylvania Building, 13th & Pennsylvania Avenue, NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (A) *Candy, confectionery, yeast, and oleo margarine* and (b) *foodstuffs and pet foods* not requiring refrigeration, when moving in mechanically refrigerated equipment in mixed shipments with (a) above, from Cincinnati, Ohio to points in West Virginia, for 180 days. Supporting shipper(s): There are approximately (10) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 115826 (Sub-No. 278TA), filed November 17, 1977. Applicant: W. J. DIGBY, INC., 1960 31st Street, P.O. Box 5088, Terminal Annex, Denver, Colo. 80217. Applicant's representative: Howard Gore (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Yogurt and ice cream,* from the plantsite and facilities utilized by Mountain High, Inc., at or near Boulder and Denver, Colo., to points in Arizona, California, and New Mexico, for 180 days. No tack or interline. Supporting shipper(s): Mountain High, Inc., 2201 Arapahoe Street, Denver, Colo. 80205. Send protests to: H. C. Ruoff, District Supervisor, Interstate Commerce Commission, 492 U.S. Customs House, 721 19th Street, Denver, Colo. 80202.

No. MC 116457 (Sub-No. 25TA), filed November 17, 1977. Applicant: GEN-

ERAL TRANSPORTATION INCORPORATED, 1804 S. 27th Avenue, P.O. Box 6484, Phoenix, Ariz. 85005. Applicant's representative: D. Parker Grosby, 1710 S. 27th Avenue, P.O. Box 6484, Phoenix, Ariz. 85005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fireplace logs and briquettes of compressed wood particles*, from Coconino County, Ariz. to points in the United States (except Alaska and Hawaii), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Rocky Mountain Fibre Fuels, 300 Enterprise Road, P.O. Box 717, Flagstaff, Ariz. 86002. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, room 2020, Federal Building, 230 North First Avenue, Phoenix, Ariz. 85025.

No. MC 117088 (Sub-No. 10TA), filed November 21, 1977. Applicant: ASPHALT TRANSPORT, INC., P.O. Box 26204, New Orleans, La. 70126. Applicant's representative: Edward A. Winter, 235 Rosewood Drive, Metairie, La. 70005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drilling mud*, in bulk and in bags, from points in La. to points in Alabama and Mississippi, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): IMCO Services, a Division of Halliburton Co., P.O. Box 22605, Houston, Tex. 77027. (2) Dresser Industries, Mineral and Manufacturing Group, P.O. Box 6504, Houston, Tex. 77005. Send protests to: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, T-9038, U.S. Postal Service Building, New Orleans, La. 70113.

No. MC 119399 (Sub-No. 73TA), filed November 18, 1977. Applicant: CONTRACT FREIGHTERS, INC., 2900 Davis Boulevard, P.O. Box 1375, Joplin, Mo. 64801. Applicant's representative: Dean Williamson, 280 National Foundation Life Building, 3535 Northwest 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared animal, fish, and poultry feed, dry* (except in bulk), from the plantsite and storage facilities of Doane Products Co., in Jasper County, Mo., to points in Oklahoma and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Doane Products Co., P.O. Box 879, Joplin, Mo. 64801. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 119493 (Sub-No. 168TA), filed November 15, 1977. Applicant: MOMKEM CO., INC., P.O. Box 1196, West 20th Street Road, Joplin, Mo. 64801. Applicant's representative: Lawrence F. Kloeppel, P.O. Box 1196, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour* (except in bulk, in tank vehicles), from Chester, Ill., and its commercial zone, to points in Alabama, Arkansas, Indiana, Iowa, Illinois, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): ConAgra, Inc., 200 Kiewit Plaza, Omaha, Nebr. 68131. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 123048 (Sub-No. 378TA), filed November 17, 1977. Applicant: DIAMOND TRANSPORTATION SYS- TEM, INC., 5021 21st Street, P.O. Box A, Racine, Wis. 53401. Applicant's representative: Carl S. Pope (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, parts and attachments thereof*, from Toledo, Ohio, to points in Alabama, Arkansas, Georgia, Iowa, Louisiana, Mississippi, Oklahoma, Pennsylvania, and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Deutz Corp., 7585 Ponce de Leon Circle, Atlanta, Ga. 30341 (Fred Arp, Jr.,). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 124083 (Sub-No. 54TA), filed November 17, 1977. Applicant: SKINNER MOTOR EXPRESS, INC., 1035 South Keystone Avenue, Indianapolis, Ind. 46203. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from the facilities of Cargill, Inc., at or near Clarksville, Ind., to points in Indiana and Kentucky, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Cargill, Inc., Salt Department No. 21, P.O. Box 9300, Minneapolis, Minn. 55440. Send protests to: Beverly J. Williams, Transportation Assistant, Interstate Commerce Commission, Federal Building and U.S. Courthouse, 46 East Ohio Street, room 429, Indianapolis, Ind. 46204.

No. MC 124896 (Sub-No. 38TA), filed November 21, 1977. Applicant: WILLIAMSON TRUCK LINES, INC., Thorne and Ralston Streets, P.O. Box 3485, Wilson, N.C. 27893. Applicant's representative: B. H. Williamson, 1107 Brookside Drive, Wilson, N.C. 27893. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), for Southeastern Public Service Co., from the plantsite and facilities of Southeastern Public Service Co. at or near Kansas City, Mo., to points in the States of Alabama, Arkansas, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, Tennessee, Texas, Virginia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Southeastern Public Service Co., 800 West 47th Street, Kansas City, Mo. 64112. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, 624 Federal Building, 310 New Bern Avenue, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 126555 (Sub-No. 55TA), filed November 21, 1977. Applicant: UNIVERSAL TRANSPORT, INC., P.O. Box 3000, Rapid City, S. Dak. 57701. Applicant's representative: Truman A. Stockton, Jr., 1650 Grant Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from points in Boulder County, Colo., to points in Utah, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Halliburton Services, Inc., 1600 Broadway, Denver, Colo. 80203 (Mack Glasscock, Assistant Division Manager); (2) Martin Marietta Cement, Lyons, Colo. 80540 (Clyde K. Amidon, Traffic Manager). Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, room 455, Federal Building, Pierre, S. Dak. 57501.

No. MC 128573 (Sub-No. 10TA), filed November 18, 1977. Applicant: BARNETT TRUCK LINES, INC., 3404 Wheat Street, Kinston, N.C. 28501. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer material and products*, in bags and in bulk (except in tank and hopper-type vehicles), from Lenoir County, N.C., to points and places in South Carolina to the following counties: Marlboro, Darlington, Lee, Sumter, Claredon, Williamsburg, Georgetown, Florence,

Dillon, Marion, and Horry, for 180 days. Supporting shipper(s): Smith-Douglas Co., a division of Borden Chemical, Greenville Highway, Kinston, N.C. 28501. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, 624 Federal Building, 310 New Bern Avenue, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 129032 (Sub-No. 40TA), filed November 21, 1977. Applicant: TOM INMAN TRUCKING, INC., 6015 South 49th West Avenue, P.O. Box 9667, Tulsa, Okla. 74107. Applicant's representative: Jerry D. Garland, 6015 South 49th West Avenue, Tulsa, Okla. 74107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from the plant and warehouse facilities of Kraft, Inc., at Springfield, Mo., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, restricted to traffic originating at the above-named origin and destined to the above-named destination States, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kraft, Inc., 500 Peshtigo Court, Chicago, Ill. 60690. Send protests to: Joe Green, District Supervisor, room 240, Old Post Office and Courthouse Building, 215 Northwest 3rd, Oklahoma City, Okla. 73102.

No. MC 129107 (Sub-No. 7TA), filed November 21, 1977. Applicant: R. H. HARDING CO., INC., 100 Centre Drive, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, Raymond A. Richards, 44 North Avenue, P.O. Box 225, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used automobiles*, in secondary movements, in truckaway service, from Dansville, Clifton Park, and Lafayette, N.Y., to Boston, Peabody, Acton, Springfield, Worcester, and Lawrence, Mass.; Providence, R.I., and Hartford, Conn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: (1) Sussman Auto, 1330 Jerome Avenue, New York, N.Y. 10468; (2) Charles Motor Co., Inc., R.D. No. 4, Lincoln, R.I., 02865; (3) Centurian Motors, Inc., 1650 Plank Road, Webster, N.Y. 14580; and (4) A. R. Chase, Inc., 749 Plank Road, Ontario, N.Y. 14519. Send protests to: Interstate Commerce Commission, U.S. Courthouse and Federal Building, 100 South Clinton Street, room 1259, Syracuse, N.Y. 13260.

No. MC 133959 (Sub-No. 6TA), filed November 21, 1977. Applicant: LEWIS ALBAUGH & MELVIN ALBAUGH, d.b.a. ALBAUGH TRUCK LINE, 123 Main Street, P.O. Box 85, Elkhart, Iowa 50073. Applicant's representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale and retail department stores, between Des Moines, Iowa, on the one hand, and, on the other, points in Arizona, Arkansas, California, Illinois, Kansas, Louisiana, Minnesota, Missouri, Nebraska, Nevada, Oklahoma, Texas, Utah, Washington, Wyoming, and Wisconsin, under a continuing contract, or contracts, with Ardan Wholesale, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Ardan Wholesale, Inc., 2320 Euclid Avenue, Des Moines, Iowa 50310. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 Federal Building, Des Moines, Iowa 50309.

No. MC 134405 (Sub-No. 41TA), filed November 21, 1977. Applicant: BACON TRANSPORT CO., P.O. Box 1134, Ardmore, Okla. 73401. Applicant's representative: Dean Williamson, 280 National Foundation Life Building, 3535 Northwest 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon black*, in sealed bins, from the facilities of Cabot Corp. at or near Northbend, La., to Ardmore, Okla., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Cabot Corp., 125 High Street, Boston, Mass. 02110. Send protests to: Joe Green, District Supervisor, room 240, Old Post Office and Courthouse Building, 215 Northwest 3d, Okla. 73102.

No. MC 136285 (Sub-No. 30TA), filed November 231, 1977. Applicant: SOUTHERN INTERMODAL LOGISTICS, INC., P.O. Box 143, 413 Gordon Avenue, Thomasville, Ga. 31792. Applicant's representative: William P. Jackson, Jr., P.O. Box 1267, Arlington, Va. 22210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and commodities requiring the use of special equipment), in containers and trailers, having a prior or subsequent movement by water, between the facilities of the Army and Air Force Exchange Service, located at or near Forest Park, Ga., on the one hand, and, on the other, Norfolk, Va., and points in its commercial zone, for 180 days. Supporting shipper(s): Army & Air Force Exchange Service, 3911 Walton Walker Boulevard, Dallas, Tex. 75222. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 138126 (Sub-No. 21TA), filed November 9, 1977. Applicant: WILLIAMS REFRIGERATED EXPRESS, INC., Old Denton Road, P.O. Box 47, Federalsburg, Md. 21632. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery goods*, from Downers Grove, Ill., to Salisbury, Md., for 180 days. Supporting shipper: Stephen D. Gould, Manager-Distribution, Pepperidge Farm, Inc., 595 Westport Avenue, Norwalk, Conn. 06856. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, 814-B Federal Building, Baltimore, Md. 21201.

No. MC 139420 (Sub-No. 24TA), filed November 18, 1977. Applicant: ART GREENBERG, d.b.a. GLACIER TRANSPORT, P.O. Box 428, Grand Forks, N. Dak. 58201. Applicant's representative: James B. Hovland, 414 Gate City Building, P.O. Box 1637, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Doors, parts, and accessories therefor, and door hardware*, from the facilities of Jim Walter Doors, division of Celotex Corp., at or near Century, Fla., to points in Wisconsin, Minnesota, Iowa, Nebraska, Colorado, Arizona, Utah, California, Oregon, and Washington, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Jim Walter Doors, division of Celotex Corp., P.O. Box 22602, Tampa, Fla. 33622. Send protests to: Ronald R. Mau, District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 268, Federal Building, and U.S. Post Office, 657 2nd Avenue North, Fargo, N. Dak. 58102.

No. MC 140755 (Sub-No. 47TA), filed November 21, 1977. Applicant: BRAY TRANSPORTS, INC., 1401 North Little Street, P.O. Box 270, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff, 1401 North Little Street, Cushing, Okla. 74023. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid propane gas*, in bulk, in tank vehicles, from Conway, Kans., and

Jasper, Mo., to Atlanta, Ga., Winchester, Ky., Cincinnati, and Mason, Ohio, and Grafton, Wis., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Leggett & Platt, Inc., East Central Avenue, Carthage, Mo. 64836. Send protests to: Joe Green, District Supervisor, room 240, Old Post Office and Courthouse Building, 215 Northwest 3rd, Oklahoma City, Okla. 73102.

No. MC 141076 (Sub-No. 14TA), filed November 21, 1977. Applicant: ROGERS MOTOR LINES, INC., R.D. No. 2, P.O. Box 388 D-2, Hackettstown, N.J. 07840. Applicant's representative: Eugene M. Malkin, 5 World Trade Center, Suite 6193, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prepared dough and bakery goods*, in vehicles equipped with mechanical refrigeration, from the plantsite and warehouse facilities of the Pillsbury Co. at or near East Greenville, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont, and, (2) *equipment, materials, and supplies* (except in bulk), used in the manufacture and distribution of prepared dough and bakery goods, from the destination States in (1) above to the plantsite and warehouse facilities of the Pillsbury Co. at or near East Greenville, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): The Pillsbury Co., 2nd Avenue South, Minneapolis, Minn. 55402. Send protests to: Joel Morrows, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

No. MC 141527 (Sub-No. 7TA), filed November 18, 1977. Applicant: D & D LUMBER CO., INC., 2146 Amity Hill Road, Statesville, N.C. 28677. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., suite 600, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furniture parts*, from the plantsites and shipping facilities of Lewittes Furniture Enterprises, Inc., at or near Taylorsville, N.C., to points in Illinois, under a continuing contract, or contracts, with Lewittes Furniture Enterprises, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Lewittes Furniture Enterprises, Inc., P.O. Box 1027, Taylorsville, N.C. 28681. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, room CC516, Mart Office Building, Charlotte, N.C. 28205.

No. MC 141532 (Sub-No. 14TA), filed November 21, 1977. Applicant: PACIFIC STATES TRANSPORT, INC., 35433 16th Avenue South, Federal Way, Wash. 98002. Applicant's representative: Henry C. Winters, 235 Evergreen Building, Renton, Wash. 98055. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum sheet and plate*, from the Trentwood Works plantsite of Kaiser Aluminum Chemical Corp., at or near Spokane, Wash., to points in Los Angeles, Orange, San Bernardino, San Francisco, Contra Costa, Alameda, and Santa Clara Counties, Calif., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Kaiser Aluminum & Chemical Corp., 300 Lakeside Drive, Oakland, Calif. 94643. Send protests to: Hugh H. Chaffee, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 858 Federal Building, Seattle, Wash. 98174.

No. MC 141980 (Sub-No. 2TA), filed November 18, 1977. Applicant: ROBERT BOUCHE, 603 Buchanan Street, Algoma, Wis. 54201. Applicant's representative: Richard C. Alexander, 710 North Plankinton, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Doors and plywood*, from Algoma, Wis., to points in Michigan, Minnesota, North Dakota, South Dakota, Illinois, on and north of U.S. 36, Indiana on and north of U.S. 36, and Ohio on and north of U.S. 36; and (2) *veneer, lumber, particle board, and glue*, from points in Illinois, Indiana, and Michigan, to Algoma, Wis., under a continuing contract, or contracts, with Algoma Hardwoods, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): Algoma Hardwoods, Inc., 1001 Perry Street, Algoma, Wis. 54201 (W. G. Schoenborn). Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, room 619, Milwaukee, Wis. 53202.

No. MC 142633 (Sub-No. 2TA), filed November 21, 1977. Applicant: HATHORN TRANSFER & STORAGE CO., INC., 620 Elliott Street, Alexandria, La. 71301. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between Rapides Parish, La., on the one hand, and, on the other, points in the Louisiana Parishes of Acadia, Caldwell, West Feliciana, East Feliciana, Franklin, Pointe Coupee, St. Landry, Tensas, and Winn, restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packaging, crating and containerization or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Supporting shipper(s): Jet Forwarding, Inc., 2908 Oregon Court, Torrance, Calif. 90510; (2) Smyth Worldwide Movers, Inc., 314 108th NE., Bellevue, Wash. 98009. Send protests to: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, T-9038 U.S. Postal Service Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 143790 (Sub-No. 4TA), filed November 17, 1977. Applicant: FEDERAL FREIGHT SYSTEM, INC., 30650 Carter Road, Solon, Ohio 44319. Applicant's representative: John O. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures, equipment, materials, and supplies*, from Shelby, Ohio, to points in Alabama, Georgia, Mississippi, North Carolina, South Carolina and Tennessee, for 180 days. Supporting shipper(s): Artesian Industries, Inc., 201 East 5th Street, Mansfield, Ohio 44902. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, 731 Federal Office Building, 1240 East 9th Street, Cleveland, Ohio 44199.

No. MC 143965 (Sub-No. 1TA), filed November 21, 1977. Applicant: MISTY ISLAND TRANSPORT, LTD., P.O. Box 53, Seal Cove, Grand Manan, New Brunswick, Canada. Applicant's representative: Peter L. Murray, 30 Exchange Street, Portland, Maine 04111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salted or processed fish and fish products and salted or processed fish and fish products* in mixed loads with exempt commodities, from points of entry on the boundary line between the United States and Canada at Calais and Houlton, Maine, to points in Maine, Massachusetts, Rhode Island, and New York, restricted to traffic originating on the Island of Grand Manan, New Brunswick, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper(s): (1) Cove Seafoods, Ltd., P.O. Box 53, Seal Cove, Grand Manan, New Brunswick, Canada EOG 3BO; (2) Misty Island Fisheries, Ltd., P.O. Box 53, Seal Cove, Grand Manan, New Brunswick, Canada EOG 3BO. Send protests to: Donald G. Weiler, District

Supervisor, Bureau of Operations, Interstate Commerce Commission, room 307, 76 Pearl Street, Portland, Maine 04111.

No. MC 143974 (Sub-No. 1TA), filed November 21, 1977. Applicant: WALTER BRAGO, 25340 S.W. 129th Place, Princeton, Fla. 33032. Applicant's representative: Walter Brago (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Spring water*, in bottles, from Berkeley Springs, W. Va. to points and places in Florida, under a continuing contract or contracts with The West Virginia Spring Water Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The West Virginia Spring Water Co., Inc., Berkeley Springs, W. Va. 25411. Send protests to: Donna M. Jones, Transportation Assistant, Interstate Commerce Commission—BOp, Monterey Building, suite 101, 8410 N.W. 53d Terrace, Miami, Fla. 33166.

No. MC 143990TA, filed November 21, 1977. Applicant: HEAVY MACHINERY & TOOL TRANSPORTERS, INC., P.O. Box 605, Orange Park, Fla. 32073. Applicant's representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Heavy machinery* and; (2) *parts and attachments*, between Jacksonville, Fla. on the one hand and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Ring Power Corp., for 180 days. Supporting shipper(s): Ring Power Corp., 8050 Phillips Highway, Jacksonville, Fla. 32216. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 143996TA, filed November 18, 1977. Applicant: STRONG TRANSFER & STORAGE COMPANY, 520 East 44th Street, Lubbock, Tex. 79408. Applicant's representative: Jack F. Strong, Jr., P.O. Box 793, Lubbock, Tex. 79408. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pick up and delivery service* in connection with packing and crating and containerization of household goods and military baggage, between points in the counties of: Lubbock, Lamb, Hockley, Terry, Lynn, Garza, Crosby, Floyd, Hale, Castro, Swisher, Briscoe, Motley, Cottle, Dickens, King, Kent, Yoakum, Cochran, Andrews, Dawson, Gaines, and Martin, Tex., for 180 days. Supporting shipper(s): Reese Air Force Base, Texas Procurement Division, Building 800, Room 302, Reese AFB, Tex. 79489. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395 Herring Plaza, Amarillo, Tex. 79101.

By the Commission.

H. G. Homme, Jr.,
Acting Secretary.

[FR Doc. 77-36121 Filed 12-19-77; 8:45 am]

[7035-01]

[No. 548]

ASSIGNMENT OF HEARINGS

December 15, 1977.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 139495 (Sub-No. 265), National Carriers, Inc., now being assigned February 1, 1978 (1 day) for hearing in New York, N.Y., will be held in Room No. E-2222, Federal Building, 26 Federal Plaza.

MC 133689 (Sub-No. 141), Overland Express, Inc., now being assigned February 2, 1978 (1 day) for hearing in New York, N.Y., will be held in Room No. E-2222, Federal Building, 26 Federal Plaza.

MC 142516 (Sub-No. 2), Ace Trucking Co., Inc., now being assigned February 3, 1978 (1 day) for hearing in New York, N.Y., will be held in Room No. E-2222, Federal Building, 26 Federal Plaza.

MC-F-13203, Allied Van Lines, Inc., d.b.a. Allied Van Lines—Control—Eleveld Chicago Furniture Service, Inc., now assigned January 17, 1978 in Chicago, Ill., Room 3855A, 230 South Dearborn Street is being transferred to Room 1319, Everett McKinley Dirksen Building, 219 South Dearborn Street.

FD 27972, Louisville and Nashville Railroad Co.—Trackage Rights—Over Grand Trunk Western Railroad Co., South Bend Subdivision Between Munster, Lake County, Ind. and Thornton Junction, Cook County, Ill. and FD 28464, Louisville and Nashville Railroad Co., Construction of connecting Track Over Grand Trunk Western Railroad Co. at Munster, Lake County, Ind., now being assigned March 6, 1978 (1 week) at South Holland, Ill. in a hearing room to be later designated.

MC 114552 (Sub-No. 137), Senn Trucking Co. and MC 100666 (Sub-No. 363), Melton Truck Lines, Inc. now being assigned February 9, 1978 (2 days) at Birmingham, Ala., in a hearing room to be later designated.

MC 116763 (Sub-No. 383), Carl Bubler Trucking, Inc. and MC 135797 (Sub-No. 74), J. B. Hunt Transport, Inc., now being assigned February 7, 1978 (2 days) at Birmingham, Ala., in a hearing room to be later designated.

MC 143543 (Sub-No. 1), Thomas H. Kennedy, d.b.a. K-Lines Transportation, now assigned February 2, 1978 at Birmingham, Ala. is cancelled, application dismissed.

MC 73165 (Sub-No. 416), Eagle Motor Lines, Inc., now being assigned February 6, 1978 at Birmingham, Ala., in a hearing room to be later designated.

MC 143252, Jihn William Jiggetts, d.b.a. Jiggetts Charter Bus Service, now assigned January 11, 1978, at Richmond, Va., will be held in room 11509, Federal Building, 400 North 8th Street.

MC 103066 (Sub-No. 61), Stone Trucking Co., now assigned February 9, 1978, at Omaha, Nebr., will be held in room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC 106195 (Sub-No. 16), Clark Bros Transfer, Inc., now assigned February 7, 1978, at Omaha, Nebr., will be held in room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC 118535 (Sub-No. 98), Tiona Truck Lines, Inc., now assigned January 31, 1978, at Omaha, Nebr., will be held in room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC 124211 (Sub-No. 292), Hilt Truck Line, Inc., now assigned February 2, 1978, at Omaha, Nebr., will be held in room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC 134341 (Sub-No. 7), Strop Transportation, Inc., now assigned February 8, 1978, at Omaha, Nebr., will be held in room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC 134755 (Sub-No. 98), Charter Express, Inc., now assigned February 1, 1978, at Omaha, Nebr., will be held in room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC 143255, R. & D. Transportation Corp., now assigned February 6, 1978, at Omaha, Nebr., will be held in room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC-F-13135 and MC 134551 (Sub-No. 10), Lanter Refrigerated Distributing Co.—Purchase—Southwest Refrigerated Distributors, Inc., now assigned January 9, 1978, at St. Louis, Mo., will be held in room 1620, Fed-

eral Office Building, 1520 Market Street.

AB 68 (Sub-No. 2), Lake Superior and Ishpeming Railroad Co. abandonment between Munising and Marquette and between Lawson and Little Lake in Marquette and Alger Counties, Mich., now being assigned March 13, 1978 (1 week) at Marquette, Mich. in a hearing room to be later designated.

MC 139482 (Sub-No. 16), New Ulm Freight Lines, Inc. now being assigned March 7, 1978 (4 days) at St. Paul, Minn. in a hearing room to be later designated.

MC-F-13050 and MC 95336 (Sub-No. 98), J. B. Williams Express, Inc.—Purchase Portion—National Transportation Co., d.b.a. National Transport 101, now assigned February 1, 1978, at New York, N.Y., is postponed indefinitely.

MC 61403 (Sub-No. 245), The Mason & Dixon Tank Lines, Inc., now being assigned January 25, 1978 (1 day) for hearing in Columbus, Ohio, will be held in room 235, Federal Building, 85 Marconi Boulevard.

MC 73165 (Sub-No. 410), Eagle Motor Lines, Inc., now being assigned January 26, 1978 (2 days) for hearing in Columbus, Ohio, will be held in room 235, Federal Building, 85 Marconi Boulevard.

MC 119789 (Sub-No. 367), Caravan Refrigerated Cargo, Inc., now being assigned March 20, 1978 (1 week) at New York, N.Y., in a hearing room to be later designated.

MC 142466 (Sub-No. 1), Timber Products Transport, Inc., now assigned January 23, 1978 at Salem, Oreg. is canceled and reassigned for hearing January 23, 1978 (1 week) at Los Angeles, Calif., and will be held in room 3123, Federal Building, 300 North Los Angeles Street.

MC 82492 (Sub-No. 149), Michigan and Nebraska Transit Co., Inc., now assigned February 14, 1978 at Kansas City, Mo., is canceled.

MC 143127 (Sub-No. 1), K. J. Transportation, Inc., now being assigned March 13, 1978 (2 days) at New York, N.Y. in a hearing room to be later designated.

MC 140511 (Sub-No. 5), Autolog Corp. now being assigned March 15, 1978 (3 days) at New York, N.Y. in a hearing room to be later designated.

H. G. Homme, Jr.,
Acting Secretary.

[FR Doc. 77-36252 Filed 12-19-77; 8:45 am]

[7035-01]

[Ex Parte No. 343]

NATIONWIDE INCREASED FREIGHT RATES AND CHARGES—1977

December 14, 1977.

In an order served November 30, 1977, the Commission detailed the commodities to be investigated and the procedures and time frames to be followed in the above-entitled proceeding. Subsequently, a question has arisen as to which parties that filed protests in the initial stage of this proceeding will be participating in the investigation phase.

To insure appropriate service upon all concerned parties and at the same time to avoid unnecessary expense to the public, service of pleadings by parties in this proceeding should be limited to who intend to take an active role or who specifically express further interest in this matter. Accordingly, any person interested in participating in the investigation phase of this proceeding, shall notify this Commission, by filing with the Interstate Commerce Commission, Office of Proceedings, room 5334, Washington, D.C. 20423, on or before 10 days from date of service of this notice, or publication of this notice in the Federal Register, whichever is later, the original and one copy of a statement of his interest. The statement of intent to participate shall include a detailed specification of the intent of such person's interest, including (1) whether such interest extends merely to receiving Commission releases in this proceeding; (2) whether he genuinely wishes to participate by receiving or filing initial statements; (3) if he so desires to participate as described in (2), whether he will consolidate or is capable of consolidating his interests with those of other interested parties by filing joint statements in order to limit the number of copies of pleadings that need to be served, such consolidation of interest being strongly urged by the Commission; and (4) any other pertinent information which will aid in limiting the service list to be used in this proceeding. This Commission shall then prepare and make available to all these persons a list containing the names and addresses of all parties desiring to participate in this proceeding and upon whom copies of all statements must be filed. The procedural order for filing of statements as described in the order served November 30, 1977, is still in effect.

This notice will be given to the Director, Office of the Federal Register, for publication.

H. G. Homme, Jr.,
Acting Secretary.

[FRDoc.77-36251Filed12-19-77;8:45am]

sunshine act meetings

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. 522b(e)(3).

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[6570-06]

1

AGENCY HOLDING THE MEETING.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

TIME AND DATE: 9:30 a.m. (eastern standard time), Tuesday, December 20, 1977.

PLACE: Chairman's Conference Room, No. 5240, on the fifth floor of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

STATUS: Parts will be open to the public and part will be closed to the public.

MATTERS TO BE CONSIDERED:

Parts open to the public:

(1) Remedial and affirmative action; proposed guidelines. This matter was postponed from the meeting of December 15, 1977.

(2) Report; new procedures in model offices and other district offices; office of field services.

Part closed to the public:

Freedom of Information Act Appeal No. 77-9-FOIA-183, concerning a request for audits of the Commission's 32 district offices and other audits of the agency.

A majority of the entire membership of the Commission determined by recorded vote that the business of the Commission required that this meeting be held and that no earlier announcement was possible.

NOTE.—Any matter not discussed or concluded may be carried over to a later meeting.

The vote was as follows:

In favor: Eleanor Holmes Norton, chairperson, Ethel Bent Walsh, commissioner, Daniel E. Leach, commissioner.

Opposed: None.

CONTACT PERSON FOR MORE INFORMATION:

Marie D. Wilson, Executive Office, Executive Secretariat, at 202-634-6748.

This notice issued December 15, 1977.

[S-2112-77 Filed 12-16-77; 3:52 pm]

[6570-06]

2

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

TIME AND DATE: 9:30 a.m., (eastern time), Thursday, December 22, 1977.

PLACE: Chairman's Conference Room, No. 5240, on the fifth floor of the Columbia Plaza Office Building, 2401 E Street NW., Washington, D.C. 20506.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

Employee selection; proposed guidelines.

NOTE.—Any matter not discussed or concluded may be carried over to a later meeting.

CONTACT PERSON FOR MORE INFORMATION:

Marie D. Wilson, Executive Officer, Executive Secretariat, at 202-634-6748.

This notice issued December 15, 1977.

[S-2113-77 Filed 12-16-77; 3:52 pm]

[6715-01]

3

FEDERAL ELECTION COMMISSION.

DATE AND TIME: Thursday, December 22, 1977 at 10 a.m.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: Portions of this meeting will be open to the public and portions will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

I. Future meetings.
II. Correction and approval of minutes.
III. Advisory opinion request AOR 1977-37.
IV. Appropriations and budget.
V. Procedures on non-filers.
VI. Pending legislation.
VII. Pending litigation.
VIII. Liaison with other Federal agencies.
IX. Classification actions.
X. Routine administrative matters.

Portions closed to the public (executive session), compliance (If not concluded on December 21, 1977). Personnel.

PERSON TO CONTACT FOR INFORMATION:

Mr. David Fiske, press officer, 202-523-4065.

MARJORIE W. EMMONS,
Secretary to the Commission.

[S-2107-77 Filed 12-15-77; 4:39 pm]

[6210-01]

4

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Sent to FEDERAL REGISTER on December 13, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Wednesday, December 21, 1977.

CHANGES IN THE MEETING: Deletion of the following open item from the agenda:

Request by a member bank for reconsideration of a Board interpretation (1970 Federal Reserve Bulletin 343) relating to prepayment, in the form of merchandise, of interest on deposits.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board: 202-452-3204.

Dated: December 15, 1977.

THEODORE E. ALLISON,
Secretary of the Board.

[S-2108-77 Filed 12-16-77; 9:51 am]

[6210-01]

5

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

TIME AND DATE: 10 a.m., Friday, December 23, 1977.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Summary Agenda

Because of their routine nature, no substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board requests that an item be moved to the discussion agenda.

1. Routine extension of the Federal Reserve form: "Quarterly Survey of Changes in Bank Lending Practices" (FR 18).

2. Possible amendment to Regulation D (Reserves of Member Banks), to exempt from the definition of "deposit" a member bank's borrowings from a member bank whose head office is located outside the United States.

Discussion Agenda

1. Proposed revisions to the Federal Reserve form: "Monthly Survey of Loan Commitments" (FR 18a).

2. Proposals concerning the Federal Reserve's participation in electronic funds transfer:

(a) Provision of interregional automatic clearing house services by the Federal Reserve System; and

(b) Request by Bankwire 11, a data communications firm owned by an association of commercial banks, for the Federal Reserve System to provide settlement facilities through reserve account balances.

3. Proposal to obtain information on Treasury note balances at commercial banks through the fiscal agency function at Reserve Banks.

4. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board, 202-452-3204.

Dated: December 15, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[S-2109-77 Filed 12-16-77; 9:51 am]

[6750-01]

6

FEDERAL TRADE COMMISSION.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: FR 42, December 15, 1977, Page No. 63281.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Tuesday, December 20, 1977.

CHANGES IN THE AGENDA: The Federal Trade Commission has changed the agenda of its previously announced closed meeting of December 20, 1977, to add additional items:

Nonadjudicative Matter

Approval of Minutes of Nonadjudicative Matters Considered at Meetings of December 1, and 6, 1977.

Adjudicative Matters Under Part 3 of the Rules of Practice

(1) Approval of Minutes of Adjudicative Matters Considered at Meeting of December 6, 1977.

(2) Consideration of Final Opinion in Jim Walter Corp., Docket No. 8986.

(3) Consideration of final decision in Porter & Dietsch, Inc., et al., Docket No. 9047.

[S-2111-77 Filed 12-16-77; 3:52 pm]

[4910-58]

7

NATIONAL TRANSPORTATION SAFETY BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 63009, December 14, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: Thursday, December 22, 1977, 9:30 a.m. [NM-77-43.]

CHANGE IN THE MEETING: The following item has been added for consideration as the fourth item on the agenda and will be open to the public. A majority of the Board has determined by recorded vote that the business of the Board requires this change and no earlier announcement was possible.

Aircraft Accident Report: Allegheny Airlines, Inc., Douglas DC-9, N99VJ, Philadelphia International Airport, Philadelphia, Pa., June 23, 1976.

[S-2114-77 Filed 12-16-77; 3:52 pm]

[8120-01]

8

[Meeting No. 1186]

TENNESSEE VALLEY AUTHORITY.

TIME AND DATE: 10:30 a.m., Thursday, December 22, 1977.

PLACE: Conference Room B-32, West Tower, 400 Commerce Avenue, Knoxville, Tenn.

STATUS: Open.

MATTERS TO BE CONSIDERED:

A—Personnel Actions

1. Change of status—Harry G. Moore, Jr., from Assistant Director to Acting Director of the Division of Environmental Planning, Chattanooga, Tenn.

2. Resolution relating to filling of critical-sensitive positive of Acting Director of Environmental Planning, pending full field investigation.

3. Resolution relating to filling of critical-sensitive position of Director of Power Resource Planning, pending full field investigation.

4. Change of status from temporary to permanent—Frank W. Smith, Director of Transmission Planning and Engineering, Office of Power, Chattanooga, Tenn.

5. New wage schedules for hourly and annual trades and labor employees and other recommendations resulting from negotiations between TVA and Tennessee VAlley Trades and Labor Council, 43d Annual Wage Conference.

B—Consulting and Personal Service Contracts

1. Renewal of consulting contract with Dr. Stuart Struever, Evanston, Ill.—Division of Water Management.

2. Renewal of consulting contract with Dr. Robert Lloyd Stephenson, Columbia, S.C.—Division of Water Management.

3. Renewal of consulting contract with Dr. John Otis Brew, Cambridge, Mass.—Division of Water Management.

4. Supplement to personal service contract with Western Geophysical Co. of America, Houston, Tex.—Division of Water Management.

5. Renewal of consulting contract with Nuclear Water and Waste Technology, Inc., San Jose, Calif.—Office of Power.

C—Purchase Awards

1. Req. No. 823300—Structural steel and liner plates for Paradise Steam Plant.

2. Req. No. 822643—Main control switchboards for Hartsville Nuclear Plant.

NOTE.—Items informally approved by the Board in interval since 11-23-77 Board meeting.

3. Req. No. 820827 (Reissue)—Centrifugal fans for Hartsville and Phipps Bend Nuclear Plants.

4. Req. No. 554666—Crawler-type tractors for construction pool equipment.

5. Req. No. 108010—Tri-conductor spacedampers for various transmission lines and power stores, Muscle Shoals, Ala.

6. Req. No. 820725 (Reissue)—Gate, globe, check, ball, butterfly, plug, and diaphragm valves for Hartsville and Phipps Bend Nuclear Plants.

7. Req. No. 145968—Indefinite quantity term contract for metalizing services for Allen, Cumberland, and Paradise Steam Plants.

8. Req. No. 822146—Water chilling equipment for Hartsville and Phipps Bend Nuclear Plants.

9. Amendment to contract 75X5-57633-2—Indefinite quantity term contract with Graybar Electric Co. for conduit fittings and accessories for any TVA project or warehouse.

10. Req. No. 554774—Stationary tower cranes for construction pool equipment.

11. Req. No. 821635—Closed-type feedwater heaters for the Yellow Creek Nuclear Plant.

D—Project Authorizations

1. No. 3067.1—Amendment to highway upgrading project in Land Between The Lakes.

2. No. 3280—Acquisition of substation site and transmission line rights of way for the Jackson, Tenn., 500-kv substation.

3. No. 3295—Replacement of generator stator windings for Guntersville Hydro Plant Units 1 and 2, and Watts Bar Hydro Plant Units 3 and 4.

4. No. 3305—Southwest Virginia flood relief housing development.

5. No. 3301—Studies to determine the feasibility of a multipurpose resource development project in northeastern Mississippi.

E—Fertilizer Items

1. Supplemental letter agreement between TVA and the International Fertilizer Development Center covering arrangements for library services.

F—Power Items

3. New power contract with E. I. du Pont de Nemours & Co.

G—Real Property Transactions

1. Resolution relating to lease agreement with Athens, Tenn., Board of Education, affecting 12.9 acres of Watts Bar Reservoir land—tract XTWBR-92L.

2. Resolution relating to reconveyance to TVA of 3.36 acres of Fort Loudoun Reservoir land and grant of permanent easement to city of Knoxville, Tenn., for wastewater treatment facilities.

3. Resolution relating to grant of permanent easement for public cemetery affecting approximately 3.7 acres of Kentucky Reservoir land in Benton County, Tenn.—XTGIR-124CE.

4. Resolution relating to sale of permanent highway easement affecting a portion of the Nashville Area Office property—tract XNLCH-2H.

5. Resolution relating to sale of permanent water pumping station easement affecting a portion of the Winchester 161-kV substation property in Franklin County, Tenn.—tract XWIPSS-2PS.

6. Resolution relating to abandonment of easement rights over a portion of Centerville to McEwin transmission line right of way in Humphreys County, Tenn.—tracts CMC-65 through CMC-68.

7. Resolution relating to abandonment of flowage and other rights affecting 0.03 acre of Boone Reservoir land in Sullivan County, Tenn.—tract BR-465F.

8. Resolution relating to abandonment of flowage and other rights affecting 0.37 acre of Norris Reservoir land in Claiborne County, Tenn.—tract XWR-325.

9. Resolution relating to modification of deed to 25-acre tract of land in the Little Bear Creek Club site subdivision on Kentucky Reservoir—tract XGIR-3:5.

10. Filing of condemnation suits.

H—Unclassified

1. Resolution relating to settlement agreement with General Electric Co.

2. Letter agreement with Corps of Engineers relating to Goat Island public use area—Pickwick Reservoir.

3. Supplement to agreement with the State of Tennessee for conduct of an orphan mine reclamation demonstration.

4. Revised policy statement—Disposal of surplus raw materials and chemical products and byproducts for nonagricultural use.

5. Resolution relating to amendments to section 26a regulations governing approval of construction in the Tennessee River system and regulations of structures. Date: December 15, 1977.

CONTACT PERSON FOR MORE INFORMATION:

John Van Mol, Director of Information, or a member of his staff can respond to requests for information about this meeting. Call 615-632-3257, Knoxville, Tenn. Information is also available at TVA's Washington Office, 202-566-1401.

[S-2110-77 Filed 12-16-77; 9:51 am]

federal register

TUESDAY, DECEMBER 20, 1977

PART II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

■

APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determinations for Various Communities

[4210-01]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-3175]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determinations for the Town of Guilford, New Haven County, Conn.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed for selected locations in the Town of Guilford, New Haven County, Conn.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the Town of Guilford, Conn.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Town of Guilford, are available for review at Town Hall, Park Street, Guilford, Conn.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Town of Guilford, Conn.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
West River	Race Hill Rd	167
	Wood bridge	155
	Dam	154
	Route 77	151
	Route 80	143
	Flat Meadow Rd	55
	Dam	42
	Sawmill Rd	27
	I-95, Connecticut Turnpike.	19
	Town park	14
	Dam	12
	York St	12
	U.S. Route 1	12
East River	Dam and walkway below Capello Pond.	22
	Dirt drive to gravel pit.	18
	Dirt drive	12
	Bear House Hill Rd	12
	Clapboard Hill Rd	12

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35962 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3052]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the Village of Arlington Heights, Cook County, Ill.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the Village of Arlington Heights, Cook County, Ill.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the Village of Arlington Heights, Cook County, Ill.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Village of Arlington Heights, Cook County, Ill., are available for review at the Municipal Building, 33 South Arlington Heights Road, Arlington Heights, Ill.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the village of Arlington Heights, Cook County, Ill.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet above mean sea level
Salt Creek	Downstream corporate limits.	710
	Parking lot	710
	Upstream corporate limits.	715
McDonald Creek	Cornell Bridge	666
	Windsor Rd*	676
	Bradford Rd*	682
	Burr Oak Dr	691
	Mill Creek Rd*	693
South branch McDonald Creek	Confluence with McDonald Creek.	676
	Palatine Rd*	678
	Clarence Ave	679
	Upstream corporate limits.	680

*Elevation at upstream side of bridge.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35963 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-2470]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determination for the City of Camilla, Ga.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the City of Camilla, Ga.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map (FIRM) showing base (100-year) flood elevation for the City of Camilla, Ga.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Camilla are available for review at City Hall, P.O. Box 328, Camilla, Ga.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the City of Camilla.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917).

An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Butler Branch	Chili St	160
	Bay St	160
	Newton Rd	161
	Cemetery Rd	167
Westwood Branch 2	Fuller St	164
	Andrews St	165
Westwood Branch 1	Georgia Northern RR	160
	Laurel Lane	160
	Watt St	162
Lowland-Big Slough	2d bridge route 3	162
	Seaboard Coast Line	164
	Sylvester Rd	168
	Georgia Northern RR	168
Seaboard Branch	Moultrie Rd	169
	McArthur Blvd	173
Lowland Branch 1	Bridge—route 3	161

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: August 30, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35964 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3180]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determinations for the City of Sun Valley, Blaine County, Idaho

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the City of Sun Valley, Blaine County, Idaho.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the City of Sun Valley, Idaho.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Sun Valley, are available for review at City Hall, Sun Valley, Idaho.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the City of Sun Valley, Idaho.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Trail Creek	Dollar Mountain Rd.	5,879
	House over Trail Creek	5,842

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: October 13, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35965 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3167]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the City of Le Mars, Plymouth County, Iowa

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected

locations in the City of Le Mars, Plymouth County, Iowa.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the City of Le Mars, Plymouth County, Iowa.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Le Mars, are available for review at City Hall, 127 Central Avenue NW., Le Mars, Iowa.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line 800–424–8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the City of Le Mars, Plymouth County, Iowa.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Floyd River	25 ft downstream of county road, 4,350 ft upstream of highway 75.	1,194
	6,000 ft upstream of county road.	1,197
	50 ft downstream of State Highway 3.	1,202
	100 ft downstream of U.S. Highway 75.	1,207
	At the northern corporate limits.	1,210
Willow Creek	At the Chicago and Northwestern Ry.	1,212
	At Seney Rd.	1,214
	At eastern corporate limits.	1,216

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35966 Filed 12-19-77;8:45 am]

[4210–01]

[Docket No. FI-3066]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the Town of Bradley, Penobscot County, Maine

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the Town of Bradley, Penobscot County, Maine.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the town of Bradley, Penobscot County, Maine.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Town of Bradley, Penobscot County, Maine, are available for review at the Town Office, Main Street, Bradley, Maine.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line 800–424–8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the town of Bradley, Penobscot County, Maine.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet above mean sea level
Penobscot River	Upstream corporate limits.	90
	Old Town-Orono town line.	73
	Confluence with Blacksman Stream.	65
	Downstream corporate limits.	51
Otter Stream	Upstream corporate limits.	87
	Bullen St.	84
	Confluence with Penobscot River.	82
Great Works Stream.	Power line crossing	108
	Cram St.	94
	Confluence with Boynton Brook.	85
	Confluence with Penobscot River.	82
Boynton Brook	Limit of detailed study, 3,670 ft upstream of mouth.	107
	1,060 ft above mouth	86
Oliver Brook	1,060 ft upstream of confluence of Great Works Stream.	83
	Confluence with Great Works Stream.	81

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35967 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3073]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the Town of Veazie, Penobscot County, Maine

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base flood elevations (100-year flood) are listed below for selected locations in the Town of Veazie, Penobscot County, Maine.

These base flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: On publication of the Flood Insurance Rate Map for the town of Veazie, Penobscot County, Maine.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the town of Veazie, Penobscot County, Maine are available for review at the Town Hall, Bangor, Maine.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the town of Veazie, Penobscot County, Maine.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR Part 1917). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator, to whom the Secretary has delegated the statutory authority, has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final 100-year flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet above mean sea level
Penobscot River...	Confluence with Eaton Brook.	31
	Below Veazie Dam....	34
	Above Veazie Dam....	43
	Northwest corporate limits.	46
Unnamed stream...	Main St.....	51
	Maine Central RR....	67
	State St.....	70

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35968 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3171]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for Washington County, Md.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in Washington County, Md.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for Washington County, Md.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for Washington County, Md., are available for review at the Washington County Planning Commission, 33 West Washington Street, Hagerstown, Md.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for Washington County, Md.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet above mean sea level
Antietam Creek....	Poffenberger Rd.....	450
	Interstate Route 70....	458
	Ridge Rd.....	465
	Mt. Aetna Rd.....	480
	U.S. Route 40.....	481
	State Route 64.....	484
	Old Forge Rd.....	506
	Clopper Rd.....	513
Conoco Cheagus Creek.	Western Maryland RR.	377
	Kemp Mill Run.....	377
	U.S. Route 40.....	380
Israel Creek	Maryland Route 180..	257
Garretts Mill.	U.S. Route 340.....	275
	Chessy System.....	292
	Chessy System at State Route 67.	302
	Valley Rd. (downstream).	383
	Valley Rd. (upstream).	383
	Garretts Mill Rd.....	390
	Yarrowsburg Rd. ...	478
	Chessy System.....	487
	Brownsville Rd.....	513
Little Antietam Creek (11).	Millbrook Rd.....	524
	State Route 67.....	594
Little Tonoloway Creek.	Footbridge.....	434
Marsh Run (1).....	Downstream Western Maryland RR.	488
	Upstream Western Maryland RR.	491
	Old Forge Rd.....	493
	Dam.....	517
	State Route 60.....	529
	Eden Rd.....	570
	Lehmans Mill Rd.....	579
Semple Run.....	Hopewell Rd.....	434
Toms Run (1).....	Interstate Route 70 southbound exit ramp.	512
	Interstate Route 70 northbound entrance ramp.	519
	Mulberry St.....	538
	U.S. Route 40.....	549
	Boyd Rd.....	568
	Draper Rd.....	585
	Upstream limit of study.	630
Tonoloway Creek..	State Route 144.....	431
	Timber Ridge Rd....	431

Source of flooding	Location	Elevation in feet above mean sea level
West Branch	Marsh Pike	575
	Western Maryland RR. bridge.	584
	Paradise Church Rd.	591
	Showwalter Rd.	595
Tributary No. 3	U.S. Route 40 eastbound.	435
	Creek Rd.	443
	Upstream limit of detailed study.	510
Tributary No. 29	Walnut Point Rd.	377
	State Route 63.	381
	Interstate 70 southbound lane.	403
Tributary No. 33	Kemp Mill Rd.	394
	Western Maryland RR.	399
	State Route 63.	400
	Hopewell Rd.	418
	Interstate 81 southbound lane.	422
	U.S. Route 11	437
	Interstate 81 east exit ramp.	445
	Doub Rd.	479
Tributary No. 35	Interstate 81	445
	Con Rail railroad spur.	462
Tributary No. 36	Interstate 81 westbound lane.	433
	Downstream Con Rail.	445
	Upstream Con Rail.	455
	Upstream limit of study.	472
Tributary No. 67	Trevinger Rd.	502
	Western Maryland RR.	506
	State Route 64.	510
	State dirt road.	512
Tributary No. 73	Upstream limit of study.	624
Tributary No. 74	Limit of detailed study.	584
Tributary No. 75	State Route 60.	551
	Limit of detailed study.	570
Tributary No. 76	Downstream limit of detailed study.	527
	Northern Ave.	527
	Downstream State Route 60.	564
	Upstream State Route 60.	566
	Marsh Pike.	568
	Western Maryland RR.	586
	Downstream Blue Ridge Rd.	594
	Upstream Blue Ridge Rd.	596
	Downstream Briarcliffe Rd.	599
	Upstream Briarcliffe Rd.	602
	Mt. Vernon Rd.	605
	Appletree Dr.	616
Tributary No. 78	Downstream limit of study.	473
	Beaver Creek Rd.	497
	Herb Rd.	505
	State Route 40.	534
	Day Rd.	534
Tributary No. 79	Herb Rd.	504
	Corporate limits.	511
Tributary No. 102	Hog Mill Rd.	523
	Upstream limit of study.	591
Tributary No. 112	Brownsville Rd.	522
	Upstream limit of detailed study.	623

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: October 21, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35969 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-2797]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for Town of Randolph, Norfolk County, Mass.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the town of Randolph, Norfolk County, Mass. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the Town of Randolph, Norfolk County, Mass.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the Town of Randolph, Norfolk County, Mass., are available for review at the Town Hall, Crawford Square, Randolph, Mass.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line 800–424–8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Town of Randolph, Norfolk County, Mass.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet above mean sea level
Cochato River	Lincoln Ave.	105
	Con Rail	105
	Teed Dr. (extended)	106
	Cochato Dr. (extended).	107
	Kingcrest Ter. (extended).	108
	Young Ter. (extended).	109
Mary Lee Brook	Mill St.	115
	Wilmarth Rd.	116
	Argyle Rd. (extended).	118
	Wilmarth Rd.	120
Unnamed tributary to Mary Lee Brook.	Prospect Ave.	130
	Union St.	162
Glovers Brook	North St.	116
	Pleasant St.	119
	Con Rail	155
	Warren St.	173
	Pelissier Circle (extended).	180
Brook A (Stetson Brook).	Carlino Way.	118
	Amvets Lane.	119
	Con Rail	126
	Dennis Circle (extended).	128
	Allen St.	130
Brook B	Oak St.	133
	Bartlett Rd. (extended).	153
	Green St. (extended)	134
	Clark St. (extended)	135
	Vesey Rd. (downstream crossing).	142
	Vesey Rd. (upstream crossing).	143
Martin Brook	Teed Dr.	108
	North Dr.	114
	Pleiuna Rd.	117
	Oak St.	131
Norroway Brook	Confluence with upper reservoir.	133
	Oak St.	138
	North Main St.	154
	Access rd—Boston School for the Deaf.	158
	Access rd—meadow lands.	169
	Grove St.	175
	Wales Ave. (extended).	176
	West St.	183
	Warren St.	186

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35970 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3015]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the City of Westfield, Hampden County, Mass.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the city of Westfield, Hampden County, Mass. These base (100-year)

flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the city of Westfield, Hampden County, Mass.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Westfield, are available for review at the City Clerk's Office and The City Planning Department, City Hall, 59 Court Street, Westfield, Mass., and The Westfield Anthenaeum, 6 Elm Street, Westfield, Mass.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line 800–424–8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notices of his final determinations of flood elevations for the City of Westfield, Hampden County, Mass.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Westfield River	At USGS stream gage No. 01183500.	126
	At the downstream face of East Main Street Bridge.	131
	3,040 ft downstream from North Elm Street Bridge.	135
	2,700 ft downstream from North Elm Street Bridge.	139
	At the downstream face of North Elm Street Bridge.	143
	8,000 ft upstream from North Elm Street Bridge.	154
	At the corporate boundary.	183
Little River	At the downstream face of Main Street Bridge.	134
	At the downstream face of Ponders Hollow Road Bridge.	147
	At the downstream face of Southwick Rd.	158
	At the downstream face of Lower Stevens Dam.	160
	At the upstream side of the Crane Pond.	169
	At the downstream face of Upper Stevens Dam.	180
	At the upstream face of Upper Stevens Dam.	192
	300 ft upstream of Hortons Bridge.	193
	1,600 ft upstream from confluence with Munn Brook.	196
	5,600 ft upstream from confluence with Munn Brook.	211
	At the downstream face of Northwest Road Bridge.	237
	At the upstream face of Northwest Road Bridge.	245
Great Brook	At the downstream face of Sherman Mill Bridge.	130
	At the upstream face of Shakor Rd. culvert near corporate boundary.	141
Powdermill Brook	At the upstream face of Union St. culvert.	132
	500 ft downstream from North Elm Street Bridge.	134
	At the downstream face of North Elm Street Bridge.	136
Munn Brook	At the downstream face of Granville Road Bridge.	196
	5,680 ft upstream from Granville Road Bridge.	197
	At the downstream face of Loomis Street Bridge.	206

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35971 Filed 12-19-77;8:45 am]

[4210–01]

[Docket No. FI–3190]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determinations for the City of Ecorse, Wayne County, Mich.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the city of Ecorse, Wayne County, Mich.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the city of Ecorse, Mich.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the city of Ecorse, are available for review at Ecorse Civic Center, 3869 West Jefferson Avenue, Ecorse, Mich.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the city of Ecorse, Mich.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Detroit River	La Salle Gage	578
Ecorse Creek	Jefferson Ave	578
	Railroad crossing	578
North Ecorse Creek	Mill St.	580
	Southfield Rd.	581

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1958), as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Ad-

ministrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35972 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3192]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determinations for the City of Montague, Muskegon County, Mich.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the City of Montague, Muskegon County, Michigan.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the City of Montague, Michigan.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the City of Montague, are available for review at City Hall, 4525 Dowling Street, Montague, Michigan.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line, 800-424-8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the City of Montague, Michigan.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Buttermilk Creek	Park St.	604.5
	Cook St.	619.3
White Lake	U.S. Highway 31 (extended).	584.0

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35973 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3194]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determinations for Goodhue County, Minn.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in Goodhue County, Minn.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for Goodhue County, Minn.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for Goodhue County, are available for review at County Courthouse, Red Wing, Minn.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll free line 800-424-8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for Goodhue County, Minn.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas iin accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Mississippi River	Lake City corporate limits (United States).	682
	Red Wing, upstream corporate limits	688
	County line*	690
Cannon River	County Highway 7	716
	Welch Dam*	719
	Cannon Falls corporate limits.	784
Little Cannon River	do	821
	Bridge, sec. 25, T112N, R18W.	845
	County Highway 24	880
	Bridge, sec. 6 and 7, T111N, R17W.	882
	Bridge, sec. 13 and 24, T11N, R18W.	918
	Bridge, sec. 24 and 25, T111N, R18W.	927
Belle Creek	Chicago Great Western Railroad Bridge.	708
	County Highway 7	758
	State Highway 19	864
	Bridge, sec. 17, T112N, R16W.	909
	Bridge, sec. 20, T112N, R16W.	891
	Bridge, sec. 28, T112N, R16W.	920
	Bridge, sec. 32, T112, R16W.	929
	County Highway 1	937
	Bridge, sec. 8, T111N, R16W.	942
	Bridge, sec. 17, T111N, R16W.	969
Hay Creek	Red Wing corporate limits.	708
	Bridge, sec. 12, T112N, R5W.	731
	Bridge, sec. 13, T112N, R15W.	761
	Bridge, N½, sec. 24, T112N, R15W.	773
	Bridge, sec. 24, T112N, R15W.	807

Source of flooding	Location	Elevation in feet above mean sea level
Wells Creek	County Highway 2	691
	Chicago, Milwaukee, St. Paul and Pacific Railroad Bridge.	699
	Bridge, sec. 22, T112N, R13W.	723
	Bridge, sec. 20 and 21, T112N, R13W.	746
	Bridge, sec. 24, T112N, R14W.	800
	Bridge, N½, sec. 25, T112N, R14W.	818
	Bridge, sec. 35, T112N, R14W.	829
	Bridge, sec. 24, T112N, R14W.	837
	County road 45	843
North fork Zumbro River.	Downstream county line.	932
	County Highway 10	955
	County Highway 4	961
	U.S. Highway 52	984
North fork middle branch Zumbro River.	Pine Island corporate limits.	1,012
	County road 43	1,039

* Upstream.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968) as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35974 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3267]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determinations for the City of Maple Grove, Hennepin County, Minn.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the city of Maple Grove, Hennepin County, Minn.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the city of Maple Grove, Minn.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the city of Maple Grove, are available for review at City Hall, 14310 93rd Avenue North, Maple Grove, Minn.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the city of Maple Grove, Minn.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided, and the Administrator has resolved the appeals presented by the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Elm Creek	Elm Rd	920
	Boss Lake Rd	911
	Interstate 94	894
	Territorial Rd	875
Rush Creek	97th Ave	928
	Interstate 94	913
	105th Ave. North	912
	Territorial Rd	906

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35975 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3147]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATIONS AND JUDICIAL REVIEW

Final Flood Elevation Determinations for the Village of Avoca, Cass County, Nebr.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the village of Avoca, Cass County, Nebr.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the village of Avoca, Nebr.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the village of Avoca, are available for review at the mayor's home, Avoca, Nebr.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line, 800–424–8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the village of Avoca, Nebr.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4 (a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
South branch of Weeping Water Creek.	County road	1,163
Tributary to south branch of Weeping Water Creek.	North St	1,165
	House St	1,162

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35976 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3038]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the Town of Henniker, Merrimack County, N.H.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the town of Henniker, Merrimack County, N.H.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the town of Henniker, Merrimack County, N.H.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the town of Henniker, are available for review at Selectmen's Office, Town Hall, Depot Hill Rd., Henniker, N.H.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line, 800–424–8872, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the town of Henniker, Merrimack County, N.H.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninty (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The final base (100-year) flood elevations for selected loactions are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Contoocook River..	Upstream of Route 114 Bridge.	422
	Downstream of covered bridge.	422
	50 ft upstream of covered bridge.	424
	475 ft downstream of abandoned B and M Railroad Bridge.	424
	100 ft downstream of abandoned B and M Railroad Bridge.	425
	Upstream of abandoned B and M Railroad Bridge.	427
	At Patterson Hill Road Bridge.	429
	Upstream of Old Route 202-9 bridge.	431
	160 ft downstream of Contoocook Valley Paper Co. Dam.	432
	Downstream of Contoocook Valley Paper Co. Dam.	434
	Upstream of Contoocook Valley Paper Co. Dam.	439
	2,376 ft upstream from the Contoocook Valley Paper Co. Dam.	442
	3,696 ft upstream from the Contoocook Valley Paper Co. Dam.	451
	4,752 ft upstream from the Contoocook Valley Paper Co. Dam.	464
	At U.S.G.S. gaging station.	491
	4,488 ft upstream from the U.S.G.S. gaging station.	538
	4,488 ft downstream from the Franklin Pierce Highway.	551
	3,221 ft downstream from the Franklin Pierce Highway (town boundary).	554

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35977 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3141]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the Town of Canadaigua, Ontario County, N.Y.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the town of Canandaigua, Ontario County, N.Y. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date if issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the town of Canandaigua, Ontario County, N.Y.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the town of Canandaigua, Ontario County, N.Y., are available for review at the City Hall, 2 North Main St., Canandaigua, N.Y.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202–755–5581 or toll-free line 800–424–8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the Town of Canandaigua, Ontario County, N.Y.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90–448), 42 U.S.C. 4001–4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet above mean sea level
Canandaigua outlet.	Sullivan Trail	689
	County Road No. 46	690
	State Routes 20 and 5	691
Fedder Canal	Confluence Canandaigua outlet	690
	Corporate limits	690
Mud Creek	Downstream corporate limit	697
	Upstream corporate limit	703
Canandaigua Lake.	Cribb Rd. (extended)	693
	Foster Rd. (extended)	695
	Barnes Rd. (extended)	692

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35978 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3149]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the Town of Kendall, Orleans County, N.Y.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the Town of Kendall, Orleans County, N.Y. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the town of Kendall, Orleans County, N.Y.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the town of Kendall, are available for review at Town Clerk's Office, Town Hall, 1873 Kendall Rd., Kendall, N.Y.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, Room 5270, 451 Seventh Street, SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the town of Kendall, Orleans County, N.Y.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, National Geodetic Vertical Datum
Sandy Creek	New York State Route 272.	351
	200 ft upstream of New York State Route 272.	353
	2,200 ft upstream of New York State Route 272.	356
	3,500 ft upstream of New York State Route 272.	360
	1,300 downstream of Norway Rd.	364
	Norway Rd.	365
	1,500 ft upstream of Norway Rd.	368
	Carton Rd downstream.	371
	Carton Rd. upstream.	374
	2,600 ft downstream of Kendall Rd.	375
	1,000 ft downstream of Kendall Rd.	376
	Kendall Rd. downstream.	379
	Kendall Rd. upstream.	384
Yanty Creek	Kenmore Rd.	323
	1,550 ft upstream of Norway Rd.	335
	Roosevelt Highway downstream.	340
	Roosevelt Highway upstream.	344
	Driveway Bridge South of Roosevelt Highway, 2,500 ft West of Norway Rd.	349
	Farm Bridge 600 ft South of Roosevelt Highway, 1,650 ft East of Kendall Rd.	354
	500 ft downstream of Kendall Rd.	356
	Kendall Rd. downstream.	361
	Kendall Rd. upstream.	366
Lake Ontario	Transit Rd. to Bald Eagle Creek.	251
	Bald Eagle Creek to 1,750 ft East of Norway Rd.	252
	1,750 ft East of Norway Rd. to New York State Route 272.	251

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35979 Filed 12-19-77;8:45 am]

[4210-01]

[Docket No. FI-3150]

PART 1917—APPEALS FROM FLOOD ELEVATION DETERMINATION AND JUDICIAL REVIEW

Final Flood Elevation Determination for the Town of Portville, Cattaraugas County, N.Y.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Final rule.

SUMMARY: Final base (100-year) flood elevations are listed below for selected locations in the town of Portville, Cattaraugus County, N.Y.

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM), showing base (100-year) flood elevations, for the town of Portville, Cattaraugus County, N.Y.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the final elevations for the town of Portville, Cattaraugus County, New York, are available for review at the Town Office Building, Portville, N.Y.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, 202-755-5581 or toll-free line 800-424-8872, room 5270, 451 Seventh Street SW., Washington, D.C. 20410.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of his final determinations of flood elevations for the town of Portville, Cattaraugus County, N.Y.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a)). An opportunity for the community or individuals to appeal this determination to or through the community for a period of ninety (90) days has been provided. No appeals of the proposed base flood elevations were received from the community or from individuals within the community.

The Administrator has developed criteria for flood plain management in flood-prone areas in accordance with 24 CFR Part 1910.

The final base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet above mean sea level
Allegheny River....	Downstream corporate limit.	1,428
	Stream Valley Road Bridge.	1,432
	Downstream village of Portville corporate limits.	1,434
	Upstream village of Portville corporate limits.	1,437
	Upstream corporate limits.	1,439

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2630, February 27, 1969, as amended (39 FR 2787, January 24, 1974).)

Issued: November 7, 1977.

PATRICIA ROBERTS HARRIS,
Secretary.

[FR Doc.77-35980 Filed 12-19-77;8:45 am]



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